

**IN THE COUNTY COURT,  
SEVENTH JUDICIAL CIRCUIT,  
IN AND FOR FLAGLER COUNTY,  
CIVIL DIVISION**

**CASE NO: 19-\_\_\_\_\_ CC  
2019 CC 000251**

**CITY OF PALM COAST, a political  
subdivision of the State of Florida,**

**Petitioner,**

**v.**

**STACI STEELE AND MACKENZI STEELE,**

**Respondents.**

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**PETITION TO DETERMINE FITNESS AND ABILITY OF OWNER  
TO ADEQUATELY PROVIDE FOR ANIMAL(S)**

Pursuant to Section 828.073, Florida Statutes, by and through its undersigned counsel, the CITY OF PALM COAST (“City”) petitions this Court for an Order determining whether STACI STEELE and MACKENZI STEELE (“Respondents,” or “owners”), Respondents and owners of the animals that are the subject of this petition, are able and fit to adequately provide for the animals’ care and to have custody of the animals, and states as follows:

1. The undersigned, Kasey Hagan, is an Animal Control Officer of the City of Palm Coast (“ACO Hagan”). ACO Hagan is an Animal Control Officer certified pursuant to Section 828.27, Florida Statutes. See Affidavit of ACO Hagan, attached hereto as **Exhibit “A,”** and fully incorporated herein by this reference. ACO Hagan’s narrative of facts relating to this action is provided in an additional Affidavit attached hereto as **Exhibit “B,”** and fully incorporated herein by this reference. Additionally, ACO Hagan’s Code Enforcement Services report is attached hereto as **Exhibit “C,”** and fully incorporated herein by this reference.

2. Stephanie Hawkins is an Animal Control Officer of the City of Palm Coast (“ACO

is 12 Waywood Place, Palm Coast, Florida 32164. A Google Map printout and photo of such address is attached as **Exhibit “L,”** with notation by code enforcement as to where the dogs were found running in the swale near Belle Terre Parkway, Palm Coast Said exhibit is fully incorporated herein by this reference.

7. At the time of the visit to 12 Waywood Place to initiate investigation of the citizen complaint received, no resident was home, the front door was wide open, and the animals were living without adequate provision of water. See **Exhibits “B”** and **“E.”** However, there were several silver food bowls with dry dog food in them. See **Exhibit “B”** At least four dogs were running at large outside of the residence. See **Exhibit “E.”** The home had animal feces and urine everywhere including all the bedrooms. See **Exhibits “B,” “E,” “G,”** and **“J.”** Upon entering the home, ACO Hagan, ACO Hawkins, and three sheriff deputies were “were immediately struck with the foul odor of feces and urine. There was no fresh air circulating in the home and the smell was almost unbearable. Everywhere we stepped we were stepping in urine and feces covering the floor. A lot of the feces appeared discolored and oddly textured unnatural as opposed to what a normal healthy animal would produce.” See **Exhibit “B.”** The television was turned up extremely loud, possibly to conceal the loud barking the animals were producing. See **Exhibit “B.”** Several of the small dogs were very overweight, possibly from the access to an abundance of food which clearly wasn’t being eaten by all of the animals. See **Exhibit “B.”** It was decided by the City that all of the animals were to be seized from the home due to the deplorable conditions they were in at the time of being found on April 18, 2019. See **Exhibit “B.”** All animals were being deprived of sustenance in that they had no noticeably provided water to drink in the house. The animals were living in squalor, as evidenced by the feces and urine found in every room of the house, being further neglected and treated cruelly by their owners, by virtue of a complete failure to provide

care properly for the animals as evidenced by allowing the animals to run at large, by not providing the animals water, and by allowing the animals to live in deplorable conditions including but not limited to lack of fresh air circulation in the home, and, an overwhelming abundance of feces and urine throughout the house, the foul smell of which immediately struck the animal control officers and sheriff's deputies upon entering the home and which covered the tile throughout the house (as well as the uncleaned litter boxes, etc.). See **Exhibits "B," "E," "G," and "J."**

13. In relation to this matter, Staci Steele has been cited by the City for animals running at large, animals creating a nuisance, failure to vaccinate or properly license animals, and violating the maximum number of animals allowed to reside in a residential home.

14. The City's animal control officers, who are certified pursuant to Section 828.27, Florida Statutes, removed the animal(s) from the custody of the Respondents because the Respondents do not appear to have the capacity to properly care for the animals.

15. The City of Palm Coast and others who have assisted the City may have incurred and may continue to incur costs. The City may present evidence of incurred costs at an evidentiary hearing on this Petition. In accordance with Section 828.073(4)(c)2., Florida Statutes, a separate hearing may be held relating to such costs.

**WHEREFORE**, based upon the foregoing facts, the attached exhibits and any testimony or other evidence presented at an evidentiary hearing pursuant to Section 828.073(2)(b), Florida Statutes, Petitioner, CITY OF PALM COAST, requests this Court to:

A. Schedule and commence a hearing on this petition within 30 days after the petition is filed to determine whether the Respondents are able to adequately provide for the animals and are fit to have custody of the animals.

B. Determine whether the Respondents neglected and cruelly treated the animal(s) in

to ensure that the animals receive proper and reasonable care, to include but not be limited to sporadic wellness checks of the animals at the City's inclination and without prior notice, and

D. Determine whether the Respondents must pay for the care of the animal while in the custody of the City (whether at the Flagler Humane Society, or elsewhere), and any other expenses related to bringing this action for the animal(s) as required by Section 828.073(4)(c)(2), Florida Statutes, and, retain jurisdiction as needed to determine same at a separate hearing, if needed, in accordance with Section 828.073(4)(c) 2., Florida Statutes.

Respectfully submitted this 25th day of April, 2019.

/s/ Jennifer B. Nix  
Jennifer B. Nix  
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ATTORNEYS FOR PETITIONER,  
THE CITY OF PALM COAST

I have read the foregoing and it is true and correct to the best of my personal knowledge, information, and belief.

Kasey Hagan  
Kasey Hagan  
Animal Control Officer  
City of Palm Coast

STATE OF FLORIDA  
COUNTY OF FLAGLER

SWORN TO AND SUBSCRIBED BEFORE ME this 25<sup>th</sup> day of April, 2019, by Kasey Hagan who is personally known to me or provided \_\_\_\_\_ as identification.

Heather Priestap  
Notary Public, State of Florida  
Name: Heather Priestap

My Commission Expires:

