

**BREVARD COUNTY
ANIMAL SERVICES AND ENFORCEMENT DEPARTMENT
ANIMAL VS HUMAN**

COMPLETED BY _____ DATE _____
REVIEWED BY _____ DATE _____

BITE # B10-000150
ACTIVITY # A10-001795
SUPPLEMENT DATE _____

VICTIM INFORMATION

NAME: RUSTY EUGENE LEWARK AGE 25
ADDRESS: 1033 REVILLA LN
CITY: ROCKLEDGE STATE: FL ZIP: 32955
PHONE (H) (321) 591-5775 PHONE (W) NONE
MAILING ADDRESS IF DIFFERENT: _____
BITE DATE: 02/02/2010 DATE/TIME REPORTED: 2/2/2010 9:42:00PM
REPORTED BY: WUESTHOFF HOSPITAL PHONE: (321) 636-221 VERIFIED BY: WUEST RO
SEVERITY: SEVERE BITE DESCRIPTION & LOCATION: HAND MULTI SUTURES RT HAND

OWNER & ATTACKING ANIMAL INFORMATION

PROVOKED

NAME: STRAY AGE _____
ADDRESS: REVILLA LN (IN THE AREA OF) _____
CITY: ROCKLEDGE STATE: FL ZIP: 32955
PHONE (H) (321) 633-2024 PHONE (W) NONE
MAILING ADDRESS IF DIFFERENT: N/A
BREED: PIT BULL NAME: _____ AGE: UNKNOWN F NEUTERED: N
COLOR: WHITE LAST RABIES VACC. DATE: NONE COUNTY LICENSE # NONE
ANIMAL IDENTIFIED BY: RUSTY EUGENE LEWARK VET CLINIC: NONE
QUARANTINED AT: UNLOCATED DATE: _____
BY AEO _____ LENGTH OF QUARANTINE: 10 DAYS TRANSFERED TO: _____
RABIES TESTING INFO: DATE SHIPPED: _____ PREPPED BY: _____
TEST RESULT: _____ DATE NOTIFIED: _____ DATE LETTER SENT _____ BY _____
OFFICER'S SIGNATURE/ ID # _____ DATE: _____

