



Captive Wildlife Report

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
 10247 N. SUNCOAST BLVD.
 CRYSTAL RIVER, FL

Report Date / Time 6/20/2019 5:33:22 PM	Report Number ISR069025 (01)	Report Case/CAD Number FWNC19OFF003973 / FWNC19CAD001172	Reporting Officer Rank / ID INVESTIGAT / WK370	Reporting Officer Name KENNETH HOLMES
Originating Agency ORI FL0218000	Reported to Agency Date 6/20/2019 10:59:19 AM	Occur Date Range 06/20/2019 10:59:19 -	Jurisdiction Private Property	Status: Clearance:
Offense Description S65W WILDLIFE EXHIBITS				


LOCATION(S)

County GILCHRIST	Location Type INCIDENT LOCATION	Location Description X2[SW 20TH ST]						
Street Number 2219	Street SW 45TH AVE	Apt/Lot/Bldg	City BELL	State FI	Zip Code 32619	Phone Number 407-492-3204	Ext.	

Person: LICENSEE

First Name ROBERT	Middle Name GENE	Last Name MULLEN	Suffix	Race WHITE	Sex MALE	Height 5'09"	Weight 200	Hair BROWN	Eyes BLUE
MNI # FWC13MNI017991	SSN	Date of Birth 02/28/1966	Age 53	ID Type A	Drivers License or other ID M450767660680	State FL	OCA / Agency ID 2755		
Place of Birth:	OHIO, OH, UNITED STATES								
Addresses • RESIDENCE / 2219 SW 45TH AVE, BELL, FI 32619 / 407-492-3204									

Narrative: ROUTINE INSPECTION

Narrative Date/Time 10/18/2019 5:41:45 PM	Narrative Synopsis MULTIPLE HEALTH ISSUES NEEDED TO BE ADDRESSED AND/OR DOCUMENTATION OF HEALTH CARE		
Reporting Officer KENNETH HOLMES	Officer Rank INVESTIGAT	Officer ID No WK370	Officer Org/Unit FWNCINC REGIONALACH UA
Officer Signature 	Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION		

On 06/20/2019, I, Inv. Kenneth J. Holmes of the Florida Fish & Wildlife Conservation Commission performed a captive wildlife inspection at 2219 SW 45th Avenue, Bell in Gilchrist County, Florida. Lieutenant Tyler Harrison was also on scene. Robert G. Mullen (W/M; DOB 02/28/66) had valid commercial licenses (ESA, ESC, App ID 11726) for the possession of captive wildlife to include tigers and cougars at the location. He was doing business as PM Productions Entertainment, Inc (PMPE). According to State of Florida Division of Corporation website, PMPE is no longer an active corporation since 09/23/2016. The 5-acre parcel was owned by his former spouse Christine M. Pechacek (W/F; DOB 07/25/1981). The property was zoned residential and R. Mullen resided on the property. He accompanied us during the inspection. My body camera was activated until near the end of the inspection when R. Mullen requested I turn it off.

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There was no change in inventory that included 2.0 tigers (one male white tiger), 1.0 cougars, 0.0.1 American alligator (~ 4' long), 0.0.1 Cinnamon capuchin, 0.0.1, Fishing cat, 1.0 Ring-tailed lemurs, 0.0.1 kinkajou, 0.0.1 Burmese python (Albino) and several parrots and other non-venomous reptiles.

There was no change in caging since last inspection. The eight outdoor cages were within an eight foot perimeter fenced compound (Figure 1). Five cages were occupied with the following wildlife; 1) two tigers, 2) cougar, 3) Fishing cat, 4) Capuchin monkey and Ring-tailed lemur, and 5) Kinkajou. The cages and compound gate was locked to prevent unauthorized access.

The trailer used exclusively to house and maintain wildlife and domestic animals also did not have any cage changes. Currently, the following wildlife were held inside the trailer; a small American alligator, a Burmese python, parrots, other non-venomous reptiles and domestic animals. There temporary caging for the Class 3 mammals wildlife currently housed outside remained the same. These cages were smaller than the minimum standards and were used during cold weather or nighttime security.

I observed the following caging violations and/or issues;

1) There was damage to the welded wire wall of a secondary lock-out in the tigers cage (Figs. 2 & 3). The secondary lock out was used to separate the tigers if needed. R. Mullen stated one of the tigers pulled the bottom corner of the outer welded wire wall from frame. This weakened the integrity of this area of cage and could act as a possible escape route or cause injury to the wildlife. This welded wire panel was also rusted and needed replacement. R. Mullen had this lock out currently closed off and the tigers could not get inside. The cage was equipped with another lockout that acted as the required safety entrance (Fig. 2). There was not a non-compliance issue as long as the damaged second lock-out was not used. R. Mullen stated he had a replacement welded wire panel and planned on repairing the lockout. The following in the pertinent regulations;

68A-6.0023 General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements.

