

MINUTES OF THE NOVEMBER 9, 2016
ANIMAL SERVICES SPECIAL MAGISTRATE HEARING

The following are the minutes of the Special Magistrate Hearing held on NOVEMBER 9, 2016 as taken by Jamie Davis

Present at the hearing:

SPECIAL MAGISTRATE

Charles D. Johnson

ANIMAL CONTROL STAFF:

Sharon Beardsley, Animal Control Officer
Gerry Hodge, Animal Control Officer

STAFF ATTORNEY:

Diana Johnson, Assistant County Attorney

Charles D. Johnson called the meeting of the Special Magistrate to order at 9:00 a.m.

Staff was sworn in by Charles Johnson.

Diana Johnson announced the changes to the agenda. Item 2, Jennifer Holder, Case Number SM-AS-160133285 was postponed to December.

ITEM 1

Debbie Payne, SM-AS-160143208

Respondent was not present.

Diana Johnson stated this case is charging the owner with repeat violation of Section 4-27 "Nuisance Animals". Staff recommended the Special Magistrate find the Respondent in violation of this section and impose a fine of \$500.00

File was entered into evidence.

Officer Gerry Hodge testified to the facts of the case.

Special Magistrate Charles D. Johnson questioned officer Hodge as to the attempts made at notifying Debbie Payne of today's hearing. Officer Hodge responded that he received proof of service back but did not have it to present at the hearing.

Cindy Dunn, complainant, was present, sworn and testified to the facts of the case.

Special Magistrate Charles D. Johnson stated he would sign the order granting staffs recommendations upon being provided with proof of service to Debbie Payne.

ITEM 3

Daniel Rincon, SM-AS-160151962

Respondent Daniel Rincon was present and sworn.

Diana Johnson stated this case is charging the owner with repeat violation of Section 4-27 “Nuisance Animals” and Section 4-28 “Attack or Bite to Persons and/or Animals”. Staff recommended the Special Magistrate find the Respondent in violation of these sections and impose a fine of \$2,650.00.

File was entered into evidence.

Officer Sharon Beardsley testified to the facts of the case.

Daniel Rincon testified to the facts of the case.

Special Magistrate Charles D. Johnson dismissed the case.

ITEM 4

Terry McLendon, SM-AS-160113752

Respondent Terry McLendon was present and sworn.

Diana Johnson stated this case is charging the owner with violation of Section 4-32 “Housing and Care of Animals” and Section 4-33 “Animal Cruelty or Neglect”. Staff recommended the Special Magistrate find the Respondent in violation of these sections and impose a fine of \$1,250.00.

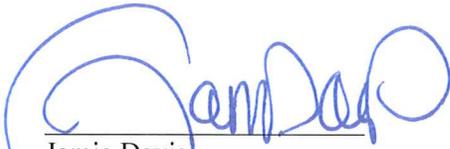
File was entered into evidence.

Officer Sharon Beardsley testified to the facts of the case.

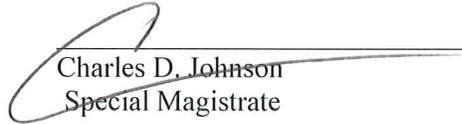
Terry McLendon testified to the facts of the case and stated that he attempted to surrender the dogs to animal services but that they would not take them due to being at capacity.

Special Magistrate Charles D. Johnson stated he would render his decision at a later date upon reviewing all the evidence.

As there was no further business, the meeting was adjourned at 9:50 A.M.


Jamie Davis
Recording Secretary

Receipt of the minutes as prepared of the October 12, 2016 hearing is acknowledged this 14 day
of Dec, 2016.


Charles D. Johnson
Special Magistrate