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IN THE MATTER OF THE APPLICATION

OF

AFFIDAVIT FOR A SEARCH WARRANT

FOR A SEARCH WARRANT FOR A CERTAIN DESIGNATED PREMISES, PERSON AND/OR VEHICLE.

Pursuant to Section 690.35 of CPL

STATE OF NEW YORK)
COUNTY OF

Det. Sgt. , being duly sworn, deposes and says:

I am the applicant herein, and I am a Public Servant of the kind specified in the Criminal Procedure Law, Section 690.05(1), my title being Detective Sergeant, and employed by the Town of Police Department.

I do hereby state that there is reasonable cause to believe that property of a kind and character as described in Section 690.10 of the Criminal Procedure Law may be found in or upon a designated Premises, Person, and/or Vehicle.

I make this affidavit in support of an application for a search warrant to search the Premises, Persons, and/or Vehicles as described within this affidavit and to seize the property as identified below: Three potbelly pigs, four foxes, one dog, one raccoon, several prairie dogs, one ferret, several exotic birds, one squirel, four rabbits, several reptiles, two turtles, and any other animals deemed unhealthy, in unhealthy conditions, or without food, water, or shelter.

That there is reasonable cause to believe that the property sought: (Refer Section 690.10 CPL, 1 thru 4, whichever is applicable).

Constitutes evidence or tends to demonstrate that an offense was committed.

The following allegations of facts are submitted in support of this application. Animal Control Officer, who at that time requested police by the Town of in the Town of policeofficers assistance at responded and were informed by the animal control officer that the town had received complaints about the foul odor coming from the building located at who is in fact the owner of the owner. This complaint was made by Mr. informed the animal control officer that the downstairs of the building. Mr. section of the building was rented recently to two individuals who he identified as , and that these persons were intending to open a pet shop type business. was concerned and felt that there may be deceased animals in the downstairs section of the building due to the strong odor coming from the area. Attempts were made by The police were unable to locate these individuals. the police to contact The owner of the building, authorized entry to the building and he himself made entry based on the existing circumstances. Building Inspector was present during this entry. Mr. and Building Inspector observed animals stacked on top of one another and an extreme strong odor of feces and other unsanitary conditions. Many of the animals did not have water or food in the kennels. Most of the animals coats were matted and dirty. Inside of three of the cages there was vegetation growing, showing that the seeds they would normally eat, germanated from the extensive period of time being left inside the cages. The cages were not properly maintained or clean. These existing conditions were observed by the animal control officer, the town building inspector, and two police officers from the Town of Police Department. Attempts were further made to contact regarding these conditions. The police were unable to contact these individuals. The investigation was to continue and at that time the building was secured by the owner. b, this investigation continued and attempts were made to with negative results. Due to the existing conditions at this location and the well-being of the animals, request is being made for a search of this building and siezure of any endangered animals. Said actions being in vislation of Section #358, of the Agriculture and Merket Law, Failure To provide proper Food and Drink to animals.

THE PREMISES TO BE SEARCHED

This affidavit is submitted in support of an application to search the following designated premises, persons, and/or vehicles:

Property located at in the Town of County of County of Siding. The property is described as atwo-story building with siding. The entrance to the building is on the southwest side.