

December 27, 2023

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

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
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www.kingcounty.gov/independent/hearing-examiner

REPORT AND DECISION

SUBJECT: Regional Animal Services of King County file no. **V23014791-A23005489**

JESSE MARSHALL

Animal Services Enforcement Appeal

Activity no.: A23005489

Appellant: **Jesse Marshall**

[REDACTED]
Scottsdale, AZ 85257

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
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FINDINGS AND CONCLUSIONS:

Overview

1. Jesse Marshall appeals a dangerous animal designation for his dog, Astro. After hearing the witnesses' testimony and observing their demeanor, studying the exhibits admitted into evidence, and considering the parties' arguments and the relevant law, we partially grant his appeal, reducing Astro's dangerous dog designation to *potentially* dangerous and reducing the monetary penalty.

Background

2. On September 11 Blen Atnafu filed an online complaint form with Regional Animal Services of King County (Animal Services) for an incident from August 10. Ex. D3. On October 11 Animal Services issued a violation order to Jesse Marshall for his dog, Astro, qualifying as dangerous. Ex. D6.
3. Mr. Marshall timely appealed. Ex. D9. We held a hearing on December 12.

Hearing Testimony

Blen Atnafu Testimony

4. Blen Atnafu testified that she met Jesse Marshall, his dog [Astro], and Liz Bozich, when she was their Uber driver when they flew into Seattle. Ms. Atnafu asked if she could pet Astro. Mr. Marshall said that she should not or cannot (she could not remember which) because he was a service animal. Mr. Marshall told Ms. Atnafu not to lean over Astro.
5. The second time Ms. Atnafu met Astro was on a boat. She was not present the whole day. She did not hear any instructions on how to approach Astro, and she did not ask to pet him.
6. The third time Ms. Atnafu met Astro was at Alia Dockery's house. Mr. Marshall and Ms. Bozich greeted Ms. Atnafu. Mr. Marshall hugged Ms. Atnafu in front of Astro. There was not much instruction on how to approach Astro. They hung out outside by the firepit for a while. Astro played with a tree.
7. The group decided to get ready to go to the store. They went inside, with Mr. Marshall, Ms. Bozich, and Ms. Atnafu entering the basement. Astro, who was standing, was giving Ms. Atnafu puppy eyes, so Ms. Atnafu was about to head towards him. On rebuttal, Ms. Atnafu said she took a step towards Astro and began to lean in.
8. Mr. Marshall said, "Not like that, remember." Ms. Atnafu took a step back (Astro was directly in front of her), and Astro laid down, belly up. On rebuttal, Ms. Atnafu said that when she took a step back, Astro took a few steps towards her (Astro was on Ms. Atnafu's side) and then laid down and rolled over.
9. Mr. Marshall said Astro looked comfortable. Mr. Marshall and Ms. Atnafu shared quite a few exchanges about how Astro laying down like that was exciting. Mr. Marshall had to turn around to see Ms. Atnafu. Mr. Marshall said, "Let's go" twice. Ms. Atnafu was petting Astro's belly during this time.
10. Ms. Atnafu asked Mr. Marshall if it was okay, and he said yes; however, it is not clear at which point Mr. Marshall said this. Ms. Atnafu was squatting down, next to Astro's back legs. Her knees were at Astro's front legs. She had her hands out towards him.

11. She was not leaning over Astro. Ms. Atnafu did not lean over and try to kiss Astro. Her face was turned to Mr. Marshall because they were talking. Mr. Marshall could see Ms. Atnafu and Astro.
12. Mr. Marshall told Ms. Atnafu while she was rubbing Astro's belly that they needed to go. Ms. Atnafu was petting Astro's belly for 10 to 15 seconds. Astro got up, picked up his head, and bit her. It was only Mr. Marshall, Ms. Atnafu, and Astro in the room.
13. Mr. Marshall helped Ms. Atnafu up the stairs. She does not recall the actual bite; she did not really understand what happened. There was a lot of blood coming down her eye. They went to the hospital for treatment. While at the hospital, Ms. Atnafu said Mr. Marshall was responsible for what happened. She claimed that she did not recall stating that she should have listened to what Mr. Marshall had told her.
14. There was a large chunk of skin missing from her face. Ex. D4. It was very painful. Her son comments on it every day. She will need multiple surgeries to fix the wound. When Ms. Atnafu returned to Ms. Dockery's house, Astro was in a kennel. Ms. Atnafu did not go home or call her husband due to personal matters.
15. Ms. Atnafu has a four-year-old Rottweiler.

