

**EXHIBIT A**

EX. A

August 28, 2012

Mr. Barry Archer  
1244 East 17<sup>th</sup> Court  
Des Moines, Iowa



Dear Mr. Archer,

On August 19, 2012 your brindle and white colored male boxer and shepherd mixed breed dog, named "Sergeant Bubba," bit a child in the face when the child went to hug the dog and startled it, which caused a laceration to the child's chin. Because your dog has bitten before quarantine at the animal shelter was necessary. (2012 - 26027)

On December 4, 2011 a dog owner claimed that while walking his own dog your dog slipped out of its collar and grabbed his dog by the neck until it passed out. Although you claimed your dog never touched another dog the other dog owner provided veterinarian records for treatment of a laceration. (2011 - 40850)

On July 27, 2011 your dog went after, bit and killed a stray cat that was in your yard. (2011 - 24189)

On June 14, 2011 a dog owner claimed that while walking his own dog your dog bit his dog, which caused a puncture wound to his dog. Both the other dog owner and you agree a child was walking your dog at the time of the incident. You claimed the other dog got out of its collar and attacked your dog while your dog was on a leash; however, nothing in the report indicates you contacted animal control about the incident. (2011 - 18745)

On October 11, 2010 a child was walking to school, walked by your dog and when she went to pet your dog it jumped up and bit the child's arm, which caused puncture wounds. (2010 - 33030)

***Because of the behavior of your dog it is being declared a Vicious Dog, as defined by city ordinance 18-41.***

You are required to license your dog as a vicious dog with the City Clerk's Office and properly confine/leash it as a vicious dog. If your dog is found unlicensed as a vicious dog in the City of Des Moines it will be destroyed in a humane manner, in accordance with city ordinance 18-58. Also, if your dog is found not properly confined/leashed as a vicious dog more than twice it will be destroyed in a humane manner, in accordance with city ordinance 18-57.

You may appeal this declaration by filing a written appeal within three (3) business days with the City Clerk's Office in City Hall at 400 Robert D. Ray Drive in Des Moines, Iowa. During the time of an appeal your dog will remain in impound.

If you do not file an appeal that shall constitute a waiver of any right to contest the declaration and if you do not license your dog as a vicious dog it will be destroyed in a humane manner, in accordance with ordinance 18-59.

If you have any questions please call me at (515) 248-6052 or the animal shelter at (515) 284-6905 or the City Clerk's Office at (515) 283-4209.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Raudabaugh". The signature is fluid and cursive.

Sergeant Scott Raudabaugh,  
Chief Humane Officer

cc: City Clerk's Office

## Vicious Dog Requirements

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### Licensing

Dogs declared vicious, whether by breed or behavior, must at all times be currently licensed and display the current license tag and the rabies vaccination tag.

There is **no** "grace period" for licensing a cat or dog, which means all cats and dogs must be licensed by January 1<sup>st</sup> of every year. The March 31<sup>st</sup> deadline only applies to the late license fee that will be applied after that date when licensing a cat or dog after that date.

Cat and dog licenses are sold throughout the year and cat and dog licenses for the next year go on sale in December of each year.

### Rabies vaccination

Current rabies vaccination must be maintained for all cats and dogs.

### Insurance

Current liability insurance (\$100, 000 minimum) must be maintained for dogs declared vicious, whether by breed or behavior.

### Confinement

Dogs declared vicious, whether by breed or behavior, must be securely confined in one of the following:

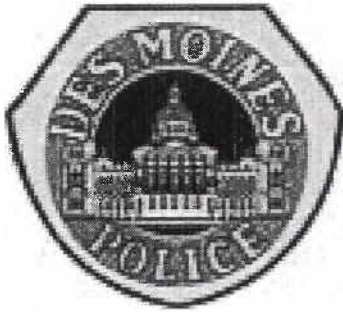
- 1) Inside a house or residence. Not on a porch or patio that would allow the dog to exit the building on its own.
- 2) Inside a kennel/pen with an attached top **or** inside a kennel/pen without a top but with walls six (6) feet tall and the kennel/pen must be locked with a padlock and the walls of the kennel must be attached to a floor/foundation or be embedded in the ground no less than two (2) feet. An open top kennel/pen must be six (6) feet taller than any internal structure.

