



Vicious and Dangerous Dogs

Hearing Officer

STATEMENT OF DECISION

February 16, 2022

Captain Amy Corso
Department of Animal Care & Control
1419 Bryant Street
San Francisco, CA 94103

Re: *Dorje* (A420764)

Dear Captain Corso,

On February 2, 2022, a Vicious and Dangerous Dog Hearing was held. The purpose of the hearing was to determine if a Pit Bull dog identified by Animal Care and Control as “Dorje” (A420764), owned by Brendan Greene, meets the “vicious and dangerous” criteria set forth in Article I, Section 42(a) of the San Francisco Health Code.

Ordinarily, these hearings are held in Room 408 at San Francisco City Hall. However, due to the COVID-19 pandemic, the hearing was conducted by conference call to protect the health and well-being of the hearing participants.

This hearing was audio-recorded. The audio recording is part of the administrative record and is maintained by the San Francisco Police Department’s Vicious and Dangerous Dog Unit located in San Francisco, California.

All interested parties testified at the hearing and had the opportunity to present documentary evidence, photographs, and videos. All testimony and documentary evidence were carefully considered and incorporated in the within *Statement of Decision*. Both the San Francisco Department of Animal Care and Control (ACC) and the San Francisco Police Department (SFPD) were requested to make a recommendation as to the matter on the record.

The above-referenced hearing was calendared at the request of the complaining witness, Fidel Joshua, with the concurrence of the San Francisco Police Department.

EVIDENCE

The evidence from the San Francisco Police Department’s file was thoroughly reviewed and considered in this matter. The file was submitted as evidence by Officer Irvin Huerta (#4284) of the San Francisco Police Department’s Vicious and Dangerous Dog Unit (SFPD VDDU). The records the undersigned reviewed and considered in issuing this Decision are as follows:

- Ex. 1: SFPD VDDU Complaint submitted January 19, 2022, with three (3) photographs
- Ex. 2: SFPD 15-day time waiver form

- Ex. 3: Records from San Francisco Sheriff's Office:
- Adairell Roberson statement
 - Anthony Ochoa statement
 - Incident Report 220-034-948 (8 pages)
 - Shawn Sherman statement
 - Ximalati Avalos statement
 - Rita Masing statement
 - Four (4) photographs of Joshua's injuries
 - One (1) photograph of pepper spray
 - One (1) photograph of hammer
 - Supplemental Incident Report (4 pages)
 - Doreen Horstin statement
 - Video
- Ex. 4: Video of Incident from Redditt
- Ex. 5: ACC Records:
- Person History for Greene
 - Tag Records for Greene
 - Memo M22-518710
 - Memos for Animals A420764
 - Bite Report No. B22-012455
 - Bite Report No. B19-010133
- Ex. 6: Hearing Officer Vicky Guldbeck's Vicious and Dangerous Dog *Statement of Decision* dated February 4, 2019, and related SFPD VDDU Case File (190032955)
- Ex. 7: Notice of Hearing to Brendan Greene dated January 27, 2022, with SFPD Case File, SF Health Code sections 42 to 42.5, and proof of personal service
- Ex. 8: Notice of Hearing to Fidel Joshua dated January 27, 2022
- Ex. 9: Notice of Hearing to Adairell Roberson dated January 27, 2022
- Ex. 10: Notice of Hearing to Rita Masina dated January 27, 2022
- Ex. 11: Notice of Hearing to Doreen Horstin dated January 27, 2022
- Ex. 12: Notice of Hearing to Shawna Sherman dated January 27, 2022
- Ex. 13: Notice of Hearing to Anthony Ochoa dated January 27, 2022
- Ex. 14: Notice of Hearing to Stephanie Pone dated January 27, 2022
- Ex. 15: Notice of Hearing to Harry Wu dated January 27, 2022

- Ex. 16: Email from Erin Hewitt
- Ex. 17: Proof of Service for Hewitt email and SF Sheriff's Department video on Greene, and proof of personal service

San Francisco Police Department Vicious and Dangerous Dog Unit's Complaint Form

On January 19, 2022, Fidel Joshua, a Buildings and Grounds Patrol Officer for the San Francisco Public Library, lodged a complaint with SFPD VDDU. He reported that on Sunday, January 15, 2022 [sic], he responded to the third floor of the library with a can of Narcan. Once he arrived on scene, Joshua approached a patron, later identified as Brendan Greene. Greene was unresponsive, with his face down on a computer keyboard. When Joshua approached Greene, he was attacked by Greene's grey Pit Bull dog, later identified as Dorje.

