

Semi-Clever Software, Ltd.

IN THE FRANKLIN COUNTY MUNICIPAL COURT, COLUMBUS, OHIO

06 DEC 11 PM 2:44

WARRANT TO SEARCHFRANKLIN COUNTY
MUNICIPAL COURT
LOCAL 11-11-11

THE STATE OF OHIO

ss.

FRANKLIN COUNTY

To: Chief Humane Agent Kerry Manion, Capital Area Humane Society, Greetings:

WHEREAS, there has been filed with me an affidavit, a copy of which appears attached hereto, these are, therefore, to command you, in the name of The State of Ohio, with the necessary and proper assistance, to enter, in the daytime, into the residence of David P Santuomo, 2960 Essington Drive, Dublin, Ohio 43017, being described as Parcel ID 590-184921-00, a single family, two story dwelling with wood and aluminum exterior walls and attached garage, light tan with brown trim, on the north side of the street facing south and surrounding curtilage, and to execute a search of the said person, building, place, or vehicle, within three (3) days (72 hours) after the issuance of this warrant. The said premises being in the County of Franklin, Ohio, aforesaid, and there diligently search for the said goods, chattels, or articles, to wit, pursuant to §2933.21 R.C.; §2933.31 R.C.; and Rule 41 of the Ohio Rules of Criminal Procedure, evidence of the commission of the criminal offenses of Cruelty to Animals, §959.13 R.C.; Prohibitions Concerning Companion Animals, §959.131 R.C.; specifically, .22 caliber firearm, .22 caliber ammunition, antifreeze, antifreeze containers or any other container used to store antifreeze, leashes, materials used for restraining or binding dogs, blood soaked items, records of care and ownership of such animals, records of sales or other transactions, medications, and photographs and video images taken on scene; and all indicia, documents, and records showing ownership or rights of possession of the residence of David P Santuomo, 2960 Essington Drive, Dublin, Ohio 43017.

You are further commanded to bring the same or any part thereof, found on such search, forthwith before me, or some other judge of this court having cognizance thereof, to be disposed of and dealt with according to law. In lieu thereof, you are authorized to retain such seized property and evidence in the property room (or other appropriate cage, pen, tank or other enclosure in the case of live animals; or necropsy or dead animal storage facility in the case of dead animals) under the control of Capital Area Humane Society.

Al Peoples
Judge, Franklin County Municipal Court,
Columbus, Ohio

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2:40 PM

Semi-Clever Software, Ltd.

SEARCH WARRANT AFFIDAVIT

08 DEC 11 PM 2:54

THE STATE OF OHIO

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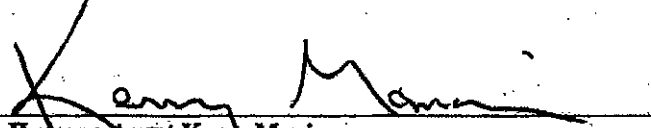
FRANKLIN COUNTY

FRANKLIN COUNTY
MUNICIPAL COURT
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Before me, the undersigned, Judge of a court of record within and for Franklin County, Ohio, personally appeared Humane Agent Kerry Manion, Badge Number 504 of the Capital Area Humane Society, who being duly sworn according to law, deposes and says that he has good cause to believe and does believe that pursuant to §2933.21 R.C. and Rule 41 of the Ohio Rules of Criminal Procedure, evidence of the commission of the criminal offenses of Cruelty to Animals, §959.13 R.C.; Prohibitions Concerning Companion Animals, §959.131 R.C.; specifically, .22 caliber firearm, .22 caliber ammunition, antifreeze, antifreeze containers or any other container used to store antifreeze, leashes, materials used for restraining or binding dogs, blood soaked items, records of care and ownership of such animals, records of sales or other transactions, medications, and photographs and video images taken on scene; and indicia, documents, and records showing ownership or rights of possession are being kept in or on a certain person, building, place, or vehicle known as the residence of David P Santuono, 2960 Essington Drive, Dublin, Ohio 43017 being described as Parcel ID 590-184921-00, a single family, two story dwelling with wood and aluminum exterior walls and attached garage, light tan with brown trim, on the north side of the street facing south and surrounding curtilage, in said Franklin County, Ohio.

