

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

REC'D - USDA/OALJ/HCO
2023 DEC 13 11:58 AM

In re:

Angela Weaver, an individual,

Respondent.

AWA Docket No. [24-J-0025](#)

COMPLAINT

There is reason to believe that the Respondent named herein has violated the Animal Welfare Act, as amended (7 U.S.C. § 2131 et seq.) (AWA or Act), and the regulations (9 C.F.R. Part 2) (Regulations) and/or the standards issued thereunder (9 C.F.R. Part 3) (Standards). Therefore, the Administrator of the Animal and Plant Health Inspection Service (APHIS) issues this complaint alleging the following:

JURISDICTIONAL ALLEGATIONS

1. Respondent Angela Weaver is an individual who resides in the State of Oklahoma.
2. Respondent's mailing address will not be provided in the complaint to protect her personal privacy, but will be provided to the Hearing Clerk's Office, United States Department of Agriculture, for the purpose of serving this complaint and future documents.
3. At all times material herein, Respondent operated as a breeder as that term is defined in the Act and the Regulations and held a USDA Class A "Breeder" license number 73-A-2819.

ALLEGED VIOLATIONS

4. On or about December 16, 2022, Respondent willfully violated the Regulations (9 C.F.R. § 2.126) by failing to provide APHIS with access for inspection and/or to have a responsible adult available to accompany APHIS officials during inspection. 7 U.S.C. § 2146(a), 9 C.F.R. §

2.126.

5. On or about February 16, 2023, Respondent willfully violated the Regulations (9 C.F.R. § 2.126) by failing to provide APHIS with access for inspection and/or to have a responsible adult available to accompany APHIS officials during inspection. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

6. On or about March 31, 2023, Respondent willfully violated the Regulations (9 C.F.R. § 2.126) by failing to provide APHIS with access for inspection and/or to have a responsible adult available to accompany APHIS officials during inspection. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

7. On or about May 10, 2023, Respondent willfully violated the Regulations (9 C.F.R. § 2.126) by failing to provide APHIS with access for inspection and/or to have a responsible adult available to accompany APHIS officials during inspection. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

8. On or about July 7, 2023, Respondent willfully violated the Regulations (9 C.F.R. § 2.126) by failing to provide APHIS with access for inspection and/or to have a responsible adult available to accompany APHIS officials during inspection. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

9. On or about November 1, 2023, Respondent willfully violated the Regulations (9 C.F.R. § 2.126) by failing to provide APHIS with access for inspection and/or to have a responsible adult available to accompany APHIS officials during inspection. 7 U.S.C. § 2146(a), 9 C.F.R. § 2.126.

REQUEST FOR EXPEDITED HEARING

1. Complainant alleges that Respondent has failed to provide access to her place of business to conduct an inspection and failed to make a responsible adult available to accompany APHIS officials during the inspection process on six attempts to inspect since December 16, 2022.

2. Respondent’s chronic failure to provide APHIS access to her facility to ensure compliance with the Act, Regulations, and Standards warrants an expedited hearing.

3. Therefore, and in conformity with sections 1.141(a) and 1.143(b) of the Rules of Practice that govern proceedings under the Animal Welfare Act (7 C.F.R. §§ 1.141(a), 1.143(b)), Complainant requests that this proceeding be set for expedited hearing, unless Respondent fails to file an answer within the prescribed time or files an answer admitting all the material allegations of the Complaint.

WHEREFORE, it is hereby ordered that for the purpose of determining whether Respondent has, in fact, violated the Act and regulations promulgated thereunder, this complaint shall be served upon Respondent. Respondent shall have twenty (20) days after service of this complaint in which to file an answer with the Hearing Clerk, United States Department of Agriculture, Washington, D.C. 20250-1400, in accordance with the applicable Rules of Practice (7 C.F.R. §§ 1.130-1.151) (“Rules of Practice”). Failure to deny or otherwise respond to any allegation in this complaint shall constitute an admission of the allegation. Failure to file an answer within the prescribed time shall constitute an admission of the allegations in this complaint and a waiver of hearing. Complainant requests that this matter proceed in accordance with the Rules of Practice governing proceedings under the Act, and that such order or orders be issued as are authorized by the Act (7 U.S.C. § 2149), as warranted under the circumstances.

Done at Washington, D.C.
this _____ day of _____ 2023
MICHAEL
WATSON
Dr. Michael Watson
Acting Administrator
Animal and Plant Health Inspection Service

Digitally signed by MICHAEL WATSON
Date: 2023.12.13 08:48:07 -05'00'

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