OFFICER'S SUMMARY

CITATIONS ISSUED: Y / N # _____ VIOLATIONS _____
PREVIOUS BITE(S) # _____ DATE(S): _____
OTHER INFORMATION: SEE ATTACHED

Agency ORI Number FL0050900		ROCKLEDGE POLICE DEPARTMENT				1. Offense Arrest <input type="checkbox"/>	Juvenile <input type="checkbox"/>	1. Original <input type="checkbox"/>	2. Supplement <input type="checkbox"/>	
		OFFENSE INCIDENT REPORT				Agency Case Number 2019-0001597				
Reported Day TUE	Date 2-2-10	Time Received 1640	Time Dispatched 1844	Time Arrived 1848	Time Completed 1919					
Incident Type 1. Felony 2. Traffic Felony 3. Misdemeanor 4. Traffic Misdemeanor 5. Ordinance 9. Other	Incident Day TUE	Date 2-2-10	Time 1600	TO	Incident Day TUE	Date 2-2-10	Time 1840			
Offense # #1	Type 9	Description ANIMAL COMPLAINT	A-Attempted C-Committed	Statute Violation Number 7777						
Offense # #2	Type -	Description -	A-Attempted C-Committed	Statute Violation Number ()						
Incident Location (Street, Apt. Number) 1033 REVILLA LN.				Business Name/ Area Identifier MARLIN MANOR				Zone 2		
Location Type 01. Residence-Single 02. Apartment/Condo 03. Residence-Other 04. Hotel/Motel 05. Convenience Store 06. Gas Station 07. Liquor Sales 08. Bar/Nightclub 09. Supermarket 10. Dept./Discount Store 11. Specialty Store 12. Drug Store/Hospital 13. Bank/Financial Inst. 14. Commercial/Office Bldg 15. Industrial/Mfg. 16. Storage 17. Govt./Public Bldg. 18. School/University 19. Jail/Prison 20. Religious Bldg. 21. Airport 22. Bus/Rail Terminal 23. Construction Site 24. Other Structure 25. Parking Lot/Garage 26. Highway/Rightway 27. Park/Woodslands/Field 28. Lake/Waterway 29. Motor Vehicle 30. Other Mobile 99. Other										
Injury Type 00. N/A 01. Gunshot 02. Stabbed 03. Laceration 04. Unconscious 05. Poss. Broken Bones 06. Poss. Internal Injury 07. Loss of Teeth 08. Burns 09. Abrasions/Bruises 99. Other Extent of Injury 0. None 1. Minor 2. Serious 3. Fatal Type Weapon 00. N/A 01. Handgun 02. Rifle 03. Shotgun 04. Firearm 05. Knife/Cutting 06. Blunt Object 07. Hands/Fists/Feet 08. Poison 09. Explosives 10. Fire/Incendary 11. Threat/Intimidation 12. Signalized Weapon 13. Drugs 14. Unknown 99. Other										
Person Code W - Witness V - Victim C - Reporting Person P - Proprietor Z - Other Victim Type 1. Juvenile 2. L.E. Officer 3. Adult 4. Business 5. Government 6. Church 7. Other Race N - N/A W - White B - Black O - Oriental/Asian U - Unknown M - Male F - Female U - Unknown										
Victim Relationship to Offender 01. Undetermined 02. Stranger 03. Spouse 04. Ex-spouse 05. Co-Habitant 06. Parent 07. Brother/Sister 08. Child 09. Step-Parent 10. Step-Child 11. In-Law 12. Other Family 13. Student 14. Teacher 15. Child of Boy/Girl friend 16. Boy/Girl Friend 17. Friend 18. Neighbor 19. Siter/Day Care 20. Employee 21. Employer 22. Landlord/Tenant 23. Acquaintance										
Person Code V-1	# 1	Victim Type 3	NAME (Last, First, Middle or Business) LEWARK, RUSTY ELLIENE				Residence Phone 321-691-5775			
ADDRESS (Street, Apt. Number) 1033 REVILLA LN. ROCKLEDGE, FL 32955				City Rockledge		State FL		Zip 32955		
Date of Birth or Age 07/04/84		Race WM	Sex M	Social Security Number 1016683226	Injury Type 99	Extent of Injury 2	Relationship 02	Cell Phone Number -		
OTHER CONTACT INFO (Time Available, Interpreter, etc.)					Synopsis of Involvement VICTIM OF DOG BITE					
Person Code -	# -	Victim Type -	NAME (Last, First, Middle or Business)				Residence Phone			
ADDRESS (Street, Apt. Number)										
Date of Birth or Age		Race	Sex	Social Security Number	Injury Type	Extent of Injury	Relationship	Cell Phone Number		
OTHER CONTACT INFO (Time Available, Interpreter, etc.)					Synopsis of Involvement					
Person Code -	# -	Juvenile <input type="checkbox"/>	NAME (Last, First, Middle)				Residence Phone Number			
Last Known Address/Street Apt. Number										
Date of Birth or Age		Race	Sex	Social Security Number	Height	Weight	Eye Color	Facial Hair		
Hair Color	Hair Length	Hair Style	Complexion	Build	Teeth	Speech/Voice	Special Identifiers			
Occupation			Employer/School				Business Phone Number			
Driver's License Number/D. Card					State	Other I.D. Number				
Maiden Name				Nicknames/Street Name/A.K.A.			Place of Birth (City, State and County needed for missing juveniles)			
Clothing (Describe)					Scars/Marks/Tattoos (Location/Describe)					
Reporting Officer (Print) NEWBAM H. FLOWING			Signature <i>Newham H. Flowing</i>			ID # 119	Date 2-2-10			
Case Status 1. Cleared 2. Pending 3. Inactive 4. Non-Filing 5. Filing - SAO 6. Refer to CTD		Clearance Type 1. Arrest 2. Exceptional 3. Unfounded		A - Adult J - Juvenile		Date Cleared	Number Arrested	Related Report Number		
Exception Type 1. Extension Declined 2. Arrest on Primary Offense Without Prosecution		1. Death of Offender 2. VAW Refused to Cooperate		3. Prosecution Declined 4. Juvenile/No Custody		Reporting Officer Initials <i>[Signature]</i>	ID # 101	PAGE 1	OF 2	