(1) No person shall maintain captive wildlife in any unsafe or unsanitary condition, or in a manner which results in threats to the public safety, or the maltreatment or neglect of such wildlife.

(2) Caging Requirements:

(b) Cages or enclosures housing captive wildlife shall be sufficiently strong to prevent escape and to protect the caged animal from injury, and shall be equipped with structural safety barriers to prevent any physical contact with the caged animal by the public, except for contacts as authorized under subsection (3) of this rule. Structural barriers may be constructed from materials such as fencing, moats, landscaping, or close-mesh wire, provided that materials used are safe and effective in preventing public contact.

2) The small cages still had vegetative growth that prevent proper cleaning of the cages, in particular the dirt

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floors could not be sufficiently raked to remove all waste materials (Figs 4 & 5). The cages were not cleaned and maintained as required per FAC 68A-6.0023(5)(e) listed below,

68A-6.0023 General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements.

(5) Sanitation and Nutritional Requirements:

(e) Cleaning and maintenance: Hard floors within cages or enclosures shall be cleaned a minimum of once weekly. Walls of cages and enclosures shall be spot cleaned daily. The surfaces of housing facilities, including perches, shelves and any furniture-type fixtures within the facility, shall be cleaned weekly, and shall be constructed in a manner and made of materials that permits thorough cleaning. Cages or enclosures with dirt floors shall be raked a minimum of once every three days and all waste material shall be removed. Any surface of cages or enclosures that may come into contact with animal(s) shall be free of excessive rust that prevents the required cleaning or that affects the structural strength. Any painted surface that may come into contact with wildlife shall be free of peeling or flaking paint.

The cages housing the Fishing cat and kinkajou as well as the cages that during previous inspections housed a coatimundi and a serval, were overgrown with weeds (Figs 4 & 5). This made it impossible to rake the floor to remove wastes as required.

R. Mullen stated the over growth provided cover that the wildlife needed, in particular the Fishing cat. He stated the Fishing cat would be stressed if it could not hide. I told him that he could provide the wildlife with vegetation, but it would have to be maintained so it did not could prevent the proper cleaning and maintenance of the cage. He agreed to thin the vegetation to allow proper cleaning.

3) The two tigers were still underweight with a body condition of 2 based on the United States Department of Agriculture's Animal Welfare Inspection Guide's Body Condition Chart (BCC) to classify the body conditions tigers (see attached document, Body condition- tiger). The BBC rates the body conditions from 1 to 5; 1 as emaciated, 2 as underweight, 3 as optimal body weight, 4 as overweight, and 5 as obese.

Both tigers' hip bones protruded and the abdomen had a tucked appearance. Also the lower vertebra were exposed with the ribs were only slightly. The tigers were lethargic with a slow and deliberate gaits, however the tigers did come up to me and rubbed against the fence and chuffed. The tigers' eyes were clear and they did not appear stressed.

During some previous inspections and responses to complaints, I observed one or more of the tigers being thin. The tigers would gain weight in subsequent inspections, but I never observed the tigers with optimal weight. R. Mullen had stated the tigers predisposed to being thin due genetic inbreeding issues. The tigers also had a history of internal parasites.

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I asked R. Mullen what he was going to do about the skinny tigers (Figs 6 & 7). I told there was no reason with a proper diet and care they would not put on weight. He said that they have proper poop, clean fecals and he had a freezer full of food. He said he has beef, chicken and horse. He also stated with the amount of meat he gets from documentable sources is more than enough to feed them what they should be eating (10-12 pounds/day) with one no-feed or fasting day. He also stated he supplemented the diet with Oasis vitamins, which he said he had about a three week supply. He said he would start a food log. He did have a chart that listed general diet, supplement and medication requirements for each animal or type of animal. However, it did not provide specific information such as actual food consumption and weight of the animals (Fig. 8)

In reference to the amount of food, I did observed a large chest freezer half full of frozen meat (Fig. 9). The meat appeared to be of good quality and estimated to be at least two month supply. He stated during the previous inspection he would keep receipts of the acquired meat, but did not produce them. Therefore, I could not determine if the meat in the freezer was being used and at what rate. In addition, there was no meat thawing out to feed the tigers that day. This was not the first time I have inspected and there was no unfrozen meat to feed the tigers. R. Mullen stated he was going to feed fresh meat to the tigers today. He said he was going to assist another captive wildlife license holder, Mark Chaples doing business as Mystic Jungle, Inc (MJI), later today with slaughtering a horse(s) and get some of the meat to feed the tigers. He later stated the horse(s) would be slaughtered today or the next. Therefore, the tigers would possibly not be fed this day. About two weeks later, I contacted Vera Chaples the co-licensee of MJI and found out the horse(s) were not slaughtered until days after R. Mullen's 06/20/19 inspection.

