

SUPPORTING DEPOSITION
SEC. 100.20 CPL

STATE OF NEW YORK

County of _____
Town of _____

Page 1 of 3

I, FULL NAME [REDACTED]		DOB	DATE OF BIRTH 12/29/62
NO. & STREET	CITY	STATE NY	State the following:
HICK 2	[REDACTED]		

We (my wife and I) reside on the property adjoining and on the north side of _____ property. The thirteen dogs that _____ owns or boards on that property are located between my house and the house on his property. There are single dog houses and a larger dog house that has four dogs in it.

We have an unobstructed view of the larger dog house and five of the single dog houses, from inside our house. There is a street light across the street from my driveway near where my property adjoins _____ property and where the dogs are located.

I've witnessed many occasions when _____ has fed his dogs. At the time when they are being fed or think they will be fed, they all bark very loud and aggressively such that they can be heard from at least a quarter mile away.

Since the beginning of November 1992 I've watched closely when _____ feeds his dogs. During the feeding, he carries a white bucket of food and a small metal bowl. He scoops out some food with the bowl and drops it into either another bowl next to a dog or on the ground near the dog. One of the dogs in the larger house is fed by _____ reaching high over a fenced in area and dropping the food from about six feet in the air. While watching him do this on several occasions I could see that the dogs are not given any more than about

NOTICE: False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

*Sworn to before me this 25th day of January 19____
 Notary Public, State of New York
 Qualified in Albany County
 Reg. No. 4851044
 Commission Expires May 15, 19____
 _____ NY
 (Address on Rural Route)

SUPPORTING DEPOSITION
SEC. 100.20 CPL

STATE OF NEW YORK

County of _____

Town of _____

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1. FULL NAME	DOB	DATE OF BIRTH
Wansor, [redacted]		12/29/62
STREET	CITY	STATE
[redacted]	[redacted]	NY

state the following:
 1/2 cup of food. During most feedings, the dogs were not given any water. On 12/31, I witnessed him piling up snow in front of some of the dogs, instead of giving them water.

When we noticed that on some days we did not see on him any feeding activity, my wife called the humane society. The women at the humane society told us that the dogs should be given fresh food and water daily, during any 24 hour period.

On 1/11, beginning at 12:00 pm I watched the dogs continuously from my kitchen, bathroom and living room. All of these rooms have windows that face property where the dogs are located. I watched the dogs until 9:00 am the next morning at which time my wife began to watch. She observed up until 12:00 pm on 1/21. During that time we saw none of [redacted] dogs fed or given water.

We have also seen that [redacted] uses a white Ford pickup for transportation. The house on his property is without electricity, running water and phone service. [redacted] is not living in the house and we see him only on the occasions when he feeds the dogs as described previously. Once he is done feeding them he leaves the property.

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*Sworn to before me this 25th day of January 1993. Notary Public, State of New York, Qualified in Albany County, Reg. No. 4251044. Commission Expires May 16, 1993. [redacted] NY

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STATE OF NEW YORK

County of _____
Town of _____ of _____

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I, FULL NAME _____		DOB	DATE OF BIRTH
HICK _____			12/29/62
STATE _____		STATE NY, state the following:	

The last major snow fall we had was on 1/13/ and the morning of 1/14/ . On 1/21/ at 7:15am I walked around the perimeter of _____ property to see how many sets of foot tracks there were to each dog, to indicate how many times the dogs were fed during that period. I saw only three sets of tracks.

On 1/23/ at 9:45am, I walked along the east side of _____ property and saw that some dogs had food and water bowls and some did not. None of the dogs had any food or water and throughout the day and up until 5:20pm none of the dogs were fed.

NOTICE: False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

*Sworn to before me this 25th day of JANUARY 19 _____

(SIGNATURE)

Notary Public, State of New York
Qualified in Albany County
Reg. No. 4961044
Commission Expires May 16, 19 93

(SIGNATURE OF DEponent)
HICK _____ NY
(STREET OR RURAL ROUTE)

[redacted] NY 12422

Humane Society
Animal Cruelty Unit
[redacted] Branch
Route [redacted]

January 1, 19[redacted]

Dear Sirs,

Since we moved to the town of [redacted] over a year ago, my wife and I have witnessed the mistreatment of dogs owned and boarded by [redacted] (our neighbor). The humane society was called in last fall because the twelve or so dogs owned/boarded by him were not being fed and cared for properly. At that time, [redacted] (Town Health Officer) stated that [redacted] was given a warning and was told that the dogs had to be given fresh food and water daily, and that the area around the dogs had to be kept clean.

