

IN THE COUNTY COURT, IN AND FOR
MONROE COUNTY, FLORIDA

CIVIL DIVISION

CASE NO.:

STAND UP FOR ANIMALS INC.,

Petitioner,

v.

Fidel Gonzales,

Respondent.

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EMERGENCY EX PARTE PETITION FOR HEARING PURSUANT TO
§ 828.073, FLORIDA STATUTES

COMES NOW, STAND UP FOR ANIMALS INC., through its undersigned attorney, and hereby files this Petition for Hearing pursuant to §828.073, Florida Statutes, to determine the disposition of three German Shepherd Dogs, and in support states:

1. Petitioner Stand Up for Animals, Inc. is Monroe County's designated animal control agent in the Middle Keys and thus has authority to file this petition. See F.S. § 828.073(2).
2. On August 6, 2007 the Petitioner responded to two calls regarding dogs in distress at 485 90th Street, Marathon, FL. One call was placed by an

Deputy employed by the Monroe County Sherriff's Office, and another call was received by a private citizen.

3. According to the reports, two of the dogs were so tangled up in their chains that they could not reach their water bowls, and the third dog's tether was wrapped around a pole so tightly that it could barely move.
4. Sheriff's deputies untangled the dogs, which according to a neighbor had been tethered without water or access to proper shelter since the previous morning, Sunday, August 5, 2007.
5. Subsequent investigation by Linda Gottwald, a certified animal control officer and Director of Stand Up For Animals Inc. revealed three adult German Shepherd dogs chained without adequate shelter, in a dangerous manner that allowed them to repeatedly become tangled and unable to reach water.
6. The owner of the dogs was not on the premises.
7. Chaining dogs without access to water and shade in the extremely hot and humid environment of South Florida placed the dogs at great risk of fatal heatstroke or dehydration. Dogs with thick dark coats such as the German Shepherd dogs that are the subject of this petition are at considerably elevated risk of heat stroke.
8. Because there was no way of safely securing the dogs on the premises the animals were taken into custody by Stand Up for Animals Inc.
9. Leaving three chained dogs unattended in the hot sun for more than 24 hours demonstrates extreme indifference to their well being.

10. Petitioner alleges that Respondent is unable or unfit to adequately provide for the animals.

11. Upon the Court setting a date to hear this matter, Petitioner will provide notice of same to Respondent in accordance with Chapters 48 and 49, Florida Statutes.

WHEREFORE, Stand Up For Animals Inc. respectfully requests this Honorable Court to set a hearing in accordance with § 828.073, Florida Statutes, within thirty (30) days of August 6, 2007 to determine the disposition of the aforementioned neglected and cruelly treated animals. In accordance with the aforementioned statutory provision, said hearing must be held no later than fifteen days after setting such date, and concluded and the Order entered thereon within sixty (60) days after the date the hearing is commenced.

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