R. Mullen stated he fasts the tigers one day per week. He also stated it was getting more accepted to feed captive Big Cats every other day. I advised him that fasting would be appropriate to maintain optimal weight, but not for his underweight tigers. He continued to maintain that the tigers were underweight due to lack of exercise that resulted in loss of muscle mass. He stated that the tigers were used to performing four times per day (while exhibiting) and now are confined to a cage doing nothing. I advised him there was nothing preventing him from exercising the tigers as he had previously and should if it maintains the proper health of the tigers. I also stated he was the only person that ever told me that an animal would get skinny by being sedentary. I did agree that they may lose muscle mass, but would get fat not skinny from lack of exercise.

The only other wildlife that was slender was the Albino Burmese python and the alligator, but not to the extent of the tigers. R. Mullen had numerous other wildlife and livestock on the property, including the cougar that were not underweight. I would classify the cougar as in optimal condition of a body condition of 3. This may show it was not lack of food that was causing the tigers not to meet their nutritional needs.

Based on this and past inspections, the tigers have had persistent roundworm infections. R. Mullen admitted that the Standard tiger was recently treated for round worms and had lost about 20 lbs. He advised the White tiger had clean fecal and gained weight since my last inspection. R. Mullen stated on multiple occasions he treated the tigers for internal parasites with Ivermectin. R. Mullen showed me his routine medical information chart for the

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Standard tiger documenting the tiger tested positive for roundworms on 05/01/19 and 06/15/2019. Ivermectin was used to treat the tiger for both infections (Fig. 10).

I previously contacted FWC veterinarian Mark Cunningham, DVM about deworming tigers regiment for internal parasites, in particular round worms. I described R. Mullen's facility including the tigers were kept on dirt flooring and livestock pens were nearby. He stated round worm eggs can persist in the soil and re-infect treated animals. In addition, the worms can become resistant to medication with repeated use. He stated changing medication would be one option.

As documented above and past observations, the tigers fluctuated in weight from near emaciation to thin, but they never gain optimal body condition. Although there may be a genetic disposition for a more slender body condition, this weight fluctuation demonstrates lack of sufficient nutrition. Whether this was a result of under feeding or persistent internal parasite load, it was the responsibility of R. Mullen to properly care for the cats to include providing sufficient sustenance and/or preventing internal parasites. 68A-6.0023(1) and (5)(c) states,

68A-6.0023 General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements.

(1) No person shall maintain captive wildlife in any unsafe or unsanitary condition, or in a manner which results in threats to the public safety, or the maltreatment or neglect of such wildlife.

(5) Sanitation and Nutritional Requirements:

(c) Food: Food shall be of a type and quantity that meets the nutritional requirements for the particular species, and shall be provided in an unspoiled and uncontaminated condition. Clean containers shall be used for feeding.

I asked R. Mullen when the last time a veterinarian had seen the tigers. R. Mullen advised his vet, (Dr. Clifford Addison of Addison Animal Hospital) told him three or four months ago there was no need to see the tigers. He showed me a letter and a blood chemistry panel dated 09/12/18 from Dr. Addison for the White tiger. It documented the White tiger had normal body condition and normal blood chemistry with the exception of slightly elevated creatinine and lipase levels. There was no mention of any fecal examination to check for internal parasites. However, the letter advised continued monitoring on a quarterly or semi-annual basis.

It should be noted that these documents were dated only six days after an inspection I performed on PMPE (FWNC18OFF006354) where I documented the tigers were very thin, in particular the White tiger where I stated its body condition was a 2/borderline 1 (emaciated). I reached out to Dr. Addison on that same date (09/06/18). He stated he had not examined the tigers since early 2018, but did not observed the tigers in the same body condition as I described. However, hesitated he was concerned with the welfare of the tigers. Due to privacy laws he did not go into any more detail.

