

August 13, 2021

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

King County Courthouse  
516 Third Avenue Room 1200  
Seattle, Washington 98104  
Telephone (206) 477-0860  
[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)  
[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

**SUMMARY ORDER**

SUBJECT: Regional Animal Services of King County file no. **V21012144-A21002512**

**CASEY WILKES**

Animal Services Enforcement Appeal

Activity no.: A21002512

Appellant: **Casey Wilkes**

[REDACTED]  
Auburn, WA 98001

Telephone: [REDACTED]

Email: [REDACTED]

King County: Regional Animal Services of King County  
*represented by* **Chelsea Eykel**  
Regional Animal Services of King County  
21615 64th Avenue S  
Kent, WA 98032  
Telephone: (206) 263-5968  
Email: [raskcappeals@kingcounty.gov](mailto:raskcappeals@kingcounty.gov)

At yesterday's hearing, Ms. Wilkes promptly appeared, but neither Animal Services nor the complainant participated. After 10 minutes, we announced we would grant the appeal, dismissing the notice and order.

Within the hour, Animal Services' representative emailed to explain that an employee had been injured that morning, and she had to drive the employee to get treatment. She asked to reschedule.

That is certainly a valid excuse. And we have had at least one case where the Animal Services representative did not appear at hearing but the complainant and appellant did. There, we swore in the complainant and appellant, got their respective testimonies, and decided the case on the merits.

However, yesterday the complainant did not appear either. While we have sustained minor nuisance violations without a complainant present (such as where a complainant submits a photo showing appellant's dog trespassing, then does not appear at hearing), we have yet to sustain a vicious dog violation (a designation that has lifetime implications for the owner and the dog) absent a complainant offering testimony under oath and subject to cross examination. So, even if Animal Services had appeared at yesterday's hearing, we would have overturned the violation anyway.

We GRANT Ms. Wilkes' appeal.

DATED August 13, 2021.



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David Spohr  
Hearing Examiner

### **NOTICE OF RIGHT TO APPEAL**

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless appealed to superior court by *September 13, 2021*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

DS/lo

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**CERTIFICATE OF SERVICE**

SUBJECT: Regional Animal Services of King County file no. **V21012144-A21002512**

**CASEY WILKES**

Animal Services Enforcement Appeal

I, Lauren Olson, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **SUMMARY ORDER** to those listed on the attached page as follows:

EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.

placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED August 13, 2021.



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Lauren Olson  
Legislative Secretary

**Chamberlain, Diana**

Hardcopy

**Eykel, Chelsea**

Regional Animal Services of King County

**Wilkes, Casey**

Hardcopy