

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

ROY PINSON,

Plaintiff,

vs.

HOWARD BASKIN, individually, and
BIG CAT RESCUE CORP.,
a not-for-profit Florida Corporation

Defendant.

Judge:

Case No:

_____/

COMPLAINT TO SAVE JUMA
AN AFRICAN LIONESS

The Plaintiff, ROY PINSON, presents this Honorable Court with a potential landmark case involving a hand raised domesticated four-year-old, federal Endangered Species Act (ESA) protected African Lioness named Juma and the unprecedented extraconstitutional powers committed under the leadership of Executive Director, Eric Sutton, FWC Commissioner, Rodney Barreto, and the other six Florida Fish and Wildlife Conservation Commissioners against a Class 1 Wildlife License holder lawfully operating an animal enterprise.

Juma's History

Juma was born January 26, 2018. Her mother was a beautiful white lion named Mali. I didn't have my own facility at the time, but I saw her at least every other day. Most of the time it was Sunday, Tuesday, Thursday, and Saturday. A lot of times I'd spend the night so we could be together. If I wasn't there, she would be with the people that owned the facility. She was never just left alone. She always had someone to show her love. Juma had some problems, if she'd been born in the wild, she wouldn't have

lived. To begin with she was walking a little funny. I just chalked that up to her being so young. By the time she was two (2) months old, she wasn't using her back legs. She'd have to pull herself around with her front legs. I took her to the veterinarian and they said that her calcium seemed to be okay, but that she had weak bones and a cracked vertebrae and might grow out of it. I was bottle feeding her and made sure I gave her extra vitamins along with calcium and plenty of love. She was my life. It took about two (2) months, but she started using her back legs. The vet told me I needed to keep her from climbing up onto stuff and jumping down. When I was at the facility, I kept her inside and the bond between us grew super strong. She was a real good girl. While playing, she'd bite me and claw me when I was awake, but if I was sleeping, she wouldn't bother me. I slept on a couch in the living room. If I was asleep, she'd come put her chin on the couch and nudge me. Then I'd pick her up and we'd sleep together. It wasn't long before she got to where she was climbing on everything and I couldn't take her inside anymore, but that didn't mean that I didn't sleep with her from time to time, still. She was off the bottle by then, but I still had to give her vitamins, so I had to cut her meat up in small portions to hide the vitamins in and hold it in my hand. She was very good about not biting my hand. She could tell the difference between the meat I was feeding her and my hand, even if I had juice all running down my arm. To this day, she's still good that way. No matter what she's eating, if it's in my hand, she'll take it but my hand is safe. She's never been aggressive while eating. I can walk into her enclosure with her food and feed it to her. Another thing she does is she'll take my hand or my arm in her mouth and lightly chew on it or pulsate on it. It's kind of like a pacifier to her. She started doing that as a cub and still does it. As she was growing up, I'd put a collar on her and take her for walks. She loved

going around to the other enclosures seeing all the other animals. She was never aggressive toward any of them. As I said before, at the time, I didn't have a facility. I had to keep her with someone that did. I made sure I saw her quite often. The longest she ever went without seeing me was 2 days and then I'd go spend hours with her. Once I was able to get my own facility, I put a tent up a few feet from her enclosure to stay in and I saw her every day and made sure she got plenty of love. Juma is now four and has spent her whole life with me. For the past 2 years, it was every single day. Unfortunately, because of issues with paperwork that FWC and I were having, I needed to file an appeal. I filed the appeal, but they came in and took Juma. FWC claimed I didn't file the appeal. When I showed them evidence of my appeal on my phone, they said, "it's in the wrong court, "we're taking her anyway." They were very insistent that she go to Carol Baskin's Big Cat Rescue. Juma is used to getting loved regularly. She has always been caressed and hand-fed by me. Juma will be deprived of all of my physical human contact at Big Cat Rescue. I am so worried for her. I know she's wondering what's going on not being able to see me. Big Cat Rescue will not let me see her. That's the way they worked it to separate Juma from me. My worry is that she may get depressed. They've already said she's not eating like she should. The last Lion they took from someone was a male that died within 5 months. For the record, I've never abused Juma or any other animal in any way (See Sworn Affidavit of Juma's History Exhibit 1).

Both Juma and her owner were caught in the crosshairs of Carole Baskin's corporate roadside zoo's greed and FWC's desire for an inequality of power among FWC, the legislature and the Florida Supreme Court. FWC's conduct in this case is a direct challenge to the American

founding principles of governmental checks and balances. Specifically, FWC is abusing its quasi-judicial powers in a manner that threatens the independence, authority and the principal role of the Florida Supreme Court and the judicial branch of government (See Exhibit 2 FWC Organizational Chart). FWC, a constitutionally created government agency with quasi-judicial and police powers is challenging the Supreme Court's constitutional and jurisdictional powers to interpret the actions of the other two branches of Florida government in a manner that is consistent with a landmark 1960 case, called *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960), which is still the prevailing law as of the date of this court filing. FWC Executive Director, Eric Sutton and The Florida Fish and Wildlife Conservation Commission, negligently or intentionally participated in unconstitutional acts or have *ratified* unlawful police conduct which conflict with the separation of powers of the House and Senate in the Florida Legislature regarding private possession and ownership of wildlife that is legally classified [living] personal property.

The Executive Director and the seven FWC Commissioners negligently or intentionally are exercising extra-constitutional powers and are infringing upon the fundamental liberties and the constitutional substantive rights to private property ownership and the procedural due process rights of every Floridian and FWC licensee. The names of the FWC Commissioners who are overseeing the permanent deprivation of the subject living property, Juma, and who will bear legal responsibility should Juma be killed through negligence or recklessness of Carole Baskin's roadside zoo for caged endangered captive animals are the following: Rodney Barreto; Robert A. Spottswood, Steven Hudson, Gary Nicklaus, Gary Lester, Sonya Rood and Michael W. Sole (See Exhibit 3 FWC Commissioners). Executive Director, Eric Sutton, and Rodney Barreto have been lobbied by Kate McFall of HSUS to move FWC toward an adversarial relationship with the individual licensees FWC is supposed to be serving. Instead, licensees are looked upon as potential

criminal defendants who have priceless assets that FWC is waiting for the opportunity to seize and redistribute to their most favored stakeholders. The Executive Director and the seven FWC Commissioners have the authority to correct the wrongs committed by FWC Captain Kara Hooker, Lt. Louis Hinds and Officer Erika Zimmerman. The FWC executive leadership and senior management have abandoned Juma, an ESA protected lioness at Carole Baskin's roadside zoo for caged endangered animals.

Juma was injured, isolated, financially exploited and emotionally abused in direct contravention to the stated mission of FWC, whose primary reason for its existence as an organization is "to protect wildlife".

As noted at the FWC website, "Stakeholder" input is an important part of the FWC Commission meeting process. Because of this, FWC schedules Commission meetings at different locations across the state and offers individuals the opportunity to address the Commission about issues under consideration. FWC welcomes participation at these meetings from all stakeholders. The Humane Society of the United States (Hereinafter referred to as HSUS) is an influential stakeholder advising the seven FWC Commissioners to engage in policies that expand governmental extra-constitutional authority that infringe upon inalienable human rights to life, liberty, due process and the pursuit of happiness.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is a research arm of the Florida legislature. OPPAGA was created by the legislature in 1994 to help improve the performance and accountability of state government (See Exhibit 4 OPPAGA).

The Plaintiff submits the incorporated memorandum containing the following academic legal analysis to provide this Honorable Court with the background of the underlying fundamental conflicts existing between the citizenry, the elected representatives in the legislature, the Florida

Supreme Court and the constitutionally appointed committee of seven FWC Commissioners, that led to the unlawful actions that gave rise to this matter:

“Thirty states ban the private ownership of dangerous big cats by statute in one form or another. This memorandum addresses the issue of whether the Florida Legislature has the power to enact a statute to ban private ownership of big cats. The issue arises because the Florida Constitution grants quasi-legislative powers to the Florida Fish and Wildlife Conservation Commission (the “FWC” or the “Commission”) by constitutional amendment. The FWC asserts that these amendments grant the agency exclusive power over captive wildlife in addition to the clear grant of power over native animals living in the wild. However, as explained below, both the basic concepts of interpretation of Constitutional language and the limited case law show the FWC’s assertion to be clearly incorrect. Contrary to the FWC’s position, the Florida Legislature has the power to pass a statute to ban private ownership of dangerous big cats.

II. BACKGROUND

a. Constitutional History

The FWC derives some of its power from Article 4, Section 9 of the Florida Constitution that creates the agency and outlines its authority to regulate wild animal life. The FWC’s predecessor agency, the Game and Fresh Water Fish Commission (the “GFC”), was created by constitutional amendment in 1942. Article 4, Section 30 of the 1942 Florida Constitution (later renumbered as current Section 9) reads in part as follows:

1. ‘From and after January 1, 1943, the management, restoration, conservation and regulation of the *birds, game, fur bearing animals, and fresh water fish of the State of Florida* * * * shall be vested in a Commission to be known as a Game and Fresh Water Fish Commission * * *.’ (Emphasis added).

7. ‘The Legislature may enact laws in aid of, but not inconsistent with, the provisions of this amendment.’

In 1968, the Florida Constitution was amended and the grant of power to GFC in renumbered Section 9 of the Florida Constitution was again revised to read in part:

The commission shall exercise the regulatory and executive powers of the state with respect to *wild animal life and fresh water aquatic life*. (Emphasis added).

Accordingly, from 1942 to 1968 the constitutional amendments changed the GFC's authority from powers over "birds, game, fur bearing animals of the State of Florida" to "wild animal life." No legislative history is available for either amendment.

In 1974, the constitutional amendment that created the GFC was yet again amended. Like the 1968 version, the 1974 constitutional amendment also uses the phrase "wild animal life and fresh water aquatic life." The 1974 amendment states in part:

The commission shall exercise the regulatory and executive powers of the state with respect to *wild animal life* and fresh water aquatic life, except that all license fees for taking wild animal life and fresh water aquatic life and penalties for violating regulations of the commission shall be prescribed by specific statute. The legislature may enact laws in aid of the commission, not inconsistent with this section. (Emphasis added).

In 1999, the FWC was created as a result of a merger of the GFC with the Marine Fisheries Commission "for the purpose of unifying the state's *natural resources conservation efforts*." See, Editors' Notes, West's Fla. Stat. Ann. Const. Art. 4 § 9 (2015) (emphasis added). The Editor's Note clearly describes FWC's constitutionally-mandated mission as conservation of natural resources, not regulation of privately-owned animals living in cages.

The 1999 constitutional amendment remains in force today. The language of the amendment central to the subject matter of this memorandum states:

The commission shall exercise the regulatory and executive powers of the state with respect to *wild animal life* and fresh water aquatic life, and shall also exercise regulatory and executive powers of the state with respect to marine life, except that all license fees for the taking wild animal life, fresh water aquatic life, and marine life and penalties for violating regulations of the commission shall be prescribed by general law...The legislature may enact laws in aid of the commission, not inconsistent with this section, except that there shall be no special law or general law of local application pertaining to hunting or fishing.

West's Fla. Stat. Ann. Const. Art. 4 § 9 (2015) (emphasis added).

b. Judicial Precedent

In 1960, the Florida Supreme Court decided the issue of whether the 1942 constitutional amendment granted the FWC's predecessor, the GFC, the power to regulate captive wildlife. *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960). In *Barrow*, the Florida Supreme Court held that the predecessor

to FWC had no power under the 1942 constitutional amendment “to regulate the use of purely private property imported into this State even though such property be wildlife acquired in some other state.” Barrow, 125 So.2d at 751.

Barrow owned a wildlife exhibit in Florida that housed many animals, including domesticated animals, native species, and non-native species born outside the State and transported into the State by Barrow. Barrow, 125 So.2d at 750. The FWC’s predecessor, the GFC, refused to give Barrow a permit to operate the exhibit. *Id.* Barrow sought an injunction against the closing of his business, the injunction was denied, and the appeal followed. *Id.* at 750.

On appeal, Barrow argued that the FWC’s predecessor “had no power to regulate the control of animals which have been reduced to private possession.” *Id.* The Court analyzed the language of the 1942 Constitution and held that the FWC’s predecessor “has been given no power to require that the owner of non-native birds and animals obtain a permit in order to exhibit them in the State.” *Id.* at 751. As stated above, Article IV, Section 30 in part read as follows:

1. ‘From and after January 1, 1943, the management, restoration, conservation and regulation of the *birds, game, fur bearing animals*, and fresh water fish of the State of Florida * * * shall be vested in a Commission to be known as a Game and Fresh Water Fish Commission * * *.’

4. ‘Among the powers granted to the Commission by this Section shall be the power to fix bag limits and to fix open and closed seasons, on a statewide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians.’

Id. at 750; Fla. Const. Art. 4 § 30 (1974) (emphasis added). Regarding the constitutional amendment, the Court further held:

In approving Article IV, Section 30, it was obviously intended to create a governmental agency clothed with power adequate to protect, preserve and promote the fresh water fish and game of the State. *The justification for the establishment of such a Commission stems from the State’s interest in animals ferae naturae.* It is a concept as old as the Common Law that such animals are owned by the State for the benefit of all of the people. This is not in the nature of a private proprietary ownership. It is in the nature of a title in trust with the public the beneficiary. Under this concept the State has the power to regulate the taking of wildlife and its reduction to possession. To the extent that confinement and transportation are related to the basic purpose of protecting, preserving and promoting the wildlife of the State as

a public asset then such activities are subject to control and regulation by the appellee Commission.

Once such animals *ferae naturae* have been legitimately reduced to private control, confinement and possession, they become private property. When this occurs the owner thereof cannot be deprived of the use thereof, except in accord with all of the elements of due process which protect one's ownership of private property generally. In other words, once the animals are legitimately removed from their natural condition and are brought into confinement through private ownership, they cease to be a subject of regulation by appellee Commission.

Id. (citations omitted) (emphasis added). Because the Court held that the Commission was created for the preservation of animals *ferae naturae*, the Commission had no power to regulate non-native animals and domesticated animals in private possession. *Id.* at 751–2; see also, *Black's Law Dictionary* (10th ed. 2014), *ferae naturae* (“(of animals) wild; untamed; undomesticated”). Therefore, the judgment in favor of the Commission was reversed. *Id.* at 753. *Barrow* remains still controlling law from Florida's highest court.

Following *Barrow*, the Florida Legislature enacted Florida Statutes §§ 372.921 and 372.922 (renumbered as Florida Statutes §§ 379.303, 379.304, 379.3761, and 379.3762) that authorized the Commission to issue permits for the private ownership and public display of captive wildlife. While legislative history is not available for these statutes, it is generally accepted that the Florida Legislature enacted these statutes in response to the *Barrow* decision. In fact, the FWC acknowledges this in a 2007 Memorandum. See, Memo. from Carla J. Oglo, Assistant General Counsel, Florida Fish and Wildlife Conservation Commission Office of the General Counsel, to FWC Captive Wildlife Program, Local Ordinances And The Regulation of Captive Wildlife, 1 (May 17, 2007), available at <http://meetingdocs.alachuacounty.us/documents/bocc/agendas/2014-06-10/8dc4a715-8dac4a12-b2315855acb230bf.pdf> (accessed July 28, 2015). In this Memorandum, Assistant General Counsel Oglo states:

In 1960, the Florida Supreme Court held that the then Game and Fresh Water Fish Commission had the authority to regulate *ferae naturae* or untamed animals in the wild, but the agency did not have the authority to regulate ownership of animals once they became the property of someone, especially non-native animals. *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960). In response to this issue, the Legislature enacted section 372.921 and 372.922 to authorize GFC to regulate captive wildlife, including wildlife possessed as pets or for exhibition or sale.

Yet, despite acknowledging that the statutes granted FWC power over captive animals in response to Barrow, FWC argues in the Memorandum that the 1974 constitutional amendment somehow expanded the FWC's constitutional mandate to include authority over captive wild animals, rendering Barrow no longer applicable. The only relevant change in language made post-Barrow by the 1968 amendment (and retained in the 1974 and 1999 amendments) was to substitute "wild animal life" for the prior phrase "birds, game fur bearing animals."

The FWC Memorandum makes no effort to explain how this change could possibly be interpreted to be a conscious effort on the part of the drafters to grant authority over captive animals as a power derived from the constitution rather than by the statutes. The Memorandum relies solely on case law that in fact does not support the FWC position as discussed in Section IV, *infra*.

III. INTERPRETING CONSTITUTIONAL LANGUAGE

As noted, the only relevant change in language made by the 1968 amendment is to substitute "wild animal life" for the prior more cumbersome phrase "birds, game, fur bearing animals." The Florida Constitution must be read exactly as it is written. *Crist v. Fla. Assn. of Crim. Def. Law., Inc.*, 978 So.2d 134, 140 (Fla. 2008) ("If [the actual language used in the Constitution] is clear, unambiguous, and addresses the matter in issue, then it must be enforced as written."). The actual language of the Constitutional Amendment only grants the FWC "the power to exercise legislative and executive functions over wild animal life." See, West's Fla. Stat. Ann. Const. Art. 4 § 9 (2015) (emphasis added). The term "wild" means:

Living in a state of nature and not ordinarily tame or domesticated <wild ducks> Merriam-Webster.com, Wild, <http://www.merriam-webster.com/dictionary/wild> (accessed August 14, 2015); see also, American Heritage Dictionary 1381 (2d ed., Houghton Mifflin Company 1985) ("wild" defined as "[o]ccurring, growing, or living in a natural state; not domesticated, cultivated, or tamed). Thus, the definition of "wild" animal connotes an animal that lives in its natural habitat. This is in contrast to an animal living as a pet or one living in captivity. "Captive" means "[a]n animal, esp. a wild one, that is caught and kept confined." Black's Law Dictionary (10th ed. 2014), captive.

The FWC's interest in regulating *ferae naturae* cannot be reasonably interpreted to extend to privately owned animals under the constitutional amendment. Once an animal is in private possession, the animal cannot be considered wild because it is no longer living in a natural state and is under private control, is confined, or is otherwise in possession of an owner. See

e.g., *Co. of Pasco v. Riehl*, 635 So.2d 17, 19 (Fla. 1994) (“[a]n animal becomes private property when it is under the ‘private control, confinement and possession of an owner.’”); see also, *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960). On the other hand, an animal is within the regulatory authority of the FWC once it is released into the wild (and no longer under private control, confinement, or in possession of an owner).¹ The FWC’s own definition of “wildlife” does not extend to domesticated animals or mention anything about animals in private possession or living in captivity. See, F.A.C. § 68A-1.004(90) (“wildlife” defined as “[a]ll wild or non-domestic birds, mammals, fur-bearing animals, reptiles and amphibians.”). Following the definition, the word “wildlife” is used in several defined terms (“wildlife and environmental area,” “wildlife management area,” and “wildlife refuge”) in each case clearly referring to animals that roam free, not animals in cages or under private ownership. See, F.A.C. § 68A-1.004(91)-(93).

We have no legislative history to rely on to explain the change in constitutional language to “wild animal life.” So we have to ask what makes sense, keeping in mind the Court’s direction in *Crist* that when the language in the Constitution is clear it should be interpreted as written. There is simply no logical basis whatsoever for interpreting the change from “birds, game, fur bearing animals of the State of Florida” to “wild animal life” as an intention by the drafters to expand the FWC constitutional authority to include captive animals because the words “wild animal life” by definition clearly refer to animals loose in the wild. Because the legislature had already addressed *Barrow* and granted the FWC authority over captive wild animals by statute, there was no reason for the drafters of the amendment to address *Barrow*. But, if the drafters intended to expand the FWC’s constitutional authority to extend to captive wildlife, they certainly would not have used the words “wild animal life;” they would have used “captive wildlife” or words with similar clear meaning in the constitutional amendment. We must interpret these decisions by the constitutional drafters using the term “wild animal life” as intentional. The most logical interpretation of the change from “birds, game, fur bearing animals of the State of Florida” to “wild animal life” is that it was either just a simplification of the prior constitutional amendment language or it was intended to expand the species of *ferae naturae* beyond birds, game or fur bearing, such as manatees and dolphins.

The phrase “wild animal life” is clear, but to the extent that the FWC were to attempt to argue that this phrase is ambiguous, the drafters’ intent (as manifested by the voters) is also clear that the FWC’s constitutional purpose is natural conservation. See e.g., *W. Fla. Regl. Med. Ctr., Inc. v. See*, 79 So.3d 1, 9 (Fla. 2012) (if constitutional language is ambiguous, “a court must endeavor to construe the constitutional provision in a manner consistent with the intent of the framers and voters.”). The amendments are

consistent with the conservation purpose of the original constitutional amendment as described in Barrow where the Court held that the justification for the Commission “stems from the State’s interest in animals *ferae naturae*,” *id.* at 751, and the Editor’s Notes to the 1999 amendment describing the constitutional mandate of the FWC to be “natural resources conservation efforts.” As such, the plain language of the constitutional amendment and the overall intent of the constitutional drafters both reflect a conscious decision to grant the FWC the power to regulate *only* wild (i.e. non-captive) animals. The FWC’s limited authority to regulate captive wildlife and wildlife in private possession is a result of acts of the legislature passed after Barrows, not as a result of constitutional amendments. Based on this, the Florida Legislature retains the authority to enact statutes regulating captive animals, including passing a ban on private ownership of exotic animals such as big cats.

IV. CASE LAW CITED IN FWC MEMORANDUM

In its Memorandum, the FWC takes the position that it “has constitutional authority over all fish and wildlife whether in the wild or in captivity” and its authority “to regulate captive wildlife as part of its constitutional authority is no longer in question.” Memo. from Carla J. Oglo at 1–2. This bold conclusion is unsupported and is very much in question. First, the FWC does not have control over all fish and wildlife because the FWC’s constitutional authority does not extend to threatened and endangered species. See e.g., *Fla. Fish and Wildlife Conserv. Commn. v. Caribbean Conserv. Corp., Inc.*, 789 So.2d 1053, 1054–5 (Fla. 1st DCA 2001); see also, *Wilkinson v. Fla. Fish and Wildlife Conserv. Commn.*, 853 So.2d 1088, 1089 (Fla. 1st DCA 2003). Second, the Barrow decision is still binding authority of Florida’s highest court. The FWC has not cited any binding legal precedent contrary to the holding in Barrow. As such, this issue is still governed by the Court’s decision in Barrow.

Last, the authority relied on by the FWC in its internal Memorandum does not interpret the constitutional amendments and are distinguishable. The FWC cites authority for its position that the FWC’s authority over captive wildlife “is no longer in question.” Two of the FWC’s citations are from opinions by administrative law judges that acknowledge that they have no authority to interpret the Constitution. In the only court case cited by the FWC as authority, the Court does not actually interpret the constitutional amendments, make any findings regarding the FWC’s authority over captive animals, nor does it decide whether the FWC’s regulatory authority over captive animals is based on the constitution as opposed to the statutes.

Ray Haddock & Greyhound Breeders Assn. of Fla. v. Fla. Game and Fresh Water Fish Commn., DOAH Case No. 86-3341RP (1987) is an opinion decided by an administrative law judge. The opinion acknowledges that

“[t]he Division of Administrative Hearings has no jurisdiction to determine either Florida or federal constitutional questions which may be pending in this matter.” The administrative law judge does not decide whether the proposed rule regulating black-tailed jack rabbits is constitutional as suggested by the FWC Memorandum. Because the parties only identified the constitutional amendment as the source of the FWC’s power to regulate, the administrative law judge dismissed the case because the Florida Administrative Code does not authorize administrative hearings to decide constitutional issues. No findings were made regarding the FWC’s power; rather, the judge held that he lacked jurisdiction to decide the issue. Therefore, this decision has no precedential value and certainly does not support the FWC’s argument that its authority “to regulate captive wildlife as part of its constitutional authority is no longer in question.”

The second opinion cited is *Charles River Laboratories, Inc. v. Fla. Game and Fresh Water Fish Commn.*, DOAH Case No. 96-2017 (1997), affirmed, 717 So.2d 1003 (Fla. 1st DCA 1998). Like *Ray Haddock*, the administrative law judge made no conclusion of law that the FWC’s authority over captive animals stems from the Constitution because such a conclusion would exceed the judge’s jurisdiction. Instead, the judge recognized that the permits at issue were authorized pursuant to Florida statute. The judge concluded that the permits were properly issued and this holding was affirmed by the District Court of Appeal. Therefore, the holding of this opinion supports the conclusion that the FWC’s authority in this realm is a creature of legislative enactment and not constitutional prerogative.

The third case, *Miramar v. Bain*, 429 So.2d 40 (Fla. 4th DCA 1983), stated in dicta, “that the Commission has exclusive authority to enact rules and regulations governing wildlife such as those that are the subject of this appeal,” however, the court did not address the issue of whether the FWC’s authority is based on the constitutional amendment or Florida statutes. To the contrary, there was no dispute that the FWC had authority to issue permits for captive animals (under Fla. Stat. § 372.922 enacted after the *Barrow* decision). In *Miramar*, a homeowner challenged a city ordinance that restricted the fences she erected on her property where she kept cougars as pets. The only issue decided by the *Miramar* court was whether the local ordinance impermissibly conflicted with the FWC’s regulations for private ownership of the cougars. The court held it did not. Therefore, this case provides no authority for the FWC’s claim that its power over captive wildlife comes from the Constitution.

V. CONCLUSION

The self-serving claim by the FWC that the agency’s authority over captive wildlife comes from the Florida Constitution hinges entirely on whether the 1968 constitutional amendment that changed the phrase “birds, game, fur

bearing animals” to “wild animal life” was clearly intended to overrule Barrow in the Constitution rather than rely on the statutes that had already addressed Barrow. The FWC argument that this change in wording granted the FWC constitutional authority over captive animals conflicts with the known purpose of the amendments (conservation of natural resources in the wild), the clear meaning of the phrase “wild animal life,” and any logical analysis of the likely intent of the drafters in choosing to change that phrase. The case law cited by the FWC simply does not support the FWC argument. It is clear, therefore, that authority granted to the FWC by the Constitution is only over *ferae naturae*, i.e. animals in the wild, consistent with the intent of the Constitution to establish an agency whose mission was to protect and manage Florida’s natural resources. The FWC’s authority over captive wildlife comes only from Florida Statutes §§ 379.303, 379.304, 379.3761 and 379.3762. Since the FWC’s authority over captive wildlife comes from the Legislature by statute, not from the Constitution, the Legislature clearly has the power to change that authority, including passing a ban on private ownership of dangerous big cats.”¹ (See Exhibit 5 IP Article)

1. For instance, the FWC regulates the spread of non-native, invasive species that could potentially harm native species and Florida’s ecosystem such as Burmese Pythons, Lionfish, and Tegus. These animals were likely pets under private ownership but were ultimately released into the wild. See, Fla. Fish and Wildlife Conserv. Commn., Florida’s Exotic Fish and Wildlife, <http://www.myfwc.com/wildlifehabitats/nonnatives/> (accessed August 18, 2015).

PARTIES

1. At all times material hereto Plaintiff, ROY PINSON, was a natural person residing in Polk County, Florida.

2. At all times material hereto Co-Defendant, HOWARD BASKIN, was a natural person residing in Hillsborough County, Florida.

3. At all times material hereto, Co-Defendant, BIG CAT RESCUE CORP., was a not-for-profit Florida Corporation and member of the Global Federation of Animal Sanctuaries (GFAS).

¹ By Frank R. Jakes & Sarah Manthey Smith | Categories: Articles, Intellectual Property | NOVEMBER 2018

JURISDICTION AND VENUE

4. This is an action for damages that exceeds \$30,000, exclusive of interest, costs and attorney's fees.

5. Venue is appropriate in Polk County, Florida, because it was the county where the personal property, Juma, an ESA federally protected African lioness that was unlawfully removed from the Plaintiff's home facility on March 2, 2022, by HOWARD BASKIN, individually and THE BIG CAT CORP.

STATEMENT OF FACTS

Introduction

6. Plaintiff, ROY PINSON, is title owner of a four-year-old hand raised domesticated African lioness name Juma.



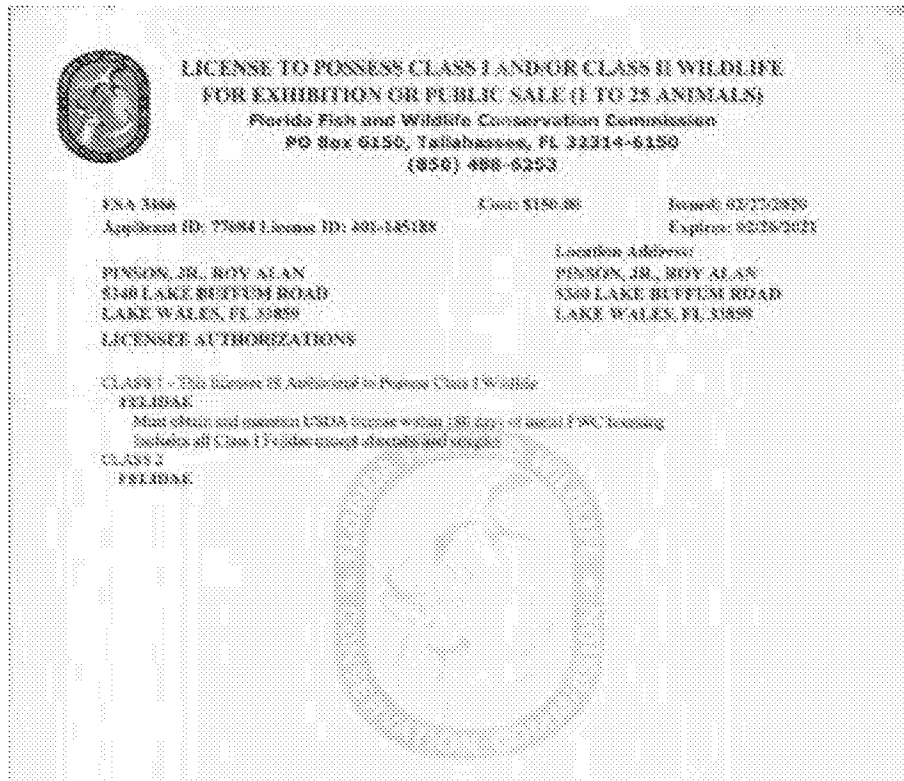
7. To own a four-year-old African lion in the State of Florida, the owner must obtain a Class I Wildlife for Exhibition or Public Sale from Florida Fish and Wildlife Conservation Commission.



The Florida Administrative Licensing Procedure for Class 1 Wildlife

8. The State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) issued Plaintiff his Class I Wildlife License for Exhibition or Public Sale (See Exhibit 6) on February 27, 2020.

9. A condition of the state FWC license was a requirement to be licensed by the federal United States Department of Agriculture (USDA) within six (6) months of February 27, 2020.



10. The global pandemic known as coronavirus COVID-19, shut down the world's governments a month later.

11. Massive nationwide lockdowns from the COVID-19 pandemic declared by the CDC, weekly global catastrophe predictions, corporate media's daily death count attributing almost every human death to the pandemic, social distancing, and mask mandates caused mass psychosis, hysteria and substantial changes to local, state and federal government operations and procedures.

12. The United States had never experienced this level of disruption to federal government.

13. The USDA and FWC was no exception.

14. The Class I Wildlife License is what legally permits the Plaintiff to possess Juma, in accordance with the regulations of the Florida Administrative Code and the Florida Statutes.

15. The Class I Wildlife Facility license was renewable on or about February 26, 2021.

16. In July 2021, someone at FWC made a decision to take adverse action against the Plaintiff's Class I Wildlife Facility License and to take advantage of the state and federal government disruptions that occurred to USDA and the Big Cat veterinarian community as the federal government and the country continues to try to return to the "new normal".

17. FWC offered the Plaintiff an opportunity to present his case at an informal FWC state hearing before a state administrative officer appointed by FWC for why he had not been able to get the federal government's USDA APHIS Inspector Megan E. Adams to inspect his facility during the COVID-19 global pandemic.

18. The Plaintiff was informed by USDA APHIS Inspector Megan E. Adams that the USDA was not visiting wildlife facilities during the COVID-19 pandemic and that the USDA's policy during the global pandemic was that all state wildlife licensed facilities were considered in federal compliance until the pandemic was over and facility visits by USDA resumed normal inspection protocol (See FWC Case Number 21-0074, audiotaped transcript Exhibit 7).

19. The Plaintiff subsequently discovered that the true reason why the USDA APHIS Inspector Megan E. Adams never came to his FWC licensed facility is because Lt. Louis Hinds intentionally interfered with USDA APHIS Inspector Megan E. Adams' duties as a federal officer to visit the Plaintiff's facility.

20. Lt. Hinds told USDA not to come visit Plaintiff's facility to inspect and federally license his facility.

21. The evidence shows that the reason Lt. Louis Hinds interfered with and discouraged the USDA licensing inspection is because Lt. Hinds had made a clandestine arrangement to ensure that Carole and Co-Defendant, HOWARD BASKIN would be first in line to select and take possession of an African lioness, at no cost to the Baskins.

22. The Plaintiff called Ofc. Erika Zimmerman prior to FWC's raid of his facility and requested an email confirming that Juma still belonged to him.

23. Ofc. Zimmerman informed Plaintiff that she needed to call her commander.

24. Shortly after that telephone conversation, Ofc. Zimmerman's commander, Lieutenant Louis Hinds, called Plaintiff and admitted to him that Ofc. Zimmerman refused to call the Plaintiff because of what Lt. Hinds had told Ofc. Zimmerman.

*Lt. Hinds informs Ofc. Zimmerman that Juma was no longer the Plaintiff's cat
and that Plaintiff no longer owned Juma*

25. Prior to the unlawful March 2, 2022, raid, Lt. Hinds admitted to the Plaintiff in a telephone conversation with Plaintiff, that it was Lt. Hinds who decided to give Juma to Carole Baskin and Co-Defendant, BIG CAT RESCUE. Lt. Hinds told Plaintiff he no longer owned Juma, because that was Lt. Hinds decision as an FWC officer.

26. Lt. Hinds admitted to Plaintiff that he is the one who decided to give Juma away to Co-Defendant, BIG CAT RESCUE CORPORATION and that even if Plaintiff had his license renewed, Co-Defendant, BIG CAT RESCUE'S boarding fees would be so high at that stage that it wouldn't matter anyway because Plaintiff would never be able afford to get Juma back from Co-Defendant, BIG CAT RESCUE without paying the Baskin's "boarding fees".

***FWC Administrative Informal Hearing
(Executive Branch of Government)***

27. On October 6, 2021, the Plaintiff, ROY PINSON, attended FWC Case Number 21-0074, an audiotaped, informal FWC administrative proceeding before a state hearing officer and FWC witnesses, who testified under oath against the Plaintiff.

28. FWC's collective objective was to deny the Plaintiff's license at the informal hearing so that FWC could justify seizing Juma in an armed facility raid so that Lt. Hinds could deliver on his arrangement with Co-Defendant, HOWARD BASKIN to gift Juma to Howard and Carole Baskin's Corporation for corporate fundraising and for promotion of congressional legislation to monopolize the wildlife property of private animal enterprise owners nationwide.

29. FWC Lt. Louis Hinds arranged the seizure.

30. Co-Defendant, HOWARD BASKIN and his transport team were invited by FWC to be present, approve Juma's selection and participate in the Plaintiff's facility raid on March 2, 2022, against the consent and voluntary permission of the Plaintiff.

31. HOWARD BASKIN's ex son-in-law/veterinarian shot Juma twice with a high-powered barbed weapon and filled her body with enough drugs to force her into unconsciousness and potential cardiac arrest.

32. Lt. Hinds took multiple photographs of Juma, heavily drugged and unconscious, in the transport cage for Lt. Hinds trophy photo so that he could show his friends at FWC that he raided and captured Plaintiff's lioness was predestined to become a captive caged animal at Co-Defendant BIG CAT RESCUE CORPORATION'S roadside zoo.

33. Lt. Hinds and his armed squad unlawfully handed Juma, an ESA federally protected hand raised domesticated and beautiful African Lioness to Co-Defendant, HOWARD BASKIN

and his transport team so that they could possess Juma and make money from Juma's unlawful capture.

34. Juma was converted under the pretext of not having a USDA license within 6 months.

35. FWC legal had to have been conscious of the government's disruptions due to a global pandemic, force majeure principles, Lt. Hinds intervention with a federal officer and legal impossibility of obtaining a license from the USDA during the global pandemic.

36. None of these legal defenses were raised by FWC because FWC had a nefarious agenda to seize Juma for the Co-Defendant HOWARD BASKIN.

37. FWC had the academic and legal advantage at the hearing.

38. Plaintiff is a non-lawyer with no prior legal training.

39. FWC seized the opportunity to overwhelm Plaintiff with self-serving bureaucratic interpretations and legal gymnastics to arrive at the decision that would provide FWC what they believed was the authority they needed to raid the Plaintiff's facility.

40. Nothing in the administrative hearing officer's decision incorporates any consideration of government disruptions due to a global pandemic, force majeure principles, Lt. Hinds intervention with a federal officer or the legal impossibility of obtaining a license from the USDA during the global pandemic.

41. FWC executed Co-Defendant HOWARD BASKIN'S agenda for Juma's speedy seizure with little chance for any formidable legal challenge from a *pro se* licensee of FWC's arbitrary and capricious decision to not renew Plaintiff's license.