NARRATIVE CONTINUATION / STATEMENT OF FACTS

1. Offense
2. Arrest

Juvenile

1. Original
2. Supplement
3. Statement

Agency ORI Number FL0050900	ROCKLEDGE POLICE DEPARTMENT	Agency Report Number 2010 - 0001597
Original Date Reported 02/02/10	Case Reference ANIMAL COMPLAINT	
Name (Last,First,Middle)		Social Security Number:
Home Address:		
Date of Birth:	Residence Phone: ()	Business Phone: ()

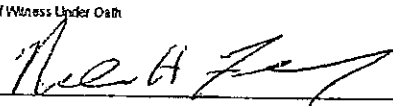
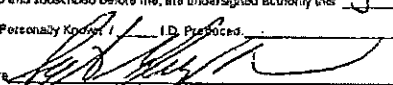
ON 02-02-10, I RESPONDED TO 1033 REVILLA LN IN REFERENCE TO A MALE SUBJECT BLEEDING FROM THE WRIST AND PASSED OUT IN THE BATHROOM.

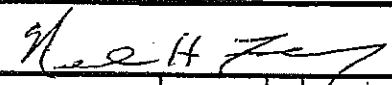
THE MALE SUBJECT IDENTIFIED AS MR. RUSTY E. LEWARK SAID HE PASSED OUT SEVERAL TIMES AND REGAINED CONSCIOUSNESS AFTER RECEIVING A DOG BITE FROM AN UNKNOWN WHITE PITBULL WHICH HE DID NOT SEE BEFORE. THE DOG MADE ENTRY INTO HIS BACKYARD AMONG HIS DOGS AND ATTACKED HIM WHEN HE WENT THERE, BITING HIS RIGHT ARM IN THE WRIST AREA.

THE DOG WAS GONE FROM THE RESIDENCE UPON BEING NOTIFIED. MR. LEWARK SAID THAT HE WAS BITTEN AROUND 1600 HRS WHEN HE GOT HOME. HE LOST LOTS OF BLOOD WHICH COVERED THE BATHROOM FLOOR AND KITCHEN FLOOR.

HE WAS TRANSPORTED TO WUESTHOFF HOSPITAL FOR TREATMENT BY BREVARD COUNTY FIRE RESCUE AMBULANCE.

A COPY OF THIS REPORT WILL BE FORWARDED TO BREVARD COUNTY ANIMAL CONTROL.

Signature of Witness Under Oath 	Sworn to and subscribed before me, the undersigned authority this <u>3</u> day of <u>Feb</u> , 20 <u>10</u> <input checked="" type="checkbox"/> Personally Known <input type="checkbox"/> I.D. Produced Signature  Notary, Law Enforcement Officer in Part of Official Duties
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Officer Name (Print) NEWHAM H. FLEMING, CAP (Signature) 	ID# 119					
Case Status: 1. Cleared 4. Non-Criminal 2. Pending 5. Filing-SAO 3. Inactive	3	Clearance Type: 1. Arrest 2. Exceptional 3. Unbonded	A-Adult J-Juvenile	Date Cleared 1 1	Number Arrested	Related Reports:
Exception Type: 1. Extradition	3 Death of Offender 5. Responder Defunct	Officer Reviewing/ID#:	Page	Page		



Brevard County

Animal Services and Enforcement

1515 Sarno Road Bldg. A Melbourne, FL 32935 (321) 633-2024 (321) 255-4375 fax

As of : 3/1/2010 12:53:10PM

ACTIVITY REPORT

Number-Seq A10-001795-1 **Type / Subtype** INV / BITE **Animal Type** 1 DOG
Requestor WUESTHOFF HOSPITAL **Received** 2/2/10 9:42 pm
 110 LONGWOOD AV
 ROCKLEDGE FL 32955
 (321) 636-2211
Location 110 LONGWOOD AVE ROCKLEDGE
Comments PER PROTO DEEP DOG BITE TO RIGHT HAND OF VICTIM UNSURE OF AN OWNER
Officer ID P999936 **Status** COMPLETED **Results** 1 MC
 1 REFER
New Date 2/2/10 9:42 pm **Completed** 2/2/10 9:55 pm

Number-Seq A10-001795-2 **Type / Subtype** INV / BITE **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
 1033 REVILLA LN
 ROCKLEDGE FL 32955
 (321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PER PROTO DEEP DOG BITE TO RIGHT HAND OF VICTIM UNSURE OF AN OWNER
Officer ID P999943 **Status** COMPLETED **Results** 2 MC
 1 REFER
 1 COMP
New Date 2/2/10 9:42 pm **Completed** 2/3/10 10:46 am

Owner Information

UNKNOWN UNKNOWN
1515 SARNO RD
MELBOURNE FL 32935
(321) 633-2024

Animal Information

PIT BULL
WHITE
F

Number-Seq A10-001795-3 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999939 **Status** COMPLETED **Results** 1 PTRLD
1 GOA
New Date 2/4/10 6:00 am **Completed** 2/4/10 7:43 am

Number-Seq A10-001795-4 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999947 **Status** COMPLETED **Results** 1 PTRLD
1 UTL
New Date 2/5/10 1:32 pm **Completed** 2/5/10 3:09 pm

Number-Seq A10-001795-5 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999935 **Status** COMPLETED **Results** 1 PTRLD
1 UTL
1 COMP
New Date 2/6/10 6:00 am **Completed** 2/6/10 3:31 pm

Number-Seq A10-001795-6 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999938 **Status** COMPLETED **Results** 1 PTRLD
1 INFO
1 NOTIC
New Date 2/7/10 6:00 am **Completed** 2/7/10 11:10 am

Number-Seq A10-001795-7 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999939 **Status** COMPLETED **Results** 1 PTRLD
1 GOA
New Date 2/8/10 6:00 am **Completed** 2/8/10 7:48 am

Number-Seq A10-001795-8 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999946 **Status** COMPLETED **Results** 1 MC
1 PTRLD
1 UTL
New Date 2/9/10 6:00 am **Completed** 2/9/10 7:45 am

Number-Seq A10-001795-9 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999935 **Status** COMPLETED **Results** 1 PTRLD
1 UTL
1 COMP
New Date 2/10/10 6:00 am **Completed** 2/10/10 8:53 am

Number-Seq A10-001795-10 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999946 **Status** COMPLETED **Results** 1 PTRLD
1 GOA
New Date 2/11/10 6:00 am **Completed** 2/11/10 8:18 am

Number-Seq A10-001795-11 **Type / Subtype** INV / BITE PTROL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments PATROL AREA FOR A WHITE FEMALE PIT BULL
Officer ID P999935 **Status** COMPLETED **Results** 1 PTRLD
1 UTL
1 COMP
New Date 2/12/10 7:35 am **Completed** 2/12/10 9:36 am

Number-Seq A10-001795-12 **Type / Subtype** INV / GROSS NEGL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments POSSIBLY KILLED HIS OWNED ANIMALS
Officer ID P999946 **Status** COMPLETED **Results** 5 MC
New Date 2/11/10 6:00 am **Completed** 2/22/10 3:41 pm

Owner Information

RUSTY LEWARK
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775

Number-Seq A10-001795-13 **Type / Subtype** INV / GROSS NEGL **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 846 US 1 COCOA
Comments CHECK DUMPSTER FOR DOGS
Officer ID P999941 **Status** COMPLETED **Results** 2 DOA
3 MC
New Date 2/11/10 6:00 am **Completed** 2/22/10 3:29 pm

