

Stuart News/Port St. Lucie News (FL){PUBLICATION2}

Date: February 21, 2003

Section: Local

Edition: Martin County

Page: B3

Column:

Memo:

Memo2:

Correction:

GIVE BREEDER DOGS, COURT RULES

Byline: *Melissa E. Holsman Staff Writer*

Source:

STUART - An appeals court on Thursday upheld the ruling of a county judge that allowed dog breeder Barbara Alesi to reclaim 100 dogs seized by county officials from her Palm City kennel in August 2000.

In 2001, Alesi was charged with animal neglect, but Indian River County Judge Joe Wild - who heard the case because Martin County judges were not available - ruled in her favor and determined she was entitled to keep 100 dogs and could sell the rest at auction.

The county appealed that decision.

In a 2-1 ruling, the three-judge panel, which criticized the lengthy delays in the case, agreed Wild followed the law when he ruled in Alesi's favor in September 2001.

However, the appeals panel, consisting of Circuit Court Judges Ben Bryan, Cynthia Angelos and J. Burton Conner, ordered the issue of the cost of caring for the 110 dogs be returned to circuit court for a judge's determination.

Conner cast the only dissenting vote. Although agreeing with the essence of Wild's decision, he faulted his handling of the cost question.

In January 2002, Martin County officials allowed the sale of 44 of the seized dogs to the "foster families" that have been caring for them for more than a year.

The dispute over the dogs began in August 2000, when animal control officers seized about 100 dogs from allegedly unsanitary conditions at the Alesi kennel.

Alesi's attorney, Lance Richard on Thursday said his client was "crying with joy" over the ruling and they planned to meet today to "try to decide what's the best thing to do for the dogs and for everyone involved."

"She wants some of her dogs back, but not all of them," Richard said.