

APPLICATION FOR SEARCH WARRANT

Attachment "A"

10-28-2013 Report #1579 Officer Lewis

Animal control received a request to check on several horses and dogs living in dirty conditions.

Animal Control Officer Lewis responded to [REDACTED] and reported he observed 19 horses in good condition excepting one horse. Barn stalls containing 3 horses were in need of mucking and cleaning. Officer Lewis observed 18 dogs in need of grooming and requested proof of rabies vaccination.

11-1-13 Followup to Report #1579 Officer Lewis

All dogs out of date for rabies vaccination. Issued Notice to Vaccinate dogs against Rabies.

Stalls not cleaned. The owner was advised Animal Control will followup on cleaning of stalls and rabies vaccinations.

11-18-13 Followup by Officer Lewis.

Gate locked, calls to [REDACTED] unanswered.

11-21-13 Followup by Officer Lewis.

Gate locked, calls to [REDACTED] unanswered. Left Notice on gate to contact Animal Control.

11-22-13 Followup by Officer Lewis.

The owner, [REDACTED] was present and advised Officer Lewis that all but 3 dogs had been groomed and no dogs vaccinated against rabies. Officer Lewis offered assistance in obtaining rabies vaccinations.

12-3-13 Followup by Officer Lewis.

Dogs not vaccinated, Citation issued for failure to vaccinate.

4-21-2014 Followup by Officer Devine

Citation for Animal Neglect.

Citation for failure to vaccinate.

4-28-2014 Followup by Officer Lewis.

Observed 3 cleaned stalls, horses still remained in dirty stalls. Officer Lewis observed underweight 3 horses. [REDACTED] advised she had purchased dewormer for the horses. Officer Lewis advised [REDACTED] that a veterinarian may need to exam horses if their weight does not improve. [REDACTED] was advised that Animal Control will followup.

5-30-2014 Report # 2313

Animal Control received a report regarding 25 or more horses were being neglected, kept in dirty stalls and had no hoof care. Caller advised Animal Control that the owner of the horses had lived in Granville County, Benson, NC.

Officer Lewis & NCDA Livestock Agent [REDACTED] visited the property. Officer Lewis observed 3 horses in stalls in apparent healthy condition and provided food and water. Officer Lewis observed several horses in pastures, of which appeared in healthy condition with the exception of one female horse that was underweight.

7-9-2014 Followup by Officer Lewis.

Observed horses in apparent good condition, exception of one female horse, underweight.

7-21-2014 Followup by Officer Lewis.

Officer Lewis met with an unidentified black male who was on the property. Lewis left his business card and asked the man to have the owner call Animal Control.

8-18-2014 Followup by Officer Lewis.

No one appeared to be at the property and the gate was locked. Lewis left a notice on the gate to contact Animal Control.

Animal Caretaker contacted the Animal Control office and stated that owner has been out of town for 7 weeks and was expected to return several weeks ago.

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8-25-2014 Report #2668

Animal Control received a request from Warren County Sheriff's Deputy Comly at 2:16 pm for assistance in controlling several horses at 1022 Limer Town Road.

Animal Control officer Devine responded and contacted me, Animal Control Director, Elma Rae Greene. Officer Devine informed me that he observed at least 10 injured and malnourished horses on private property on Limer Town Road.

The owner was identified as out of the county and the caretaker for the animals was not present.

I spoke with the property owners where the horses had strayed by telephone regarding the animals who agreed to let the animals remain on the property overnight while Animal Control attempted to locate and contact the owner.

8-26-2014 **1000**

The horse owner was identified and contacted regarding the condition and confinement of the animals and gave permission to enter the property to confine the animals.

I spoke with the animal caretaker who informed me that there were several ill dogs on the property.

1100

I spoke with [REDACTED] who informed me that horses were now in the roadway, causing a public safety concern.

I instructed Animal Control officer Devine to respond.

Officer Devine contacted me and stated that the horses were unruly and not responding to his attempts to corral.