FWC October 6, 2021 Administrative Informal Hearing

42. At the October 6, 2021, hearing, FWC ignored the extraordinary global disruptions to governments and its licensing agencies due to the COVID-19 pandemic, the extraordinary act by Lt. Hinds to intervene with the USDA license inspector's inspection of Plaintiff's facility, force majeure principles, the legal impossibility of obtaining the USDA license during the end of the pandemic.

43. At some point, prior to October 6, 2021, Plaintiff had been targeted by Co-Defendant, HOWARD BASKIN and Carole Baskin's BIG CAT RESCUE CORPORATION to ensure that FWC assisted her in acquiring an African lion by whatever means necessary, including by unlawful and unconstitutional means.

44. Lt. Hinds took advantage of his government employment, law enforcement badge, and his government issued firearms to carry out Co-Defendant, BIG CAT RESCUE CORPORATION'S objectives for a hostile acquisition of Juma, a privately owned endangered domesticated hand raised lioness.

*The Admission by FWC Asst. General Counsel Bridget McDonnell
that Plaintiff's Wildlife License would remain VALID through and until the issuance of an
adverse Judicial Opinion by The Second District Court of Appeal*

45. At the 13:54 mark of the audio time stamp of the FWC October 6, 2021, Class 1 Wildlife licensing hearing, FWC Asst. General Counsel, Bridget McDonnell made the following admission in the presence of Plaintiff, Roy Pinson, the FWC administrative hearing officer and FWC's witness hostile to Plaintiff, FWC's Lt. Conlin:

*“I mean just to clarify, Mr. Pinson did call and ask because I guess of communications to USDA investigator about whether his license was still valid and so he did speak with me [Asst. General Counsel Bridget McDonnell] and I responded that under Chapter 120, while [Plaintiff] he's challenging the [FWC] agency's action in this case the [Plaintiff's Class I/II license] is considered to be still active, until the conclusion of any [2ndDCA] appeal so that was the answer that we [FWC General Counsel's Office] gave him [Plaintiff] so when he's referring to legal telling him that his license is still valid **it was still active while he was in the process of challenging this action** [October 6, 2021 Informal Proceeding Case No. FWC Case Number 21-0074].*

46. On January 21, 2022, FWC issued the administrative final order for the denial of the Plaintiff's application for a license to possess Class I Wildlife for Exhibition or Public Sale because of the findings of the administrative officer at the informal hearing held on October 6, 2021.

47. Despite the FWC administrative ruling, it does not become final until the 2nd DCA appellate judges exercise the constitutional powers of judicial review of the substantive and procedural issues and irregularities that occurred in the executive branch of government, specifically at FWC.

*Plaintiff's Appeal to The Second District Court of Florida - 2nd DCA
(Intermediate appellate courts - Judicial Branch of Government)*

48. FWC took several months to issue their decision for the October 6, 2022 hearing.

49. Finally, on January 21, 2022, FWC issued their order denying Plaintiff's license renewal.

50. Plaintiff shortly after filed a new application to FWC for a new license.

51. That application is being abated by FWC's Legal Department until the 2nd DCA enters its ruling.

52. Under the rules of FWC, plaintiff had 30 days to appeal the non-renewal decision from January 21, 2022.

53. Any 2nd DCA court filings past February 20, 2022, would be considered untimely under FWC's administrative regulations.

54. FWC notified the plaintiff that they were offering him the opportunity to file an appeal to the 2nd DCA that crossed over from the executive branch of government and into the judicial branch of government for judicial review by intermediate appellate court judges who are specialized in reviewing the procedural and due process actions taken by the executive branch agencies in their administrative licensing hearings.

55. To seek judicial review of FWC's administrative final order to not renew Plaintiff's Class 1 wildlife license, the plaintiff had to file two documents in two separate forums.

56. The first required filing was a "Notice of Appeal" to the agency at FWC (See Exhibit 8 FWC Notice of Appeal).

NOTICE OF APPEAL

NAME OF PERSON(S) BEING APPEALED: _____

DATE OF APPEAL: _____

SUBJECT OF APPEAL: _____

REASON FOR APPEAL: _____

NOTICE OF APPEAL

DATE: _____

TIME: _____

57. February 17, 2022, 9:46 AM email correspondence to Bridget McDonald regarding “Subject: Appeal” confirms that FWC received the notice of appeal (See Exhibit 9):

From: Roy roypinson@verizon.net
Subject: Fwd: Appeal
Date: April 11, 2022 at 2:11 PM
To: law@penalta.com



This is what I sent Bridget McDonnell.

-----Original Message-----
From: Roy <roypinson@verizon.net>
To: bridget.mcdonnell@myfwc.com <bridget.mcdonnell@myfwc.com>
Sent: Thu, Feb 17, 2022 9:46 am
Subject: Appeal

2/17/22, 9:43 AM

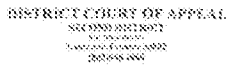
Received: 2/17/2022



58. The Plaintiff’s second requirement was for him to file a Notice of Appeal to the Second District Court of Appeals for the State of Florida along with proof of the appellate court fees and copies to FWC.

59. The Plaintiff filed both the notice at FWC and the intent to appeal to the 2nd DCA and paid the 2nd DCA court filing fees, as well.

60. Plaintiff notified FWC Asst. General Counsel Bridget McDonnell and notified FWC that Second District Court of Appeal had RECEIVED the Plaintiff’s 2nd DCA appeal and had assigned the appeal 2DCA# 2D22-0076, Polk County. Stacy M. Butterfield, CPA, Clerk of the Tenth Circuit Court, for Polk County Florida certified that *case number 2022 CA-000475-0000-00 was processed in error by the clerk of the court* and the case had been re-filed with the 2nd DCA under case number 2D22- 776, on March 11, 2022. The 2nd DCA appeal reflects a timely filing date of February 17, 2022. (See Exhibit 10 DCA Acknowledgement of New Case).

[illegible]

63. The certified court record from the 2nd DCA and the Clerk of the Court for Polk County in the 10th Judicial Circuit certified that the filing date for judicial review before the 2nd DCA was February 17, 2022 (i.e. three days within the filing deadline of February 20, 2022), (See Exhibit 11).

CERTIFICATE

I, STACY M. BUTTERFIELD, CPA, Clerk of the Circuit Court, Polk County, Florida, do hereby certify that case number 2022CA-000475-0000-00 was processed in error and re-filed with the 2nd DCA under case number 2D22-776 on March 11, 2022.

I hereby certify that a copy of this certificate has been furnished to Roy A. Pinson by United States mail at Post Office Box 666, Fort Meade, Florida 33841.

Witness my hand and official seal at Bartow, Polk County, Florida this 11th day of March 2022.



STACY M. BUTTERFIELD, CPA
Clerk of the Circuit Court and County Comptroller

By: /s/ Sharon Donger, Deputy Clerk



STATE OF FLORIDA, COUNTY OF POLK
This is to certify that the foregoing is a true and correct copy of the document now of record in this office. Witness my hand and official seal on March 11, 2022.
This copy has been reviewed, and I required by law, released.
STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
By: Sharon Donger, D.C.

Polk-Polk County Clerk of Court - 2025/08/11/0646

64. The February 17, 2022, filing date was significant because it demonstrated that the plaintiff legally exercised his constitutional right to attempt to have his case judicially reviewed by the judicial branch of government so that appellate judges could review the rules, policies and the extraconstitutional acts committed by Lt. Hinds, Capt. Kara Hooker and Ofc. Erika Zimmerman, under the supervision of Executive Director, Eric Sutton and the seven FWC Commissioners.

65. FWC and Co-Defendant, Howard and Carole Baskin were so intent on ensuring that Co-Defendant, THE BIG CAT RESCUE CORPORATION acquire its prized lioness for Baskin's Big Cat lobbying campaign in congress that they collectively violated the civil rights and private property rights of the Plaintiff.

66. Co-Defendant, HOWARD BASKIN and Carole Baskin's THE BIG CAT RESCUE CORPORATION and FWC collectively undermined the "rule of law" and infringed upon the separation of powers of the Florida legislative branch and the 2nd DCA's jurisdictional powers to review the conduct and review the due process afforded to the Plaintiff at the October 6, 2021, FWC administrative hearing denying Plaintiff's renewal of his Class 1 wildlife facility license.

67. February 18, 2022, 4:36 PM, Rebecca Bone, FWC Records Management Liaison Officer Operations Analyst II - Legal Office confirmed receipt of plaintiff's February 17, 2022, 9:47 a.m. email correspondence to Bridget McDonell regarding the, "**Subject: Appeal**" (Exhibit 12).

From: Roy roypinson@verizon.net
Subject: Fwd: Appeal
Date: April 11, 2022 at 2:17 PM
To: law@penalta.com



This is what their office sent me.

-----Original Message-----

From: Bone, Rebecca <Rebecca.Bone@MyFWC.com>
To: RoyPinson@verizon.net <RoyPinson@verizon.net>
Cc: Efile, Legal <efile@MyFWC.com>; McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Sent: Fri, Feb 18, 2022 4:36 pm
Subject: FW: Appeal

The attached has been received by our office.

Best,

Rebecca "Becky" Bone
FWC Records Management Liaison Officer
Operations Analyst II – Legal Office
Office: 850-487-1764
Phone: 850-617-9574
620 S Meridian St
Tallahassee, FL 32399

From: McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Sent: Friday, February 18, 2022 4:34 PM
To: Bone, Rebecca <Rebecca.Bone@MyFWC.com>
Subject: FW: Appeal

From: Roy <roypinson@verizon.net>
Sent: Thursday, February 17, 2022 9:47 AM
To: McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Subject: Appeal

[EXTERNAL SENDER] Use Caution opening links or attachments



The lead up to FWC's unlawful seizure of Juma

68. February 24, 2022, 12:59 PM email correspondence to officer Erica Zimmerman is evidence that Ofc. Erika Zimmerman received an email from Plaintiff which forwarded proof that Rebecca Bone Records Management Liaison Officer Operations Analyst II - Legal Office at FWC received the Plaintiffs notice of appeal to the 2nd DCA.

69. The Plaintiff filed his appeal before the February 20, 2022, deadline.

70. The Plaintiff's appeal of FWC's adverse action to deny his Class 1 facility license is still actively pending before the 2nd DCA, as of the date of filing this complaint.

FWC's Lt. Louis Hinds takes unlawful action to permanently deprive Juma from her legal and rightful Owner, despite FWC's knowledge that Plaintiff had a pending appeal before the 2nd DCA)

71. FWC Captain Kara Hooker admitted in a February 23, 2022, correspondence that FWC received the notice of the Plaintiff's appeal (See Exhibit 13).



Florida Fish
and Wildlife
Conservation
Commission

Agency Director
Kathy Reeder
Director

Manager of Sales
and Outreach
Nancy

Senior Manager
of Compliance

Case Manager
Gina

Case Manager
Gina

Case Manager
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February 23, 2022

Roy Alan Pinner
1340 Lake Butler Road
Lake Wales, Florida 33859

NOTICE TO RELINQUISH WILDLIFE

Dear Mr. Pinner:

This letter is regarding the Final Order filed with the Commission on January 21, 2022, in FWC case no. 21-0074, which upheld the Commission's action denying your application for a license to possess Class III Wildlife for Exhibition or Public Sale.

You had thirty (30) days to seek judicial review of the Final Order by filing a Notice of Appeal with the Commission, with a copy filed with the clerk of the appropriate appellate court and accompanied by any filing fees prescribed by law. Our agency received a document titled "Notice of Appeal" from you on February 17, 2022, but we have no record of the notice having been filed with an appellate court. For this reason, your appeal is not timely filed. Pursuant to section 320.60(4), Florida Statutes, your existing license has now expired, and you are no longer licensed to possess Class III wildlife.

Possession of Class III wildlife for commercial use without a license is a violation of Section 329.37(1), Florida Statutes. If you are in possession of wildlife that requires a license, you must place the wildlife with a licensed facility immediately. For your convenience, we have enclosed a list of facilities licensed to possess Class I Petaloe in your area. Failure to relinquish wildlife may result in law enforcement action.

If you have any questions, please call the Captive Wildlife Office at (850) 488-6253, or write to us at Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Captive Wildlife Office, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

Sincerely,

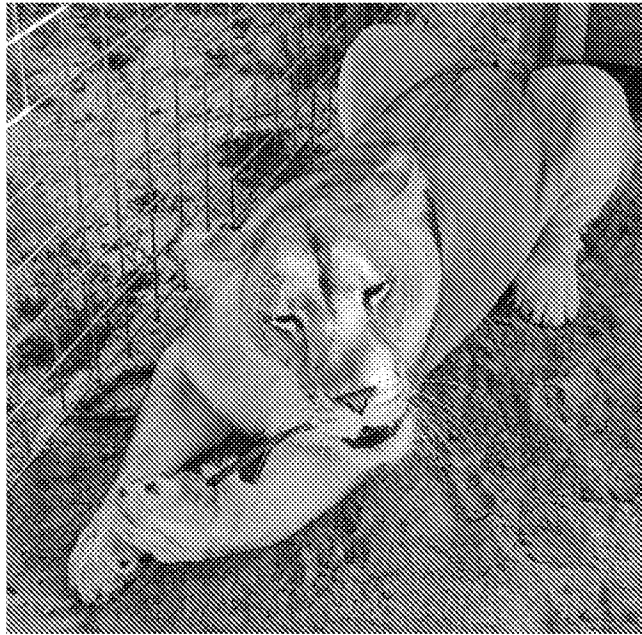
Kara Hooker

Captain Kara Hooker
Division of Law Enforcement

KTH/ed

72. Capt. Hooker admitted receipt of a timely FWC administrative “Notice of Appeal” from the Plaintiff on February 17, 2022.

The Unconstitutional Pretext For The Juma Seizure



73. FWC Captain Kara Hooker negligently or intentionally asserted that the Plaintiff did not file an appeal with the 2nd DCA in a timely manner, to trigger a seizure event that would provide FWC with the perceived legal excuse they needed to raid the plaintiff’s facility with armed FWC officers, shoot Juma twice with a high-powered tranquilizer gun and drug Juma into unconsciousness.

74. FWC Lt. Hinds issued the order for the unlawful and unconstitutional seizure of Juma during the pendency of the 2nd DCA appeal before the Honorable Appellate Judges at the 2nd

District Court of Appeals could exercise their constitutional authority and judicial power of review over the executive branch and FWC's nefarious conduct.

75. FWC Lt. Hinds actions undermined FWC's Office of the General Counsel.

76. Asst. General Counsel Bridget McDonnell issued a recorded legal declaration that Florida Statutes Ch. 120 provided the Plaintiff the right to appeal the October 6, 2021, decision.

77. Because of the decaying culture within a cabal of HSUS influenced FWC Officers, Executive Director, Eric Sutton and FWC Commissioner Rodney Barreto and because of the nefarious agenda between the Co-Defendants HOWARD BASKIN and BIG CAT RESCUE CORPORATION, FWC apparently elected to falsely conclude that Plaintiff lied to FWC when he told multiple FWC officers and showed FWC evidence of his 2nd DCA appeal.

78. Rather than making an honest attempt to work with the Plaintiff facility licensee to coordinate the safe and orderly transfer of Juma from the Plaintiff's facility to the Plaintiff's choice of facility where Plaintiff wanted Juma to be boarded, FWC abused their police powers to unconstitutionally overwhelm the Plaintiff with force and executed an armed ambush, unlawful armed raid and violent seizure of Juma at her home facility.

79. FWC did not have ownership rights or legal title to Juma.

80. FWC did not have constitutional authority to violate the Plaintiff's due process rights.

81. FWC's actions interfered with the private ownership rights of the Plaintiff.

82. FWC circumvented the protections afforded by the Florida Constitution against unlawful searches and seizure.

83. FWC did not act out of exigent circumstances to protect the public or to protect wildlife.

84. There was no danger posed to Juma from a non-license renewal hearing during the pendency of the 2nd DCA appeal.

85. FWC could not legally interfere with Juma and the Plaintiff despite whatever clandestine arrangements existed between Co-Defendant, HOWARD BASKIN, BIG CAT RESCUE, FWC Capt. Kara Hooker, FWC Lt. Hinds and FWC Ofc. Zimmerman for a hostile and violent armed corporate acquisition.

86. The threat to the public came from FWC.

87. The threat to freedom came from FWC.

88. The threat to representative democracy in a constitutional republic came from FWC.

89. The threat to law and order came from FWC.

90. Juma's violent capture was clearly against the objections and the will of Juma's only title owner, Plaintiff, ROY PINSON.

91. FWC Lt. Louis Hinds admitted to Plaintiff that it was Lt. Hinds who chose Co-Defendant HOWARD BASKIN and denied the Plaintiff his legal title to Juma.

92. It was FWC Lt. Hinds who undermined Plaintiff's right to determine where his property would be transported, without a court order or compensation.

93. It was FWC Lt. Hinds who arranged to deliver Juma into the hands of Co-Defendant, HOWARD BASKIN and Carole Baskin's BIG CAT RESCUE CORPORATION'S multimillion dollar a year roadside zoo.

94. FWC left the Plaintiff a property receipt with a check mark in a box referring to an alleged criminal act for possession of Class I wildlife without a license.

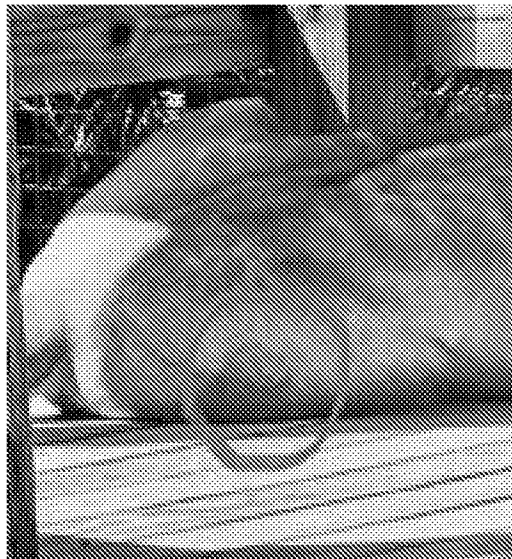
95. Plaintiff never voluntarily relinquished his legal rights or title ownership of Juma.