Joshua's full statement can be found at Exhibit A.

Hearing Officer Vicky Guldbach's Statement of Decision dated February 4, 2019, and related SFPD Case File

On January 31, 2019, a previous "Vicious and Dangerous Dog" hearing was held regarding Dorje. The admitted evidence showed that Eric Hartwell went outside to take his recycling out and saw Brendan Greene sleeping with Dorje. Dorje, who was off-leash, attacked Hartwell for several minutes, and bit him in the ear which required six stitches. Greene slept through the entire incident.

At the conclusion of the hearing, Hearing Officer Vicky Guldbach issued a *Statement of Decision* dated February 4, 2019. She found that the evidence presented was sufficient to find that Dorje bit and caused injury to Hartwell, and that Dorje was put in a situation that he felt frightened and might need to protect Greene. Hearing Officer Guldbach also found that the evidence presented was sufficient to show that Greene was no longer homeless. In conclusion, she found, "Since this incident, Mr. Green [sic] is now aware of this behavior and will not put Dorje in a situation like this again. I do believe this incident was an accident, but Mr. Green [sic] can never leave Dorje unattended in a public place again." (Ex. 6: *Statement of Decision*, p. 2.) Dorje was deemed not vicious and dangerous.

Hearing Testimony

Key parts of the relevant hearing testimony are summarized and paraphrased below.

Fidel Joshua

The complainant, Fidel Joshua, testified that he is a Building and Grounds Patrol Officer at the San Francisco Public Library. On January 16, 2022, he was working in the dispatcher's office. When they learned that a dog was barking "out of control" on the library's third floor, his coworker, Adairell Roberson, grabbed a hammer and responded to the call. A few minutes later, Roberson called and asked Joshua to call the San Francisco Sheriff's Office (SFSO). Joshua did so via dispatch and told them to respond to third floor. Joshua waited three minutes, but the SFSO did not respond.

Doreen Horstin called from the library's third floor and told Joshua that the barking dog's owner was unresponsive. Joshua surmised that the patron, later identified as Brendan Greene, might need

Narcan, and that the dog was barking to alert them. Joshua grabbed a can and went upstairs. As he exited the third-floor elevator, Joshua saw Greene at computer 315 lying face-down on the keyboard with both hands on the desk. Joshua initially thought the loop of the dog's leash was attached to the chair. Joshua approached at a careful, moderate pace to verify the leash was secured. As Joshua got closer, he saw that the dog's leash was, in fact, not secured.

The dog, later identified as Dorje, came from under the table and jumped toward Joshua, attacking him. Joshua swung his arm to protect himself. The dog bit Joshua's right hand first and then as Joshua turned, bit his left wrist. Joshua tried to get the dog to release by striking the dog with his right hand. The dog pulled Joshua to the ground. Roberson approached and hit the dog two or three times with the hammer before it broke. Joshua recalled at some point he put his finger in the dog's eye. After the dog was leashed and the incident concluded, Joshua couldn't move his right leg and noticed there was blood on both his right and left hands.

Joshua saw the video of the incident posted to Redditt, and confirmed he was the person depicted in the video. (Ex. 4.)

As a result of this incident, Joshua received emergency medical care for the following issues: puncture wounds on his left wrist and both sides of his right hands; nerve damage on his left hand; a torn meniscus; completely torn rotator cuffs; a right shoulder injury; detached right quadricep muscles. Joshua testified by telephone from the hospital where he was recovering from surgery.

Adairell Roberson

Adairell Roberson testified that he is also a Building Grounds Patrol Officer at the San Francisco Public Library. He identified himself in the video of the incident that was posted to Redditt as the person who pepper sprayed the dog. (Ex. 4). On Sunday night, January 16, 2022, Roberson and Officer Rita Masina were scheduled to begin closing procedures on the library floors when they received a call from dispatch that a dog was barking aggressively on the third floor. On his two-way radio, Roberson tried to reach SFSO to go on the call with them because they have the tools to deal with an aggressive animal. No one answered the radio. Officer Anthony Ochoa called and reported that the SFSO deputy was gone.

Roberson went to the office to grab a hammer for protection because he and his fellow officers were only armed with pepper spray, not clubs. Roberson and Masina responded to the third floor. Roberson saw a man, later identified as Greene, at Computer 315, face-down, and a dog barking aggressively, pacing back and forth. Roberson cleared the area to establish a perimeter but did not get close enough to see if the dog's blue rope was attached to the chair. He radioed back to dispatch to ask that they call the SFPO non-emergency mobile number to get them to respond. Joshua Fidel then called on the two-way radio and asked if it was possible that Greene overdosed. Roberson agreed it was possible but made no attempts to intercede because the dog was so aggressive, and he wanted to wait for SFSO to respond. The library staff made numerous unsuccessful attempts to rouse Greene.

When Fidel Joshua arrived on scene, he said that maybe the dog was trying to alert them that Green overdosed. Joshua walked to Roberson's left. Roberson told Joshua to be careful because he was unsure if the dog was leashed. Joshua slowly walked toward Greene with his hands to his sides. The dog went underneath the table and jumped up toward Joshua's neck. Joshua defended himself by hitting the dog. When Joshua turned, the dog bit his left arm and dragged Joshua to the

ground. Roberson pepper sprayed the dog, but it had no effect. Roberson then reached into his pocket and pulled out a hammer which broke on the dog's head. The dog was dazed, and the incident ended.

Roberson pointed out that on the video, Greene's head was down during the entire incident.

Rita Masina

Rita Masina testified that she is a Building and Grounds Patrol Officer at the library. On January 16, 2022, she and Roberson responded to the third floor of the library on report of an aggressive barking dog. When they arrived, they saw Greene was face-down on a computer keyboard, with his hands out on the table on their right. They followed protocol and asked, "Are you okay?" They received no response. The dog continued to bark and growl. Nothing was "holding" the dog, who was pacing back-and-forth. Masina and Roberson waited for SFSO to arrive.

Fidel Joshua moved toward Greene's table. When Joshua was approximately five feet away, the dog went underneath the table and lunged up at Joshua, attacking him. The dog was shaking while he was biting Joshua. Roberson pepper-sprayed the dog, but the dog did not respond to it, so Roberson struck the dog with a hammer. The hammer broke. The dog was dazed and ran over to his owner.

Shawna Sherman

Shawna Sherman testified that she works as a librarian at the reference desk on the third floor of the library. On January 16, 2022, about 30 minutes until closing, she did a walk-around. She noticed that a patron (Greene) seated at Computer 315 had his head and hands on the computer keyboard. She knocked on the desk to wake him up. Immediately, a Pit Bull dog came out from under the desk and frightened her by barking aggressively. The dog paced back and forth while the patron was slumped over the desk. The leash was on the floor.

Fidel Joshua moved in front of Greene's desk. The dog came out from under the desk, jumped up and "grabbed" Joshua, and knocked him down. The other two officers tried to help get the dog off Joshua by spraying pepper spray and hitting the dog several times with a hammer until it broke. Then the dog retreated. Another patron leaned over and yelled at Greene to get up because his dog was biting someone. Greene finally woke up.