Liz Bozich Testimony

16. Liz Bozich testified that the first time Ms. Atnafu was warned about how to approach Astro was when she was their Uber driver. Ms. Atnafu asked Mr. Marshall if she could pet Astro. Mr. Marshall declined and said Astro is a service dog and he does not like to be confined.
17. The second time Ms. Atnafu was warned was on a boat. Mr. Marshall stopped the music and gave instructions regarding Astro: do not go face-to-face with Astro and do not lean over him. He did a demonstration on how to correctly approach Astro. Ms. Atnafu was on the boat at the time of the demonstration, and it was a small boat.
18. The third time Ms. Atnafu was warned about Astro was when they invited her to the fire. Ms. Atnafu asked if she could pet Astro. Mr. Marshall said Astro should only be approached in a certain way.
19. Ms. Bozich was outside by the fire with Ms. Atnafu, Mr. Marshall, and Ms. Dockery. Astro was playing with the tree branches. As they moved inside, Ms. Dockery went upstairs, and Astro was inside laying down in the basement. Ms. Bozich was in the hallway behind Mr. Marshall. Mr. Marshall told Ms. Atnafu she could meet Astro, but he warned her for a fourth time to not lean over him. On questioning, it was not clear when Mr. Marshall said this to Ms. Atnafu.
20. Astro was laying down and quickly Ms. Atnafu went to Astro's level and started to go over Astro too much. Mr. Marshall said, "Not like that" and Ms. Atnafu said, "Oh right, that's what you told me not to do." Ms. Atnafu went further and was face-to-face with Astro, about a foot away from his face. Ms. Atnafu's legs were by Astro's upper torso.

She was petting his snout. Astro quickly bit Ms. Atnafu. Ms. Bozich was about ten feet away from this interaction.

21. On the way to the hospital and at the hospital, Ms. Atnafu said, “I should have listened” and, “It was my fault.” She repeated it to the doctors and nurses, and in the 24 hours after the incident while she and Mr. Marshall tended to her.

Alia Dockery Testimony

22. Alia Dockery testified that before Ms. Atnafu arrived, Mr. Marshall put Ms. Atnafu on speaker phone. Ms. Atnafu asked if she could pet Astro, and Mr. Marshall replied she could if they did it the right way. Ms. Atnafu arrived, and they all spent a few hours talking outside by the fire. Ms. Dockery’s dog [Sage] and Astro were playing and running around. Ms. Atnafu was very sweet. She and Ms. Dockery talked about their dogs. Ms. Dockery told Ms. Atnafu she could pet Sage but not to hug Astro.
23. They all went inside. Ms. Dockery took Sage upstairs. Less than a minute later, Mr. Marshall was helping Ms. Atnafu upstairs after the bite. She did not hear a bark or scuffle.
24. Ms. Dockery spent several hours with Ms. Atnafu, holding her head in the car on the way to the hospital and holding her hand during the surgery. Ms. Atnafu repeated, at least ten times, that she should have listened. Ms. Atnafu told everyone that she should have not done it, and that it was not Astro’s fault.