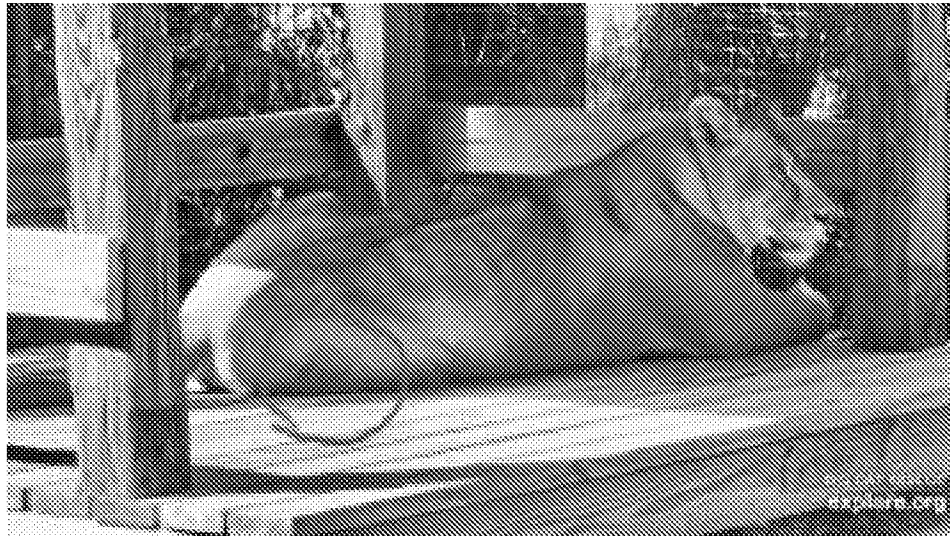
96. Plaintiff did not resist Juma's violent removal from his home facility out of fear that one of the armed FWC gunmen would shoot or kill the Plaintiff in the process of FWC's unconstitutional and violent seizure of Juma.

97. Plaintiff was greatly distressed and under duress during the entire time Co-Defendant, HOWARD BASKIN and FWC's armed men were trespassing on his property and against his private living property, Juma.

98. The legal quagmire for FWC and LT. Hinds is that the Plaintiff did have a valid active license on March 2, 2022, when Co-Defendant, HOWARD BASKIN and FWC coordinated against the Plaintiff to prematurely raid and ambush the Plaintiff at his licensed facility.

99. FWC and Co-Defendant, HOWARD BASKIN'S transport team collectively engaged in the civil equivalent of Felony Grand Theft (i.e. Civil Conversion), shooting (FWC facilitated shooting Juma twice with drugs and barbed needles with a high powered rifle) and trespass of an endangered, federally protected, female African lion (See Exhibit 14 and 15).





FWC Captain Kara Hooker's Deception and Unconstitutional Violations

100. On February 23, 2022, FWC Capt. Kara Hooker, negligently or intentionally asserted that the Plaintiff forfeited his right to continue possession of his African Lioness, Juma at his FWC licensed Class I facility, amid a pending appeal and even after FWC Asst. General Counsel Bridget McDonnell's admission to Plaintiff, ROY PINSON:

*"I mean just to clarify, Mr. Pinson did call and ask because I guess of communications to USDA investigator about whether his license was still valid and so he did speak with me and I responded that under Chapter 120, while he's challenging the agency's action in this case the is considered to be still active, until the conclusion of any appeal so that was the answer that we gave him so when he's referring to legal telling him that his license is still valid **it was still active while he was in the process of challenging this action** [October 6, 2021 Informal Proceeding Case No. FWC Case Number 21-0074].*

101. On February 23, 2022, FWC Captain Kara Hooker negligently or intentionally asserted that Plaintiff was no longer licensed by FWC to possess Class I wildlife, pursuant to Florida law F.S. 120.60 (4).

102. FWC Captain Kara Hooker asserted on February 23, 2022, that Plaintiff was required by Florida Law F.S. 379.3761 to place Juma with a licensed facility immediately.

103. The Plaintiff, in fact was not required to move Juma to a facility of his choosing until the 2nd DCA ruled on the events of the October 6, 2021, FWC licensing hearing.

104. The fabricated emergency that FWC created was prematurely executed by FWC Capt. Kara Hooker, Lt. Hinds, and Erika Zimmerman under a false pretense to benefit FWC stakeholder and Co-Defendant, HOWARD BASKIN and Carole Baskin's corporate roadside zoo.

105. In the February 23, 2022, communication to Plaintiff, FWC Captain Kara Hooker factually asserted that FWC had enclosed a list of facilities licensed to possess Class 1 Felidae, in the Plaintiff's area.

106. No facility list was included in Plaintiff's correspondence.

107. FWC made no reasonable attempt to inquire whether Plaintiff had received the list of facilities.

108. FWC made no inquires with the Plaintiff as to where he was planning to board Juma.

109. The Plaintiff's facility is in Lake Wales, Florida.

110. FWC did not enclose a list of facilities in the February 23, 2022, communication to plaintiff that were "licensed to possess Class 1 Felidae", in the Plaintiff's "area" because FWC and Lt. Hinds had already partnered with Co-Defendant, HOWARD BASKIN'S BIG CAT RESCUE, roadside zoo.

111. FWC Captain Kara Hooker threatened Plaintiff in the February 23, 2022, communication that if he failed to relinquish Juma, it would result in law enforcement action.

*Evidence FWC had committed to a facility raid to supply
Co-Defendant HOWARD BASKIN his choice of lions*

112. Plaintiff complied with FWC's regulatory requirements for filing a timely appeal of the January 21, 2022, FWC Final Order denying his license.

113. The Plaintiff did not hear anymore from FWC until February 24, 2022, when Ofc. Erika Zimmerman called him and said, negligently or intentionally, "Roy you didn't file your appeal."

114. The Plaintiff, ROY PINSON, answered "yes, I did" and sent Ofc. Zimmerman the email he had sent to FWC Asst. General Counsel McDonnell and the reply they had sent the Plaintiff (See Exhibit 12).

*Unconstitutional and Unlawful Government Conduct by FWC
FWC engaged in an armed assault against Juma and Plaintiff's Facility*

115. FWC Ofc. Erika Zimmerman called Plaintiff on February 28, 2022 and said only that she had a paper for Plaintiff to sign and that she needed to meet Plaintiff, Wednesday March 2, 2022, at 3:30 pm.

116. FWC Ofc. Zimmerman never informed the Plaintiff that FWC and Co-Defendant HOWARD BASKIN were about to descend upon him with firearms and gunmen to execute an ambush of his facility, to shoot and violently remove Juma from Plaintiff by force, prior to the conclusion of the 2nd DCA's appellate review of FWC's October 6, 2021 non-renewal of Plaintiff's facility license.

117. FWC secretly coordinated an armed raid on Plaintiff to execute what is considered the civil version of armed robbery and grand theft of JUMA, to forcibly take Juma from her home and gift Juma to Co-Defendant, HOWARD BASKIN and Carol Baskin's corporate roadside zoo.

118. At no time did FWC discuss or inquire about the Plaintiff's appeal, after Plaintiff had sent the emails to Ofc. Zimmerman that showed proof he had in fact filed his appeal to the 2nd DCA.

119. The Plaintiff reasonably believed FWC when FWC Asst. General Counsel Bridget McDonnell had reassured him with FWC Legal Department's declaration that Plaintiff's license would remain valid during his pending 2nd DCA appeal.

120. On March 2, 2022, the Plaintiff's possession of Juma was legal because his license to possess Class I/II Wildlife for Exhibition or Public Sale was legally valid throughout the appeals process.

121. As the armed assault team exited the Plaintiff's facility, after engaging in the unlawful trespass, shooting and drugging of an ESA African lioness, FWC left the Plaintiff in fear and under a cloud of being criminally prosecuted.

122. Lt. Hinds told the plaintiff, "you don't have enough money to own lions" and he told the Plaintiff's that "if maybe he had enough money, he could have hired a lawyer and they wouldn't be at his licensed facility taking Juma away from him" [paraphrased].

March 2, 2022 Shooting, Capture and Forced Taking of Juma

123. The events that transpired on March 2, 2022, as witnessed by Plaintiff's recollection of the armed assault on Juma:

On March 2, 2022, just after 3:30 p.m. armed Florida Fish and Wildlife Commission Officers entered my property. They were in three different vehicles, two unmarked dark SUVs and one marked fish and wildlife

pickup truck. My FWC officer assigned to my facility, Erika Zimmerman was in one of the SUVs by herself. Lieutenant Hinds and two other officers were in the other SUV. There was at least one uniformed officer in the pickup truck. I was informed they were there to take Juma, my Lioness. Officer Zimmerman took me to the side and asked me "if there was going to be any problems"[Paraphrased]. I told her no because I wanted to get Juma back and I know if I caused any problems that would not be possible. She told me to remember that Juma was my property, I owned her and that they could not take ownership away from me. I told her I wanted Juma to go to Elmira's in Manatee County and that they had an enclosure waiting on her. At that time, I noticed there were a few more armed officers starting to gather around me, not real close but they appeared threatening and were within shooting distance. I started to feel very threatened by all the guns that could have been used against me or Juma. I was already emotionally distressed when I realized they were planning to forcibly take Juma and now I'm getting nervous feeling intimidated under extreme duress and wondering what's going on. Officer Zimmerman then told me that for now Juma was going to Carole Baskin's Big Cat Rescue. I clearly told her I did not want Juma to go to Big Cat Rescue and reminded her that she had told me if they came to get her for any reason, I'd be able to place her in a facility of my choice. Officer Zimmerman then showed me a paper that said I had not filed my appeal and I was to place the animal in a facility for class 1 immediately. Allegedly for my convenience there was a list of class 1 facilities (I never saw this list) and that is why she believed I was going to be able to place Juma because that's what the paper said that "I was to place her". Officer Zimmerman then pulled out a paper and told me I need to sign it showing that she gave me the paperwork. With all the armed officers aggressively standing around me, I was under such duress, I felt I had no choice but to sign it, especially, if I intended on getting Juma back. Officer Zimmerman then pulled out another form and told me I needed to sign it stated that my cat was going to be stored at Big Cat Rescue. Once again, feeling threatened by armed officers, I was intimidated into believing that I had no choice I signed it. She gave me a copy of that along with the form that said I was to move Juma again she told me "Remember you own her (Juma). She's your property"[Paraphrased]. I told her once again, "I don't want her going to Big Cat Rescue," and that "I want her to go to Elmira's". Officer Zimmerman said that it was too late for that because they already had Big Cat Rescue on the way and to give her a couple of days and she would try to get Juma moved to Elmira's. Things were starting to calm down and one of the men asked me about my tractor. I asked Lieutenant Hinds if he thought he brought enough guys. He said, "they're just here to help move the cat"[Paraphrased]. When Big Cat Rescue got there they had a lot of people with them. There was Howard Baskin, Jamie

Carol Baskin's daughter, the vet Jamie's ex-husband and three or four other people. I told them they would not be able to get their equipment back to where Juma was. They said, "oh yes we will, we've got a golf cart"[Paraphrased]. I told them, "your golf cart won't even make it back there much less pulling a travel cage"[Paraphrased]. One of the officers said, "well let's walk back there and see what we're dealing with"[Paraphrased]. When we got back to where the sugar sand was they realized that the travel cage wouldn't be that easy to get there so they said something about me pulling it with the tractor. I told them pulling it with the tractor was not a good idea and that the cage itself would drag bottom. The wheels would sink in the sand. I then told them how I did it using my flatbed trailer and that I would let them use it for the sake of Juma. The uniformed officer hooked my trailer to his truck, they pulled the travel cage on the trailer and we started back. When we got back there, I helped them take down the perimeter fence so they could get the travel cage up against the enclosure. While they were putting the travel cage against the enclosure, I went over to talk to Howard Baskin. I asked him what they charge for boarding? He said that's not a concern right now. I told him it is to me and I'd like to know so I know what it's going to cost me to get Juma back. He told me that they figured it cost about \$10,000 a year to take care of a lion so that figured to be a little over \$800 a month. I had settled down enough to realize I needed to show them the appeal so I called someone and told them to look it up and text it to me. In the meantime, I told them if everybody would just go away, I could get Juma to go in the travel cage. They said they'd step back but they weren't going to go anywhere. I told them with all of them standing around, she was so upset that she was not going to go into the travel cage. They said, "well then we will just have to trank her"[Paraphrased]. At that time, I got my text message and it showed the court that I had filed my appeal in and the appeal. I showed it to Officer Zimmerman and she said, "stop, he has the appeal right here" [Paraphrased]. Lieutenant Hinds came over to me and took my phone and then walked away. He came back and said, "I called my commander. He said it's in the wrong Court, take her!" [Paraphrased]. At that time, the vet came out with a CO2 gun. I told him I don't want her shot with a CO2 because it leaves bruises. I have a blowgun because it's gentler, I will let you use it [Paraphrased]. The vet said, "no I'm using this" [Paraphrased]. He said, "it doesn't hit much harder than a blow gun" [Paraphrased]. When he shot Juma, I felt so bad she went crazy. She was running into the side of the cage, running into her house and bouncing off the walls. You could tell it really hurt Juma and that really hurt me. I had asked the vet about using bam. He basically told me that, "bam was for amateurs" [Paraphrased] and said that he did not use it. After a few minutes Juma had not even slowed down. Juma broke the syringe off, leaving the needle embedded in her. Then he shot her again, he had used barbed

needles that had to be cut out of Juma. When Juma finally did go to sleep, they would not let me go in and check on her. They had me move aside and they went in and dragged her out. They loaded Juma's limp body into the travel cage. I noticed Lieutenant Hinds aiming his phone at Juma lying in the travel cage. I asked him, "why are you taking videos?" He said, "He was not taking videos. He was taking pictures because his guys didn't get to be that close to a lion and it would give them something to remember. We then started toward the front of the property. They took Juma off the property and loaded her into their van. I went over and started talking to my officer. She told me again you own her she's your property. Officer Zimmerman then said to me, "give me the information to where you want her to go and I will see what I can do about getting her moved". At that time, Lieutenant Hinds walked up and told me that he appreciated the help and told me that most people would not have done that [Paraphrased]. I told him, "I did it for Juma". Lieutenant Hinds then basically told me "that I didn't have enough money to own a lioness" [Paraphrased]. I told him, "I didn't need a lot of money to own Juma and that I had people that would donate so that she could have whatever she needed" [Paraphrased]. He said they needed to go and got in the SUV and left. Officer Zimmerman told me, "Roy she's your property. I will do what I can to get her moved, but I can't make any promises" [Paraphrased]. She then left. The next morning, I called officer Zimmerman and asked her to please email me what she had told me about Juma being my property and that they could not take her away from me. She said she'd have to get in touch with her commander to make sure that was okay. March 3, 2022. at 10:28 a.m. Lieutenant Hinds called me. He said that Erika...that would be Officer Zimmerman refused to call me and tell me what he had to tell her. He said, "that Juma was no longer mine that they were filing a misdemeanor against me for possession of a class 1 without a license and that would take my rights to own her away". He then told me, "that even if I were to beat his citation in court, because he had been beaten before and get my class one back that I would owe so much boarding on Juma, I would not have the money to get her back. Juma remains at Carole Baskins to this day. Carole Baskin's public reputation in the community is that she likely murdered her husband. Carole Baskin has a history of negligent or intentional husbandry practices that result in the premature death of animals that were placed at her relatively unregulated facility. I reasonably fear that Juma will be killed by Carole Baskins either intentionally or negligently. I executed documents under great duress surrounded by armed men who I believed would shoot me and Juma, if I resisted them. I believe that I was lied to that Juma would be transferred to Elmira's so that I would sign FWC's documents on March 2, 2022. I am seeking an expedient transfer of Juma to her rightful place at Elmira's in Manatee County. I am the rightful owner of Juma. Juma is my personal property. Juma was taken from me by force and

deception. I had no opportunity to prevent armed men from taking my property wrongfully without risking my life and liberty. I demand my constitutional rights and privileges as a citizen of the State of Florida and as a citizen of the United States of America. I demand my right to due process, life, liberty and property from FWC and from the State of Florida. If Juma suffers any harm or dies while at Carole Baskin's, I will be emotionally devastated.

COUNT 1

(EMERGENCY)

**REPLEVIN OF PLAINTIFF'S PROPERTY, JUMA AN (ESA) ENDANGERED
AFRICAN LIONESS AGAINST BIG CAT RESCUE CORPORATION**

Plaintiff, ROY PINSON, realleges paragraphs 1-123 and sues Co-Defendant, BIG CAT RESCUE CORPORATION and alleges:

124. This is an action to recover possession of personal property, an (ESA) Endangered African Lioness from Polk County, Florida that was forcibly taken from Plaintiff by Co-Defendant BIG CAT RESCUE CORPORATION with intent to permanently deprive Plaintiff of his private property, without due process or just compensation.

125. The living property is an Endangered ESA federally protected African Lioness, named Juma. To the best of Plaintiff's knowledge, information and belief, the value of the property exceeds \$30,000.00 based upon an 18–20-year lifespan with a potential for producing 8-18 cubs which have a market value of approximately \$14,000 each for a minimum range for each litter of \$112,000.00 to a maximum range of \$252,000.00.

126. Plaintiff, ROY PINSON, is entitled to the possession of the property under rightful legal ownership (See Exhibit 16 USDA Transfer Slip).

RECORD OF ACQUISITION, DISPOSITION OR TRANSFER OF ANIMALS (Other Than Dogs and Cats)		1. Date of acquisition: 03/14/2020	2. Name: Juma																
3. Species: Lion		4. Sex: Male	5. Age: 350#																
6. Location: ZooWorld USA 4700 Cooper Road Plant City, FL 33608		7. Location: Roy Alan Pinson, Jr. 3040 Lake Butler Road Lake Wales, FL 33853																	
8. Date of acquisition: 03/14/2020		9. Date of disposition: N/A - FWC App'd 77684																	
<table border="1"> <thead> <tr> <th>1. Species</th> <th>2. Sex</th> <th>3. Age</th> <th>4. Location</th> <th>5. Date of acquisition</th> <th>6. Date of disposition</th> <th>7. Name</th> <th>8. Remarks</th> </tr> </thead> <tbody> <tr> <td>Lion</td> <td>Male</td> <td>350#</td> <td>Juma</td> <td>03/14/2020</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				1. Species	2. Sex	3. Age	4. Location	5. Date of acquisition	6. Date of disposition	7. Name	8. Remarks	Lion	Male	350#	Juma	03/14/2020			
1. Species	2. Sex	3. Age	4. Location	5. Date of acquisition	6. Date of disposition	7. Name	8. Remarks												
Lion	Male	350#	Juma	03/14/2020															
10. Signature of owner: Roy Alan Pinson, Jr.																			
11. Signature of agent: [Signature]																			
12. Date: 3/14/20																			

127. To Plaintiff, ROY PINSON's, best knowledge, information and belief, the property is still alive and located at Co-Defendant BIG CAT RESCUE CORPORATION's roadside zoo, where Carole Baskin, CEO and Registered Agent BIG CAT RESCUE CORP, 12802 Easy Street, Tampa, FL 33625 is holding Juma, captive and against the Plaintiff's consent.

128. The property is knowingly and wrongfully privately controlled, confined, and possessed by Co-Defendant, HOWARD BASKIN and GFAS member BIG CAT RESCUE CORPORATION.