Doreen Horstin

Doreen Horstin testified that she is employed as a librarian at the San Francisco Public Library. On January 16, 2022, she was working on the fourth floor. She heard a dog barking for a long period of time. She peered through a cut-out into the third floor. The dog's owner, later identified as Greene, was face-down on the computer keyboard, and completely unresponsive despite the noise. Horstin wondered if Greene was dead. One of the guards was standing behind a self-check machine, and Fidel Joshua had a table between him and the dog, but was a few feet back. Suddenly, the hair went up on the dog's back. The dog, who was a grey and white Pit Bull, rushed under the table, bit Joshua, and pulled Joshua to the ground. The rest of the incident was outside her field of vision, but she could hear barking, shouting, and screaming. The owner was still unconscious.

Another patron ran over to Greene, grabbed him, shook him, and told him to wake-up. Greene regained consciousness. Horstin stepped away for a few minutes. When she returned to see what

was happening, Greene had control of the dog. The dog had blood on his snout, but he was not wearing a leash or a muzzle. Greene held onto the dog and yelled at the library guards telling them it was their fault.

When the ACC officer arrived to take custody of the dog using a catchpole, Greene said, “Don’t use those. They’ve used those on my dog before. And he doesn’t like it. He’ll freak out.”

Anthony Ochoa

Anthony Ochoa is a Building and Grounds Patrol Officer for the library. He testified that on January 16, 2022, he heard the dog barking. A minute later they got a call that a patron was unresponsive when staff members tried to wake him up. The dog barked continually for approximately ten minutes. Both Roberson and Joshua contacted the SFSO to get help. Joshua called Ochoa and asked if Ochoa thought the dog was barking because Greene was overdosing. Ochoa said he was not sure. Joshua decided to head over there with a can of Narcan to do a welfare check.

The dog stopped barking. Ochoa heard a growl and a scuffle. He looked up and could see what was happening from his vantage point on the first floor. Ochoa saw the dog “grab” Joshua’s left arm and pull Joshua to the ground. Ochoa ran up to the third floor to help, but by the time he got there, the incident had ended.

Ochoa saw Greene was lying on top of the dog who was no longer in an aggressive state. Masina handed Ochoa the dog’s leash and pointed out the dog was off leash. Ochoa tried to tell Greene to leash his dog. Greene yelled, somewhat incoherently, “This is your fault. He was protecting me.”

Harry Wu

Harry Wu is employed by the SFSO. Usually, there are two deputies assigned to the library but on January 16, 2022, he was the only person there. At 5:00 p.m., he left to go to City Hall to get a report approved by 6:00 p.m. Senior Deputy Davidson told Deputy Wu he could leave and that they would monitor the two-way radio and dispatch. Deputy Wu provided his radio and understood that any calls from the library would be responded to. Later, Senior Deputy Davidson called him and told him a dog bite occurred at the library, and to return in uniform.

When Deputy Wu arrived on scene, several deputies had already responded. ACC Officer Stephanie Pone told him they were going to transport the dog to ACC and quarantine him for 10 days. Fidel Joshua had already been transported to the hospital for medical treatment. Deputy Wu took witness statements and generated a report.

At the scene, Greene told Deputy Wu the dog was a service dog and that he did not observe his Pit Bull bite anyone because he was sleeping.

Stephanie Pone

Stephanie Pone is an Animal Control Officer with ACC. She testified that on January 16, 2022, she responded to the library on report of a dog bite. Greene helped transport his dog, Dorje, into the van because of issues with the catch pole. Greene, who was upset but cooperative, admitted he was asleep during the incident. He denied being under the influence and was upset because the security guards were aggressive with the dog, when, according to Greene, the dog was just protecting him.

Brendan Greene

Brendan Greene, Dorje's owner, testified that he slept at the library because he was tired. He said his truck (containing his wallet and dog's muzzle) got stolen a few days before and he was up wandering the streets the night before the incident because he did not have money for a hotel. He denied overdosing or using drugs.

Greene did not see Dorje bite Joshua on January 16, 2022, because he was sleeping in the library and Dorje was in unfamiliar situation. However, Greene admitted when Dorje attacked a man in 2019, which was the subject of a previous vicious and dangerous dog hearing, that he was unresponsive in a public place due to substance abuse. Specifically, Dorje bit a man in the head while Greene was sleeping.

Greene also admitted that Dorje got loose in 2020 and got picked up as a stray in Grass Valley.