Ben Shimizu Testimony

25. Ben Shimizu testified that he has worked with dogs for the last 18 years and been a full-time trainer since 2020. Mr. Marshall brought Astro in for training in 2021. One relevant issue Mr. Shimizu noticed about Astro early on was resource guarding for food, toys, and things Astro deemed valuable. Mr. Shimizu told Mr. Marshall to not leave resources out when new people enter the home. That would lower Astro’s tendency to resource guard.
26. From the beginning, Astro’s head was a sensitive area for him. Mr. Shimizu recalled when Mr. Marshall reached out about a year ago regarding Astro being head shy towards Mr. Marshall. Mr. Shimizu informed Mr. Marshall that when people first meet a dog, they may either stick their hand out or go into a dog’s perimeter without invitation; both cause reactions in dogs. Unless the meeting is mutual, it can feel abrupt for the dog. He instructed Mr. Marshall to have people meeting Astro avoid moving quickly around Astro’s face or go near his head. This is especially true in the home environment because that is where a dog feels the most attached.
27. Even with a well-trained animal, it is not safe or recommended to approach any dog face-to-face for initial contact. And a dog rolling on its back can sometimes mean submission, but it does not always mean the dog is comfortable. When Mr. Shimizu read the texts from Ms. Atnafu, he believes that Ms. Atnafu understands the behavior of her own dog (but not of Astro). Ex. A1, A2.

28. Mr. Shimizu does not train service animals. However, there are many situations where a dog can feel fear and anxiety. To say a service animal cannot have certain emotions is inaccurate. Also, when asked if proximity would have changed the severity of the wound, Mr. Shimizu agree he was not sure if closeness would change that.

Jesse Marshall Testimony

29. Jesse Marshall testified that from the beginning he was nervous about how excited Ms. Atnafu was to contact Astro, so he took extra steps to warn her. He warned Ms. Atnafu when she was their Uber driver. The second warning was on the boat; everyone heard it and saw the demonstration. The third warning was on speaker phone before the fire pit. Mr. Marshall warned her to not put her head down over Astro's head.
30. While they hung out around the fire, Astro and Sage were playing. They would intermittently take naps. Mr. Marshall remembered Ms. Dockery at the front of the line heading into the house, but now he is not sure. Astro was laying down inside. Ms. Atnafu immediately made a bee line to Astro. Mr. Marshall told her, "Remember what I said." Mr. Marshall did not give her permission to pet Astro. He would have had Ms. Atnafu sit in a chair for the introduction, like how he does with everyone else. He did not say an absolute "No!" but what he was saying was lending towards caution. He did not know what Ms. Atnafu's next move would be.
31. He thought Ms. Atnafu went down on one knee right next to Astro, but she may have been squatting. Mr. Marshall said, "Not like that. Don't do that. Let's go." Ms. Atnafu said, "Oh, this is what you were telling me what not to do." Astro rolled onto his side, and Ms. Atnafu said, "Oh, but he likes it" and went right down and put her face in Astro's face. Astro is so large that someone cannot rub his belly without putting their face in Astro's face. From his angle, it looked like Ms. Atnafu tried to kiss Astro on the snout, but he was looking from slightly behind Ms. Atnafu. She put her face to his face. It happened so fast. Laying on his back, Astro bit Ms. Atnafu's face. Ms. Atnafu did not prolongingly pet Astro before the bite.
32. After Astro bit, Ms. Bozich put Astro in his kennel. Mr. Marshall put pressure on Ms. Atnafu's head. Ms. Atnafu seemed very balanced. On the way to the hospital and at the hospital Ms. Atnafu repeated, "I should have listened." At the hospital, Mr. Marshall asked Ms. Atnafu if she wanted them to call the police, and she declined. Mr. Marshall helped Ms. Atnafu that night and the next day. On the way home, Ms. Atnafu was nervous because she thought her husband was going to take over the narrative. A few days later, Ms. Atnafu's narrative completely changed. She filed her complaint with Animal Services a month after the incident.
33. Mr. Marshall got a muzzle and plans on having Astro wear it in public.
34. From the beginning, Mr. Marshall socialized Astro. Astro has never lunged or attacked anyone prior to this incident. Mr. Marshall observed Astro and made slight adjustments to protect him because he is a large-breed dog. Mr. Marshall was only being precautions to protect Astro and everyone (i.e., there had been no previous incidents).

