

BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA

INSTR #2023033139 BK: 4303 PG: 1095 Page 1 of 3
FILED & RECORDED 5/31/2023 8:55 AM TP Deputy Clk
Doug Charvat, Jr., HERNANDO County Clerk of the Circuit Court
Rec Fees: \$27.00

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

vs.

Case No. 2022-10587

MELODY WALLACE,
Defendant.

SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on July 6, 2022, after notice to the Defendant, on Citation #10587-H issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendant, MELODY WALLACE, 12621 Linden Dr., Spring Hill, FL 34609. The citation and a Notice of Hearing were personally served on the Defendant. The Defendant, being duly informed and advised, failed to appear for the hearing. The Plaintiff was represented by KYLE J. BENDA, ESQ., Assistant Hernando County Attorney. Proceedings were had in the absence of the Defendant.

The Special Master heard the testimony of Hernando County Animal Services Officer, MANDY ROWE

At the beginning of the hearing the Special Master was advised that the Defendant was in jail.

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

A. Upon testimony and evidence presented, on April 11, 2022 Officer Rowe received a call at 12621 Linden Dr., Spring Hill, Hernando County, Florida regarding loose dogs. Officer Rowe testified that there have been a number of calls here regarding loose dogs. Upon arrival Officer Rowe observed two Bully dogs in the yard and running into the road. She verified where the dogs live by talking with neighbors. The Defendant came to the door after a while and admitted these were her dogs. There was a hole in the fence which was not repaired. Officer Rowe testified there have been six previous citations written regarding these two dogs. Officer Rowe testified there was a citation issued on March 2, 2022 which was heard by the Special Master in May, 2022, and another issued on June 1, 2022. Now the two dogs have been impounded and another is living with the Defendant's mother. Officer Rowe testified that a fitness petition is pending,

UPON THESE FINDINGS, it is therefore **ORDERED**:

1. Regarding citation #10587-H and the charge of a repeat violation of having two unrestrained dogs, the Defendant, MELODY WALLACE, is found GUILTY of a repeat violation having two 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 \$1,000.00 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. 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 \$70.00, on behalf of the County Attorney in the amount of \$100.00, and certified mailing costs in the amount of \$15.92 payable to the Hernando County Animal Services Department.

3. **The total of penalties and costs due and payable to the Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$1,185.92. 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 4, 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.**

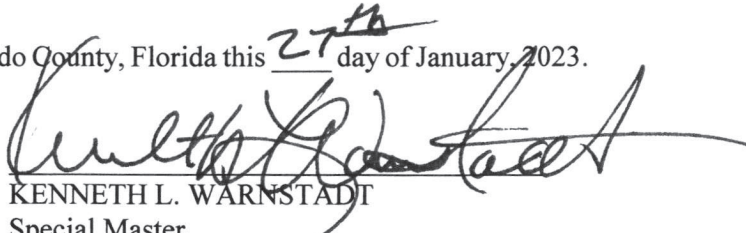
4. If the Defendant fails to comply with this Order within 30 days, pursuant to Section 10 of Ordinance 2004-09, Hernando County Code of Ordinances, a certified copy of this Order shall be recorded in the public records of Hernando County, Florida and wherever else the Defendant may live or own property 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 January, 2023.


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 MELODY WALLACE, 12621 Linden Dr., Spring Hill, FL 34609 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on January ~~February~~ 15, 2023.

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: Virginia Bloodworth
Print Name: Virginia Bloodworth
Date: 5.11.2023
Hernando County Government, Brooksville, FL
Department/Office: County Attorney's Office

Virginia Bloodworth
Clerk to Special Master