Dorje is a service animal that lives with him in Grass Valley, California. Greene was upset that a hammer was broken over his dog's head. He promised never to bring Dorje to San Francisco again and to take Dorje to training. Greene expressed remorse that Joshua was injured but explained that the video showed that Dorje felt threatened by the adults screaming grabbing the dog's leash and hitting the dog with a hammer.

Greene described his dog as gentle and non-aggressive.

Antoinette Lewis

Antoinette Lewis testified that she was not an eyewitness to the incident at the library. She testified regarding Dorje's good temperament during the year the dog lived with her.

Alex Sosensky

Alex Sosensky testified that he is a good friend of Brendan Greene and has known Dorje his whole life. Dorje had no problems with humans or animals, including his cat. Three days before the library incident, Greene told him his truck had been stolen. He went to the library because he needed internet access to figure out how to get his car back. Sosensky was not present for the incident at the library but reviewed the video and believed Dorje reacted to a perceived threat.

Christopher Gibbs

Christopher Gibbs testified to Dorje's good temperament around humans and animals.

San Francisco Police Department's Recommendation

Officer Huerta recommended Dorje be humanely euthanized due to the dog's bite history and severity of those bites.

Animal Care & Control's Recommendation

Captain Amy Corso testified that although Dorje may have been resource guarding by protecting his owner, the severity of the attack was "beyond the context of the dog working properly."

Captain Corso further opined that Dorje's protective response was disproportionate, resulting in severe injuries to a grown adult. She opined the bite severity was a Level 5 because of Joshua's

injuries, namely, tissue avulsion—which is complete removal of tissue and skin, as well partial removal of tissue as evidenced by flaps of skin and tearing/gaping wounds. She described this incident as a “mauling.” Due to a poor prognosis and the likelihood of a repeat offense, ACC recommended Dorje be humanely euthanized to protect public safety.

FINDINGS

1. This is Dorje’s second “Vicious and Dangerous Dog” hearing. On January 31, 2019, a prior hearing was held. Hearing Officer Vicky Guldbeck issued a *Statement of Decision* dated February 4, 2019, in which she found that the evidence presented was sufficient to find that Dorje bit and caused injury to Eric Hartwell because Dorje was frightened and protective of Greene. Hearing Officer Guldbeck also found that the evidence presented was sufficient to show that Greene was no longer homeless. In conclusion, she found, “Since this incident, Mr. Green [sic] is now aware of this behavior and will not put Dorje in a situation like this again. I do believe this incident was an accident, but Mr. Green [sic] can never leave Dorje unattended in a public place again.” (Ex. 6: *Statement of Decision*, p. 2.) Dorje was deemed not vicious and dangerous.

2. On January 16, 2022, Brendan Greene was found unresponsive on the third floor of the San Francisco Public Library. His Pit Bull dog, Dorje, was not on leash or under his control. Dorje barked aggressively, for approximately 10 minutes. Adairell Roberson, a library security officer, grabbed a hammer for protection and responded to the third floor to wait for SFSO deputies with other library personnel. Concerned Greene had overdosed, security officer Fidel Joshua grabbed a can of Narcan and responded to the third floor. Joshua slowly approached Greene with his arms to his side to do a welfare check and to see if Dorje was leashed. Dorje went underneath the table and lunged at Joshua’s neck. Joshua put his arm up to protect himself. Dorje bit his arm and pulled Joshua to the ground biting him multiple times on both arms. Roberson sprayed pepper spray on the dog, but it had no effect. Dorje continued his sustained attack on Joshua while Joshua screamed. Roberson struck Dorje on the head multiple times to protect Joshua. The hammer broke on Dorje’s head. Dorje stopped the attack. Joshua was transported to the hospital with severe puncture wounds on both arms. Dorje’s attack was unprovoked.

3. Greene was twice found unresponsive in public settings with Dorje at which time Dorje viciously attacked two adult men. Therefore, Greene cannot adequately control his dog within the meaning of Article 1, Section 42.3(c)(ii) of the San Francisco Health Code.

