

BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA

HERNANDO COUNTY, a political
subdivision of the State of Florida,
Plaintiff,

INSTR #2021059552 BK: 4038 PG: 1271 Page 1 of 4
FILED & RECORDED 8/9/2021 10:31 AM CVW Deputy Clk
Doug Chorvat, Jr., HERNANDO County Clerk of the Circuit Court
Rec Fees: \$35.50

vs.

Case No. 2020-29982

SARA JEAN THOMPSON,
Defendant.

SPECIAL MASTER'S ORDER

THIS MATTER originally came before the Special Master for hearing on February 3, 2021, after notice to the Defendant, on Citations #29982-H, and #29982-HV issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendant, SARA JEAN THOMPSON, 9088 Kindewood Trail, Brooksville, FL 34601. The citations, with the date and time of the hearing inscribed thereon, were mailed to the Defendant by certified mail, return receipt requested, and were subsequently posted at the Defendant's address and at the Hernando County Courthouse. The Defendant, being duly informed and advised, failed to appear for the hearing. The Plaintiff was represented by GARTH C. COLLIER, ESQ., Hernando County Attorney. Proceedings were had in the absence of the Defendant.

The Special Master heard the testimony of Hernando County Animal Services Officer, KEITH BERGER and Plaintiff's witness, MIKE REIFF.

Upon **CONSIDERATION**, the Special Master finds as follows:

A. Upon testimony and evidence presented, the Plaintiff established that on October 12, 2020 at 2:42 p.m. Officer Berger spoke with Alvin Cortes via telephone. Mr. Cortes advised he was not at home but his neighbor has a video of the neighbor's dog jumping the fence and running around in his yard. Officer Berger testified he went to 9114 Kindewood Trail, Brooksville, Hernando County, Florida where he obtained the video from Christine and Mike Reiff. They showed Officer Berger the video and burned it to a CD and completed Complaint Affidavits. Officer Berger also obtained a Complaint Affidavit from Alvin Cortes' wife. Then Officer Berger went to the Defendant's address where he made contact with the Defendant. The Defendant denied that her dogs were out. Officer Berger advised he had a video of the dogs. The Defendant then walked away denying the violation. Officer Berger testified he talked the Defendant into returning. He asked the Defendant how many dogs she has? The Defendant answered five. Officer Berger testified that he tried to get more information but the Defendant left. He asked if her dogs had rabies vaccinations and County licenses? The Defendant answered yes. Officer Berger then searched Pet Access and found there was no record of rabies vaccinations or County licenses for the dogs. The Defendant did not offer proof.

Officer Berger then returned to Christine and Mike Reiff and advised them if the dogs were loose again to call the Sheriff's Office.

B. The Special Master heard the testimony of Plaintiff's witness, Michael Reiff, who identified his video. The video was then placed in evidence and viewed by the Special Master. Mr. Reiff testified that the Defendant has five or six dogs that are constantly out, usually running in Alvin's pasture and terrorizing his calves.

UPON THESE FINDINGS, it is therefore ORDERED:

1. Regarding citation #29982-H and the charge of having four unrestrained dogs, the Defendant, SARA JEAN THOMPSON, is found GUILTY of having four unrestrained dogs in violation of Hernando County Code of Ordinances Section 6-24a.

a) The Defendant shall pay a civil penalty in the amount of \$500.00 per dog (\$2,000.00 total) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

2. Regarding citation #29982-HV and the charge of failing to vaccinate five dogs for rabies, the Defendant, SARA JEAN THOMPSON, is found GUILTY of having five dogs unvaccinated for rabies in violation of Hernando County Code of Ordinances Section 6-21a.

a) The Defendant shall pay a civil penalty in the amount of \$250.00 per dog (\$1,250.00) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

b) The Defendant is ordered to obtain rabies vaccinations for the dogs or provide exemptions by a licensed veterinarian on or before ten days after the date of service of this Order and to provide proof of the rabies vaccinations or exemptions to the Animal Services Department at 19450 Oliver St., Brooksville, FL 34601. In the event that the Defendant fails to provide proof of rabies vaccinations or exemptions within ten days after the date of service of this Order, the Sheriff's Office Animal Enforcement Unit or any other authorized Animal Services officer is directed to impound the Defendant's unvaccinated dogs pursuant to Hernando County Code of Ordinances Section 6-21 and hold them as prescribed in said section, due to public health and safety concerns for harboring animals unvaccinated for rabies.