I cannot explain the body condition observation differences between myself and Dr. Addison on 09/06/18 and 09/12/2018 respectively. I will seek expert veterinary advice and will seek have one accompany me during future

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inspection(s). R. Mullen stated today and in past that Dr. Addison was a domestic small animal veterinarian and not an exotic wildlife vet. He also stated Dr. Addison should not have disclosed any information about his tigers due to confidentiality laws. However this does not change my reason to believe the tigers are not getting the proper nutrition and R. Mullen must provide proper care and nutrition for the tigers to gain optimal weight and prevent internal parasite infection to ensure the wildlife are properly maintained.

4) R. Mullen was no longer performing consistent and sustained commercial activity as required to possess Class 1 wildlife per the following regulations:

379.3761 Exhibition or sale of wildlife; fees; classifications.—

(1) In order to provide humane treatment and sanitary surroundings for wild animals kept in captivity, no person, party, firm, association, or corporation shall have, or be in possession of, in captivity for the purpose of public display with or without charge or for public sale any wildlife, specifically birds, mammals, amphibians, and reptiles, whether native to Florida or not, without having first secured a permit from the commission authorizing such person, party, firm, association, or corporation to have in its possession in captivity the species and number of wildlife specified within such permit; however, this section does not apply to any wildlife not protected by law and the rules of the commission. No person, party, firm, association, or corporation may sell any wild animal life designated by commission rule as a conditional or prohibited species, Class I or Class II wildlife, reptile of concern, or venomous reptile in this state, including a sale with delivery made in this state, regardless of the origin of the sale or the location of the initial transaction, unless authorized by the commission.

68A-6.002 Categories of Captive Wildlife.

(2) Except as provided in rule 68A-6.0021, F.A.C., Class I wildlife shall not be possessed for personal use.

68A-6.0021 Possession or Transfer of Class I Wildlife as Personal Use Wildlife.

(1) Any Class I wildlife possessed for personal use on August 1, 1980, shall be eligible for a permit in accordance with the provisions for Class II wildlife. Any Class II wildlife possessed as personal use wildlife in accordance with section 379.3762, F.S., that is uplisted to Class I upon the effective date of rule 68A-6.002, F.A.C., shall be eligible for a permit in accordance with the provisions of Class II wildlife. No other Class I wildlife shall be transferred or kept for personal use.

68A-6.0024 Commercialization of Wildlife; Bonding or Financial Responsibility Guarantee.

(1) Because the possession of wildlife in accordance with section 379.3761, F.S., is commercial in nature any person permitted to possess wildlife per section 379.3761, F.S., except hobbyist possessors of Class III wildlife, shall demonstrate consistent and sustained commercial activity in the form of exhibition or sale of such authorized wildlife. For the purposes of this section a “hobbyist” is defined as one whose primary purpose for possession of such Class III wildlife is personal enjoyment but may occasionally exhibit or sell such wildlife. Consistent and sustained commercial activity may be demonstrated by the following examples of business procedures including,

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but not limited to:

- (a) A regular media advertising campaign, or Internet website;
- (b) Signs, billboards or flyers advertising commercial wildlife services or operations;
- (c) Regular business hours during which the premises is open for commercial activity;
- (d) Written business is conducted on printed letterhead, indicating the name of the company or business;
- (e) Documented exhibition of wildlife to the public, with or without a charge;
- (f) Sale of wildlife including any lesser acts thereof as defined in rule 68A-1.004, F.A.C.

I asked R. Mullen about his commercial activity. He stated he does two to three open houses per year. When I told him his facility was not in a presentable condition to hold open houses (Fig. 14), he stated that it why he had not been pushing open houses. He later stated his last open house was in November and had photographs. He did not produce any of the photographs. I told R. Mullen I did not believe he had done any commercial activity (Class I) since I investigated the out-of-state complaint about his tigers being skinny (08/28/2015; FWNC15OFF005333). He stated he went to Borderfest in Hidalgo, Texas last year and the information was included in the itinerary he submitted to FWC. He said he turned down two jobs this year and asked if he was offered work, it would be considered commercial activity. I advised him it would not. He then stated he was going to be the next Nosey, which I inferred he feared if he performed traveling exhibits his tigers would be confiscated.

We also discussed the possibility of his facility being a sanctuary where no commercial activity would be required. I questioned whether his animals would qualify. He admitted it would be difficult to get the cougar qualified. However, his tigers were about 14 year old neutered males and would not be wanted. I advised I could find another facility to take them, possibly an already licensed sanctuary. He asked why if his tigers did not qualify for him to get a sanctuary license, why could another sanctuary facility possess them. I advised the sanctuary rules was not to allow persons to possess Class I wildlife for personal use. Also, R. Mullen admitted PMPE was no longer a registered business. He was formerly registered as a For-Profit corporation, not as a non-profit as required to be a licensed sanctuary. A records check of the State of Florida Division of Corporations website showed PMPE dissolved on 09/23/2016. This would require him to show his wildlife could no longer perform due to their age or physical condition (not caused by improper care of wildlife). Below is the pertinent regulations pertaining to sanctuaries.

