

Filing # 116769917 E-Filed 11/17/2020 09:15:59 AM

IN THE COUNTY COURT OF THE FIFTH JUDICIAL CIRCUIT,
IN AND FOR HERNANDO COUNTY, FLORIDA

HERNANDO COUNTY SHERIFF'S OFFICE
ANIMAL ENFORCEMENT UNIT,

Plaintiff,

v.

CASE NOS.: 2020-CC-938
2020-CC-939

ERICK JOSE LUNA MARTINEZ
ANGEL MARIE STAR WYATT,
SARA JEAN THOMPSON, and
ALEXANDER LEE GOFORTH,

Defendants.

FINAL JUDGMENT

THIS MATTER having come before the Court on November 13, 2020 for a non-jury, final hearing on the *Petitions to Determine Animal Owner Fitness* that was filed in the instant actions by Plaintiff. Plaintiff was represented by Kyle J. Benda, Esq. The Defendants, ERICK JOSE LUNA MARTINEZ, SARA JEAN THOMPSON, and ALEXANDER LEE GOFORTH failed to appear. The Defendant, ANGEL MARIE STAR WYATT appeared *pro se*. It is hereby ORDERED, ADJUDGED, and DECREED:

1. The Plaintiff filed a motion to consolidate this action with the action in Case Number 2020-CC-939. Because both actions involve common questions of law and revolve around the same set of facts, it is proper to consolidate Case Number 2020-CC-939 into this action. Consolidation of Case Numbers 2020-CC-938 and 2020-CC-939 does not cause prejudice to any of the parties. The Hernando County Sheriff's Office's Motion to Consolidate filed on November 6, 2020 is hereby GRANTED. Case Number 2020-CC-938 and Case Number 2020-CC-939 are consolidated into this action.

2. Judgment is entered in the instant action in favor of the Plaintiff, HERNANDO COUNTY SHERIFF'S OFFICE, ANIMAL ENFORCEMENT UNIT c/o the County Attorney's Office, 20 North Main Street, Suite 462, Brooksville, Florida 34601 and against Defendants ERICK JOSE LUNA MARTINEZ and ANGEL MARIE STAR WYATT, 384 Korbus Road, Masaryktown, FL 34604, and SARA JEAN THOMPSON and ALEXANDER LEE GOFORTH, 9088 Kindewood Trail, Brooksville, FL 34613.

3. The factual allegations contained in the *Petitions to Determine Animal Owner Fitness* in each action are deemed to be admitted by Defendants, ERICK JOSE LUNA MARTINEZ, SARA JEAN THOMPSON, and ALEXANDER LEE GOFORTH. Based upon those admissions and pursuant to Section 828.073 of the Florida Statutes, the Court determines that Defendants' animals are in distress, Defendants, ERICK JOSE LUNA MARTINEZ, SARA JEAN THOMPSON, and ALEXANDER LEE GOFORTH, are unfit animal owners, and that Plaintiff has established all of the prerequisites necessary for the entry of a permanent injunction against Defendants.

4. The Defendant, ANGEL MARIE STAR WYATT, consented, *ore tenus*, to the entry of this Final Judgment without trial or adjudication of any issue of fact or law, and without this *Final Judgment* constituting evidence against or admission by Defendant ANGEL MARIE STAR WYATT with respect to any issue of fact or law. Defendant ANGEL MARIE STAR WYATT agrees that she shall apply to Hernando County Animal Services to readopt her two (2) dogs, Precious and Jordan, after the dogs have been spayed/neutered, vaccinated, given microchips, and licensed in Defendant ANGEL MARIE STAR WYATT's name; she also agrees to pay all fees associated with the adoption of both dogs as well as any costs related to spaying/neutering, vaccinating, and licensing the dogs. Further, Defendant ANGEL MARIE

STAR WYATT shall continue to have possession, custody, and control of two (2) cats. Pursuant to Section 828.073(4) of the Florida Statutes, Defendant ANGEL MARIE STAR WYATT shall not have possession, custody, or control of any animals other than her two (2) dogs and two (2) cats and is hereby permanently enjoined from harboring any additional animals in the State of Florida. This injunction shall be in full force and effect until further order of the Court. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed unilaterally by a party or by the parties together. Only the Court may modify the terms of this injunction. Any party may ask the Court to change or end this injunction at any time. Any violation of this injunction, whether or not at the invitation of Plaintiff or anyone else, may subject Defendant to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment.

5. Pursuant to Section 828.073(4) of the Florida Statutes, the Defendants, ERICK JOSE LUNA MARTINEZ and ALEXANDER LEE GOFORTH are hereby permanently enjoined from owning or harboring any animals in the State of Florida. Additionally, Defendant SARA JEAN THOMPSON is hereby permanently enjoined from harboring any animals in the State of Florida except for the Italian greyhound and the chickens currently in her possession, custody, or control. This injunction shall be in full force and effect until further order of the Court. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed unilaterally by a party or by the parties together. Only the Court may modify the terms of this injunction. Any party may ask the Court to change or end this injunction at any time. Any violation of this injunction, whether or not at the invitation of Plaintiff or anyone else, may subject Defendant to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment.

6. Custody of the animals not owned or possessed by Defendant ANGEL MARIE STAR WYATT that are the subject of the *Petitions to Determine Animal Owner Fitness*, comprising four dogs and twelve puppies, is permanently remanded to Hernando County Animal Services, which shall dispose of them pursuant to its usual course of business.

7. Hernando County Animal Services is awarded costs from Defendant ANGEL MARIE STAR WYATT in the amount of \$630.00 for impoundment and boarding costs of her animals, for which let execution now issue.

8. Hernando County Animal Services is awarded costs from Defendant ERICK JOSE LUNA MARTINEZ in the amount of \$2,588.95 for impoundment and boarding costs of the animals, for which let execution now issue.

9. Hernando County Animal Services is awarded costs from Defendants SARA JEAN THOMPSON and ALEXANDER LEE GOFORTH, jointly and severally, in the amount of \$2,298.95 for impoundment and boarding costs of the animals, for which let execution now issue.

10. The Court retains jurisdiction over the instant action and the parties herein.

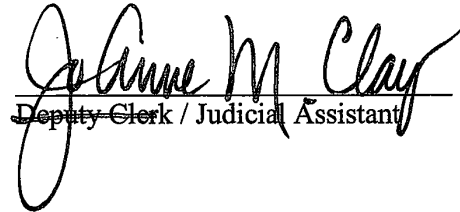
DONE AND ORDERED in Chambers in Brooksville, Hernando County, Florida, this 16 day of November 2020.


The Hon. Kurt E. Hitzmann
County Judge

Certificate of Service

I HEREBY CERTIFY that a true and correct copy of the foregoing has been forwarded by U.S. Mail to Defendants ERICK JOSE LUNA MARTINEZ and ANGEL MARIE STAR WYATT, at 384 Korbus Road, Masaryktown, FL 34604, SARA JEAN THOMPSON and ALEXANDER LEE GOFORTH at 9088 Kindewood Trail, Brooksville, FL 34613, and by Courthouse Mail to

Kyle J. Benda, Esq., 20 North Main Street, Suite 462, Brooksville, FL 34601 on this 17 day of _____, 2020.


~~Deputy Clerk / Judicial Assistant~~