For a couple months after the warning I've witnessed [redacted] giving his dogs food and water once per day. Over the last couple of months I've witnessed him only providing a very scarce amount food once per day and on some days, none at all. Also over the last month I've witnessed that he hasn't been giving the dogs fresh water when being fed. On 12/31/[redacted] I actually witnessed him piling some snow together on the ground in front of the dogs or in a bowl. For the record, my wife and I watched the dogs constantly for a 24 hour period from 12:00pm on 1/1/[redacted] to 12:00pm on 1/2/[redacted]. During that time none of the dogs were fed or given water.

Along with not feeding them properly, he has not cleared any snow around the dogs houses or removed their waste. [redacted] has not even been living at the house were the dogs are kept. There is no electricity, running water, or telephone service at the house. I am appalled that someone can board dogs on a piece of property without the proper care and facilities necessary. I hope someone at your office will find it in their heart to put a stop to this. Like I said before, he has been warned already by your office last fall, and from what I've been told, he has a track record for mistreating his animals. Thanks in advance for your help.

After seeing the treatment of the dogs over the last month, my wife called the Humane Society, [redacted] Branch and spoke to [redacted] about it. [redacted] asked that we put this information in writing and send it to the Animal Cruelty Unit.

[redacted signature]

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STATE OF NEW YORK

County of _____

TOWN _____ of _____

Page 1 of 2

I, <u>[REDACTED]</u>	DOB <u>[REDACTED]</u>		
NO. & STREET Rt. 66	CITY/TOWN Town of _____	STATE N.Y.	state the following:

I am a cruelty investigator and peace officer of the _____ Society, _____ N.Y., and function in that capacity in both _____ and _____ Counties. On January 20th., 19____, I received a letter from _____ of _____, N.Y., who stated in his letter that his next door neighbor, _____, did not provide food or water to his several Brittany Spaniel dogs for an entire 24 hour period, from 12:00PM, 1/1/____ to 12:00PM, 1/2/____. The letter further alleges that for a period of about one month, the dogs were not being given fresh water at the time of feeding. On the evening of January 20th., 19____, during a telephone conversation with _____, wife of _____, I was advised that the situation remained the same and that she and her husband felt that the dogs' health was in jeopardy unless something was done soon. On the afternoon of Friday, January 22nd, 19____ I drove to the Town of Durham and located the animals described above in an open field area on _____ in Durham, on the North side (rear) of a house situated on the NorthEast corner of _____ Ave. and Rt. _____ Turnpike). I arrived at this location at about 4:50PM, 1/22/____, and had an unobstructed view of at least eight (8) adult Brittany Spaniels, each chained to individual doghouses with several having no visible food or water dishes. Also located in the yard is a wooden structure with what appears to be wire mesh enclosures on the back (North side of the structure) that serve as a containment area for at least four (4) younger Brittany Spaniels. I was able to further observe that several of the dogs appeared to be thin and abnormally underweight. These observations were conducted from the public roadway known as _____ Ave.. At about 5:30PM, 1/22/____ I interviewed _____ at her home which is located on the North side

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*Sworn to before me this _____
day of _____ 19____

(SIGNATURE OF OFFICER)

(SIGNATURE)

ADDRESS:

(STREET OR RURAL ROUTE)

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STATE OF NEW YORK

County of _____

TOWN of _____

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I, FULL NAME	DOB	DATE OF BIRTH
_____	_____	05/26/44
NO. & STREET	TOWN OF	STATE
Rt. 66	_____	N.Y.

State the following:

of the _____ property, on _____ Ave.. From a living room window on the first floor of the _____ home, there is a clear view of the kennel structure and some of the other dog houses. At about 6:05PM, 1/22/_____, while standing at the living room window with _____ we observed two people, one with a flashlight, the other with a white bucket, throwing what appeared to be dogfood to some of the animals. At no time however, did we observe water being given to the animals. On Sunday, January 24th., 19_____, at about 8:25AM, I again responded to _____ Ave. and again observed the same conditions that I saw on Friday January 22nd., 19_____ that is, several of the dogs chained to doghouses without visible food or water dishes. On Monday, January 25th., 19_____, at about 11:20am, I once again responded to _____ Ave. and again observed that conditions remained the same with the exception that at one of the doghouses situated just to the east of the kennel structure, there was now a bowl on the ground in front of the doghouse. All observations on each visit to this location were made from the shoulder of the East side of _____ Ave.. My personal investigation and observations along with the information provided to me by _____ and _____ lead me to reasonably conclude that _____ is in violation of Sect 353 of the Agriculture and Markets Law of the State of New York by failing to provide necessary food, water and sustenance to the above described animals and that these animals should be seized under Sect. 373, Subd.2 of the Agriculture & Markets Law of the State of New York, which permit such seizure when an animal has been confined or kept for a period of more than twelve successive hours without necessary sustenance, food or drink.

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*Sworn to before me this _____ day of _____ 19_____

(SIGNATURE OF DEPOSANT)

ADDRESS:

(STREET OR RURAL ROUTE)

(SIGNATURE)