

NOTICE OF SEIZURE: Animals

MN ANIMAL LAW: Chapter 343 Prevention of Cruelty to Animals

TO: _____ (name)

PLEASE TAKE NOTICE that on _____ (date), at _____ am/pm,

the animal(s) listed below were seized by the _____
(Sheriff Office/Police Department/Designated Agency) pursuant to Minn. Statutes §§ 343.12, 343.22, 343.29 or 343.31.

NUMBER AND DESCRIPTION OF THE ANIMAL(S) SEIZED:

TIME/PLACE WHERE ANIMAL(S) WERE SEIZED:

PURPOSE AND CIRCUMSTANCE FOR SEIZURE OF ANIMAL(S):

THE ANIMAL(S) ARE BEING HELD AT:

Address: _____

Contact Person: _____ Phone: _____

PLEASE BE FURTHER ADVISED that you or a person claiming an interest in the animal(s):

1. May voluntarily release the animal(s). To do so, sign and return the Voluntary Surrender form within **ten (10) days** of the date of seizure.
2. May request a hearing concerning the seizure or impoundment of the animal(s). To do so, sign and return the Request for Hearing form within **ten (10) days** of the date of seizure (Minn. Stat. § 343.235, subd. 3(b)).
3. If you do not voluntarily release the described animal(s) and you request a hearing, you or the person claiming an interest in the animal "may prevent disposition of the animal by posting security in an amount sufficient to provide for the animal's actual costs of care and keeping. The security must be posted within ten days of the seizure inclusive of the date of the seizure" (Minn. Stat. § 343.235 subd. 2). Disposition means the animal(s) will be sold, donated, euthanized for cause, or other appropriate action based on the species and condition of the animal(s). Failure to request a hearing and post security "within ten days of the date of the notice will result in disposition of the animal" (Minn. Stat. § 343.235 subd. 3(a)(2)).

Authority: Minnesota statutes authorizes designated authorities to investigate any alleged violation of the law relative to cruelty to animals. As defined in statute, it is also the duty of those designated authorities to take possession of any animals in their respective jurisdictions which have been cruelly treated and/or not properly sheltered, fed, and watered in circumstances that threaten the life of the animal. For complete statutory language and authority, including seizure and disposition, refer to: Minn. Stat. §§ 343.12, 343.22, 343.235, 343.29, 343.31

This Notice was _____ **Posted** _____ **Mailed** _____ or **Personally delivered on** _____ **(date)** by

Peace Officer: _____ Phone: _____

COPIES SUBMITTED TO: Person/Premise, Court, Prosecuting Attorney, and Peace Officer

Request for Hearing or Voluntary Surrender

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I CERTIFY:

That I am the owner or person (with legal authority) claiming an interest in the animal(s) described on the Seizure Notice and:

_____ I **voluntarily** relinquish all ownership, privileges, rights and title of the animal(s) described on the Seizure Notice. I hereby give the animal(s) described on the Seizure Notice to the entity listed on this notice for whatever disposition this entity deems best. I realize, by doing so, the security amount is waived.

_____ I **do not voluntarily** relinquish ownership to the animal(s) and instead request a hearing to determine whether or not the seizure or impoundment was substantially justified by law and to prevent disposition of the animal(s) until the court has made its determination. I understand my request for a hearing must be made **within ten (10) days** of the date of seizure (Minn. Stat. § 343.235 subd. 3(b)). I understand, to prevent disposition of the animal, I or a person claiming an interest in the animal, may post security in an amount sufficient to provide for the animal's actual costs of care and keeping. The security **must be posted within ten days** of the seizure inclusive of the date of the seizure.

If a hearing is requested, the person listed below will be contacted regarding the hearing date.

SIGNATURE: _____

PRINT FULL NAME: _____

ADDRESS: _____

HOME OR CELL PHONE: _____ WORK PHONE: _____

EMAIL: _____ DATE OF BIRTH: _____

MN DRIVER'S LICENSE #: _____

NOTICE OF COSTS OF CARE: The person claiming an interest in the animal is liable for "all actual costs of care, keeping, and disposal of the animal, except to the extent that a court or hearing officer finds that the seizure or impoundment was not substantially justified by law" (Minn. Stat. § 343.235 subd. 3(a)(3)). If the owner or person claiming interest in the animals has not posted security and not requested a hearing to contest the seizure within ten (10) days of the date of seizure, any animal(s) taken into custody under Minn. Stat. §§ 323.12, 343.22, 343.29 or 343.31 may be humanely disposed of (e.g., sold, donated, euthanized for cause) at the discretion of the jurisdiction having custody of the animal(s) (Minn. Stat. § 343.235 subd. 1). To confirm amount of the security, contact the Officer listed at bottom of the Seizure Notice.

RETURN THIS FORM TO:

County, City or District Agency: _____

Address: _____

Office Days and Hours: _____

TIME/DATE THIS FORM WAS RECEIVED (AS VERIFIED BY OFFICE): _____

COPIES SUBMITTED TO: Person/Premise, Court, Prosecuting Attorney, and Peace Officer

Property Receipt, Inventory and Return

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STATE OF MINNESOTA, COUNTY OF: _____ COURT

I _____, received the attached search warrant issued by the Honorable _____, on _____ (date), _____ (year) and have executed it as follows:

Pursuant to said warrant, on _____, _____ (year) at _____ o'clock ____am or ____ pm, I searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said warrant

(with) (in) at _____

I took into custody the property and things listed below, including animals (attach and identify additional sheet if necessary):

Strike when appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
- None of the items set forth in the search warrant were found.
- I shall (retain) or (deliver) custody of said property as directed by Court order.

I, _____, being first duly sworn, upon oath, depose and say that I have read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, I believe them to be true.

Subscribed and sworn to before me this

_____ day of _____, _____(yr)

Notary Public _____ County, MN

My commission expires _____

Signature