

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

In re:)
) P&S Docket No. 12-0502
)
Lacy Bowman Livestock Co., Inc.,)
and)
Lacy Bowman)
)
Respondents) Complaint

There is reason to believe that the respondents named herein have willfully violated the Packers & Stockyards Act, 1921, as amended and supplemented (7 U.S.C. §§ 181 *et seq.*) and, therefore, this complaint is issued alleging the following:

I.

- (a) Respondent Lacy Bowman Livestock Co., Inc. was at all times material herein a corporation organized under the laws of the State of Virginia, and has its principal place of business and mailing address located at P.O. Box 488, Hillsville, Virginia, 24343.
- (b) Respondent Lacy Bowman is an individual whose business mailing address is P.O. Box 488, Hillsville, Virginia, 24343.
- (c) Respondent Lacy Bowman Livestock Co, Inc., under the direction, management, and control of Respondent Lacy Bowman, was at all times material herein:
- (1) Engaged in the business of a dealer buying and selling livestock in commerce for his own account; and
 - (2) Registered with the Secretary of Agriculture as a dealer to buy and sell livestock in commerce.
- (d) Respondent Lacy Bowman was at all times material herein:

- (1) The president and sole owner of Lacy Bowman Livestock Co., Inc.; and
- (2) Responsible for the direction, management and control of respondent Lacy Bowman Livestock Co., Inc.
- (3) The *alter ego* of respondent Lacy Bowman Livestock Co., Inc.

II.

Respondents, on or about the dates and in the transactions set forth below, purchased livestock in commerce and failed to pay, when due, the full purchase price of such livestock purchases.

<u>PURCHASE DATE</u>	<u>PAYEE</u>	<u>AMOUNT</u>
2/24/11	Barbara Edwards Woodlawn, Virginia	\$32,856.35
3/21/11	Voss Farms Hillsville, Virginia	\$55,120.30
4/7/11	Wythe County Livestock Exchange, Inc. Wytheville, Virginia	\$42,670.11
4/15/11	Eddie Roddy Woodruff, South Carolina	\$36,887.00
4/19/11	CV Livestock – Carol Vaughn Woodlawn, Virginia	\$97,755.00
4/19/11	Gene Smythers Hillsville, Virginia	\$27,067.50
4/21/11	Wythe County Livestock Exchange, Inc. Wytheville, Virginia	\$12,246.24
5/5/11	Wythe County Livestock Exchange, Inc. Wytheville, Virginia	\$16,954.40

5/10/11

Wythe County Livestock Exchange, Inc. \$18,514.30
Wytheville, Virginia

III.

By reason of the facts alleged in paragraph II, the respondents have willfully violated section 312(a) and 409 of the Act (7 U.S.C. § 213(a) and 228b).

WHEREFORE, it is hereby ordered that for the purpose of determining whether the respondent has in fact willfully violated the Act and regulations issued thereunder, this complaint shall be served upon the respondent. The respondent shall have twenty (20) days following receipt of this complaint to file an answer with the Hearing Clerk, Room 1031 - South Building, United States Department of Agriculture, 1400 Independence Ave., S.W., Washington, D.C. 20250-9200, in accordance with the Rules of Practice governing the proceedings under the Act (7 C.F.R. §§ 1.130 *et seq.*). Allegations not answered shall be deemed admitted for the purpose of this proceeding. Failure to file an answer will constitute an admission of all the material allegations of this Complaint.

The Grain Inspection, Packers and Stockyards Administration, Packers and Stockyards Program, requests:

(1) That unless the respondent fails to file an answer within the time allowed, or files an answer admitting all the material allegations of this complaint, this proceeding be set for oral hearing in accordance with the Rules of Practice; and

(2) That an order be issued requiring the respondent to cease and desist from the violations of the Act and the regulations found to exist and assessing civil penalties against the respondent in accordance with the Act and as warranted by the facts and circumstances of this case.

Done at Washington, D.C.

this 26 day of June, 2012



Alan R. Christian
Deputy Administrator
Packers and Stockyards Program

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