3. Regarding citation #29982-HV and the charge of failing to license five dogs the Defendant, SARA JEAN THOMPSON, is found GUILTY of having five unlicensed dogs in violation of Hernando County Code of Ordinances Section 6-22a.

a) The Defendant shall pay a civil penalty in the amount of \$250.00 per dog (\$1,250.00 total) payable to the Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601, pursuant to Hernando County Code of Ordinances 2004-09, Section 4(a)(1).

b) The Defendant is ordered to obtain Hernando County licenses for the dogs within ten days after the date of service of this Order and provide proof of the licenses to the Animal Services

Department. In the event that the Defendant fails to so license the dogs Animal Services is authorized to re-cite the Defendant on this charge as a repeat offense.

4. That pursuant to authority granted by Chapter 2, Article III, Section 2-54(k) of the Hernando County Code of Ordinances and Section 162.09(2)(d), Florida Statutes, the Defendant is hereby ordered to pay administrative and investigative costs on behalf of the Animal Services Department in the amount of \$140.00, on behalf of the County Attorney in the amount of \$70.00, and certified mailing costs in the amount of \$15.05 payable to the Hernando County Animal Services Department.

5. The total of penalties and costs due and payable to the Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$4,725.05. This order shall bear interest at the legal rate established pursuant to Section 55.01, Florida Statutes, beginning 30 days after the clerk signs this order, FOR WHICH LET EXECUTION NOW ISSUE. In the event that this Special Master's Order is recorded in the public records pursuant to paragraph 6, herein, Hernando County shall be entitled to collect for their actual costs of recording this Order and a Satisfaction, which additional costs shall be added to the total of penalties and costs stated herein.

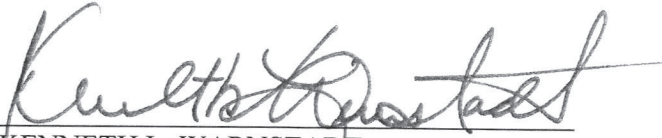
6. If the Defendant fails to comply with this Order within 30 days, pursuant to Section 10 of Ordinance 2004-09, Hernando County Code of Ordinances, a certified copy of this Order shall be recorded in the public records of Hernando County, Florida and wherever else the Defendant may live or own property and thereafter shall constitute a lien against real and personal property owned by the Defendant.

REQUESTS FOR FURTHER REVIEW shall be addressed as follows:

An aggrieved party, including the local governing body, may appeal a decision of the Special Master to the Circuit Court. Such appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Special Master. An appeal shall be filed within thirty (30) days of the execution of the Order to be appealed.

YOU ARE FURTHER advised that if you decide to seek further review of any decision made by the Special Master with respect to any matter considered at such hearing, you will need a record of the proceedings, and that, for such purpose, you may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the further review is to be based. Production of verbatim transcripts shall be the responsibility and at the personal expense of the party seeking review of the Special Master's Order.

DONE AND ORDERED at Brooksville, Hernando County, Florida this 27th day of April, 2021.


KENNETH L. WARNSTADT
Special Master

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Special Master's Order has been sent by Regular U.S. Mail and certified mail, return receipt requested, to SARA JEAN THOMPSON, 9088 Kindewood Trail, Brooksville, FL 34601 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on April/May 27, 2021.

Pursuant to Section 119.07, Florida Statutes as amended from time to time, as Record Custodian for this document, I hereby certify that this is a true and correct copy of the original document on file.

Record Custodian: Cheryl Carr

Print Name: Cheryl Carr

Date: 8/5/2021

Hernando County Government, Brooksville, FL

Department/Office: County Attorney's Office

Virginia Blochworth
Clerk to Special Master