129. BIG CAT RESCUE CORPORATION came into possession of the Plaintiff's property unlawfully through threat of armed violence, duress, deception, and an unconstitutional

exercise of Plaintiff's property under unconstitutional authority during the pendency of Plaintiff's appeal before the 2nd DCA

130. Co-Defendant, HOWARD BASKIN and GFAS member BIG CAT RESCUE CORPORATION possess and are permanently depriving the Plaintiff, ROY PINSON, of his domesticated hand raised African Lioness

131. Co-Defendant, HOWARD BASKIN and GFAS member BIG CAT RESCUE CORPORATION do not have legal title to the Plaintiff's living property through the date of this filing.

132. Co-Defendant, and GFAS Member, BIG CAT RESCUE CORPORATION unlawfully came into possession of Plaintiff's living property.

133. The Plaintiff's living property has not been taken for any tax assessment, or fine pursuant to law.

134. The Plaintiff's living property has not been taken under any lawful execution or attachment.

135. Plaintiff, ROY PINSON, is the sole title owner of Juma, his private property.

136. On April 18, 2022, "BIG CAT RESCUE CORP.'S "BIG CAT RESCUE LIVE Q&A at BIG CAT RESCUE Follow along as Keeper Brittany, an agent of BIG CAT RESCUE" shows you the many of the tigers, lion, leopard, Jaguar, lynx, servals Bobcats and hybrid cats that call big cat rescue home!" broadcasted yet another internet fundraiser on YouTube and made the following admissions by a party opponent through its corporate agent <https://www.youtube.com/watch?v=2iPUGPMSiNg&t=1023s> :

[Koda, Cota = Juma]

16:50 so we'll be sending out all the information that we'll be fundraising for coda and of course the other cats at the

16:56 sanctuary for the first tuesday in may we'll do several lives throughout the day

17:02 right pretty oh my goodness

17:10 we'll be trying to get a nice nest egg for koda you know a lot of people are like for

17:16 some reason being hesitant to support koda whether it's to sponsor her or to donate towards her because

17:22 you know everyone's like well you guys have said she's not a permanent resident well yes but i mean you guys saw in the past

17:28 with *like jinx and sapphire and duchess and jasmine they were witness protection cats for over four years*

17:35 that's very expensive and since we are closed to the public *we still need to fundraise to give this*

17:41 *girl* the best possible care *also you'll see and what howard [Baskin]wrote up*

17:47 *for rbcr give day it's very unlikely for an owner to get an animal back like*

17:53 this after it was confiscated so we just have to

17:58 you know be on the cautious side and understand that it's just out of our hands at this point

18:05 but *we're hopeful that she'll get to call the cat rescue home forever so we're being proactive* we're using the

18:11 universe and we're gonna we're gonna love her and spoil her just like she's ours right

18:19 yeah till it becomes reality someday so i'm very much hoping

18:26 yeah that will have a really successful bcr give day this year in honor of that face look at that face

18:33 right there look at that face thank you to everybody who's helping answer questions while i'm

18:40 pretty much not taking my eyes off of her still building

18:46 a very um cautious relationship she is a lioness

18:52 she can turn on a dime thank you very much to *everybody who's been donating during this live feed* as

18:58 well 100 of your donations goes to the care of the cats here

19:06 you're so pretty look at that pretty face so gorgeous

19:13 so what everybody has to understand is that koda still has to eat every single day still gets enrichment still gets our

19:19 top of the line medical care and none of that's free

19:25 *we did help the police confiscate her we were asked to come along* to safely transport her and then give her a nice

19:31 safe place to stay so um you know of course we're

19:36 at the mercy of the court system and *we did treat her a little bit differently than we have with other*

19:42 *witness protection cats in the past* but it had been over two years since we had

19:48 rescued *so she was a very big deal she is a very big deal right*

19:55 *best give day ever* gonna because dakota that's my hopes we've been testing her

20:02 out on different kinds of enrichment so that hopefully that day we can give her her first big enrichment

20:10 but we'll see trying to not overwhelm her

20:17 trying not to overwhelm

20:23 try not to overwhelm yeah *you guys can sponsor coda at bigheartrescue.biz*

20:29 or i see a lot of people saying i'm waiting to donate until give day that is the first tuesday in may is that

20:36 the third or the fourth can somebody let me know i have no way to look at a calendar

20:42 *we'll post a fundraiser on facebook we will do some lives throughout the day*

20:48 we'll also be sending emails to our email list and we'll give you more detail as to

20:53 what our goal is i know that *we have a very*

20:59 *generous 20 thousand dollar match this year* so the earlier you donate

21:05 *the more likely you are to double your money* and that's all coming up very very soon

21:14 right babe yeah if everybody goes back may 3rd

21:20 thanks to *if everybody goes back and re-watches the live that i did the night coda arrived i very clearly told*

21:28 *everybody that we helped the police confiscate her we'd be housing her* and we would be waiting to see about

21:34 litigation that as of this exact moment um you know she was technically not a permanent

21:40 resident yet and nothing has changed yet so i'm not sure where all that got mixed up but we are keeping you guys in the

21:46 loop as soon as we know anything we would let you know

21:53 so please go back and re-watch that so everybody can be on the same page about this beautiful girl

21:58 but *we will be raising money for her* because again we we had we had arya for over a year

22:06 *as witness protection* before we knew officially and the

22:11 original witness protection cats jinx and jasmine and
duchess and the late sapphire that was over four years

22:19 of waiting so we wanted to share her and let you guys
get to know her and see her

22:26 ahead of time as soon as *possible [how do you hide
something this gorgeous]* but i need everybody to
understand that

22:33 we've gotta take it slow we're taking it a day at a time
and we'll let you guys know when we have more information
that goes for our rehab

22:41 program as well thanks baby you're so good you're so
good

22:48 we uh anytime that a bobcat might not be deemed
releasable by a vet

22:54 *we have a lot of paperwork and a lot of hoops to go
through before we could get*

23:00 *official residency* assuming that that's what they
decide to do so

23:07 we are always trying to keep you in the loop pop over
here and see if we can find the

137. On April 15, 2022, Bridget McDonnell Assistant General Counsel issued correspondence from FWC General Counsel's office indicating that they were allowing Juma to be released from BIG CAT RESCUE CORPORATION.

138. On April 19, 2022, FWC Captain Derrell Jones confirmed that Juma was authorized to travel to and be boarded at Elmira's Wilderness Sanctuary.

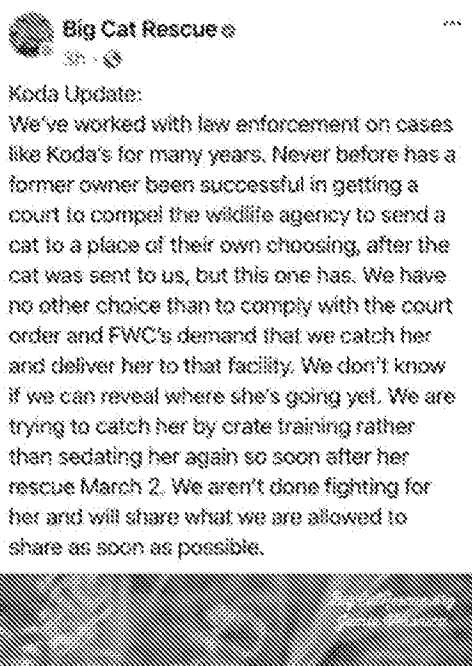
139. FWC Captain Derrell Jones, on behalf of FWC ordered Elmira's Wilderness Sanctuary to stand down its transport team and wait for BIG CAT RESCUE CORPORATION to deliver her, date unknown.

140. BIG CAT RESCUE CORPORATION informed Elmira's Wilderness Sanctuary that Plaintiff is required to make a "payment" in the amount of \$6000.00 as a condition of release.

141. FWC is refusing to criminally investigate this "payment demand" nor is it willing to instruct the corporation to stand down its demand for \$6000.

142. FWC declined to provide a police escort for the Plaintiff to retrieve Juma from BIG CAT RESCUE CORPORATION with Elmira's transport team.

143. BIG CAT RESCUE CORPORATION and HOWARD BASKIN appear to have no intention of releasing or transporting Juma to Elmira's.



144. BIG CAT RESCUE CORPORATION, through its agent Brittany, has made an admission by a party opponent that they are going to continue to fundraise on May 2nd for

Koda[Juma] and are trying to find ways to permanently keep Koda[Juma] at BIG CAT RESCUE CORPORATION.

145. BIG CAT RESCUE CORPORATION has expressed felonious intent to permanently deprive the Plaintiff from ever seeing Juma or transporting Juma to Elmira's Wilderness Sanctuary.

146. BIG CAT RESCUE CORPORATION admitted that they are going to continue collecting a \$20,000 fundraiser to match another \$20,000 and continue to engage in the financial exploitation of a federally protected and endangered species while engaging in deceptive business practices to defraud the public from monetary contributions about how and why Juma has become a BIG CAT RESCUE corporate asset, to keep holding Juma captive so that the corporation, Howard Baskin and Carol Baskin can continue bringing money into BIG CAT RESCUE CORPORATION.

147. BIG CAT RESCUE CORPORATION'S modus operandi and admission is to prevent the Plaintiff and his transport team from ever recovering Juma at the corporation's headquarters and ensuring Juma becomes a "permanent" resident.

148. BIG CAT RESCUE CORPORATION will delay the transport by claiming that Juma is unwilling to enter her transport cage.

149. BIG CAT RESCUE CORPORATION will claim that Juma needed to be trained to enter the transport cage.

150. BIG CAT RESCUE CORPORATION will increase their demand from \$6000 plus a premium fee for training.

151. BIG CAT RESCUE CORPORATION's intention is to continue raising the fees for Juma's return until the Plaintiff is outbid and financially unable to recover his own property.

152. Lieutenant Louis Hinds informed Plaintiff that even if he could obtain another license, Plaintiff would not be able to afford paying BIG CAT RESCUE CORPORATION's fees.

153. Plaintiff seeks an emergency judicial intervention to abate all “fees” and demands for monetary payments as a condition of releasing Juma that is being demanded by BIG CAT RESCUE CORPORATION until trial.

154. Plaintiff seeks an emergency judicial intervention to prevent Juma from being absconded by the corporation in a “witness protection program” by BIG CAT RESCUE CORPORATION.

155. Plaintiff seeks emergency judicial intervention for an evidentiary hearing, and punitive action against BIG CAT RESCUE CORPORATION, the corporation’s entire Board of Directors, and Howard and Carole Baskin personally, for their continued conduct and intentions to permanently deprive Plaintiff of his private property, Juma.

156. Plaintiff requests emergency judicial intervention, an evidentiary hearing against FWC Executive Director, Eric Sutton and the seven FWC Commissioners, and FWC Lt. Louis Hinds, the officer admittedly responsible for placing Juma into the hands of BIG CAT RESCUE CORPORATION and HOWARD BASKIN for FWC’s continued violation of Plaintiff’s constitutional rights and FWC’s refusal to provide law enforcement and the transport support services needed to transport Juma to her final destination.

157. Plaintiff respectfully requests for emergency judicial intervention for the Co-Defendant’s tortious intervention with the attempt to recover what is now considered by Plaintiff to be stolen property in the possession of BIG CAT RESCUE CORPORATION, Howard and Carole Baskin.

158. FWC senior management, the FWC commissioners and Executive Director, Eric Sutton's, business and political interests with HSUS created the condition of Juma's continued unlawful captivity.

159. FWC senior management, the FWC commissioners and Executive Director, Eric Sutton have washed their hands of their unconstitutional and unlawful conduct, refused to accept responsibility for their actions or order law enforcement to support the Plaintiff's efforts to recover his living property in what is becoming a dire emergency, by the hour.

160. The Plaintiff was required to engage the undersigned counsel and is obligated to pay his attorneys a reasonable attorneys fee.

161. Plaintiff seeks recovery of his attorneys fees and costs.

162. WHEREFORE, Plaintiff, ROY PINSON asks for this Honorable Court to exercise its equitable powers and its powers at law for the following: 1.) an emergency court order from the this Honorable Court to release Juma to her owner's transport team and that requires Juma's owner to be escorted FWC onto BIG CAT RESCUE CORPORATION to retrieve Juma or in the alternative a court order demanding that FWC use its assets commonly used for Black Bears and Florida Panthers and transport Juma to Elmira's Wilderness Sanctuary at FWC's sole expense along with a stay on BIG CAT RESCUES demand for \$6000.00 to be stayed until an evidentiary hearing or trial; 2.) a court order that commands Co-Defendant HOWARD BASKIN and GFAS Member, BIG CAT RESCUE CORP. to release and immediately transport Juma to Elmira's Wilderness Sanctuary, under escort by the Florida Highway Patrol; 3.) a court order requiring Co-Defendant HOWARD BASKIN and BIG CAT RESCUE CORP. to transport Juma from their company's possession in Tampa, Florida and deliver her safely and without further injury to Elmira's Wilderness Sanctuary, 13910 Seminole Trail, Wimauma, FL 33598, at the Co-

Defendant's sole expense; and award of attorneys fees and costs; 5.) a court order referring the case to the state attorney's office for review and criminal investigation of HOWARD BASKIN and BIG CAT RESCUE CORP.'S conduct and a criminal review of the conduct of FWC's unlawful capture, seizure, detention, and taking of Juma; 6.) an award of reasonable attorneys fees and costs; 7.) any other remedies that this Honorable Court deems just and proper; and 8.) Plaintiff asks this Honorable Court to reserve jurisdiction to enforce sanctions for any retaliatory conduct by Co-Defendants HOWARD BASKIN, BIG CAT RESCUE CORPORATION and/or FWC for any disruptions or tortious intervention to the operations of Elmira's Wilderness Sanctuary.

FWC violated the following covenants between the government and the citizens of the Great State of Florida's Constitution (as revised in 1968 and subsequently amended)

ARTICLE I
DECLARATION OF RIGHTS

Article 1, Section 2 - Basic Rights —All natural persons, female and male alike, are equal before the law and have inalienable rights, among which are the right to enjoy and defend life and liberty, to pursue happiness, to be rewarded for industry, and to acquire, possess and protect property. No person shall be deprived of any right because of race, religion, national origin, or physical disability.

History. —Am. S.J.R. 917, 1974; adopted 1974; Am. proposed by Constitution Revision Commission, Revision No. 9, 1998, filed with the Secretary of State May 5, 1998; adopted 1998; Am. proposed by Constitution Revision Commission, Revision No. 6, 2018, filed with the Secretary of State May 9, 2018; adopted 2018.

Article 1, Section 9 - Due process. —No person shall be deprived of life, liberty or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.

History. —Am. proposed by Constitution Revision Commission, Revision No. 13, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

Article 1, Section 12 – Searches and seizures. —The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and against the unreasonable interception of private communications by any means, shall not be violated. No warrant shall be issued except upon probable cause, supported by affidavit, particularly describing the place or places to be searched, the person or persons, thing or things to be seized, the communication to be intercepted, and the nature of evidence to be obtained. This right shall be construed in conformity with the 4th Amendment to the United States Constitution, as interpreted by the United States Supreme Court. Articles or information obtained in violation of this right shall not be admissible in evidence if such articles or information would be inadmissible under decisions of the United States Supreme Court construing the 4th Amendment to the United States Constitution.

History. —Am. H.J.R. 31-H, 1982; adopted 1982.

Article 1, Section 21 - Access to courts. —The courts shall be open to every person for redress of any injury, and justice shall be administered without sale, denial or delay.

Article 1, Section 23 - Right of Privacy. —Every natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise provided herein. This section shall not be construed to limit the public's right of access to public records and meetings as provided by law.

History. —Added, C.S. for H.J.R. 387, 1980; adopted 1980; Am. proposed by Constitution Revision Commission, Revision No. 13, 1998, filed with the Secretary of State May 5, 1998; adopted 1998.

ARTICLE V
JUDICIARY

SECTION 4. District courts of appeal. —

(a) **ORGANIZATION.** —There shall be a district court of appeal serving each appellate district. Each district court of appeal shall consist of at least three judges. Three judges shall consider each case and the concurrence of two shall be necessary to a decision.

(b) **JURISDICTION.** —

(1) District courts of appeal shall have jurisdiction to hear appeals, that may be taken as a matter of right, from final judgments or orders of trial courts, including those entered on review of administrative action, not directly appealable to the supreme court or a circuit court. They may review interlocutory

orders in such cases to the extent provided by rules adopted by the supreme court.

(2) *District courts of appeal shall have the power of direct review of administrative action, as prescribed by general law.*

(3) A district court of appeal or any judge thereof may issue writs of habeas corpus returnable before the court or any judge thereof or before any circuit judge within the territorial jurisdiction of the court. A district court of appeal may issue writs of mandamus, certiorari, prohibition, quo warranto, and other writs necessary to the complete exercise of its jurisdiction. To the extent necessary to dispose of all issues in a cause properly before it, a district court of appeal may exercise any of the appellate jurisdiction of the circuit courts.

(c) **CLERKS AND MARSHALS.** —Each district court of appeal shall appoint a clerk and a marshal who shall hold office during the pleasure of the court and perform such duties as the court directs. Their compensation shall be fixed by general law. The marshal shall have the power to execute the process of the court throughout the territorial jurisdiction of the court, and in any county may deputize the sheriff or a deputy sheriff for such purpose.

History. —S.J.R. 52-D, 1971; adopted 1972.

ARTICLE X MISCELLANEOUS

Article X, Section 6. Eminent Domain (a) No private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner.

(b) Provision may be made by law for the taking of easements, by like proceedings, for the drainage of the land of one person over or through the land of another.

(c) Private property taken by eminent domain pursuant to a petition to initiate condemnation proceedings filed on or after January 2, 2007, may not be conveyed to a natural person or private entity except as provided by general law passed by a three-fifths vote of the membership of each house of the Legislature.

History. —Am. H.J.R. 1569, 2006; adopted 2006.

*Florida Statutes on Animal Cruelty for which FWC
and BIG CAT RESCUE are jointly responsible*

163. Co-Defendant, BIG CAT RESCUE CORPORATION'S YouTube Fundraiser link that allows you to hear Juma's heartbreaking cries at night for her owner.

