

Animal Disposal Order
(C.G.S. § 22-358)
Updated 10.16.19

Case Number: 19-626-OF

Date of Issuance: 11/14/2019 Issuing Agency: Suffield Police Department Animal Control Division

Issuing Officer: ACO Ryan Selig
Printed Name

Service by: Personal Service Certified Mail Judicial Marshal Date of Service: 11/14/2019

This Animal Disposal Order is issued pursuant to:

C.G.S. § 22-358(c) person bitten by a dog, cat or other animal.

C.G.S. § 22-358(h) companion animal or livestock: damaged bitten attacked by a dog, while the biting/attacking dog was not on the premises of its owner/keeper and the bitten/attacked animal was under the control of its owner/keeper or on the property of its owner/keeper.

<u>Annie Hornish</u> Owner or Keeper	<u>Dexter</u> Name of Animal
<u>584 Thrall Avenue</u> Address	<u>Canine/ 4 yrs/ Male/ Black and White coloring</u> Species / Age / Sex / ID (if any)
<u>Suffield</u> City/Town	<u>CT 06078</u> State Zip
	<u>Pointer/ Pitbull mix according to owner</u> Description of Animal

As owner or keeper of the animal described above, you are ordered to have your animal disposed of by a licensed veterinarian no later than 11/28/2019 (15 days or more from the date of issuance) You are further ordered to surrender the animal described above, immediately. The animal described above will be kept in the care and custody of Suffield Animal Control during the pendency of any appeal, until a final decision is rendered.

Date(s)/Case # of Investigated Incident(s): 11/06/2019 / Case # 19-626-OF

Circumstance or History: The above named dog, "Dexter," was determined to be the mechanism of injury that resulted in a woman's death on 11/06/2019. The dog "Dexter" maimed and mutilated the victim's lower extremities resulting in massive loss of blood, muscle, flesh, and tendons. Throughout the investigation it was learned that the dog "Dexter" had bitten the victim in the leg, which resulted in the victim being brought to the ground. The dog "Dexter" then continued his attack on the victim causing bite wounds so severe that they would rank in levels of both four (4) and five (5) on the

Continued Report(s) attached

C.G.S. § 22-358(c) and 22-358(h) states among other things, "...Any person aggrieved by any order of any animal control officer may request a hearing before the Commissioner of Agriculture within fourteen days of the issuance of such order." Appeals must be made in writing to:

Connecticut Department of Agriculture
Bureau of Regulatory Services
450 Columbus Blvd. Suite 701
Hartford, CT 06103
Fax: (860) 713-2515 or Email DoAG.Adjudications@ct.gov

ORIGINAL

Per C.G.S. § 22-358(c) notice of this order shall be given to the person bitten or attacked and, the Commissioner of Agriculture within twenty-four hours of issuance.

Violation of this order is a class D misdemeanor and the animal may be subject to seizure to ensure compliance and, you shall be responsible for any expenses resulting from such seizure.

ACO Ryan Selig
Signature of Issuing Officer

513
Badge

11/14/2019
Date

Animal Disposal Order (continued)
(C.G.S. § 22-358)

Case Number: 19-626-OF

Ian Dunbar Bite Assessment Scale. The incident was ultimately assessed as a level six (6) because the victim had died. Throughout the attack, the victim's caretaker (according to a signed/sworn statement) had used a chair to strike the dog five (5) or six (6) times in an effort to stop the attack, but was unsuccessful. This was when the caretaker had gone outside to get help from the dog's owner Annie Hornish who was just arriving home.

Once the dog was off and no longer attacking/mauling, the victim looked at her caretaker and asked "Where is my button?" (referring to a Great Call button worn for emergencies and being put in contact with emergency personnel). A 911 call was placed by Hornish to the Suffield Police Department and emergency personnel responded. The victim subsequently went unresponsive and emergency personnel began the use of CPR and AED's. The victim was transported to an area hospital where she was pronounced dead.