Legal Standards

35. Does Astro meet the definition of “dangerous animal”? KCC 11.04.230.F. Per KCC 11.01.120:

A. “Dangerous animal” means any animal that:

1. Inflicts severe injury on or causes the death of a human being without provocation;
2. Inflicts severe injury on or causes the death of a domesticated animal without provocation;
3. Has been previously found to be potentially dangerous or vicious because of injury inflicted on a human, the owner having received notice of such, and the animal again bites, attacks, or endangers the safety of humans;
4. Enters onto private property without the consent of the owner or occupant and, regardless of provocation, engages in conduct meeting subsection A.1., A.2., or A.3. of this section; or
5. Jointly engages, with one or more animals, in conduct meeting A.1., A.2., A.3., or A.4. of this section, in which case all animals may be deemed dangerous, absent an affirmative demonstration that a specific animal was not responsible for a qualifying act.

B. An animal shall not be declared a “dangerous animal” if:

1. The threat, injury, or bite alleged to have been committed by the animal was sustained by a person who was at the time committing a willful trespass upon the premises occupied by the owner of the animal, or who was abusing or assaulting the animal, or who was committing or attempting to commit a crime. This exclusion does not apply to actions taken in defense of oneself, other humans, animals, or property; or
2. The animal has not been previously found to be potentially dangerous, vicious, or dangerous, and the severe injury or death is to a domesticated animal other than pets or large livestock.

36. Per KCC 11.01.370, a “severe injury” means any physical injury resulting in:

A. One or more broken bones;

B. One or more disfiguring lacerations, avulsions, cuts or puncture wounds requiring medical attention, including, but not limited to, one or more sutures, steri strips or staples;

C. Permanent nerve damage; or

D. Transmittal of an infectious or contagious disease.

37. We do not grant substantial weight or otherwise accord deference to agency determinations. Exam. R. XV.F.3. For those matters or issues raised in an appeal statement, Animal Services bears the burden of proving by a preponderance of the evidence both the violation and the appropriateness of the remedy it has imposed. KCC 20.22.080.G; .210.B.

Analysis

38. Ms. Dockery and Mr. Shimizu were the most credible of the five witnesses. Unfortunately, neither was present in the basement in the moments leading up to Astro's bite.
39. Ms. Bozich testified in full-on-advocacy mode and not in objective-fact-witness mode. Mr. Marshall cost himself credibility points, especially by alleging that Ms. Atnafu "startled a sleeping Astro," something even Ms. Bozich did not assert and that Mr. Marshall had to walk back at hearing. Ex. D9 at 001. And on rebuttal Ms. Atnafu claimed, for the first time, that Astro *took a few steps towards her*, a critical "fact" she never mentioned in her complaint or during her initial testimony.
40. But overall, Mr. Marshall came across less as deceptive than as within the normal range of witnesses (and we include ourself in that category) whose memory is fallible. For example, Mr. Marshall recalled that Ms. Dockery was in the *front* of the line heading into the house, but after listening to the testimony he agreed that he likely misremembered that detail. And he thought he recalled Ms. Atnafu going down on one knee right next to Astro but acknowledged she may in fact have been squatting. That shows his memory is no video recorder, but not that he is lying; inaccuracy is not the same thing as dishonesty.
41. Unfortunately, we see Ms. Atnafu as less credible. Mr. Marshall testified that on the way to the hospital and at the hospital Ms. Atnafu kept repeating some variation of, "I should have listened [to the warnings]." Ms. Bozich testified that on the way to the hospital, at the hospital, and generally for the first 24 hours after the bite, Ms. Atnafu kept repeating some variation of, "I should have listened" and, "It was my fault," even to doctors and nurses. And Ms. Dockery—the most credible of our fact witnesses—testified that Ms. Atnafu repeated, at least ten times within earshot, that she should have listened, she should not have done it [gotten that close to Astro], and that it was not Astro's fault.
42. Those declarations are not great for Ms. Atnafu's credibility. Her repeated and repeated and repeated confession to everyone who would listen undercut her later allegations that Astro "tricked" her, and her turning the blame on Astro and Mr. Marshall. Exs. A1, A2. But while her repeated admissions against her interest in the day after the bite are

relevant, standing alone they would not have been fatal to her credibility if, when we asked about them under oath at hearing, she had responded with something like, “Yeah, at first I blamed myself. But the more I thought about it...”