164. Juma cannot comprehend why she was ripped away from the only human she has known since she was a little cub. Juma is homesick and cries out: <https://youtu.be/nM3OWbPoVSo>

Chapter 828

ANIMALS: CRUELTY; SALES; ANIMAL ENTERPRISE PROTECTION



828.073 Animals found in distress. —

- (1) The purpose of this section is to provide a means by which a neglected or mistreated animal may be:
 - (a) Removed from its present custody, or
 - (b) Made the subject of an order to provide care, issued to its owner by the county court, any law enforcement officer, any animal control officer certified pursuant to s. 828.27, or any agent of any county or of any society or association for the prevention of cruelty to animals appointed under s. 828.03

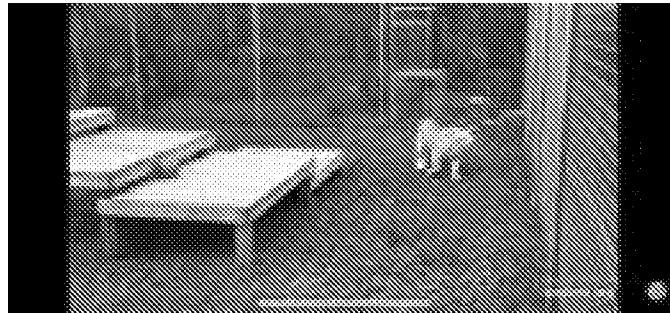
Chapter 828

ANIMALS: CRUELTY; SALES; ANIMAL ENTERPRISE PROTECTION

828.02 Definitions.—In this chapter, and in every law of the state relating to or in any way affecting animals, the word “animal” shall be held to include every living dumb creature; the words “torture,” “torment,” and “cruelty” shall be held to include every act, omission, or neglect whereby unnecessary or unjustifiable pain or suffering is caused, except when done in the interest of medical science, permitted, or allowed to continue when there is reasonable remedy or relief; and the words “owner” and “person” shall be held to include corporations, and the knowledge and acts of agents and employees of corporations in regard to animals transported, owned, employed by or in the custody of a corporation, shall be held to be the knowledge and act of such corporation.

History. —s. 10, ch. 4971, 1901; GS 3156; RGS 4982; CGL 7071; s. 2, ch. 86-179.

Juma at the beginning of her captivity at Baskin’s roadside zoo



Juma has burned a path through the grass leaving visible evidence of psychological abuse and great stress after being shot twice, caged and isolated from her owner at Howard and Carole Baskin’s roadside zoo. Captive pacing is abnormal and unnatural behavior for an African Lioness



165. Plaintiff subsequently notified FWC General Counsel, through the undersigned counsel, in multiple communications to FWC General Counsel Emily Norton and FWC Asst. General Counsel Bridget McDonnell that FWC's actions amounted to conversion and civil equivalent of armed theft because FWC did not have title to Plaintiff's property when men with firearms invaded Plaintiff's property on March 2, 2022, during the pendency of Plaintiff's appeal with the 2nd DCA.

166. FWC was instructed to correct their premature, unlawful and unconstitutional acts against the Plaintiff, by moving Juma (Plaintiff's lawfully owned personal property) immediately to Elmira's Wilderness Sanctuary, before further injury, abuse and death is visited upon Juma.

167. FWC and its legal department ignored all presuit attempts to negotiate the transfer and continue to refuse to cooperate without a court order, therefore, leaving judicial intervention and litigation as the only means of saving Juma's life which is at risk every hour that she remains captive at Co-Defendant, HOWARD BASKIN and Co-Defendant BIG CAT RESCUE CORPORATION's roadside zoo for caged and abused endangered animals.

168. FWC could have easily ordered a similar armed police force to require HOWARD BASKIN and his transport team to move Juma to Elmira's Wilderness Sanctuary but FWC has refused to do for the Plaintiff what they arranged to do for the Baskins, in part because FWC Executive Director Eric Sutton and the seven FWC Commissioners (particularly Rodney Barreto) and its police force apparently are conducting themselves as if they are above the law because they are written into the Florida Constitution and in part, because they do not wish to disrupt their business relationships with their most favored stakeholders, HOWARD BASKIN, Carole Baskin, THE BIG CAT RESCUE CORPORATION, The Humane Society of the United States and the Global Federation of Animal Sanctuaries.

169. Even after notifying FWC General Counsel of the many irregularities and constitutional violations of law that has occurred during the pendency of the Plaintiff's 2nd DCA appeal and even after being notified of the egregious conduct committed by FWC Officers under the supervision of Executive Director Eric Sutton and the seven FWC Commissioners, FWC has doubled down in defiance by ignoring the Plaintiff's requests to transfer Juma to safety before Juma is injured further or killed through neglect and abuse at Co-Defendant, HOWARD BASKIN and Carole Baskin's corporate roadside zoo.

170. Despite informing FWC and its Office of the General Counsel about the constitutional, statutory and regulatory violations of law and after offering FWC with an alternative to litigation (i.e., transferring Juma to Elmira's Wilderness Sanctuary), FWC has offered no assistance nor has FWC taken any action to ensure that Plaintiff's licensed veterinarian obtain access to Juma to determine the extent of her injuries, her abusive environment and Juma's continued loss of body mass.

171. Plaintiff was left with no other alternative but to seek emergency judicial intervention to have his living personal property removed from Co-Defendant, HOWARD BASKIN and Carole Baskin's roadside zoo and transfer Juma to Elmira's Wilderness Sanctuary, a licensed facility where Juma can have some positive interaction and where Juma can see and hear her owner and be reassured that she has not been abandoned, until the 2nd DCA appeal is resolved.

Lobbying for HSUS federal legislation known as “The Big Cat Safety Act”

172. Co-Defendant HOWARD BASKIN and Carole Baskin’s roadside zoo needed a lion to promote their HSUS-GFAS congressional “Big Cat” legislation and Earth Day April 22, 2022.

173. Juma was targeted for that objective.

174. “The Big Cat Safety Act” legislation is a ruse for the monopolization of government assisted seizures of privately owned priceless endangered animals and property assets of individuals, businesses, and corporations.

175. The objective of the BIG CAT SAFETY CAT is to force the nationwide redistribution of wealth in the form of endangered animals under the umbrella and financial control of the GFAS Syndicate, another form of corporate cronyism.

176. The BIG CAT SAFETY ACT forcibly redistributes the private assets of small to medium sized private facility owners, who don’t have an army of lawyers in their corporate war chest and destroys their right to operate a lawful animal enterprise business that has not submitted itself to GFAS governance. Rules for thee but not for me.

177. The Baskin’s false and misleading “Big Cat Public Safety Act” legislative campaign is Trojan Horse legislation for GFAS-HSUS dominance, control and monopolization of the apex predators in zoos and private licensed facilities throughout Florida and the rest of the country.

178. Co-Defendant, HOWARD BASKIN and Carole Baskin are riding the coattails of the Tiger King that became famous throughout the country on Netflix during the pandemic.

179. Co-Defendant, HOWARD BASKIN and Carole Baskin's roadside zoo for caged and financially exploited animals have mastered a false "rescue" narrative with the assistance of corporate news media and other paid propaganda media sources.

180. Co-Defendant, HOWARD BASKIN and Carole Baskin's roadside zoo for caged and financially exploited animals virtue signal that they "rescue" Big Cats, while at the same time time financially exploiting the animals.

181. Juma was not rescued.

182. Juma did not need rescuing from her owner.

183. Co-Defendant, Howard and Carole Baskin's false and misleading "rescue of KODA aka Juma" narrative feeds their \$4.4 million dollar a year corporation with monetary contributions using caged captive cash cows who die a slow and miserable death due to neglect and or incompetence.

184. Neither Co-Defendant, HOWARD BASKIN nor Carole Baskin have professional educational training in zoological husbandry nor are either one of them Doctors of Veterinary Medicine.

185. Carole Baskin's only claim to fame with respect to possessing wildlife ownership is having inherited enough money from her first husband's death.

186. Juma was injured and is limping since her arrival at Co-Defendant, HOWARD BASKIN's roadside zoo.

187. FWC nor USDA inspectors have conducted any known investigations into the injury and emaciated appearance of an endangered species, i.e., Juma.

188. If Juma continues on her path of depression, injury, and human control, she will likely die of starvation and neglect only to be replaced with another casualty which will continue

flooding corporate monetary contributions into the Co-Defendant's bank accounts from online donations, globally.

189. Juma is seen in videos pacing constantly distressed or is seen still lying on the ground in a state of depression, moaning at night and calling out for her owner, the Plaintiff.

190. Juma showed signs of a leg injury within days of her corporate captivity.

191. Within thirty days of unlawful possession at Howard and Carole Baskin's \$4.4+ million dollar a year corporate roadside zoo, Juma is visibly losing body mass.

192. Juma is appearing emaciated, ribs visibly showing through her skin.

193. The signs of neglect and abuse from her corporate capture are becoming evident during Juma's captivity at Co-Defendant HOWARD BASKIN and Carole Baskin's hospice for financially exploited endangered apex predators.

194. Co-Defendant, BIG CAT RESCUE CORPORATION is a house of horrors for Juma, who is a hand raised domesticated lioness that hasn't been apart from her owner for longer than 48 hours in the past four years, and for the past two years Juma and her owner were together every single day.

195. At the time of this court filing, Juma has been held captive against the owners consent since March 2, 2022, for over 47 days and counting.

196. Juma is on a road to death, without an ability to interact, see, hear and be provided with reassurances that she was not abandoned by her owner.

197. Dogs that have bonded with their owner to the same extent that Juma has bonded to the Plaintiff, can experience a similar separation anxiety and starve themselves to death.

198. If Juma dies from anything arising out of her unlawful seizure, her death will be forever attributable to Executive Director, Eric Sutton, the FWC Commissioners, Rodney Barreto,

in particular, and the FWC officers that knowingly participated in the Plaintiff's facility raid on March 2, 2022.

199. Co-Defendant, Howard and Carole Baskin have turned "Big Cat" government armed seizures into an untaxed cash cow business for their company which is fueled by a distorted sense of entitlement to the private property of others.

200. Co-Defendant, HOWARD BASKIN and Carole Baskin's corporate \$4.4 Million-dollar (annually) roadside zoo relies on an HSUS-GFAS business model that creates multiple online revenue streams, through exploitation of captive endangered animals and deceptive self-serving video narratives to promote the fleecing of the general public who like to observe wildlife in cages at Co-Defendant HOWARD BASKIN and Carole Baskin's roadside zoo for captive wildlife.

201. Co-Defendant, HOWARD BASKIN and Carole Baskin's corporate \$4.4 Million-dollar roadside zoo make their millions (each year) exploiting animals and the public, by charging roadside zoo 36.00 per person visiting fees, and by selling merchandise of their lonely captive animals, all while collecting tax free corporate contributions, gifts, and donations from the general public.

202. One of many GFAS campaign schemes that exploit Juma's unlawful caged captivity at Co-Defendant, BIG CAT RESCUE's \$4.4 Million dollar a year roadside zoo, solicits contributions from the public ranging from \$25 to \$5000.00 (See Exhibit 17).



203. Co-Defendant, Howard and Carole Baskin's corporation have disguised the unlawful seizure of Juma so that the public does not know the story behind the Co-Defendant's unlawful corporate acquisition and continued unlawful and immoral captivity of Juma.

204. Co-Defendant, HOWARD BASKIN and Carole Baskin's roadside zoo changed Juma's name to KODA, without obtaining the Plaintiff's permission or authority.

205. Co-Defendant, HOWARD BASKIN and Carole Baskin's roadside zoo has been financially exploiting Juma's image and likeness daily, (Exhibit 18 \$5000.00 Lion Sponsor Kit) since the March 2, 2022, hostile acquisition, in both online self-serving narrated videos on YouTube and through GFAS corporate fundraisers.

208. The federal legislation will provide a significant commercial advantage over traditional zoological facilities and other privately owned animal enterprise facilities that are not affiliated with the HSUS-GFAS syndicate. (See the HSUS propaganda documentary, “The Conservation Game”).

209. The powers of the Executive Director, Eric Sutton and the FWC Commission includes a wildlife police force that is the only police force that exists because FWC was literally written into the constitution of the State of Florida.

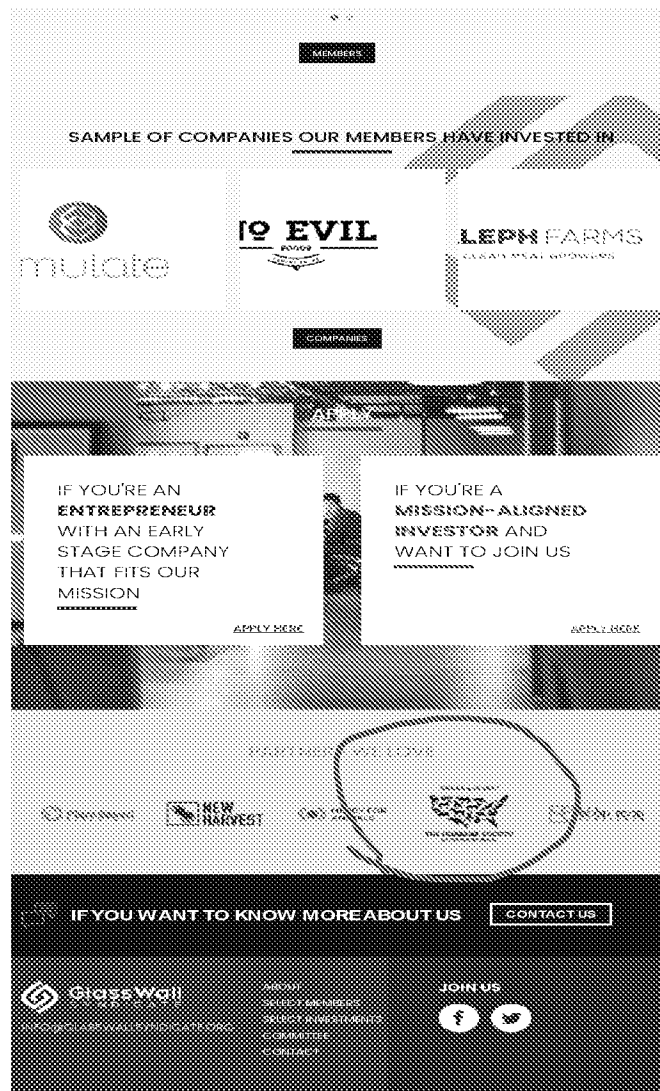
210. An OPPAGA review is warranted in this case.

211. An OPPAGA accountability review would be fruitful given what has transpired in this case and against other licensees and the way other privately owned wildlife has been acquired with the assistance of FWC government insiders Eric Sutton, Rodney Barreto, Capt. Kara Hooker and Lt. Hinds which financially benefitted Co-Defendant, HOWARD BASKIN and Carole Baskin \$4.4 million dollar a year roadside zoo.

212. What happened in the Plaintiff’s case provides the courts a view into a disturbing trend that is sweeping through the country resulting from partnerships between ambitious venture capitalists, corporations, and nongovernmental animal related organizations with an agenda for power and control over the food security of the nation.

213. These combined forces can heavily influence regulatory government agencies to infringe upon the God granted rights of the individual in exchange for political access, humane animal and rescue awards, celebrity accolades and a share of the targeted assets that are seized in the raids.

214. In exchange, the venture capitalists (See Exhibit 19 Glass Wall Syndicate) are able to permanently shut down their competition and advance their food insecurity agenda to create a market for synthetic meats grown in labs from aborted fetuses and stem cells, (i.e. Frankenmeat).



215. It is intended to draw fear from any licensee who challenges the unlawful seizures committed by FWC in coordination with partner “stakeholder” NGOs and under tremendous agency pressure from animal rights nongovernmental organizations to charge and punish licensees

out of doing business as an agritourism or an animal enterprise facility that is not controlled and influenced by HSUS and GFAS.

216. Criminally charging licensees is FWC's *modus operandi* against privately owned middle class or financially disadvantaged facility licensees and it was the motive against the Plaintiff to place him in fear and subjugation under FWC government armed officers and Co-Defendant, HOWARD BASKINS joint business ventures.

217. Multi-million-dollar GFAS facilities are provided great deference over individually and family-owned facilities that are monitored by FWC and USDA.

218. GFAS is not monitored by FWC and USDA.

219. As a government agency whose primary mission is supposed to be the protection of wildlife throughout Florida, FWC is supposed to be providing a service to treat licensees as customers who need guidance to comply with the highly complex minutia of the Florida Statutes, FWC regulations and FWC's self-serving interpretations.

220. Under great influence by PETA, HSUS, GFAS and other animal related nongovernmental organizations, FWC has been trending toward treating licensees as criminal targets of opportunity rather than taxpaying customers who fund their agency and salaries.

221. FWC licensees need good faith guidance from FWC officers to comply with FWC's overall stated mission.

222. FWC's permanent government employees have been incrementally criminalizing what has historically been civil regulatory noncompliance issues to advance the animal rights agenda to monopolize and control animal ownership and food production.

223. FWC had unclean hands and nefarious motives at the March 2, 2022, armed assault, shooting and trespass against Plaintiff's private property, Juma and against his FWC licensed wildlife facility.

224. FWC trespassed against the Plaintiff's personal property and trespassed against his land. Everything that resulted from Lieutenant Hinds unlawful pretextual seizure of Juma for Co-Defendant, HOWARD BASKIN and Carole Baskin's BIG CAT RESCUE CORPORATION was tainted with illegality, unlawful and immoral motives, unconstitutional and potentially criminal conduct by Florida law enforcement officers who knew or should have known they had no legal grounds to raid Plaintiff's facility while his license remained valid during his appeal to the 2nd DCA, as admitted by FWC Bridget McDonnell.

225. FWC abused its constitutionally founded government power, government issued badges and government issued firearms paid for by the very people FWC is supposed to be serving and protecting the property rights of those who are engaged in a lawful animal enterprise.

226. Ms. Baskin's corporation financially exploited Juma from the moment HOWARD BASKIN appeared with armed men at Plaintiff's facility to shop for and take the picture-perfect African lioness HOWARD BASKIN needed to sell his proposed "BIG CAT SAFETY ACT" in congress and for fundraisers on Earth Day April 22, 2022.

227. Co-Defendant, HOWARD BASKIN and Ms. Baskin's roadside zoo continue to negligently or intentionally remain in possession of converted private property, courtesy of FWC Executive Director, Eric Sutton, FWC Commissioner Rodney Barreto, and FWC law enforcement Capt. Kara Hooker, Lt. Louis Hinds and Ofc. Erika Zimmerman.

228. Although redistribution of wealth at gunpoint using men who abuse their government power and the civil rights of individuals is the norm throughout other authoritarian

governments like Cuba, Venezuela, Iran and North Korea, it cannot be tolerated in the State of Florida.

229. Upon information and belief, FWC Executive Director Eric Sutton and the seven FWC Commissioners negligently or intentionally supervised or *ratified* the unlawful acts to seize and assume *title ownership* over the Plaintiff's property and unilaterally gift the Plaintiff's property to Co-Defendants roadside zoo, BIG CAT RESCUE CORPORATION so that Howard and Carole Baskin's Corporation could financially exploit and abuse the Plaintiff's property, an ESA protected African Lioness, which is emotionally and physically abused at Carole Baskin's 4.4+ million dollar a year corporate roadside zoo.

230. Every organization has a duty to follow their mission statement.

231. Rather than leaving Juma at the Plaintiff's facility until the 2nd DCA's ruling, FWC committed unprecedented and unconstitutional acts in violation of FWC's own mission statement and regulations and the Florida Statutes and the constitutional authority and jurisdiction of the 2nd DCA.

232. FWC Executive Director Eric Sutton, Rodney Barreto and the FWC Commission had a duty to ensure that Juma would *not* be delivered into the hands of a roadside zoo that acts as little more than an animal hospice managed by the Doctor Kevorkian of Endangered Wildlife, and African Big Cats.