Owner Information

RUSTY LEWARK
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775

Animal Information

" CHAOS "
PIT BULL
BRINDLE&WHITE
M

Tag Information

U10-003467 LINK
Issue Date / Expires
02/22/2010 02/22/2011
Rabies Date / Expires

Number-Seq A10-001795-14 **Type / Subtype** INFO **Animal Type** 1 DOG
Requestor RUSTY LEWARK **Received** 2/2/10 9:42 pm
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775
Location 1033 REVILLA LN ROCKLEDGE
Comments POSSIBLY KILLED HIS OWNED ANIMALS
Officer ID P999946 **Status** COMPLETED **Results** 5 MC
New Date 2/11/10 6:00 am **Completed** 2/22/10 3:41 pm

Owner Information

RUSTY LEWARK
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775

Animal Information

" PESTILENCE "
PIT BULL
BLACK&WHITE
F

Tag Information

U10-003468 LINK
Issue Date / Expires
02/22/2010 02/22/2011
Rabies Date / Expires

Number-Seq A10-001795-15 **Type / Subtype** INV / FOLLOW UP **Animal Type** 1 DOG
Requestor JEFFREY PICCOLELLA **Received** 2/22/10 7:16 pm
1515 SARNO RD
MELBOURNE FL 32935
Location 1033 REVILLA LN ROCKLEDGE
Comments VERIFY K-9 GORGE IS NOT IN NEED OF A VET. - ANY AEO CAN RESPD -RPT OUTCOME TO 46
Officer ID P999938 **Status** COMPLETED **Results** 1 MC
New Date 2/23/10 7:00 am **Completed** 2/23/10 9:15 am

Owner Information

DINA SCHULTZ
1033 REVILLA LN
ROCKLEDGE FL 32955
(321) 591-5775

Animal Information

" GORGE "
LABRADOR RETR/BEAGLE
BLACK
F

Tag Information

U10-003470 LINK
Issue Date / Expires
02/22/2010 02/22/2011
Rabies Date / Expires

Notes:

02/02/2010 #36 Rendon

Made contact with the victim Rusty Lewark which informed this Animal Enforcement Officer that around 1600/1630 he heard his canines fighting and when he went outside his canine Max(pitbull) was being attacked by a stray dog. Victim said that he then tried to stop the attack by grabbing the stray canine, but instead got bit in the right hand. Victim describes the canine as a white pitbull with some black on it and a pink colored nose. AEO asked victim if he notice the gender of the canine and he said yes, that the canine appeared to have had puppies recently. Next, Victim said that canine then jumped over his privacy fence back into the woods. Victim then said he went inside and passed out in his bath tub from all the blood loss. Victim was later found by his girlfriend when she arrived home around 1730hrs. Victim said he maybe staying in the hospital, but is not sure as of now. Finally, this officer informed him that an investigator from the Bite Desk will make contact with him in the morning.

02/03/2010 Inv.Mau#43

See Field Training Officer C.Readon's statement of the incident between the victim Rusty Lewark and a stray white Pit bull.

Bite completed by FTO C.Readon on 02/02/10

DOI-02/02/10@4:00pm

Bite patrol set for a stray white Pit bull area of Revilla Ln. Rockledge

Copy of Bite report faxed to the Health Dept

02/04/2010 AEO #39

Patrolled area: No loose canines seen.

02/05/2010 Cpl miller

Patrolled the area. No loose dog(s) were found. No violations found.

02/06/2010 Officer Hoff #35,

Patrolled area, unable to locate bite dog.

02/07/2010 AEO 38 HARTMAN

Patrolled area and surrounding streets. Located one white pit bull at 1002 Bernice Road two strrets from incident. Canine was white female pit bull with a tan marking on hind area and no black markings noted. Attempt to make contact with victim no answer of return call.

02/08/2010 AEO #39 Hahn

Patrolled area; Unable to locate canine at this time.