### Leashing

Dogs declared vicious, whether by breed or behavior, and on a leash must be leashed in accordance with all of the following:

- 1) The person holding the leash must be eighteen (18) years old or older.
- 2) The leash cannot be longer than six (6) feet long.
- 3) The leash cannot be tied to an inanimate object; such as a tree, pole or tie-out.

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# Chief Humane Officer

## DOCUMENT SERVICE

DMPD Case number: 2012-26027

ARL number (if known): 16005

Animal owner's name: BARRY ARCHER

Address: 1244 E 17 TH CT.

Location of service: SAME

Date and time served: 28 AUG 12 1723

Official serving document (print name):  
SGT. RAUNABAUGH

Official's identification number: 4770

Type of document served:  Vicious dog letter  Dangerous animal letter  Illegal animal letter  Hearing ruling letter  City Council decision letter  Other: \_\_\_\_\_

Name of person receiving document (they print their name):  
PLACED BETWEEN FRONT STORM

Their signature: X DOOR + FRAME  
KE ACU

**EXHIBIT B**

Aug. 28, 2012

City of Des Moines Police Department

Re: Aug 19, 2012

Bubba biting Piper - Piper is my neighbor's daughter and they come to my house and play with my dog occasionally in my back yard and there has never been any incident of Bubba being aggressive. Bubba and Piper are really close. Enclosed with this letter is a statement written by Piper's mother Tracy. The statement is self explanatory.

Re: Dec 4, 2011

I know the dog that you are referring to. It was a German Shepherd. He passed each other occasionally on Bubba's walk in the morning, but my dog never attacked his dog, I was there so I knew my dog did not get loose and attack the other dog. I have no idea why he said my dog bit his dog. I can only guess why.

FILE  
2012 AUG 29 AM  
CITY CLERK  
DES MOINES

Re: July 27, 2011

About 6 AM Bubba was let out to go to the bathroom in the back yard. I have a 6' wood privacy fence around my back yard. I went back in the house, shortly thereafter I saw my dog in the back of the shed which I have in my back yard that is when I saw the dead cat. I did not see my dog kill the cat, but thinking I was doing the right thing I called the ARL.

Re: June 14, 2011

I never agreed that a child ever walked my dog. It was an adult woman named Katie and she was in her 30's. Katie reported to me that a dog had get loose from its owner and leash and had attacked Bubba. I never heard anything from the other dog owner about the incident. I was at work and had no idea this is what happened. Katie, the woman walking my dog, did not tell me the other dog was injured. I have a statement from a witness as to what happened that day. It is enclosed.

Re: October 11, 2010

I was walking my dog on Cleveland going east and have been doing so for over a year. There were 2 Teen Bage kids, a boy and a girl walking to school going west on Cleveland. I've seen these kids every time I walked my dog. The girl asked if she could pet my dog and I said yes. She patted the dog and started walking away, at that time she said Bahba bit her. I checked her arm for blood and bite marks, there was no blood or even a scratch on her arm. It was 2 or 3 days later I got a phone call from the girl's parents stating they had to pull their daughter out of school bleeding profusely, they told me they took their daughter to the doctor and the bill was "1600.00" they told me their insurance company had already paid the medical bill and they asked me for the "1600.00" I told them to send me a doctor bill and their insurance agents name and phone number. They told me they would send it and I have not



heard a word from them since then. No phone calls, no coming to my house and no letters. I have had no correspondence what so ever, so that is when I became suspicious that Bubba never hit their daughter when they did not respond to my request.

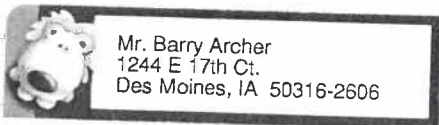
On most of these ~~accusations~~ <sup>accusations</sup> I have never seen any ARL reports or net bills to back up these peoples accusations. Once I ask for bills and ARL report I never hear from the people again, so I can only speculate on their motives. Most of the accusations against my dog have never been substantiated.

There are a lot of kids in this neighborhood that knew my dog and just ~~loved~~ playing with him. Even the adults like my dog and he has never been aggressive with any of them.

Sincerely,

Barry Archer

8/28/12



Mr. Barry Archer  
1244 E 17th Ct.  
Des Moines, IA 50316-2606

