

08/02/2022

Elizabeth Garcia

RE: DECLARATION AND ORDER OF DANGEROUS ANIMAL

Dear *Elizabeth*

Please let this letter and the attached order serve as your notice, that the City of Appleton's Humane Officer has formally declared your animal: Kylo, Sex: Male, Breed: German Shephard, Color: Black/brown, R+, L-



as a **DANGEROUS ANIMAL**, pursuant to the City of Appleton Municipal Code, Section 3-131.

I have declared your ANIMAL as dangerous after conducting my investigation, which is summarized below:

Incident # A22021699: On 05/10/22 *Elizabeth Garcia* was cited for her animal (Kylo, Sex: Male, Breed: German Shephard, Color: Black/brown, R+, L-), being involved in an animal attack vs a child. In this incident Kylo went after another dog while on a leash with Elizabeth's child holding onto the leash. This child asked the other child victim to help and that is when Kylo attacked the helping child. Kylo bit the child three times. Once on the hand. Once on the Arm, leaving a mouth sized abrasion on the arm, and once on the child's buttock, leaving multiple abrasions. This attack was determined to be a unprovoked attack.

Incident #A22034020: On 7/19/22 *Elizabeth Garcia* was cited for her animal (Kylo, Sex: Male, Breed: German Shephard, Color: Black/brown, R+, L-), being involved in an animal attack vs 2 children. In this attack Kyle was let outside by his owner. Kylo then attacked the first child by jumping on them causing scratch marks and then went after another child by attacking them. This second attack caused deep puncture wound on the child's arm as well as addition scratch marks. This incident was determined to be a UNPROVOKED attack.

Due to the repeated unprovoked attacks vs children that caused injury, Kylo, sex: Male, Breed: German Shephard, Color: Black/brown, R+, L-“ is being declared as Dangerous Animals for the City of Appleton.

IMMEDIATE ACTION IS REQUIRED:

Because your ANIMAL has been declared dangerous, you must comply with leashing, muzzling, and confinement requirements IMMEDIATELY, as set forth in City of Appleton Municipal Code Section 3-132. You must, within thirty (30) days, comply with all other requirements of City of Appleton Municipal Code Section 3-132 of the dangerous declaration. The pertinent section of the municipal code is attached to this document. This order is intended to protect against injurious results to human beings and domestic pets caused by unprovoked attacks by your animal.

APPEAL RIGHTS ARE TIME-SENSITIVE:

If you or any other owner or caretaker of the above-named animals wishes to contest the attached Order, within 72 hours YOU MUST deliver to the Health Officer a written objection to the order stating specific reasons for contesting the order. Failure to timely file an objection will result in your forfeiture of the right to appeal this Order.

The Health Deputy Director, Charles Sepers, with the City of Appleton Health Department can be reached at:

Health Officer - Dr. Charles Sepers
100 North Appleton Street
Appleton, WI 54911
Phone: 920-832-6497
Fax: 920-832-5853
Email: Charles.Sepers@appleton.org

I have enclosed copies of the City of Appleton Municipal Ordinances pertaining to this matter. Please review and comply with City of Appleton Municipal Code Section sections 3-1, 3-2, 3-131, 3-132, 3-133, and 3-134.

If you have any further question, please contact the City of Appleton Health Department.
Sincerely,

Matt Fillebrown
Lead CSO #9563 / Humane Officer
Appleton Police Department

Enclosures:

Order
City of Appleton Municipal Code Sections 3-1, 3-2, 3-131, 3-132, 3-133, 3-134

CC: CPT. Frisch - Appleton Police Department, ACA Nicholas VandeCastle - Appleton City Attorney's Office, and Charles Sepers - Health Department

IN THE CITY OF APPLETON,
OUTAGAMIE COUNTY,
STATE OF WISCONSIN

CITY OF APPLETON
A Wisconsin Municipal Corporation

Petitioner,

v.

Elizabeth Garcia as owner of: Kylo, Sex: Male, Breed: German Shephard, Color: Black/brown, R+, L-

Respondent.


ORDER DECLARING ANIMAL DANGEROUS

As the owner and/or caretaker of *the above-named ANIMAL*, you are hereby notified that the City of Appleton has declared that *the above-named ANIMAL* AS dangerous pursuant to the City of Appleton's Municipal Code 3-131.

Because the animal has been declared dangerous, you are further notified that you must immediately comply with leashing, muzzling, and confinement requirements of City of Appleton Municipal Code Section 3-132. You must, within thirty (30) days, comply with all other requirements of City of Appleton Municipal Code Section 3-132 of the dangerous declaration.

This order remains in effect, even if appealed, until modified or withdrawn. This order is in effect for the lifetime of the animals.

SO ORDERED on August 2nd 2022 12:00pm.


Matthew Fillebrown, Certified Humane Officer
Appleton Police Dept. City of Appleton, WI

I, Elizabeth Garcia (respondent's printed name), acknowledge receipt of this order and understand the contents of the order, including the time limits if I wish to appeal.

Signed: E Garcia

Date: 8/2/22

