



Pinellas County

Legislation Details (With Text)

File #: 17-711A **Version:** 1
Type: County Attorney Item **Status:** Passed
File created: 4/20/2017 **In control:** County Attorney
On agenda: 5/9/2017 **Final action:** 5/9/2017
Title: Proposed initiation of litigation in the case of Pinellas County, on behalf of Pinellas County Animal Services, v. Devonte Harvey; County Civil Case No. 17-00XXXX-CO; Pinellas County Animal Services Case No. C04300674.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/9/2017	1	Board of County Commissioners	approved	Pass

Subject:

Proposed initiation of litigation in the case of Pinellas County, on behalf of Pinellas County Animal Services, v. Devonte Harvey; County Civil Case No. 17-00XXXX-CO; Pinellas County Animal Services Case No. C04300674.

Recommended Action:

Authority for the County Attorney to initiate litigation in the case of Pinellas County, on behalf of Pinellas County Animal Services, v. Devonte Harvey; County Civil Case No. 17-00XXXX-CO, Pinellas County Animal Services Case No. C04300674. The Clerk will assign a case number prior to the arraignment date of 05/26/17.

Strategic Plan:

N/A

Summary:

On April 4, 2017, Officer Taylor Walton of Pinellas County Animal Services (PCAS) was in the field in the 3600 block of 15th Avenue South in St. Petersburg, Florida and observed a male blue and white pit bull type dog tethered behind 3655 15th Avenue South ("subject address"). Officer Walton observed the dog to have thin, visible ribs and abdominal tuck, which under the Tufts Animal Care and Condition (TACC) scale are indicators of potential distress. The dog had shelter and water available. Officer Walton left a courtesy notice to contact PCAS in regards to setting up a welfare check and to verify the dog's rabies vaccine and license.

On April 12, 2017, Officer Walton returned to the subject address and observed the same dog tethered behind the residence. The dog continued to appear in physical distress under the TACC scale. A second notice was left to contact PCAS.

On April 13, 2017, Officer Walton returned to the subject address and observed the previous notice gone. The dog was still tethered and appeared lethargic, not barking or standing when approached. The dog appeared in worse condition on the TACC scale with visible rib cage, spine, and prominent

abdominal tuck. There was no water in the bowls present within the dog's accessible area. The dog was seized in the presence of St. Pete Police Department. Upon examination by a veterinarian, the dog is positive for heartworms, hook worms and whipworms and lacks current vaccination against rabies.

In accordance with Fla. Stat. § 828.073, Pinellas County has filed an action to take custody of the dog in Devonte Harvey's possession and enjoinder from him owning the same, or in the alternative, for the Court to enter an Order to Provide Care of the dog.

Background Information:

N/A

Fiscal Impact:

Unknown.

Staff Member Responsible:

James L. Bennett, County Attorney

Ashley N. Donnell, Assistant County Attorney

Partners:

N/A

Attachments:

N/A