

South Bend Animal Welfare Commission
Hearing Minutes

November 18, 2021
1801 Hours

County City Building
4th Floor
227 West Jefferson Blvd
South Bend, IN 46601

Hearing Case Number 2021-14 City of South Bend v. Terry Nailon and Ricky Williams (Order Issued November 8, 2021)

Animal Control Commission Members Present: Dr. M. Covey, Karen Haun,
Rebecca Strand, and Barb
Leavell

City Staff Present: Lindsey Cuellar -SBARC Shelter Manager, Grace
Fuller, SBARC Officer, Tom Panowicz-Attorney for
SBARC, and Kylie Connell and Ashley Snidecki-
Attorneys for Commission

1. The hearing was called to order by Virginia Wolf, the Hearing Officer at 1801 hours.
 - A. Hearing regarding Habitual Animal Offender residing at 1134 Queen Street, South Bend.
 - B. Respondents are Terry Nailon and Ricky Williams.
 - C. File was opened in October 5, 2021.
2. Service was made and accepted by Hearing Officer.
3. Tom Panowicz called Officer Fuller to give testimony regarding the call that came from South Bend Police Department.
 - A. The dog was taken when SBPD was called to the address regarding a shooting at above residence.
 - B. Dog was taken into SBARC custody at the time due to severe abuse.
 1. Dog was in kennel that was unclean.
 2. Dog was grossly underweight and in poor health.
 3. Dog had not been fed, has chewed bars on kennel.
 - C. SBARC considers this a severe case of animal cruelty and has asked for a lifetime ban.
 - D. Defendant, Ricky Williams is currently in the St. Joseph County Jail, did not receive service and has not responded to request for hearing.
 1. Respondent Williams part in the case has been differed until he is out of jail.
4. Respondent, Terry Nailon, appeared for the hearing.
 - A. Stated dog was fed.
 - B. Stated that she did not consider what was done as abuse.

- C. Dog was given to them as a gift from a friend in September 2021.
- D. Have not had the dog long before it was seized.
- E. There are currently no other animals in the home.
- F. Did not know any of the rules and regulations of South Bend.
- G. Dog was never taken to a vet.
- H. Was first pet ever owned by Respondent.
- I. Dog spent most of its time in a dog crate.

5. The Commission discussed and voted on items listed below.

- A. The Commission agreed that there is to be a lifetime ban regarding animal ownership.
 - 1. Can come before the Commission in fifteen years.
 - 2. No animals are to be within the home with Respondent.
- B. Respondent will be considered a Habitual Animal Offender under the ordinance.
- C. A hearing will be arranged at a later date for Ricky Williams regarding this case.
- D. The motion was made and carried by all on the Commission.

Hearing adjourned at 1905 hours.