02/09/2010 Cpl. Piccolella (46)

Daily patrol for stray bite canine was met with negative result(s) - unable to locate.

02/10/2010 Officer Hoff #35,

Patrolled area, unable to locate bite dog.

02/11/2010 Cpl. Piccolella (46)

Daily patrol for stray bite canine was met with negative result(s) - unable to locate.

02/12/2010 Officer Hoff #35,

Patrolled area, unable to locate bite dog.

02/22/2010 8:54am-kjohnson-#58

Received call from a female -who said she she was a sister of Rusty Lewark, and she stated that The bite dog did belong to Victim, Rusty Lewark, even though he denies it, and that yesterday, Rusty's girlfriend told her that Rusty killed the bite dog and another stray pit that he found with an AX in the back yard. She said that all these dogs that Rusty keeps saying are strays, are actually his dogs, but have no shots so he says they are strays.

I passed this information on to Officer Mau, at the bite desk.

02/22/2010 Inv.Mau#43

I made contact with Dina Schultz who stated that she was baby sitting a friends child yesterday when the attack between her dog "Max" and Rusty Lewark's dog happened. She said the child she was watching walked out back to where all 4 dogs were involved in a fight. She (Dina) immediately ran out back to separate the dog's by kicking them. She was able to get all the dogs to stop without any human being bitten by the dogs, per Dina . Her one dog "Georgie" a lab/beagle mix has 3 broken ribs and has not seen a vet as of yet. She took her other dog "Max" to the South Animal care center where she surrendered him. She said the other 2 dogs were disposed of by a friend. I then asked her where her friend had disposed of the other two dogs as Animal Services might need to ship the dogs for rabies testing . I then spoke to Rusty Lewark(friend) who didn't want to tell me (Inv.Mau) anything because he might be arrested for animal cruelty. I then explained that I needed to find the dogs for possibly rabies testing due to the bite incident. At this time Rusty asked me if I would arrest him. I then explained that Animal Services has no arrest powers. Rusty then admitted to "taking care of the animals" and putting thier bodies in a dumpster. I then told Rusty that Cpl.Piccolella would respond to his residence and to be honest with him of the incident so we can find the bodies of the dogs and determine what happened. Rusty assured me that he would tell Cpl.Piccolella the truth about the incident. Sgt.Robinson was briefed on the incident.

02/22/2010 # 56 lewis

Rusty's mom called in wanting information on her sons case , she stated she just could not believe he would do something like this , she would not provide any info just her name which she stated was Jamie

02/22/2010 Cpl. Piccolella (46)

Animal Enforcement Officer made phone contact with bite investigator (Fred Mau), who stated that a possible criminal animal cruelty incident occurred on Sunday (02-21-10). Mr. Mau made phone contact with owner's girlfriend and sister, who stated that the owner (Rusty Eugene Lewark) killed his pitbull(s) (Pestilence, Chaos) and disposed of them in a dumpster. Mr. Lewark advised by bite investigator (Fred Mau) to be available, in order to ascertain the severity of the situation.

Made contact with (Dina Schultz - 1033 Revilla Ln., Rockledge 32955) on Monday (02-22-10) at approximately 1310 hrs. Ms. Schultz stated that canine (Gorge) was attacked by canine(s) (Pestilence: black-white, female, pitbull / Chaos: brown-black brindle, male, pitbull). She further stated that she broke up the canine(s) on Sunday (02-21-10) and informed owner (Rusty Eugene Lewark) of the incident. He was furious and allegedly killed both pitbull(s) and transported their bodies to a dumpster at (846 US 1, Cocoa 32926). She was unsure of the method that the owner utilized to kill his canine(s). Animal Enforcement Officer made contact with owner (Rusty Eugene Lewark - 1033 Revilla Ln., Rockledge 32955) on Monday (02-22-10) at approximately 1335 hrs. Mr. Lewark stated that all three (3) of his canine(s) were involved in a bite on Sunday (02-21-10). He is very protective of the attacked canine (Gorge) and was furious at his pitbull(s). The owner freely and without coercion, stated that he strangled one (1) pitbull with a rope and killed same with an axe. This canine was killed in the S.E. corner of the backyard, adjacent to a shed. He further stated that he strangled the 2nd pitbull and bludgeoned same with a large piece of wood. This canine was killed in the N.W. corner of the backyard, directly behind the residence. Unsure if the canine(s) were unconscious, when he utilized an axe and a piece of wood to kill them in the backyard. Sgt. Robinson notified.