CONCLUSION AND ORDER

Article 1, Section 42 of the San Francisco Health Code defines "vicious and dangerous dog" as follows:

1. Any dog that when unprovoked inflicts bites or attacks a human being or domestic animal either on public or private property, or in a vicious or terrorizing manner, approaches any person in an apparent attitude of attack upon the streets, sidewalks, or any public grounds or places; or

2. Any dog with a known propensity, tendency, or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals; or
3. Any dog which engages in, or has found to have been trained to engage in, exhibitions of dogfighting; or
4. Any dog at large found to attack, menace, chase, display threatening or aggressive behavior or otherwise threaten or endanger the safety of any domestic animal or person.

Based on the testimony at the hearing, the documents, photographs, videos, and the above Findings, Dorje meets the vicious and dangerous criteria under subdivisions (1) of Section 42. Credible evidence was presented establishing that Dorje attacked and bit Joshua multiple times on January 16, 2022. In determining whether a dog bite is provoked, the alleged victim's behavior prior to the incident is examined. We look to whether the person bitten was either provoking or teasing the dog without cause. (See, e.g., SF Health Code, Art. 1, section 41.5.1) Here, Fidel Joshua did not provoke, strike, tease, or antagonize Dorje. He simply walked slowly toward Greene with Narcan to do a welfare check.

In response to Joshua's slow approach to help Greene, Dorje lunged and tried to bite Joshua in the neck. The ensuing attack was nothing short of a mauling. The harrowing video depicted in Exhibit 4, which captured part of the attack, speaks for itself. Had Roberson not had the presence of mind to grab a hammer for protection before he responded to the third floor, Joshua could have been maimed or killed. Even with two adult males fighting with all their might to stop the attack, Joshua was still severely injured. In fact, he testified from the hospital following surgery weeks later. Believing Greene had overdosed, Joshua put his life on the line to attempt to care for Greene. In response to this good deed, Joshua was mauled by Greene's vicious dog.

Greene's assertion that Dorje's attack on Joshua is justified on grounds that the dog was merely protecting Greene, is without merit. The critical inquiry is whether the attack was provoked. Even if Dorje attacked to "protect" Greene, the attack was still unprovoked. Not only did Joshua do nothing to antagonize the dog, but the severity of the attack was also completely disproportionate to Joshua's slow, non-threatening approach with his arms at his side. As Captain Corso aptly stated, Dorje's so-called protective behavior is not within a normal range. Persuasive here is the Illinois appellate court's analysis in *Wade v. Rich* (1991) 618 N.E. 2nd 1314. There, a dog bit an 18-month-old child in the face and head. The injury was so severe, the toddler needed 23 stitches. (*Id.* at 1315.) Although the witnesses did not see exactly what happened in the moments leading up to the attack, it appeared the child first fell onto the sleeping dog which caused it to attack. To prove liability, the plaintiff had to prove the absence of provocation under the Illinois statute. However, the court ruled that the defendant lost the statutory protection because the viciousness of the attack was out of proportion to the child's conduct. (*Id.*) Although not controlling precedent, *Wade v. Rich* supports that Joshua did not provoke the vicious attack when slowly approached Greene, because Dorje's attack was out of proportion to any actions that Joshua took.

Greene's argument that Dorje should not be deemed vicious and dangerous, or euthanized, because he is an alleged service dog is untenable. Disability laws do not preclude the government from protecting public safety by refusing to return a vicious and dangerous dog to its owner.

The undersigned concurs with the recommendations made by Captain Corso and Officer Huerta, that Dorje must be humanely euthanized to protect people in the community. The standard vicious

and dangerous dog restrictions are inadequate to protect public safety. A muzzle and a short leash is not enough to protect the public from this dangerous dog because, even under the best scenario, owner compliance is imperfect. Also, Dorje could maul a person in a private home when not wearing a muzzle or when eating or drinking. This dog's prognosis is poor, and he will likely bite again. Dorje has the capacity to seriously injure a human as he has done twice before. This dog is unsafe to exist in the community and must be put down.