233. The Plaintiff has never been cited for any non-compliance issues or cited for abuse of any animal at Juma's facility.

234. FWC Commissioners, FWC armed officers and Co-Defendant HOWARD BASKIN and Carol Baskin's roadside zoo, Co-Defendant, BIG CAT RESCUE CORPORATION negligently or intentionally visited violence upon Juma and her home facility to possess Juma,

convert private property and financially exploit Juma, through acts of deceit, duress, threats of arrest and deadly force, without obtaining voluntary, bargained for legal title over the Plaintiff's living private property.

235. Co-Defendant, HOWARD BASKIN was not a government employee or a law enforcement officer on March 2, 2022, and therefore has exposed himself to civil and criminal liability for the intentional torts of civil theft, civil conversion, trespass against property, trespass against land, and tortious intervention of an endangered federally protected species of Felidae.

236. FWC used armed government personnel to coordinate with Carole Baskin's company to raid, shoot, drug, capture and transport Juma to deliver her into the hands of Carole Baskin's company so that the GFAS syndicate member that acquired the Tiger King's corporate assets could add also acquire Juma at no cost and financially exploit Juma.

237. The Co-Defendants physically and emotionally harmed Juma.

238. The Baskins are selling "KODA" merchandise and are using Juma in disguise to solicit \$5000.00 cash gifts, contributions, and donations across the world wide web through deceptive corporate business practices and false and misleading fundraising narratives.

239. FWC did not just stop at providing Ms. Baskin's corporation a corporate gift from a government agency. Government "donations" that are taken from the fruits of a potential crime raises ethical questions, for any employee in government service to have conducted themselves in that manner and raises serious ethical and legal questions as to what underlying business and political relationships preexisted between HSUS, Co-Defendant, HOWARD BASKIN and Carole Baskin and the \$4.4 million dollar a year Big Cat Rescue Corporation, prior to Juma's civil grand theft and conversion on March 2, 2022.

240. The violations of administrative regulations and of state law, raises many more questions, including why FWC would have employed an armed police force to violate Florida law and gift Juma (the plaintiff's private property) to Carole Baskin, considering the hundreds or thousands of other FWC licensed facilities that FWC could have transported Juma to throughout the State of Florida.

241. FWC violated its own rules and executive branch administrative regulations.

242. FWC negligently or intentionally ignored the Florida Statutes which fall within the separation of powers of the legislative branch of Florida government in an attempt to bypass the constitution and the separation of powers, (i.e. checks and balances).

243. This is why an OPPAGA review is warranted because FWC went beyond its constitutional authority and exercised extraconstitutional powers that violated the constitutional due process rights of the Plaintiff.

244. If FWC's arrogant and unconstitutional conduct is allowed to remain unchecked by the courts and the state legislature, FWC's unconstitutional seizure of power from the legislature and the judiciary could destabilize representative democracy in Florida and threaten every law-abiding citizens God granted constitutional rights.

245. Fairness and justice demand an OPPAGA investigation and review to determine if FWC exercised authority beyond the Article IV, Section 9 powers in the Florida Constitution and infringed upon the plaintiff's right to have the 2nd DCA exercise its constitutional authority to judicially review the conduct at the FWC October 6, 2021 licensing hearing.

246. The 2nd DCA's constitutional authority exists as a form of checks and balances to protect Floridians against authoritarian powers and tyrannical government acts against private property seizures without due process.

247. This case exposes FWC's incremental internal decaying culture.

248. FWC and USDA have been transitioning to an adversarial and hostile form of governance, criminalizing what was historically civil compliance issues that were resolved through counseling and or civil penalties.

249. The licensees are the very people FWC is tasked to serve, yet FWC treats them like the enemy who fear speaking out against FWC, afraid of government retaliation, losing their license, their livelihood and threats of imprisonment.

250. In America, government is supposed to be of service to the people.

Plaintiff's due diligence and reasonable attempts to avoid judicial intervention

251. March 19, 2022, 7:50 p.m. email correspondence to Baskin (See Exhibit 20).

252. March 19, 2022, three (3) page demand and litigation hold letter to Carole Baskin (See Exhibit 21).

253. March 21, 2022, 5:21 a.m. email correspondence (Exhibit 22).

254. March 21, 2022 fourteen (14) page demand to FWC General Counsel Emily Norton (Exhibit 23).

255. March 22, 2022, 3:15 p.m. email correspondence to FWC Ethan Aufdembrink.

256. March 22, 2022, 3:25 p.m., email correspondence to FWC Ethan Aufdembrink (Exhibit 24).

257. March 22, 2022, 5:58p.m. email correspondence to Ethan Aufdembrink.

258. March 23, 2022, 3:15p.m. email correspondence to FWC Assistant General Counsel Bridgette McDonnell. (Exhibit 25).

259. March 23, 2022, 5:12p.m. email correspondence from FWC Assistant General Counsel Bridgette McDonnell.

260. March 23, 2022. 8:17 pm Email Correspondence to Bridget McDonnell. (Exhibit 26).

261. March 23, 2022, 9:58 p.m. six (6) page email correspondence to FWC Assistant General Counsel Bridgette McDonnell. (Exhibit 27).

262. March 24, 2022, 3:55 p.m. email correspondence from the undersigned to FWC Asst. General Counsel Bridget McDonnell. (Exhibit 28).

263. March 25, 2022, 1:55 a.m. email correspondence from the undersigned to Shawn Boston, FWC public records coordinator.

264. March 25, 2022, 2:13a.m. email correspondence to FWC Asst. General Counsel Bridget McDonnell. (Exhibit 29).

265. March 25, 2022, 8:58 a.m. email correspondence from the undersigned to Shawn Boston FWC public records coordinator.

266. March 25, 2022, 6:35p.m., email correspondence from FWC Asst. General Counsel Bridget McDonnell: (Exhibit 30).

267. March 28, 2022, 9:45 p.m. (corrected) twelve (12) page email correspondence to FWC General Counsel Emily Norton. (Exhibit 31).

268. March 29, 2022, 4:03 p.m. email correspondence from the undersigned to FWC: Public Records Request W14162-032922.

269. April 2, 2022, 8:43 p.m. to General Counsel Emily Norton (Amended Civil Remedies Notice and demand to transfer Juma out of Big Cat Rescue and transported to Elmira's Wilderness Sanctuary. (Exhibit 32).

270. April 4, 2022, 4:05 p.m. email correspondence from FWC to the undersigned: Public Records Request W151925-040422.

271. April 5, 2022, 12:28 p.m. Successfully returned Service of Process on Carole Baskin at Co-Defendant, BIG CAT RESCUE CORPORATION. Corporate service was achieved on Afton Tasler, authorized to accept service. No response from Co-Defendant, BIG CAT RESCUE CORPORATE counsel.

272. April 6, 2022, 12:01 p.m. email correspondence from FWC to the undersigned: Public Records Request W151925-040422.

273. April 7, 2022, 3:20 pm. email correspondence from Shawn Boston FWC Public Records Coordinator.

274. April 7, 2022, 3:34 p.m. email correspondence from FWC to the undersigned: Public Records Request W152037-040622.

275. April 7, 2022, 4:35 p.m. email correspondence from the undersigned to FWC: Public Records Request W152037-040622.

276. April 11, 2022, 8:58 p.m. email correspondence from the undersigned to Ethan Aufdembrink with copies to FWC General Counsel.

277. April 12, 2022, 2:18 a.m. email correspondence to Ethan Aufdembrink.

278. April 13, 2022, 12:15 a.m. email correspondence to Ethan Aufdembrink.

279. April 15, 2022, 4:53 p.m. email correspondence from FWC Asst. General Counsel Bridget McDonnell.

280. April 15, 2022, 4:53 p.m. correspondence from FWC Asst. General Counsel Bridget McDonnell (Exhibit 33).

281. April 15, 2022, 4:53 p.m. email correspondence to FWC Asst. General Counsel
Bridget McDonnell.

COUNT 2

CIVIL CONVERSION OF JUMA BY DEFENDANT BIG CAT RESCUE CORP.

Plaintiff, ROY PINSON, realleges paragraphs 1-281 and sues Co-Defendant BIG CAT RESCUE CORP. for the following:

282. This is an action for damages that exceeds \$30,000 not including attorneys fees and costs.

283. Conversion is an unauthorized act which deprives another of his property permanently or for an indefinite time.

284. A conversion occurs when a person who has the right to possession of property demands its return and the demand is not or cannot be met.

285. A demand and refusal is unnecessary where it would be futile and the act preventing the return results in a depriving of possession and thus equates to a conversion. *Shelby Mutual Insurance Co. of Shelby, Ohio v. Crain Press, Inc.*, 481 So.2d 501, 503 (Fla.2d. DCA 1985), *review denied*, 491 So.2d 278 (Fla. 1986).

286. On March 2, 2022, Co-Defendant BIG CAT RESCUE CORP. converted to its own corporate use the property legally owned by Plaintiff, ROY PINSON, a four-year-old domesticated African Lioness called Juma, which the Plaintiff hand raised since she was a cub.

287. Juma was and continues to be to this day the lawful property of plaintiff.

288. Co-Defendant BIG CAT RESCUE CORP. has demonstrated intent to permanently deprive Juma's owner after HOWARD BASKIN and Carole Baskin refused Plaintiff's demand to transfer Juma to Elmira's Wilderness Sanctuary.

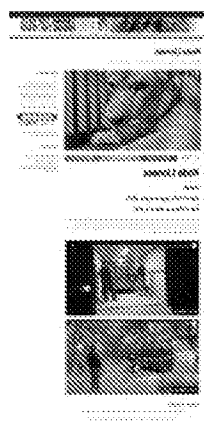
289. Co-Defendant BIG CAT RESCUE CORP. has demonstrated intent to permanently possess Juma when they changed Juma's name to KODA without the owner's permission.

290. Co-Defendant BIG CAT RESCUE CORP. has demonstrated intent to financially exploit harm and emotionally harm Juma and deceive the general public through false and misleading narratives about how Juma/KODA was allegedly "rescued" on March 2, 2022.

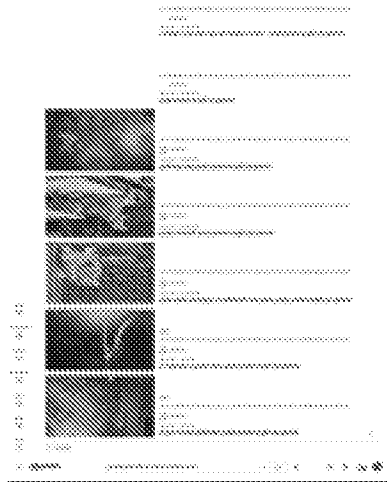
291. Since March 2, 2022, Co-Defendant, BIG CAT RESCUE CORP. created multiple revenue streams while holding Juma captive against the owner's will.

292. Juma's owner is entitled to and demands all revenue collected by Co-Defendant, BIG CAT RESCUE CORP. while Juma has been held captive against the owner's will.

293. The following links are just three examples many forms revenue streams that are flowing money into the corporation and are examples of the way Co-Defendant, BIG CAT RESCUE CORP. roadside zoo has been exploiting the public with Juma who the corporate roadside zoo renamed and repackaged as "KODA" and "KODA BEAR":



<https://bigcatrescue.org/koda-lioness/>



https://www.youtube.com/results?search_query=donate+koda+big+cat+rescue+amazon+smile

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Did you know?

Every time you make a purchase on Amazon, you could be donating to Big Cat Rescue at no cost to you??

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[Volunteer](#)
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294. Plaintiff demands all funds collected from each corporate revenue stream associated with Juma/"KODA" and any other unknown corporate revenue streams in the corporate accounts, investments, land purchases, in person, mailed donations and any form of monetary benefit acquired by the corporation.

295. Juma's fair market value as property is assessed at the time of the conversion based on her age life expectancy and capability of producing several litters. To the best of Plaintiff's knowledge, information and belief, the value of the property exceeds \$30,000.00 based upon an 18–20-year lifespan with a potential for producing 8-18 cubs which have a market value of approximately \$14,000 each for a minimum range for each litter of \$112,000.00 to a maximum range of \$252,000.00; Co-Defendant, BIG CAT RESCUE CORP. is making a business out of the exploitation of Juma's likeness, and unlawful captivity at the corporate headquarters against the Plaintiff's consent and will.

296. Plaintiff, ROY PINSON, seeks recovery of compensatory damages, loss of inability to breed after injury and captive trauma at BIG CAT RESCUE CORP. and all reasonable attorneys fees and costs.

297. Plaintiff, ROY PINSON, was required to engage the undersigned counsel and is obligated to pay its attorneys a reasonable attorneys fee.

298. Plaintiff seeks a \$100 million dollar jury verdict from BIG CAT RESCUE CORPORATION for its egregious conduct toward Juma and toward Plaintiff.

299. Plaintiff demands a jury trial on all issues.

WHEREFORE, Plaintiff, ROY PINSON asks for this Honorable Court to exercise its equitable powers and its powers at law for an Order that: 1.) awards a judgment for possession of property; 2.) commands that Co-Defendant, BIG CAT RESCUE CORP. release and transport

Juma to Elmira's Wilderness Sanctuary, under escort by the Office of the Florida Highway Patrol; 3.) for Co-Defendant BIG CAT RESCUE CORP. to transport Juma from their company's possession and deliver to Elmira's Wilderness Sanctuary at the Defendant's sole expense; 4.) command that Co-Defendant, BIG CAT RESCUE CORP. forfeit all monetary revenue fundraised through Amazon, Paypal, the internet, social media animal exploitation of Juma as compensatory damages to Plaintiff for unlawfully holding Juma captive while financially exploiting her and enriching the corporation; 5.) award all attorneys fees and costs; 6.) award costs for any veterinarian medical treatment needed for Juma's lifetime due to in the violent trauma and confinement of Juma; 7.) referral to the state attorney's office for criminal investigation and prosecution of all parties involved in the unlawful capture, seizure, detention, transport and taking of Juma; 8.) along with any other remedies that this Honorable Court deems just and proper and Reserve Sanction Hearings for any retaliatory conduct by Co-Defendant BIG CAT RESCUE CORP.'s agents; and 9.) Plaintiff asks this Honorable Court to retain jurisdiction for enforcement purposes.

COUNT 3

CIVIL CONVERSION OF JUMA BY DEFENDANT HOWARD BASKIN

Plaintiff, ROY PINSON, realleges paragraphs 1-281 and sues Co-Defendant, HOWARD BASKIN for the following:

300. This is an action for damages that exceeds \$30,000 not including attorneys fees and costs

301. Conversion is an unauthorized act which deprives another of his property permanently or for an indefinite time.

302. A conversion occurs when a person who has the right to possession of property demands its return and the demand is not or cannot be met.

303. A demand and refusal is unnecessary where it would be futile and the act preventing the return results in a depriving of possession and thus equates to a conversion. *Shelby Mutual Insurance Co. of Shelby, Ohio v. Crain Press, Inc.*, 481 So.2d 501, 503 (Fla.2d. DCA 1985), *review denied*, 491 So.2d 278 (Fla. 1986).

304. On March 2, 2022, Co-Defendant, HOWARD BASKIN entered the Plaintiff's property uninvited by Plaintiff with employees and transport equipment from Co-Defendant, BIG CAT RESCUE CORP.

305. Co-Defendant, HOWARD BASKIN trespassed on the Plaintiff's land and trespassed against the Plaintiff's personal property, Juma, without Plaintiff's consent.

306. Co-Defendant, HOWARD BASKIN trespassed against the Plaintiff's personal property, Juma, and converted Juma for his own benefit.

307. Co-Defendant, HOWARD BASKIN possessed and changed Juma's name to KODA for his personal benefit, without Plaintiff's consent.

308. Co-Defendant, HOWARD BASKIN possessed and changed Juma's name to KODA for his corporation's benefit, without Plaintiff's consent.

309. Co-Defendant, HOWARD BASKIN entered the Plaintiff's property with the aid of armed men and a woman employed by FWC who were unlawfully and unconstitutionally on the Plaintiff's facility and converted Juma to his own use and benefitted from the property legally owned by Plaintiff, ROY PINSON, a four-year-old domesticated ESA federally protected African Lioness called Juma.

310. Co-Defendant, HOWARD BASKIN benefitted and accomplished an unlawful “taking” of an endangered animal owned by the Plaintiff by having Juma shot twice, drugged, injured and transported to Co-Defendant, HOWARD BASKIN’S home and place of business. Juma was and continues to be to this day the lawful property of Plaintiff, Roy Pinson.

311. Co-Defendant, HOWARD BASKIN has demonstrated the intent to permanently deprive Juma’s owner after Co-Defendant, BIG CAT RESCUE CORP. and HOWARD BASKIN have refused to comply with Plaintiff’s demand to transfer Juma to Elmira’s Wilderness Sanctuary rightful owner.

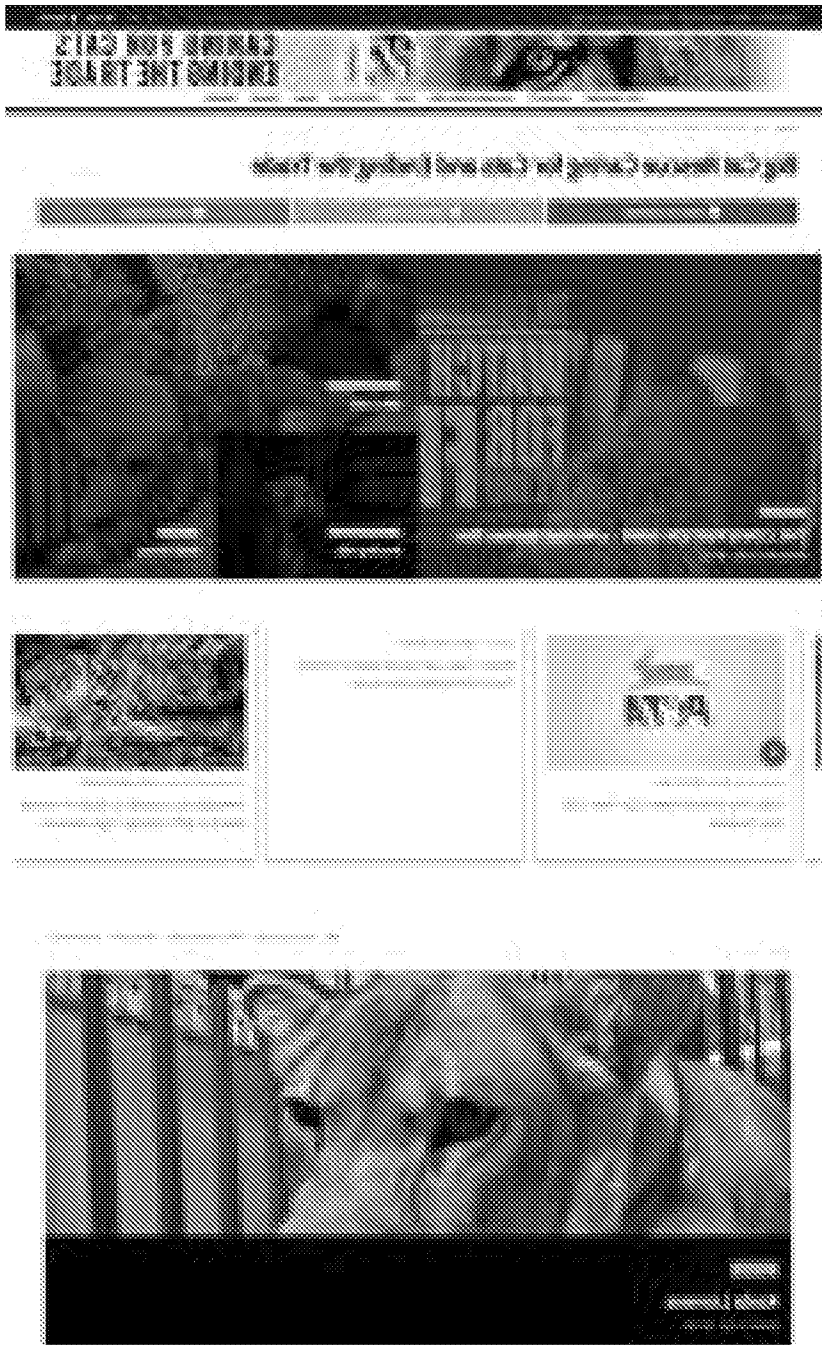
312. Co-Defendant, HOWARD BASKIN has demonstrated intent to permanently possess Juma when he changed Juma’s name to KODA without the Plaintiff/Owner’s permission.