43. Yet that is not how our hearing went. Ms. Atnafu testified that at the hospital she said *Mr. Marshall* was responsible for what happened; we find that to be false. Worse, she claimed under oath that she “did not recall” stating that she should have listened to what Mr. Marshall had told her. We might have bought that if it had been a single disputed statement, but not a theme she repeated again and again. We do not believe Ms. Atnafu when she claimed she did “not recall” any of her numerous, similar statements. We empathize with how traumatizing this whole ordeal has been for her and how scared and devastated about the future she is. But once we find a witness is being deceptive, it is difficult to get credibility back.
44. Thus, we find our most probable set of facts as follows. Ms. Atnafu was repeatedly instructed on how to (and how not to) approach Astro and was warned multiple times not to get too close to Astro’s face.¹ At no point did Mr. Marshall expressly or impliedly give her the green light to nuzzle up to Astro. Ms. Atnafu misread Astro rolling over in submission as an invitation for her to get in close, ignoring the many warnings. She brought her face close to Astro’s. Astro, who was lying on his back, bit her nearby face.
45. If this were a personal injury claim that might (or might not) be the end of the inquiry. Ms. Atnafu was warned multiple times what not to do, ignored those warnings, did what she was explicitly instructed not to do, and suffered disastrous consequences. But we are not a court deciding who, as between Ms. Atnafu and Mr. Marshall, bears what level of responsibility for what. And we are no expert in tort law.
46. Instead, the question we must decide today is whether *Astro* meets the code criteria for a dangerous animal. For example, while we find that at no point did Mr. Marshall withdraw his earlier instructions or warnings, it would not change our analysis if instead we found that Mr. Marshall had clearly articulated, “Never mind what I said before. Go ahead, Ms. Atnafu. Get your head right in there by Astro’s. Let’s see what happens.” From *Astro*’s perspective it is irrelevant what Mr. Marshall (or anyone else) said or *why* Ms. Atnafu chose to do what she did.
47. In analyzing whether Astro was “provoked, our code defines the term as “to torment, agitate, or harass an animal immediately before the attack, chase, or menacing behavior, [and] does not include actions taken to defend oneself, other humans, animals, or property.” KCC 11.01.350. In animal jurisprudence, provocation generally depends on the *animal*’s perspective, and reviewing courts focus on how an average dog, neither unusually aggressive nor unusually docile, would react to an agitating act.² A key

¹ There is some question of whether Ms. Atnafu was on the boat at the time Mr. Marshall gave the demonstration, but that would not change our opinion one way or the other.

² *Bradacs v. Jacobone*, 244 Mich. App. 263, 273, 625 N.W.2d 108, 113 (2001) (citing *Kirkham v. Will*, 311 Ill. App. 3d 787, 792, 724 N.E.2d 1062 (2000)).

touchstone of courts' analyses is that "provocation" requires the dog's reaction to be roughly proportional to the victim's act.³