Hornish has owned the dog "Dexter" for approximately 4.5-5 months. Prior to obtaining the dog, Hornish was advised of "Dexter's" severe anxiety issues. Prior history showed that "Dexter" has gone so far as to break through both screen and glass windows in order to get outside the home due to his separation anxiety.

Through further investigation it was found that the dog "Dexter" was previously kept in the City of Norwich, Connecticut. After speaking with members of the Norwich Police Department (ACO, Police Officers, and Records division), the previous keeper of the animal, and a Veterinary Hospital in the City of Norwich, it was found that the dog "Dexter" had been involved in at least two other bites (both dog on human, and dog on dog) in years 2016 and 2018 which required a response from Police and/or Animal Control personnel.

Based on the foregoing facts and circumstances surrounding the attack delivered by the dog, "Dexter," a Disposal Order is being issued to Annie Hornish by this officer on 11/14/2019 to have the dog "Dexter" humanely euthanized by a licensed veterinarian no later than 11/28/2019. The dog "Dexter" will be kept in the care and custody of the Suffield Police Department's Animal Control Division during the pendency of any appeal, until a final decision is rendered.

ORIGINAL



DAYNA M. CHUCTA

PLEASE REPLY TO: Bridgeport

E-Mail Address: dchucta@cohenandwolf.com

November 18, 2019

Connecticut Department of Agriculture
Bureau of Regulatory Services
450 Columbus Blvd. Suite 701
Hartford, CT 06103

RE: Appeal of Animal Disposal Order, Case Number 19-626-OF

To Whom It May Concern:

Please be advised that this firm represents Neil Hornish ("Mr. Hornish") and Maryanne 'Annie' Hornish ("Mrs. Hornish") in regards to an Animal Disposal Order, Case Number 19-626-OF issued on November 14, 2019 by the Suffield Police Department Animal Control Division. Please be advised that Mr. and Mrs. Hornish, on behalf of Dexter, reserve all rights against the Police Department Animal Control Division for the Town of Suffield with respect to the Animal Disposal Order. Please see the attached Notice of Appeal and Request for Hearing. The attached Notice of Appeal and Request for Hearing is tendered without prejudice to any of those rights. Mr. and Mrs. Hornish further reserve all rights to supplement and add to the Notice of Appeal and Request for Hearing at a future date.

Your immediate attention to this appeal is appreciated.

Sincerely,

Dayna M. Chucta

DMC/tc
Enclosures

Cc: Kenneth Bernhard,
Neil and Annie Hornish,
Derek Donnelly

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P.O. BOX 1821
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DANBURY, CT 06810
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320 POST ROAD WEST
WESTPORT, CT 06880
TEL: (203) 222-1034
FAX: (203) 227-1373

657 ORANGE CENTER ROAD
ORANGE, CT 06477
TEL: (203) 298-4066
FAX: (203) 298-4068

Case Number: 19-626-OF : DEPARTMENT OF AGRICULTURE
:
POLICE DEPARTMENT ANIMAL :
CONTROL DIVISION, TOWN OF : STATE OF CONNECTICUT
SUFFIELD
VS.
:
ANNIE HORNISH, DEXTER HORNISH : NOVEMBER 18, 2019

NOTICE OF APPEAL AND REQUEST FOR HEARING

Pursuant to Connecticut General Statutes § 22-358(c), Maryanne 'Annie' Hornish ("Owner"), hereby appeals the Animal Disposal Order ("Order"), issued on November 14, 2019, by the Suffield Police Department Animal Control Division for the disposal of Dexter Hornish ("Dexter"). Owner hereby requests a hearing before the Commissioner of Agriculture in order to contest Order.

**OWNER,
MARYANNE 'ANNIE' HORNISH**

By /s/ Dayna M. Chucta (440979)
G. Kenneth Bernhard
Dayna M. Chucta
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