

October 30, 2017

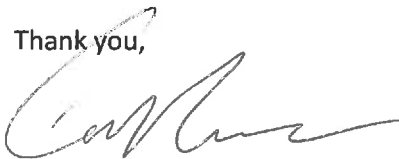
To whom it may concern:

I, Carlos Rodriguez, am hereby filing a request for a dangerous dog order case to be heard beyond the 30 day filing period. My reasons for not filing within the 30 day filing period are as follows:

- After signing the quarantine order at the police department, I filed a request for the police report on 9/28/2017 (see attachment one and two, respectively). I was informed to wait 10 days prior to calling to see if the report was ready. I work full-time during the City of West Allis Record Division's business hours. I requested that my girlfriend's father (the homeowner of the property at which the incident occurred) attempt to collect the report in person at the West Allis Police Department in lieu of myself. He was informed that the report was never filed and to put in another request for the report (see attachment three). This was approximately three weeks after the original filing date. The representative informed him that the report would not be available for an additional 10 days, falling outside of the 30 day filing period. Today, on 10/30/2017, my girlfriend successfully obtained the police report and was told by the city clerk to file this notion because it is beyond the 30 day filing period.
 - The reason I wanted the police report in order to contest the dangerous dog order was due to discrepancies between what happened on the day of the incident, the quarantine order, and beyond. The police stated on the day of the incident that nothing needed to happen to Romeo (the dog for whom the dangerous dog order is issued) because he had **not** bit a human nor an animal. The officer who came later on the day of the incident encouraged me to contest the order due to there **not** being a bite wound and due to comments made by the other party involved in the incident (I have video evidence which I would like to present if I am granted permission to contest my dangerous dog order). The next day, I was informed that Romeo needed a 10 day quarantine due to a doctor being unable to discern whether or not the other party was bit. At this point, I began to question what the official accounts were from all parties involved (police, self, other party, witnesses) and wanted the report in order to contest specific portions of the dangerous dog order. Due to the unavailability of the report within the 30 day period, I did not feel it would be wise to contest an order without specific, *official* documentation from the incident.
- As a side note, there were extenuating circumstances that occurred during the 30 day period. My girlfriend and I both work full-time and have a child on the way. My girlfriend's father suffered from a third blood clot and had an IVC filter put in during the 30 day period. He is also slated to meet with a cardiovascular surgeon due to findings from an emergency room visit during this timeframe. The past 30 days have been a very busy and stressful time period and added to our inability to follow-up in a more diligent manner regarding the police report.

It is my hope that the aforementioned reasons are deemed sufficient in order to still contest the dangerous dog order. Romeo is a loved and valuable member of our family and I would be distraught to not present my reasons for contesting the dangerous dog order before the board.

Thank you,



Carlos Rodriguez

RECEIVED

OCT 31 2017

**CITY OF WEST ALLIS
CITY CLERK**

Attachment one

17-058296



Public Health
Prevent. Promote. Protect
West Allis Health Department

West Allis Health Department Rabies Quarantine Order

Animal Owner's Name: Carlos M. Rodriguez

Animal Owner's Address: 9828 W. Becker St.

Animal Owner's Telephone Number: 414-888-2307 ★

Name of Animal: P.H. Bull Terrier Type of Pet: ☒ Dog ☐ Cat ☐ Other (List) _____

Date Bite Occurred: 9/27/17 Was a person bitten? ☒ N Did the Bite Break the Skin? ☒ N

Date of Animal's Rabies Vaccination: _____ Dog/Cat License Tag Number: _____

Victim's Name: Thomas G. Walker - Victim's Address: 2077 S. 98 St.

Victim's Phone/Cell: 414-628-7398 Treated by: ☒ Medical Provider ☐ Self ☐ Parent ☐ NA

Per the Revised Municipal Code of the City of West Allis 7.12(5) the animal identified above and owned/harbored by you at the indicated address is hereby ordered confined, under the conditions defined below, for purposes of quarantine for possible rabies exposure.