68A-6.0025 Sanctuaries; Retired Performing Wildlife and Identification.

(1) Only a corporation that is licensed in accordance with Section 379.3761, F.S., and exempt from taxation under section 501(a) of the Internal Revenue Code and described in sections 501 (c)(3) and 170(b)(1)(A)(vi) of such code, may operate a wildlife sanctuary for captive wildlife. For the purposes of this section a “wildlife sanctuary for captive wildlife” is defined as a facility established for the sole purpose of providing lifetime care for unwanted or infirmed captive wildlife. Such wildlife sanctuary for captive wildlife shall be operated in compliance with the provisions of Chapter 68A-6, F.A.C., and this section.

(2) Any person licensed in accordance with section 379.3761, F.S., who possesses performing wildlife that due to

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its age or physical condition may no longer perform, may retain such retired performing wildlife for the purposes of providing lifetime care for said wildlife. Such retired performing wildlife shall be permanently identified and records maintained and submitted as prescribed in subparagraphs (1)(d)1.-2., above.

I later check R. Mullen's 2018-2019 and 2019 itineraries. I found he did not exhibit his Class I wildlife at any of the listed events that included the following:

- September 20-24, 2018; Texas Forest Festival.
No Class I wildlife exhibitor were at this show per the Lufkin, TX, Angelina County Chamber of Commerce that puts on the event.
- October 19-26, 2018; Alachua County Fair
R. Mullen was affiliated with ACF and stated he was an employee. No wildlife exhibitors on the vendor list. No Class I wildlife exhibits known to have been at the fair. There was a livestock exhibit. This information was provided by The Alachua County Parks and Recreation Department. In addition, R. Mullen acknowledge that the county did not want animal exhibitions at the fair.
- March 9, 2019; 13429 US 129, Live Oak, FL (Mystic Jungle Inc)
As documented earlier, R. Mullen was associated licensees, M and V. Chaples doing business as MJI. V. Chaples advised that R. Mullen was supposed to assist with their event, but not with his wildlife. He did not attend event.
- April 26-27; Pioneer Days, High Springs FL.
There were no Class I wildlife vendors at this event per the High Springs Police Department. I was advised there was only domestic livestock
- October 28-November 3, 2019; Alachua County Fair (ACF).No wildlife or domestic animal acts scheduled. A new association known as The Greater Alachua Fair has taken over for ACF with operating dates of Oct. 25-Nov. 2. R. Mullen not associated with new association.
- March 2-4, 2018 and February 28 – March 3, 2019 Hidalgo, TX Borderfest;
Although this was not included on R. Mullen's itinerary, he stated during this inspection he had exhibited at

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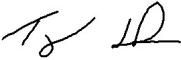
this venue. I found

he and/or PMPE did not exhibit at this event in 2018 or 2019. There was a Class I exhibitor known as All Things Wild Zoo

5) The Ring-tailed lemur had multiple open wounds, particular on the legs. R. Mullen stated he had an on-going medical condition causing skin ulcers. He stated he had veterinarian records of treatment and would email me the information. He did not send me any vet records reference the lemur. I had not observed this condition in past and will check lemurs status and records during next inspection.

I did not take any action on above issues at this time.

Officer: Approving Supervisor (Supplement 01)

Officer Name HARRISON, TYLER	Officer Rank LIEUTENANT	Officer ID No WN187	Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
Approval Date / Time 10/28/2019 8:44:37 AM	Officer Signature 		

Sup #	Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
01	KENNETH HOLMES INVESTIGAT WK370	LEAD INVESTIGATOR / REPORTING OFFICER	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWNC\NC REGION\ALACHUA
01	HARRISON, TYLER LIEUTENANT WN187	INVESTIGATION SUPERVISOR / APPROVING SUPERVISOR	FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FWN\WNWREGION\GHQ

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the narratives associated with this report:

Officer: Reporting Officer (Supplement01)

Officer Name KENNETH HOLMES	Office Rank INVESTIGAT	Officer ID No WK370	Sworn and subscribed before me, the undersigned authority This the _____ day of _____, _____ DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT OFFICER
Officer Agency FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION	Officer Signature 