

APPLICATION FOR SEARCH WARRANT

Town Court)
Town of [REDACTED])
State of New York)

[REDACTED] - being duly sworn, disposes and says:

1) I am the applicant for this search warrant. I am a sworn police officer employed by the New York State Police as a trooper, at the [REDACTED] New York Sub-Station. I do hereby state that there is reasonable cause to believe that the crime of FAILURE TO PROVIDE PROPER SUSTENANCE - CRUELTY TO ANIMALS Section 353 of the AGRICULTURE & MARKETS LAW is being committed at the residence of [REDACTED] - DOB [REDACTED] - of [REDACTED] N.Y. Residence being further described as a two story log cabin situated on approx. ten acres of land. Also located directly behind the house is a wood barn, approx. 34Ft x 34Ft, having a flat roof and sliding wooden doors on the front and back of the barn and no windows. The interior of the barn has a blacktop floor - twelve straight stalls and one box stall. The driveway to the property is a dirt road, with a metal gate at the entrance to the driveway. Said property is located on the east side of [REDACTED] approx. one half mile north of the intersection of [REDACTED]

2) The facts supporting my statement above and the request for special authority set out below on information and belief are:

a) On 4/1/[REDACTED] Tpr. [REDACTED] was dispatched to a complaint of loose horses in the area of [REDACTED] and [REDACTED] Road in [REDACTED] Tpr. [REDACTED] interviewed [REDACTED] of Robinson Lane, near [REDACTED] Mrs [REDACTED] stated that five horses have been running loose throughout the neighborhood since 3/28/[REDACTED] and that she believed that the horses were owned by [REDACTED] Tpr. [REDACTED] further stated that an interview of [REDACTED] was conducted at the [REDACTED] property. Mr [REDACTED] stated that he was out of town for a few days and the horses had "gotten out". Mr [REDACTED] showed Tpr [REDACTED] his barn and horse stalls and the following observations were made: General condition of the shelter was poor, there were no bails of hay and only a small quantity of hay in the feeders. The barn was extremely filthy and although there were three grain barrels in the barn, there was little or no grain in them. There were six horses on the property. On two of the horses, the ribcages were plainly visible. Mr [REDACTED] stated to Tpr. [REDACTED] that he just obtained those horses and hasn't had time to build them up. The statement of Tpr. [REDACTED] is attached hereto and made a part thereof.

b) On 4/3/[REDACTED] interview of [REDACTED] of [REDACTED] Ave., [REDACTED] revealed the following:

That [redacted] has owned horses for 36 years and is a former employee of the MSPCA in [redacted] Ms [redacted] stated that she has known [redacted] for several years and in the past, he had invited her to stop by and see the horses. On 4/1/ [redacted] went to [redacted] barn and Mr [redacted] was not home. Ms [redacted] stated that she went into the unlocked barn and looked at the horses. Two of the horses were so thin that you could count their ribs and Ms [redacted] stated that she knows that Mr [redacted] purchased these horses several months ago from [redacted] Deputy [redacted] of [redacted] Four of the other horses which were present lost about 400 pounds since she last saw them in February, 1992. The horses are so weak that they can barely stand. Their feet are badly overgrown. There was no hay, grain or water in any of the stalls or in the barn. The horse manure was up to her knees. The statement of [redacted] is attached hereto and made a part hereof.

2) I therefore, request that the court issue a search warrant directing the search of the property of [redacted], specifically, the barn or any out building or area where animals would be confined to seize the following property and evidence: Horses, carcasses, animal food, animal excrement. And that this warrant be directed to any member of the New York State Police and any officer or employee of the [redacted] Animal Shelter.

[redacted]
Trooper

Subscribed and Sworn before me
this 4 day of April, 19 [redacted]

[redacted]
County Court Judge
[redacted] County
New York.