Cont.

02/22/2010 Cpl. Piccolella (46) Cont.

Rockledge law enforcement officer(s) (Williams - ID 184, Leverich - ID 192, Cpl. Gomez - ID 180) arrived on scene. Cpl. Young was dispatched to (846 US 1, Cocoa 32926) and discovered the deceased pitbull(s) in a dumpster, where the owner advised this officer of their exact location. Made phone contact with Cpl. Young, who stated that the injuries were consistent with strangulation, blunt force trauma and axe strike(s). She was advised to remain on scene, until detective(s) could document the crime scene. Mr. Lewark refused to provide a written statement on scene. Photograph(s) of crime scene, deceased canine(s) and disposal location, were attached to (A# 10-001795). Owner (Rusty Eugene Lewark) was arrested and processed at the Rockledge Police Department. He is currently at the Brevard County jail. Rockledge Police Department is the primary on this case. Evidence (ie., axe, rope) processed and collected by law enforcement officer(s) on scene. Mr. Lewark charged with two (2) count(s) of criminal animal cruelty. Florida Statute: 828.12 (2) - A person who intentionally commits an act to any animal which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done. (Felony of the third degree). Sgt. Robinson notified. Cpl. Young transported deceased canine(s) to the South Animal Care Center for disposal.

02/23/2010 Cpl Young 41 02/22/10 1303

Responded to 846 US 1 in Cocoa to assist Cpl Piccolella #46. He needed me to check the dumpster for the dead dogs. Piccolella advised that one dog was strangled and one was cut up with an axe. I was advised the dogs would be in cardboard boxes and it was the only dumpster in the parking lot. The location was the old probation office. Once I finally located the dumpster I started taking pictures. I located Chaos, a male brindle and white pit bull, first. He had a noose around his neck made of yellow plastic rope. One of his eyes were popped out and his head was bloody. I advised Cpl Piccolella I found the dogs. I pulled Chaos out of the dumpster and then Piccolella advised me that Rockledge Police Detectives were on their way. I stopped immediately and waited for their arrival. Investigator Bill Wanca arrived on scene to take pictures. I advised what I had already done and he continued taking pictures. Impounded both bodies for SACC. Advised by Wanca there was no need to hold the bodies. Placed both bodies in SACC freezer for disposal.

02/23/2010 AEO 38 HARTMAN

Made contact with owner and viewed dog that is currently wrapped with ace bandages around the rib area. Dog was seen by vet on Sunday and prescribed medications. Dog appeared to be comfortable and friendly and not in any discomfort. Owner is going to take dog on Friday for follow up vet care. and will leave phone message on AEO's work phone.

02/23/2010 Inv.Mau#43

Rusty Lewark is a victim of a AN v HMN stray bite of which Brevard County Health Dept is now giving the victim rabies shots

BREVARD COUNTY ANIMAL SERVICES & ENFORCEMENT

BITE REPORT # _____

NAME (Print) Dina Schultz MALE/FEMALE FEMALE
ADDRESS 1033 Revilla Lane
CITY Rockledge STATE FL ZIP 32955
PHONE NO. (Home) 597-5777 WORK _____ (Other) _____

PLEASE FILL OUT THE FORM BELOW. DESCRIBE THE INCIDENT BY INCLUDING WHO? WHAT? WHEN? WHERE?

