

FILED FOR RECORD
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HERNANDO COUNTY, FL
BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA
2024 FEB 15 PM 3:00

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

vs.

Case No. 2023-19657

JOVITE PALARDIS,
Defendant.

SPECIAL MASTER'S ORDER

THIS MATTER came before the Special Master for hearing on September 13, 2023, after notice to the Defendant, on Citation #19657-H issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendant, JOVITE PALARDIS, 18008 Retriever Rd., Weeki Wachee, FL 34614. The citation was signed for by the Defendant and a Notice of Hearing was mailed to the Defendant by certified mail, return receipt requested, and was signed for at the Defendant's address. The Defendant, being duly informed and advised, failed to appear for the hearing. The Plaintiff was represented by MELISSA A. TARTAGLIA, ESQ., Assistant Hernando County Attorney.

The Special Master heard the testimony of Hernando County Animal Services Officer, KRYSTAL TAPIA, and Plaintiff's witness, KEITH MARCO.

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

A. Upon testimony and evidence presented, Officer Tapia testified that on June 18, 2023 at 9:00 a.m. she was dispatched to 9487 Wharton Ave., Weeki Wachee, Hernando County, Florida regarding a dog bite. At the scene she met with Keith and Amanda Marko who advised their neighbor has two Pit Bulldogs who jumped into the Complainants' livestock pen and attacked their animals. The dogs were shot dead by the Complainant. Photographs taken by Officer Tapia were identified, placed in evidence, and were viewed by the Special Master. The photographs showed that the Cows' ears were ripped and a female cow with calf was now dead from the attack. A goat was also dead. Officer Tapia prepared a report of the incident which was also identified, placed in evidence as a government record, and was reviewed by the Special Master. Officer Tapia testified she spoke with the Defendant who said they were good dogs and the Defendant was shocked they got out. The Defendant stated the storm scared the dogs and that was why they got out.

B. The Special Master heard the testimony of Plaintiff's witness, Keith Marco, who was sworn. Keith testified that the animals belong to his wife and daughter. There were a total of six injured and dead animals; three dead and three injured. Keith testified that the dogs were on his property without permission. Keith stated that the dogs dug under an exterior fence and under an interior fence and there was no indication

how long this was going on. There was blood all over. Keith testified that he saw the attack taking place and got his guns and shot the dogs dead. Keith stated there was a problem with the dogs since September 17, 2022 when they were puppies.

C. The shooting was investigated by the Hernando County Sheriff's Office and was found to be justified.

D. The Special Master found that the actions of the dogs created an irreversible offense.

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

1. Regarding citation #19657-H and the charge of having two public nuisance dogs, the Defendant, JOVITE PALARDIS, is found GUILTY of having two public nuisance dogs in violation of Hernando County Code of Ordinances Section 6-26.

a) The Defendant shall pay a civil penalty in the amount of \$10,000.00 per dog (\$20,000.00 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 \$140.00, on behalf of the County Attorney in the amount of \$100.00, and certified mailing costs in the amount of \$26.28 payable to the Hernando County Animal Services Department.

3. The total of penalties and costs due and payable to th Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$20,266.28. 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 24th day of December, 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 JOVITE PALARDIS, 18008 Retriever Rd., Weeki Wachee, FL 34614 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on December 23, 2023/2024.


Clerk to Special Master