I contacted horse impounders, who agreed to assist in rounding the horses up and back onto the owner's property. Officer Devine contacted me stating that the fences were down at the owner's property and would not confine the horses. Attempts to contain some of the animals in smaller, fenced areas were unsuccessful as the stallions were fighting each other and the other horses and all were very agitated. Some of the horses were placed into empty barn stalls which caused more agitation, presenting a dangerous environment for the horses and people attending to them and had to be let back out.

Officer Devine stated to me that he observed multiple injuries on all of the horses, several horses were very thin and some were severely emaciated.

Officer Devine attempted to utilize a stall for a horse and upon opening the gate discovered a dead, skeletonized horse.

Officer Devine observed that the animal's water troughs were empty and contained dust at the bottoms and gave water to the animals.

I contacted the horse owner and requested she provide some assistance and informed her that the horses were presenting a public safety risk and due to the lack of facility at her residence, Animal Control would impound the loose horses. The owner agreed to the impoundment.

I informed the owner that fees would be incurred for the animals' capture and boarding. The owner agreed to the fees being incurred.

I informed the owner that all of the horses had injuries and inquired as to her veterinarian and was informed the veterinarian was [REDACTED]. I was further informed that the vet was not utilized often and the horses were provided medical care and farrier by the owner.

I informed the owner that a dead horse was on the property. I was informed that the horse was a weanling and "[REDACTED] from Virginia" was to have buried the animal already and informed me further that 2 horses were buried behind the residence. The owner informed me that a stray dog had come onto the property and brought fleas.

I informed the owner that the animals had no feed or water and was informed that [REDACTED] would bring hay and was told there were bags of feed in the barn. Officer Devine ensured the horses were fed the feed found.

I was informed that a man named "Duck" [REDACTED] would assist and was provided his telephone number. I contacted the number and received no answer, I left a message.

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1:00 pm

Officer Devine contacted me regarding approximately 8 barking dogs in the primary residence and 5 dogs roaming about the property. The roaming dogs were observed to be unsocial and matted. The door of the residence was unlocked and the dogs were provided water without entering the residence.

Officer Devine stated that the horses were stampeding. Additional assistance arrived on request of the impounders.

Officer Devine informed me that he observed:

2 horses in a bare fenced area with no food or water.

4 horses in a fenced area to the right of the barn with no food or water.

3 horses in barn stalls with some hay on the floor of the stall, no water.

1 horse in a barn stall with no food or water, some hay on the floor of the stall.

1 dead horse in a barn stall.

3:00 pm

Attempts still underway to capture the horses.

4:00 pm

I contacted the owner and informed her of the situation and asked about her return to Warren County. The owner informed me she was very busy working, her mother was being situated and she was attempting to obtain an airline ticket.

I again informed the owner that all of the horses were injured and inquired as to who her veterinarian was to assist the animals.

I was advised that it was "█████", in another county, of which she could not bring to mind at the time.

I discovered "Bob" the veterinarian, is ██████, DVM and contacted his office regarding care for the horses. Dr. ██████ stated that he had not seen the owner for some time and she needed to seek veterinary services for the horses. Dr. ██████ advised that Animal Control should request a Certificate of Examination from a veterinarian from the owner.

5:15 pm

Attempts were made to find adequate confinement/housing for the horses. It was decided that the horses would be housed at the ██████ and the ██████ in ██████ County.

Hay was delivered by ██████. The impounders informed me that the hay was of very poor quality and may cause severe medical issues for the horses, such as colic and had concerns for the animal's welfare. I spoke with ██████ regarding the hay and ██████ informed me that this hay was the standard for the horses. The hay was left.

A man named "█████" arrived and was apparently speaking to the owner on a cell phone. ██████ stated that the owner instructed him to unload the horses. Officer Devine contacted me and I instructed that the horses not be unloaded. Officer Devine showed "█████" and "█████" the fences and they both replied that we should do what we need to do.

Officer Devine, the impounders captured 16 horses, during which time 2 more horses ran from the property and were ultimately captured. In all, 18 horses were captured ending at approximately 6:30 pm and were impounded at various properties adequate to confine and properly care for horses in Warren County at approximately 9:00 pm.

8-27-2014

I spoke with the owner regarding the impoundment of the animals and advised that Animal Control would be visiting the property to ensure the horses had food, water and care.

I inquired as to her arrival back and was informed that an airline ticket was being sought and she may be back Friday or Saturday (Aug 29,30, 2014).

I informed the owner that the horses were held at various locations and all were injured and in varying degrees of condition.

I visited the impounded horses with Officer Devine at each location and took photographs.

While visiting, "█████" and "█████" were on the property and appeared to be repairing fencing.

Both stated both would ensure care and confinement of all animals.

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8-28-2014

A veterinarian, Dr. [REDACTED] was contacted to examine each animal impounded and each animal was identified.

There veterinary examinations revealed that all of the animals impounded require veterinary care, at least one of the animals is in a life threatening condition and all are in need of immediate farrier services due to the suffering caused by painful hoof conditions. Further specifics as to the animal's conditions include, but are not limited to:

Wounds and scarring from bites, kicks and scratches,
varying degrees of lameness,
bacterial infections,
lack of dental care causing pain,
painful hoof breaks, splitting and cracking,
respiratory symptoms,
life threatening condition emaciation.

As there are 9 horses remaining on the property in the same, if not worse condition, care needs to be provided to these animals as soon as is possible.

8-28-2014

8:25 am

Mr. [REDACTED] (caretaker) visited the Animal Control office and advised me that he was returning to the [REDACTED] property to resume care of the animals.

8-29-14

Mr. [REDACTED] visited the Animal Control office and advised me that he had gone to the property and received a text message from the owner and was instructed not to feed the animals. Mr. [REDACTED] did not feed the animals and entered the residence and cleaned up feces and urine left by the dogs inside the residence.

Mr. [REDACTED] stated to me that 6 dogs had died previously and was instructed him to bury them at the front of the residence.

Mr. [REDACTED] stated to me that he did everything he could to take care of the animals and had advised the owner on multiple occasions that the care of the number of animals at the property was too much for one person.

Mr. [REDACTED] stated to me that there have been other incidents of animal neglect with animals that had occurred on the property.

8-31-2014

Officer Devine attempted to perform a welfare check for the animals at the property. Upon arrival, the entryway had been chained and locked, no vehicles or persons were present. No horses were available to be observed.

Affiant Elma Rae Greene has been engaged and employed in the field of Animal Control since 1988 and has served as Animal Control Director and Animal Shelter Manager for several counties in North Carolina. Affiant is the Animal Control Director for Warren County. The Affiant has provided formal instruction in Animal Law, Animal Facilitation and other related courses for Alamance Community College and has provided the syllabi for the curriculum for coursework in Animal Management. Affiant has attended numerous workshops in Animal Cruelty including equine and dog fighting crimes. Affiant has obtained certification at Level II with the National Animal Control Association.

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Attachment "B"

- All animals living or deceased, born or unborn, above or below the ground, contained or free roaming, inside or outside.
- All cages, crates, containers, or other items or objects that could be used for the confinement or shelter of an animal.
- All animal or related-to animal records written, electronically kept (computers, CD's DVD's, thumb drives) and the content of their memory or recorded in any fashion, to include: medical treatment, drugs and other prescribed items, intake or export, sales receipts, food and water bills, proof of ownership documents, care and boarding contracts and agreements, photographs.
- Any and all implements for the training, breeding, care, medical treatment, control, husbandry or transport of animals.
- All documents, recordings that ties parties/owners to the location evidence is found.
- All food, supplies, medications.
- All buildings, shipping and storage containers, structures, sheds, barns, stables and outbuildings attached or unattached.
- All land fenced and unfenced.
- All vehicles and trailers.