STATEMENT: VICTIM OWNER WITNESS OTHER

My girlfriends son came in the house from out back, saying my 3 dogs were attacking my other dog gorge. I went out back to separate the dogs. When I got them off I had my girlfriends son Michael take gorge in the house. While Michael was carrying gorge the dogs were jumping up trying to attack the wounded dog while being carried away. So I fought them off until he was safe in the house with the wounded dog. After I got in the dogs were barking wanting in to get the wounded dog gorge. Then I called my boyfriend Rusty. He came home and checked on gorge while I made arrangements to take him to Viera Animal Clinic to get checked out. My boyfriend said he put his two dogs down. I did not see what happen. I stayed in side with our kids and dogs.

Dina M Schultz
SIGNATURE

2-27-10
DATE/TIME

STATE OF FLORIDA,
COUNTY OF BREVARD

SWORN TO OR AFFIRMED AND SUBSCRIBED BEFORE ME

THIS _____ DAY OF _____ 20____

BY Dina Marie Schultz PERSONALLY KNOWN TO ME OR PRESENTED

THE FOLLOWING FOR IDENTIFICATION 5432- N/A

**BREVARD COUNTY
ANIMAL SERVICES AND ENFORCEMENT DEPARTMENT
ANIMAL VS ANIMAL**

COMPLETED BY _____ DATE _____
REVIEWED BY _____ DATE _____

BITE # B10-000232
ACTIVITY # A10-002927
SUPPLEMENT DATE _____

VICTIM INFORMATION

NAME: Dina Schultz AGE _____
ADDRESS: 1033 Revilla Ln
CITY: Rockledge STATE: Fl ZIP: 32955
PHONE (H) (321) 591-5775 PHONE (W) NONE
MAILING ADDRESS IF DIFFERENT: N/A
BITE DATE: 02/21/2010 DATE/TIME REPORTED: 2/22/2010 11:13:00AM
REPORTED BY: DINA SCHULTZ PHONE: (321) 591-577 VERIFIED BY: VET
SEVERITY: SEVERE BITE DESCRIPTION & LOCATION: RIBS BROKEN RIBS

OWNER & ATTACKING ANIMAL INFORMATION

UNKNOWN

NAME: DINA SCHULTZ AGE _____
ADDRESS: 1033 REVILLA LN
CITY: ROCKLEDGE STATE: FL ZIP: 32955
PHONE (H) (321) 591-5775 PHONE (W) 508-1751
MAILING ADDRESS IF DIFFERENT: N/A
BREED: LABRADOR NAME: MAX AGE: 5 yrs. 9 mos. M NEUTERED: Y
COLOR: RETR/ROTTWEILER
BLACK LAST RABIES VACC. DATE: NONE COUNTY LICENSE # L06-11777
ANIMAL IDENTIFIED BY: _____ VET CLINIC: SOUTH ANIMAL CARE CENTER
QUARANTINED AT: SACC DATE: 02/22/2010
BY AEO M.THOMPSON LENGTH OF QUARANTINE: 10 DAYS TRANSFERED TO: _____
RABIES TESTING INFO: DATE SHIPPED: _____ PREPPED BY: _____
TEST RESULT: _____ DATE NOTIFIED: _____ DATE LETTER SENT _____ BY _____
OFFICER'S SIGNATURE/ ID # _____ DATE: _____

OFFICER'S SUMMARY

CITATIONS ISSUED: Y / N # _____ VIOLATIONS _____
PREVIOUS BITE(S) # _____ DATE(S): _____
OTHER INFORMATION: SEE ATTACHED

ADDITIONAL INFORMATION

02/23/2010 #10 - Beatson

Related to A10-001795.

02/22/2010 Inv.Mau#43

I made contact with the owner Dina Schultz who stated that yesterday 02/21/10 all the dogs that her and her boyfriend Rusty Lewark own got into a fight. She (Dina) was able to separate the dogs without her being bitten. She surrendered her one dog "Max" to the South Animal care center and kept her other dog "Georgie" which was the injured dog. Her boyfriend Rusty Lewark killed the other dogs involved in the fight.

Bite completed by Inv.Mau on 02/22/10
DOI-02/21/10