

BEFORE THE SPECIAL MASTER
IN AND FOR HERNANDO COUNTY, FLORIDA

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

vs.

Case No. 2022-29143

SARA THOMPSON and ALEXANDER GOFORTH,
Defendants.

SPECIAL MASTER'S ORDER

THIS MATTER originally came before the Special Master for hearing on December 7, 2022, after notice to the Defendants, on Citations #29143-H and #29143-HV issued by the Plaintiff, HERNANDO COUNTY ANIMAL SERVICES, 19450 Oliver St., Brooksville, Florida 34601, to the Defendants, SARA THOMPSON and ALEXANDER GOFORTH, 9088 Kindewood Trail, Brooksville, FL 34613. The citation was signed for by one of the Defendants and the Notice of Hearing was mailed to the Defendants by certified mail, return receipt requested, and was subsequently posted at the Defendants' address and at the Hernando County Courthouse. The Defendants appeared pro se and the Plaintiff was represented by KYLE 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 Defendants were afforded an opportunity to cross examine those witnesses, review the evidence presented, and present witnesses and evidence on their own behalf. The Defendants argued on their own behalf.

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

At the beginning of the hearing the Special Master took judicial notice of a Final Judgment in a Fitness Petition filed by Hernando County.

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

A. Upon testimony and evidence presented, Officer Berger testified that on September 27, 2022 at 5:30 p.m. he responded to 9114 Kindewood Trail, Brooksville, Hernando County, Florida regarding a loose dog. Officer Berger met with the Complainant, Michael Reiff, who showed him photographs of a dog in the roadway. Mr. Reiff stated the dog belonged to the Defendants. Officer Berger testified that he did not personally see the dog loose. Officer Berger testified he returned on October 1, 2022 and again made contact with Michael Reiff who showed him another photograph.

B. The Special Master heard the testimony of Plaintiff's witness, Michael Reiff, who was sworn. Michael testified that on September 27, 2022 he saw a golf cart on the road, northbound. He witnessed the

Defendants' dog run out of the Defendants' gate and try to attack people on the golf cart. He yelled at the dog and it finally went home. A photograph taken by Mr. Reiff was identified, placed in evidence, and was viewed by the Special Master.

C. The Defendants testified they live with other people who leave the gate open. It is hard to get these other people to close the gate. The dog was picked up again on Friday December 9, 2022.

D. The Defendants were found guilty of having the unrestrained dog. The matter of rabies vaccinations and County licenses was continued to January 18, 2023 to allow the Defendants additional time to bring the violations into compliance,. The Defendants were advised that if they got the dogs vaccinated for rabies and licensed they would be found guilty on each violation and the fine would be withheld. Administrative costs would be waived and they would pay mail charges in the amount of \$16.90. If, however, they failed to have the dogs vaccinated and licensed they would be found guilty, fined \$1,000.00 per dog for each violation and administrative costs would be assessed.

E. This matter returned before the Special Master on January 18, 2023. The Defendants failed to appear. Officer Berger testified that there was no record that the Defendants had the dogs vaccinated for rabies or licensed.

UPON THESE FINDINGS, it is therefore ORDERED:

1. Regarding citation #29143-H and the charge of having two unrestrained dogs, the Defendants, SARA THOMPSON and ALEXANDER GOFORTH, are found GUILTY of having two unrestrained dogs in violation of Hernando County Code of Ordinances Section 6-24a.

a) The Defendants shall pay a civil penalty in the amount of \$25.00 per dog (\$50.00 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 #29143-HV and the charge of failing to vaccinate two dogs for rabies, the Defendants, SARA THOMPSON and ALEXANDER GOFORTH, are found GUILTY of having two dogs unvaccinated for rabies in violation of Hernando County Code of Ordinances Section 6-21a.

a) The Defendants shall pay a civil penalty in the amount of \$1,000.00 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).

b) The Defendants are 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 Defendants fail 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 #29143-HV and the charge of failing to license two dogs the Defendants, SARA THOMPSON and ALEXANDER GOFORTH, are found GUILTY of having two unlicensed dogs in violation of Hernando County Code of Ordinances Section 6-22a.

a) The Defendants shall pay a civil penalty in the amount of \$1,000.00 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).

b) The Defendants are 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 Defendants fail to so license the dogs Animal Services is authorized to re-cite the Defendants on this charge as a repeat offense.

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 Defendants are 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 \$16.90 payable to the Hernando County Animal Services Department.

4. **The total of penalties and costs due and payable to th Plaintiff, Hernando County Animal Services Department, 19450 Oliver St., Brooksville, Florida 34601 is \$4,306.90. 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 Defendants fail 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 Defendants may live or own property and thereafter shall constitute a lien against real and personal property owned by the Defendants.

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 19th day of May, 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 SARA THOMPSON and ALEXANDER GOFORTH, 9088 Kindewood Trail, Brooksville, FL 34613 and by Courthouse Mail to Hernando County Animal Services, 19450 Oliver St., Brooksville, FL 34601 on May 31, 2023.


Clerk to Special Master