48. We found Mr. Shimizu far more credible than most of the animal trainers we have had testify before; he was confident in what he knew, but did he not embellish, and he recognized what he could not answer. As he explained it, entering any dog's perimeter, without invitation, can feel abrupt to the dog and cause a reaction. That is especially true in the home environment where a dog feels the most attached. It is never safe or recommended to approach any dog face-to-face for an initial contact. And Astro's head was a sensitive area for him, even being "head shy" towards his own owner (Mr. Marshall).
49. Our question is not, given Astro's specific underlying anxieties and head sensitivities, one would have expected *Astro* to have reacted like he did on August 10, but whether an *average* dog, neither unusually aggressive nor unusually docile, would have reacted that way to Ms. Atnafu's incursion. And while an average dog might, especially in a home environment (as opposed to out in public), react very negatively to an uninvited face-to-face contact and perhaps deliver a back-off nip, the average dog would not have peeled back much of, and permanently remove a chunk from, that person's forehead. Ex. D4 at 002-03. Astro's reaction was grossly disproportionate to Ms. Atnafu's incitement.
50. Given the severity of that grossly disproportionate bite, Astro certainly qualifies as "potentially dangerous" having, without sufficient provocation, bit and inflicted injury on a person or domesticated animal. KCC 11.01.320A.1. And on first blush Astro appears to qualify for the more serious "dangerous animal" designation, having inflicted "severe injury" on a person without sufficient provocation. KCC 11.01.120.A.1. A "severe injury" is a physical injury resulting in "one or more disfiguring lacerations, avulsions, cuts or puncture wounds requiring medical attention, including, but not limited to, one or more sutures, steri strips or staples," a showing Animal Services easily makes here. KCC 11.01.370.B.
51. However, this case is different from previous scenarios where we have upheld a dangerous animal designation, a designation which necessitates, in addition to the muzzle and other containment requirements for a *potentially* dangerous animal, a \$500,000 surety bond or liability insurance policy—a cost beyond the means of many owners. KCC 11.04.285.B.7. In those scenarios there was no justification for the dog to bite anyone; instead, the dog initiated the contact, launching an attack—typically in the form of multiple bites—on a person or other animal and severely injuring them.
52. But that is not our scenario here. Under all three eyewitnesses' versions, Astro had never had any physical contact with Ms. Atnafu to building familiarity. And Astro was lying flat on his back. So, when that strange new person brought her face to his, he had no opportunity to retreat to avoid her invasion. And he administered a quick, single bite. Our finding is *not* that Animal Services has proven that Astro's bite *in its entirety* was legally unprovoked, but that the *extent* of the bite (tearing Ms. Atnafu's forehead back

³ *Stroop v. Day*, 271 Mont. 314, 319, 896 P.2d 439 (1995); *Bradacs* at 273–75; *Kirkham* at 792.

and partially off) was legally unprovoked. Under our to-date-unique circumstances, we find *potentially* dangerous, not dangerous, to be the more appropriate designation.

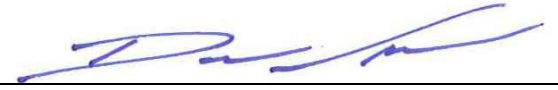
53. Animal Services should send Mr. Marshall the corresponding containment order for a *potentially* dangerous animal. We are not sure what impact that might have in Scottsdale or elsewhere in Arizona. King County’s code states that “Animals found potentially dangerous by *any jurisdiction of this or any other state* are subject to the same regulations as if designated potentially dangerous by King County.” KCC 11.04.275.E (emphasis added). Our five-minute review of Scottsdale’s code shows that a “[v]icious animal means any animal of the order carnivora that has a propensity to bite human beings without provocation, and has been so declared *after a hearing before a justice of the peace or a city magistrate.*” Sec. 4-31 (emphasis added).
54. In July, King County switched from a single “vicious” designation to the dual “potentially dangerous” and “dangerous” designations. Under the old code, “vicious” looked to whether the animal had “exhibited” vicious propensities, like biting a person without provocation, and also to whether the animal “constitutes” a danger, both of which criteria Astro meets.⁴ But it is not clear whether findings or restrictions issued by a county in another state, for actions occurring entirely outside of Arizona, has any import anywhere in Arizona, especially for a service dog Mr. Marshall continues to muzzle. But at least the record should be clear.
55. That brings us to the monetary penalty. Where an owner shows that (on the front end) the animal did something despite—not due to a lack of—their responsible behavior and/or (on the back end) they have taken steps after the violation to avoid a recurrence, we often reduce the otherwise applicable penalty. On the front end, Mr. Marshall sought out a trainer long before Astro attempted any violence, put into place the trainer’s instruction, and repeatedly instructed Ms. Atnafu and others associating with Astro—including offering a live, group demonstration—in how to interact, and not to interact, with Astro. And after the fact he has been muzzling Astro, whom he now knows presents a danger. We reduce the penalty.

