

MADISON COUNTY V. CABOODLE RANCH

Summary notes of the Civil Custody Petition Hearing on May 3, 2011 taken by Elise Perkins to the best of her ability. This IS NOT an official copy or transcript of the hearing. Nor is it a full summary of the Testimony or the Custody Hearing.

**For an official transcript of this testimony contact the certified court reporter:
Sonia Garden, Office: 386-294-3263, Mobile: 386-208-6074***

JAMIE WILLOUGHBY SUMMARY TESTIMONY* MADISON COUNTY ANIMAL AND MOSQUITO CONTROL OFFICER

Jamie Willoughby was called by the Madison County Attorney (MAC) and testified to the following:*

Jamie Willoughby (hereinafter referred to as JW) testified the first time he met Craig Grant (GRANT) was 6-7 years ago when he visited Animal Control to discuss starting a cat Ranch in Madison County.

JW was shown a copy of the May 2009 Order to Show Proper Care (ORDER) for his cats with a certificate of service attached signed by GRANT on May 6, 2009 and he authenticated it. The Order was entered into evidence as **Exhibit #3**.

Side Note: When the MCA offered the ORDER into Evidence, Craig Grant's attorney (CGA) objected on the basis it made allegations which were not factual. The MAC stated it was not being used for factual content, but to show GRANT received and signed the ORDER. The MCA and CGA stipulated it was not being used to show evidence of fact that Caboodle Ranch (CR) cats were not being properly cared for by GRANT.

JW testified serving the Order on GRANT and he signed for it, and he confirmed GRANT's signature on the certificate of service. The Order had the number of cats crossed out from 300 - 500 and reduced to 100 - 200 cats. JW was asked why the number was crossed out and a new number of cats inserted. JW testified when he served GRANT the ORDER, he was informed by GRANT the real estimated number of cats was 100 and 200.

The MCA offered into evidence the "Madison County Excess Animal Habitat Ordinance (EAH)" and CGA's attorney objected to it being entered into evidence on the basis that the EAH Ordinance is unconstitutional. The Judge over ruled the objection and the EAH Ordinance was admitted into evidence as **Exhibit #4**.

The MCA asked JW if he was aware and familiar with the EAH Ordinance and he said "Yes". The MCA asked JW if he performed the first inspection of CR on January 5, 2012, and he said "Yes". The First Inspection Report was entered into evidence as **Exhibit #5**.

JW testified GRANT informed him CR had about 400 cats as evidenced by the inspection report.

JW testified he found 38 violations on the first inspection. The MAC asked JW to identify the three major violations at CR from his first inspection. JW testified as follows:

- 1) No proper containment of animals to keep them on CR. There was a fence but the cats could dig a hole under the fence and get through, and they climbed over the fence. JW testified he observed this first hand. He also testified the cats could climb a tree and then jump over the fence to another tree and get out.
- 2) Record Keeping - No vet records on the property to verify that all cats were spayed and neutered, and had received and were current on their shots. JW asked GRANT if all the cats were spayed and neutered, and GRANT said they were.
- 3) Communicable Diseases. Cats with communicable diseases were not isolated properly and not quarantined.

The MAC County asked if JW performed the second inspection and said he did. The MAC attorney entered into evidence the EAH Inspection Report dated January 12, 2012 **as Exhibit #5.**

JW testified CR had improved and was down to 13 violations after the second inspection.

JW was asked if the 3 major problems from the first inspection had been corrected. JW testified two had not, but one had been given attention too. The Sick Ward was better at keeping healthy cats away from sick cats. But there was no improvement to contain the cats on CR and there was still no record keeping for the cats maintained on the property.

JW testified he was present for the February 27th seizure. JW testified he saw differences at CR since the last inspection on January 12, 2012. JW testified he saw the following differences:

- 1) Sick Ward. The sick ward was in “bad shape” and “in a shamble.” He saw more sick cats in the sick ward since the last inspection but was not sure how many more. JW estimated on last inspection sick ward had about 20 cats, at seizure about 30 - 35 cats.
- 2) General Store. Was being cleaned properly at the inspection but was not clean at time of seizure.
- 3) CR had some sick cats during the last inspection, but at the time of seizure there were more sick cats and they were in desperate need of medical attention.
- 4) During the second inspection, JW asked GRANT to see the cat’s burial grounds and GRANT pointed to an area where there were monuments. JW testified he saw no new fresh graves and knew of no new deaths.

During the seizure in the back corner of the property where JW testified he had never been before, they found carcasses on top of the ground. JW testified the bodies had been a couple days old or maybe a week old. JW also saw bones which he had never seen before. Note: The number of dead cats found was never addressed, so I do not have an answer as to how many carcasses were found.

- 5) GRANT’s Living Quarters. JW testified it was a “shamble”, “unclean” and the “smell was horrible” during the seizure. There were cats living there, a Recliner nearby, and noticed “some kennels not used.” JW testified cats were loose up and down stairs (it’s a 2-story building). JW testified there

were feces all over the place, on the floor and the Recliner.

6) JW testified there were a lot more cats at CR during the seizure than during the inspections.

The MAC asked JW if law enforcement was not already on the scene (i.e. CR), would he have GRANT arrested? JW replied "Yes."

Cross Examinations by GRANT's attorney and Nanette Entriiken's attorney (NEA):

JW testified to the following under cross-examination by Craig Grant's Attorney (CGA):

JW testified he had been to CR about half-dozen times during his 6-7 years of knowing GRANT and CR, which equaled about 1 - 2 times per year, or about every 9 months.

JW testified "No" that he had not seen every cat at CR

JW testified "Yes" that GRANT told him Dr. John Lewis was providing vet care for the cats.

JW testified "No" when asked if he had ever given GRANT any citations for violations about CR cats or go to court.

JW testified "No" when was asked if the EAH Ordinance was in effect when GRANT inquired about opening a cat ranch in Madison County.

JW was asked when the EAH Ordinance was passed, and he replied "June 2011".

Side Note: During CGA's cross-examination of JW he tried to establish that GRANT was not given ample time to correct the inspection violations before the seizure because CR had been given an extension until March 2012 which was thwarted when the seizure happened on February 27th. JW confirmed GRANT had an extension to obtain his EAH permit until March to bring CR into compliance, but the seizure occurred first.

JW testified he believed GRANT was a hard working man who did the best he could caring for the cats, and he believed GRANT was a good man and kept his word.

My notes are vague at this point, and I believe its in reference to the cross-examination done by Nanette Entriiken's attorney (NEA). They are as follows and I will try to summarize to the best of my ability:

My Notes Say: Nanette's cats - zero neglect; sick cats - one sick cat that required triage immediately; then I wrote the word "Application" which I have no idea why and cannot explain it. Sorry.

From my memory and interpretation of my notes, I believe the summary of this part of the JW cross-examination by NEA was as follows:*

JW testified he had never seen any of Nanette Entriiken's (NE) cats showing signs of neglect or abuse. JW further testified NE's cats showed no signs of neglect or abuse during the seizure, except one cat that did require triage immediately for dental issues when seized.

RE-DIRECT BY MCA:

JW testified he doubted all CR cats were looked at by a vet.

JW testified the EAH ordinance was approved June 15, 2011.

JW testified GRANT applied for an EAH permit on October 12, 2011.

JW testified the compliance date for the EAH ordinance was January 1, 2012.

MCA and the other attorneys had any further questions for Jamie Willoughby and he was excused from the stand, and told he could be called later to testify, if needed.