It should be noted that the undersigned does not have the authority to transfer ownership of a vicious and dangerous dog within the City and County of San Francisco. (SF Health Code, Art. 1, Section 42.2(h).) Moreover, ownership of a vicious dog cannot be transferred to another County without the authorization of officials in the receiving county. (*Ibid.*) Even if the undersigned had the authority to transfer ownership of Dorje, doing so would be inappropriate due to ACC's opinion, which the undersigned shares, that Dorje is dangerous and cannot be rehabilitated due to the severity of the bites.

Finally, Greene is not in a position in his life to keep a dog on leash and under control. Greene was found unresponsive in public on two separate occasions, three years apart, during which Dorje was found off-leash. On both occasions, Dorje attacked two adult men and caused severe injuries. Because Greene has not, and cannot, keep his dog under control, he is banned from owning dogs in the City and County of San Francisco for three years.

THEREFORE, the undersigned makes the following ORDER:

1. The Pitbull dog Dorje (A420764), owned by Brendan Greene, meets the "vicious and dangerous" criteria set forth in Article I, Section 42(a) of the San Francisco Health Code.
2. The restrictions set forth in Section 42.2 of the San Francisco Health Code are inadequate to protect public safety.
3. The health, safety, and welfare of the community is not adequately addressed by the requirements provided in Section 42.3(c)(ii) of the San Francisco Health Code.
4. Therefore, the undersigned orders the dog Dorje to be humanely euthanized.
5. Brendan Greene is banned from owning or possessing dogs in the City and County of San Francisco for a period of three years from the date of this Order.

APPEAL

The decision of the Hearing Officer is final as to the terms of this Order. Any person or entity aggrieved by an administrative order of a Hearing Officer on an administrative citation may obtain review of the administrative order by filing a petition seeking review with the Superior Court of California, County of San Francisco, in accordance with the statutes of limitation and provisions set forth in the California Code of Civil Procedure section 1094.5. Strict time limits apply for requesting such judicial review of this order. If one wishes to have this Order reviewed by a court, it is advisable to promptly seek and consult with an attorney. As a courtesy, the euthanasia Order will be stayed until February 26, 2022, ten (10) days from the date of this Order, to give the dog owner an opportunity to seek judicial review. (Since February 26, 2022, falls on a Saturday, legal action must be commenced the week before.) If legal action is not taken in that ten-day period, the Department of Animal Care & Control is authorized to humanely euthanize the dog.

IT IS SO ORDERED:

February 16, 2022

A handwritten signature in black ink, appearing to be 'JEC', written in a cursive style.

JANELLE E. CAYWOOD
HEARING OFFICER



PROOF OF SERVICE

I, Mary Polk, declare under penalty of perjury under the laws of the State of California that the following is true and correct:

I am employed in the City of San Francisco, County of San Francisco, California. I am over the age of eighteen years, and not a party to or interested in the within-entitled action. I am an employee of the City and County of San Francisco, and my business address is 1 South Van Ness Avenue, 8th Floor, San Francisco, CA 94103.

On February 16, 2022, I served the following document(s):

Statement of Decision

In the Following Matter:

"Dorje" (A#420764)

on the parties stated below by the following means of service:

Fidel Joshua
316 Valencia Street #213
San Francisco, CA 94103

Captain Amy Corso
SF ACC
1419 Bryant Street
San Francisco, CA 94103

Ofc. Irvin Huerta #4284
SFPD
850 Bryant Street
San Francisco, CA 94103

By United States mail. I enclosed the above listed documents in sealed envelopes addressed to the persons listed above, and deposited the sealed envelopes with the United States Postal Service, with the postage fully prepaid.

By personal service. I personally delivered the documents to the persons at the addresses listed above. For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party by hand delivering a true copy to the person listed above at my place of employment, Vicious and Dangerous Dogs, 1 South Van Ness Avenue, 8th Floor, San Francisco, CA 94103, or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and eight in the evening.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct. Executed on February 16, 2022 at Oakland, California.



Mary Polk, Declarant