DECISION:

1. We partially grant Mr. Marshall’s appeal, downgrading the dangerous animal designation to *potentially* dangerous. However, given that Astro inflicted grievous injuries in a home environment and Mr. Shimizu’s explanation that a dog can become *more reactive* in the home environment than in public, we extend Astro’s muzzling requirement to anytime visitors are present with Astro, even on private property.
2. We reduce the \$500 penalty associated with a potentially dangerous designation to \$150.

⁴ Former KCC 11.04.020.BB & 11.04.230.H.

ORDERED December 27, 2023.



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 *January 26, 2024*. Either party may appeal this decision by applying for a writ of review in superior court in accordance with chapter 7.16 RCW.

MINUTES OF THE DECEMBER 12, 2023, HEARING IN THE APPEAL OF JESSE MARSHALL, REGIONAL ANIMAL SERVICES OF KING COUNTY FILE NO. V23014791-A23005489

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Sergeant Eykel, Blen Atnafu, Liz Bozich, Alia Dockerty, Ben Shimizu, and Jesse Marshall. A verbatim recording of the hearing is available in the Hearing Examiner’s Office.

The following exhibits were offered and entered into the record by Animal Services:

Exhibit no. D1	Regional Animal Services of King County staff report
Exhibit no. D2	RASKC investigation report no. A23005489
Exhibit no. D3	Online Complaint form of August 10, 2023, incident by Blen Tefera Atnafu, dated September 11, 2023
Exhibit no. D4	Photograph of Ms. Atnafu before and after injury
Exhibit no. D5	Text Message
Exhibit no. D6	Notice of violation no. V23014791-A23005489, issued October 11, 2023
Exhibit no. D7	Dangerous Dog Declaration
Exhibit no. D8	Written statement from Elizabeth Bozich
Exhibit no. D9	Appeal, received October 4, 2023
Exhibit no. D10	Map of subject area

The following exhibits were offered and entered into the record by the appellant:

Exhibit no. A0	Jesse Marshall Witness Statement
Exhibit no. A1	Blens texts on animal behavior
Exhibit no. A2	Blens texts on animal behavior
Exhibit no. A3	Blen refuses Go Fund Me
Exhibit no. A4	9/25/2023 Text of Kells Spam
Exhibit no. A5	9/25/2023 Text Alias text response to Kells part 1

Exhibit no. A6	9/25/2023 Text Alia text response to Kells part 2
Exhibit no. A7	9/26/2023 Text Kells response to Alia
Exhibit no. A8	9/26/2023 Text Alia response to Kells
Exhibit no. A9	Statement Astros Care History
Exhibit no. A10	Statement Mother of Children Mika Lakip
Exhibit no. A11	Statement Dog Owner Bekah Theisen
Exhibit no. A12	Statement Primary Dr. Sapunar
Exhibit no. A13	Photo Astro King County Court
Exhibit no. A14	Liz Bozich Witness Statement
Exhibit no. A15	Alia Dockery Witness Statement

December 27, 2023

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

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CERTIFICATE OF SERVICE

SUBJECT: Regional Animal Services of King County file no. **V23014791-A23005489**

JESSE MARSHALL

Animal Services Enforcement Appeal

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND DECISION** 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, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED December 27, 2023.



Jessica Oscoy
Office Manager

Dockery, Alia
Hardcopy

Eykel, Chelsea
Regional Animal Services of King County

Jesse Marshall, Liz Bozich
Hardcopy

Shimizu, Ben
Hardcopy

Tefera Atnafu, Blen
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