The facts upon which such belief is based are as follows:

On Sunday, December 7, 2008, at 4:23 PM, the Capital Area Humane Society received an anonymous complaint regarding two animals that were killed. The complainant said the owner is a local fire fighter named David Santuono and he works at Station 27 on Smokey Row Road in Columbus. The complainant further stated the owner was "bragging to fire fighters and others that he brutally killed his two dogs on Friday and dumped them in Station 27's dumpster." The complainant went on to say the owner was going on a cruise and either did not want to or could not find someone to watch the dogs while he was away, so he laid a tarp in the basement, used their leashes to tie them to an overhead joist, and shot them until dead. He bragged that he had to shoot one dog six times in the head to kill it. The complainant also said the bodies of the dogs were still in the dumpster in black trash bags and would be there until Monday, December 8. The complaint concluded by saying Mr. Santuono got the dogs from a shelter about a year ago, they might still have computer chips in them, and hoped we could do something about this. Shaun Powers, a humane agent in training, and I responded to the call that afternoon.


Humane Agent Kerry Manion

Page 1 of this Affidavit sworn to before me and subscribed in my presence by Humane Agent Kerry Manion, this 10th day of December, 2008.


Judge, Franklin County Municipal Court, Columbus, Ohio

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We drove to Station 27, 7560 Smokey Row Road, where we saw several recycling bins and one trash bin marked for the firehouse. We searched the bin and found an open black trash bag that contained a bloody dog carcass wrapped in clear plastic. Mr. Powers took pictures before we placed the dog in a cadaver bag and loaded it into the van.

Next we went to the fire station. I asked several fire fighters if they heard anything about dead dogs in their dumpster, but no one appeared to know anything. We left to go look for the second dog. As we were leaving the building, a fireman, David Santuomo, came up to us and asked if we were looking for dogs in the dumpster. I said yes, and he said he was the owner of the dogs. I asked if he would accompany us to the dumpster, and he did.

As we walked to the dumpster, I questioned Mr. Santuomo about what happened to his dogs. He told me he put the dogs in his garage while having work done on his house, and they drank antifreeze and died. When Mr. Powers mentioned the bag was rather bloody for antifreeze, Mr. Santuomo said he had to shoot one of them.

At the dumpster, I asked him where the other dog's body was. Mr. Santuomo said the second body was under a white cardboard box. I removed the white box and jumped into the dumpster to retrieve the body. When asked about this dog, Mr. Santuomo said he had to shoot it because the dogs were acting weird after drinking the anti-freeze. Mr. Powers put this dog in a cadaver bag and loaded it into the van.

Mr. Santuomo told me he was not aware that putting dead dogs in a dumpster was illegal and apologized if he was breaking the law. When questioned as to why he did not take the dogs to a veterinarian, Mr. Santuomo said he could not afford one. I asked Mr. Santuomo where the dogs were shot, and he said in his basement. Mr. Powers asked what kind of gun he used, and Mr. Santuomo said a .22.

On Monday morning, December 8, 2008, a preliminary examination of the dogs was performed. The bags the dogs were found in contained multiple .22 caliber spent casings and bullets. There was also a clear plastic tarp and cigarette butt in one of the bags. X-rays confirmed the each animal suffered multiple gun shot wounds.

Based on my experience as a humane agent, I believe, and have probable cause to believe that commission of a criminal offense as described above, has been conducted at 2960 Essington Drive, Dublin, Ohio 43017, and further that additional evidence of such criminal offense will be found at 2960 Essington Drive, Dublin, Ohio 43017.


Humane Agent Kerry Manion

Page 2 of this Affidavit sworn to before me and subscribed in my presence by Humane Agent Kerry Manion, this 10th day of December, 2008.


Judge, Franklin County Municipal Court, Columbus, Ohio