

BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA

INSTR #2023011988 BK: 4271 PG: 1710 Page 1 of 3
FILED & RECORDED 3/1/2023 11:31 AM TP Deputy Clk
Doug Chorvat, 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. 2022-03263

WILLIE OUTLAW,
Defendant.

SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on April 6, 2022, after notice to the Defendant, on Citations #3263-H and #3263-H1 issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendant, WILLIE OUTLAW, 813 Twigg St., 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 delivered at the Defendant's address. The citations were also posted on the Defendant's property and at the Hernando County Courthouse. The Defendant appeared pro se and the Plaintiff was represented by KYLE J. BENDA, ESQ., Assistant Hernando County Attorney.

A hearing was conducted by the Special Master into the allegations brought by the Plaintiff. The Plaintiff presented witnesses and evidence and the Defendant was afforded an opportunity to cross examine those witnesses, review the evidence presented, and present witnesses and evidence on his own behalf. The Defendant argued on his own behalf.

The Special Master heard the testimony of Hernando County Animal Services Officer, KYLE FINDLEY and the Defendant.

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

A. Upon testimony and evidence presented, the Plaintiff established that on February 2, 2022 at 7:48 a.m. Officer Findley responded to 814 School St., Brooksville, Hernando County, Florida, regarding an animal complaint. He observed a black Pit Bulldog mix in a kennel. This was no violation. He heard dogs barking in the back and observed a black and white Pit Bulldog mix with improper shelter and no water. There was nobody home. The container for water had feces in it. Further back was a brown Pit Bulldog mix on a chain with improper shelter. The improper shelter for both of these dogs lacked three solid sides. There was a fourth dog in a kennel with feces covering the floor but this dog had proper shelter and water. The Defendant was previously cited on November 15, 2021 and November 30, 2021 for tethering his dogs. The

report of Officer Findley was identified, placed in evidence, and reviewed by the Special Master. Officer Findley testified that leaving the dogs without water at all times constitutes mistreatment in addition to the failure to provide three solid sides and a roof for shelter.

B. The Defendant questioned Officer Findley regarding the first incident and whether Officer Findley had the dogs in his truck.

C. The Defendant testified that the property belongs to George Outlaw. The Defendant admitted he was the caretaker of the dogs in November. He likes taking care of the dogs but he is not taking care of them anymore.

UPON THESE FINDINGS, it is therefore ORDERED:

1. Regarding citation #3263-H1 and the charge of tethering of one dog, the Defendant, WILLIE OUTLAW, is found GUILTY of a continuing offense of tethering one dog in violation of Hernando County Code of Ordinances Section 6-34.

a) The Defendant shall pay a civil penalty in the amount of \$50.00 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).

2. Regarding citation #3263-H and the charge of three counts of animal mistreatment, the Defendant, WILLIE OUTLAW, is found GUILTY of three counts of animal mistreatment, in violation of Hernando County Code of Ordinances Section 6-29c.

a) The Defendant shall pay a civil penalty in the amount of \$50.00 per dog (\$150.00 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).

3. 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.

4. **The total of penalties and costs due and payable to the Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$385.92. 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 5, 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.**


5. 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 20th day of September, 2022.

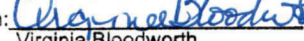

KENNETH L. WARNSTADT
Special Master

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 WILLIE OUTLAW, 813 Twigg St., Brooksville, FL 34601 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on September/October 27, 2022.


Clerk to Special Master

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: 
Print Name: Virginia Bloodworth
Date: 2-17-2023
Hernando County Government, Brooksville, FL
Department/Office: County Attorney's Office