- ☒ This animal has bitten or otherwise potentially exposed a person or other animal to rabies virus and is quarantined for a minimum of **10 days** from the date of the incident. Animal owner is responsible for all costs associated with quarantine/impoundment of the animal.
- ☐ Proof of valid rabies vaccination provided. In home quarantine ordered. See Quarantine conditions below.
 - ☐ Proof of valid rabies vaccination is **NOT** provided. Animal is ordered to be impounded at:
 - ☐ MADACC
 - ☐ Local Veterinarian Clinic: _____
 - ☐ This animal has bitten or otherwise potentially exposed a person or other animal to rabies virus **AND** is exhibiting symptoms consistent with rabies. This animal is ordered to be euthanized for rabies testing. Animal owner is responsible for all costs associated with euthanization and testing.

Quarantine conditions:

- ☐ The animal must be seen by a veterinarian within 24 hours for a health clearance. A copy of the veterinarian's report must be submitted to the West Allis Health Department.
- ☐ The animal must be confined at all times in an enclosed space that prevents contact with people, other pets, and wild animals. Animal may only be outside only for purposes of toileting and must be kept on a leash.
- ☐ At no time may the animal be removed from the premises without prior written permission of the West Allis Health Department. In an emergency, the animal may be taken to a vet. Immediately notify the Health Department.
- ☐ If at any time during the quarantine period the animal becomes ill, shows signs of abnormal behavior, or dies, the West Allis Health Department must be notified immediately. The Health Commissioner may authorize, at any time that the animal be euthanized for purposes of laboratory testing for rabies.
- ☐ Animals without a valid rabies vaccination must be vaccinated after the quarantine period, prior to being released to the owner. Also, if the animal does not have a valid Milwaukee County Animal License the owner must obtain the license and submit proof of license to the West Allis Health Department.
- ☐ The animal will be released from quarantine only upon completion of the prescribed requirements and by written authorization of the West Allis Health Department.

I understand and agree to abide by the conditions under which the above named animal, for which I am the responsible owner or custodian, is to be quarantined. I understand that violation of the conditions of this quarantine order, whether by volition or negligence, is punishable under the Revised Municipal Code for the City West Allis.

Carlos M. Rodriguez
Animal owner name (print)

X
Animal owner signature Date

Peter Borree
Serving official name (print)

P/B
Serving official signature Date

9/28/17 16.30 pm

6/6/16

White - Police Department Copy

Pink - Health Department Copy

Yellow - Owner's Copy

Submit completed report to the Health Department within 24 hours.

7120 W National Ave, West Allis, WI 53214

Fax - 414-302-8628

Milwaukee Animal Hosp. over by Oct 2nd

Attachment two

WEST ALLIS POLICE DEPARTMENT
RECORDS UNIT

HOURS: MONDAY THROUGH FRIDAY 7:00 AM TO 6:00 PM

(414) 302-8080

PROCEDURE FOR REQUESTING RECORDS

PLEASE FILL OUT THE ATTACHED FORM AND RETURN IT TO THE RECORDS UNIT WINDOW.

UNDER MOST CIRCUMSTANCES, A COMPLETED REPORT WILL BE READY TO PICK UP WITHIN 10 BUSINESS DAYS (pending investigation). YOU MAY CALL THE RECORDS UNIT TO VERIFY THAT YOUR REQUEST IS COMPLETE BEFORE RETURNING FOR PICKUP.

ALL RECORDS ARE REVIEWED BY THE RECORDS SUPERVISOR OR DESIGNEE PRIOR TO RELEASE.
THE COST FOR A REPORT IS .25 PER PAGE.

ANY COMPLETED REQUESTS THAT HAVE NOT BEEN PICKED UP WITHIN 21 DAYS WILL BE DESTROYED AND YOU MUST MAKE A NEW REQUEST.

***** **PLEASE RETAIN THIS SHEET FOR FUTURE REFERENCE** *****

If your report is denied, Section 19.35 (4) (b), Wis. Stats., requires that you be informed that this determination is subject to review under section 19.37(1), Wis. Stats. You may bring an action for mandamus asking for a court to order release of the records or request the District Attorney or Attorney General to bring an action for mandamus asking a court to order release of the records.

Attachment three

WEST ALLIS POLICE DEPARTMENT
RECORDS UNIT

HOURS: MONDAY THROUGH FRIDAY 8:00 AM TO 5:00 PM
(414) 302-8080

Press 6

PROCEDURE FOR REQUESTING RECORDS

PLEASE FILL OUT THE ATTACHED FORM AND RETURN IT TO THE RECORDS UNIT WINDOW.

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