313. Co-Defendant, HOWARD BASKIN has demonstrated intent to financially exploit, harm and emotionally Juma and deceive the public through false and misleading narratives about how Juma/KODA was allegedly “rescued” on March 2, 2022.

314. Since that time, HOWARD BASKIN has used BIG CAT RESCUE CORP. to create multiple revenue streams while holding Juma captive against the owner’s will. HOWARD BASKIN has derived fame and financial benefit from Juma’s unlawful conversion.

315. Juma’s owner is entitled to and demands all revenue collected by Co-Defendant, HOWARD BASKIN through Co-Defendant, BIG CAT RESCUE CORP. while Juma has been held captive against the owner’s will.

316. Plaintiff demands all funds collected from each and every revenue stream associated with Juma/”KODA” and any other unknown revenue streams, in person, mailed donations and any form of monetary benefit acquired by Co-Defendant, HOWARD BASKIN.



<https://bigcatrescue.org>

317. Plaintiff demands all funds that Co-Defendant, HOWARD BASKIN obtained through any monetary benefit in any form through the Co-Defendant, BIG CAT RESCUE CORP.

since March 2, 2022, from Juma's unlawful continued private control, confinement, abuse, possession, and financial exploitation.

318. The Co-Defendant, HOWARD BASKIN has controlled, confined, possessed, financially exploited and generated corporate revenue that contributes to its \$4.4 million dollar a year revenue stream through self-serving false and misleading campaigns that deceive the public to create the perception that JUMA had been rescued or had been abused by the owner.

319. Juma's fair market value as property is assessed at the time of the conversion based on her age life expectancy and capability of producing several litters. To the best of Plaintiff's knowledge, information and belief, the value of the property exceeds \$30,000.00 based upon an 18–20-year lifespan with a potential for producing 8-18 cubs which have a market value of approximately \$14,000 each for a minimum range for each litter of \$112,000.00 to a maximum range of \$252,000.00; Co-Defendant, BIG CAT RESCUE CORP. is making a business out of the exploitation of Juma's likeness, and unlawful captivity at the corporate headquarters against the Plaintiff's consent and will.

320. Co-Defendant, HOWARD BASKIN is making a business out of the exploitation of Juma's likeness, and wrongful imprisonment at his home and corporate headquarters against the Plaintiff's consent and will.

321. Plaintiff, ROY PINSON, seeks recovery of compensatory damages and all attorneys fees and costs. Plaintiff, ROY PINSON, was required to engage the undersigned counsel and is obligated to pay its attorneys a reasonable attorneys fee.

322. Plaintiff seeks a \$100 million dollar jury verdict from HOWARD BASKIN, individually, for his egregious conduct toward Juma and toward Plaintiff.

323. Plaintiff demands a jury trial on all issues.



WHEREFORE, Plaintiff, ROY PINSON asks for this Honorable Court to exercise its equitable powers and its powers at law for an Order that: 1.) awards a judgment for possession of property; Juma 2.) commands that Co-Defendant, HOWARD BASKIN, release and transport Juma to Elmira's Wilderness Sanctuary, under escort of the Florida Highway Patrol; 3.) for Co-Defendant, HOWARD BASKIN, to transport Juma from their company's possession and deliver to Elmira's Wilderness Sanctuary at the Defendant's sole expense; 4.) command that Co-Defendant, HOWARD BASKIN forfeit all monetary revenue fundraised through Amazon, Paypal, the internet, social media animal exploitation of Juma and award compensatory damages to Plaintiff for unlawfully holding Juma captive while financially exploiting her and enriching himself and his corporation; 5.) award all attorneys fees and costs, award costs for any veterinarian medical treatment needed for Juma's lifetime due to in the violent trauma and confinement of Juma; 6.) referral to the state attorney's office for criminal investigation and prosecution of all parties involved in the unlawful capture, seizure, detention, transport and taking of Juma; 7.) along with any other remedies that this Honorable Court deems just and proper and Reserve Sanction Hearings for any retaliatory conduct by Co-Defendant, HOWARD BASKIN'S agents; 8.) Plaintiff asks this Honorable Court to retain jurisdiction for enforcement purposes.

PENALTA & ASSOCIATES, P.A.

/s/ Alexander Penalta

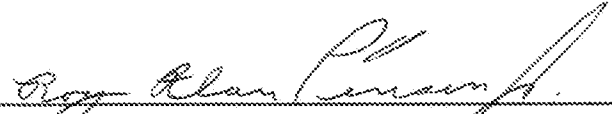
Alexander Penalta, Esquire
Attorney for Roy Pinson, Lawful Owner of Puma
3301 South Ridgewood Ave
Edgewater, Florida 32141
Telephone: 386.847.5335
Florida Bar No. 0003972
Primary email: law@penalta.com
Secondary email: admin@penalta.com

(See Exhibit “A” attached and
incorporated by reference)

Roy Pinson, Plaintiff and Lawful Owner of Juma

Under penalties of perjury, I declare that I have read
the foregoing and the facts alleged are true, to the
best of my knowledge and belief

VERIFICATION OF COMPLAINT TO SAVE JUMA
AN AFRICAN LIONESS



Roy Pinson, Plaintiff and Lawful Owner of Juma

Under penalties of perjury, I declare that I have read the foregoing and the facts alleged are true, to the best of my knowledge and belief

SWORN AFFIDAVIT

OF

JUMA'S HISTORY

1. Juma was born January 26, 2018.
2. Her mother was a beautiful white lion named Mali.
3. I didn't have my own facility at the time, but I saw her at least every other day. Most of the time it was Sunday, Tuesday, Thursday, and Saturday.
4. A lot of times I'd spend the night so we could be together.
5. If I wasn't there, she would be with the people that owned the facility, she was never just left alone.
6. She always had someone to show her love.
7. Juma had some problems, if she'd been born in the wild she wouldn't have lived. To begin with she was walking a little funny I just chalked that up to her being so young.
8. By the time she was 2 months old she wasn't using her back legs she'd have to pull herself around with her front legs.
9. I took her to the veterinarian and they said that her calcium seemed to be okay, but that she had weak bones and a cracked vertebrae and might grow out of it.

EXHIBIT 1

10. I was bottle feeding her and made sure I gave her extra vitamins along with calcium and plenty of love she was my life.
11. It took about 2 months, but she started using her back legs. The vet told me I needed to keep her from climbing up onto stuff and jumping down.
12. When I was at the facility, I kept her inside and the bond between us grew super strong.
13. She was a real good girl. While playing, she'd bite me and claw me when I was awake, but if I was sleeping, she wouldn't bother me.
14. I slept on a couch in the living room, if I was asleep, she'd come put her chin on the couch and nudge me then I'd pick her up and we'd sleep together.
15. It wasn't long she got to where she was climbing on everything and I couldn't take her inside anymore, but that didn't mean that I didn't sleep with her from time to time still.
16. She was off the bottle by then, but I still had to give her vitamins, so I had to cut her meat up in small portions to hide the vitamins in and hold it in my hand.
17. She was very good about not biting my hand. She could tell the difference between the meat I was feeding her and my hand, even if I had juice all running down my arm.

18. To this day, she's still good that way. No matter what she's eating, if it's in my hand, she'll take it but my hand is safe.
19. She's never been aggressive while eating. I can walk into her enclosure with her food and feed it to her.
20. Another thing she does is she'll take my hand or my arm in her mouth and lightly chew on it or pulsate on it. It's kind of like a pacifier to her.
21. She started doing that as a cub and still does it.
22. As she was growing up, I'd put a collar on her and take her for walks. She loved going around to the other enclosures seeing all the other animals. She was never aggressive toward any of them.
23. As I said before, at the time, I didn't have a facility. I had to keep her with someone that did.
24. I made sure I saw her quite often. The longest she ever went without seeing me was 2 days and then I'd go spend hours with her.
25. Once I was able to get my own facility, I put a tent up a few feet from her enclosure to stay in and I saw her every day and made sure she got plenty of love.
26. Juma is now four and has spent her whole life with me.
27. For the past 2 years, it was every single day.

28. Unfortunately, because of issues with paperwork that FWC and I were having, I needed to file an appeal.
29. I filed the appeal, but they came in and took Juma. FWC claimed I didn't file the appeal.
30. When I showed them evidence of my appeal on my phone, they said, "it's in the wrong court, "we're taking her anyway."
31. They were very insistent that she go to Carol Baskin's Big Cat Rescue.
32. Juma is used to getting loved regularly. She has always been caressed and hand-fed by me. Juma will be deprived of all of my physical human contact at Big Cat Rescue.
33. I am so worried for her. I know she's wondering what's going on not being able to see me.
34. Big Cat Rescue will not let me see her. That's the way they worked it to separate Juma from me.
35. My worry is that she may get depressed. They've already said she's not eating like she should.
36. The last Lion they took from someone was a male that died within 5 months.
37. For the record I've never abused Juma or any other animal in any way.

Further the affiant sayeth not.

Roy Allen Pinson

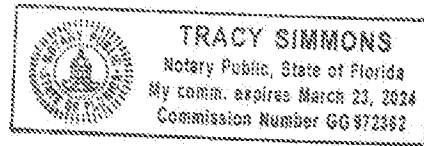
Roy Pinson

Subscribed and sworn before me, on this 1st day of April
2022.

SEAL

Tracy Simmons

Notary Public



Organizational Chart

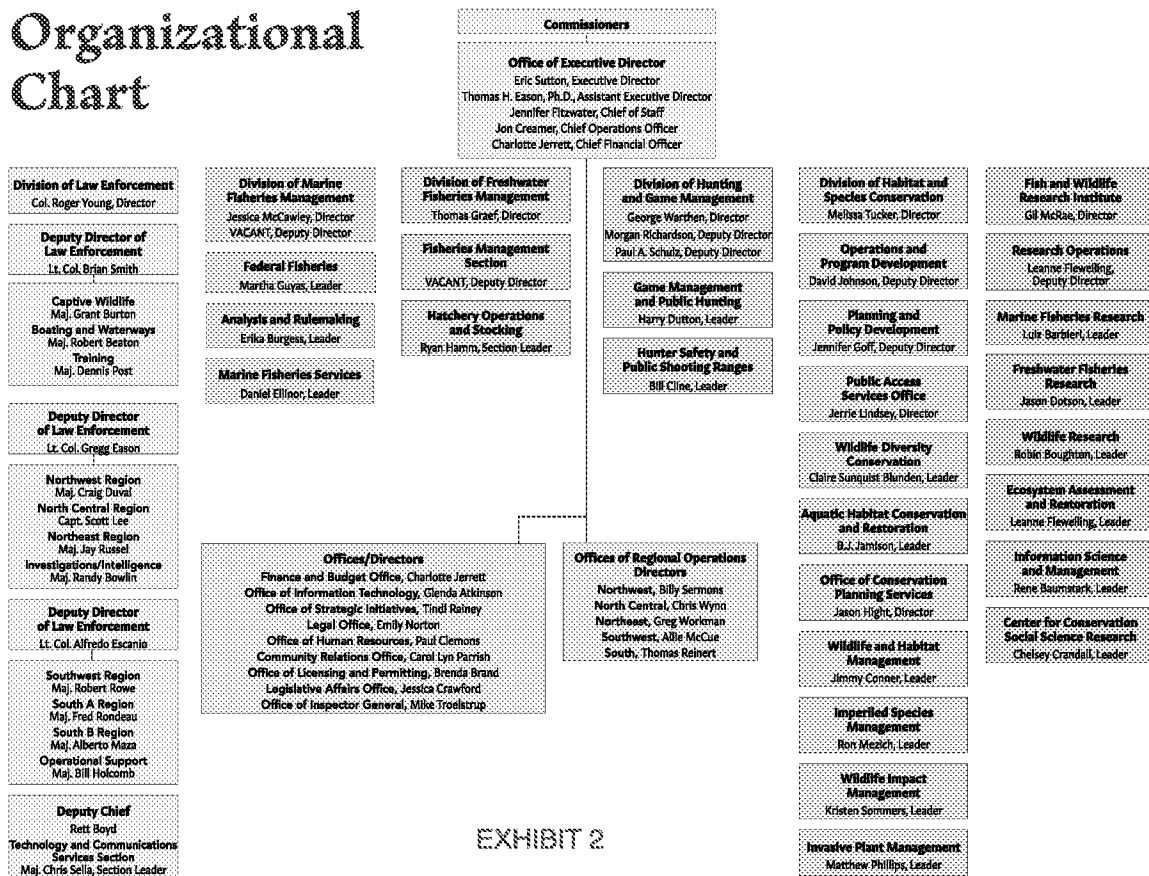


EXHIBIT 2



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About OPPAGA

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is a research arm of the Florida Legislature. OPPAGA supports the Florida Legislature by providing data, evaluative research, and objective analyses that assist legislative budget and policy deliberations.



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Tallahassee, Florida 32309-1479
OPPAGA@flaoppaga.fl.gov
(850) 484-0021

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EXHIBIT 5

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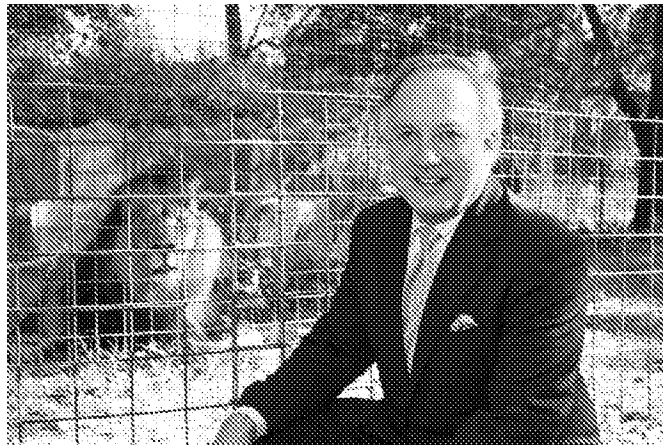
THE CONSTITUTIONAL AUTHORITY OF THE FLORIDA LEGISLATURE TO BAN PRIVATE OWNERSHIP OF EXOTIC ANIMALS

By Frank R. Jakes & Sarah Manthey Smith | Categories: Articles, Intellectual Property | [Share](#)

NOVEMBER 2018

I. INTRODUCTION

Thirty states ban the private ownership of dangerous big cats by statute in one form or another. This memorandum addresses the issue of whether the Florida Legislature has the power to enact a statute to ban private ownership of big cats. The issue arises because the Florida Constitution grants quasi-legislative powers to the Florida Fish and Wildlife Conservation Commission (the "FWC" or the "Commission") by constitutional amendment. The FWC asserts that these amendments grant the agency exclusive power over captive wildlife in addition to the clear grant of power over native animals living in the wild. However, as explained below, both the basic concepts of interpretation of Constitutional language and the limited case law show the FWC's assertion to be clearly incorrect. Contrary to the FWC's position, the Florida Legislature has the power to pass a statute to ban private ownership of dangerous big cats.



II. BACKGROUND

a. Constitutional History

The FWC derives some of its power from Article 4, Section 9 of the Florida Constitution that creates the agency and outlines its authority to regulate wild animal life. The FWC's predecessor agency, the Game and Fresh Water Fish Commission (the "GFC"), was created by constitutional amendment in 1942. Article 4, Section 30 of the 1942 Florida Constitution (later renumbered as current Section 9) reads in part as follows:

1'From and after January 1, 1943, the management, restoration, conservation and regulation of the birds, game, fur bearing animals, and fresh water fish of the State of Florida * * * shall be vested in a Commission to be known as a Game and Fresh Water Fish Commission * * * (Emphasis added).

7. 'The Legislature may enact laws in aid of, but not inconsistent with, the provisions of this amendment.'

In 1968, the Florida Constitution was amended and the grant of power to GFC in renumbered Section 9 of the Florida Constitution was again revised to read in part:

The commission shall exercise the regulatory and executive powers of the state with respect to wild animal life and fresh water aquatic life. (Emphasis added).

Accordingly, from 1942 to 1968 the constitutional amendments changed the GFC's authority from powers over 'birds, game, fur bearing animals of the State of Florida' to 'wild animal life.' No legislative history is available for either amendment.

In 1974, the constitutional amendment that created the GFC was yet again amended. Like the 1968 version, the 1974 constitutional amendment also uses the phrase 'wild animal life and fresh water aquatic life.' The 1974 amendment states in part:

The commission shall exercise the regulatory and executive powers of the state with respect to wild animal life and fresh water aquatic life, except that all license fees for taking wild animal life and fresh water aquatic life and penalties for violating regulations of the commission shall be prescribed by specific statute. The legislature may enact laws in aid of the commission, not inconsistent with this section. (Emphasis added).

In 1999, the FWC was created as a result of a merger of the GFC with the Marine Fisheries Commission 'for the purpose of unifying the state's natural resources conservation efforts.' See, Editors' Notes, West's Fla. Stat. Ann. Const. Art. 4 § 9 (2015) (emphasis added). The Editor's Note clearly describes FWC's constitutionally-mandated mission as conservation of natural resources, not regulation of privately-owned animals living in cages.

The 1999 constitutional amendment remains in force today. The language of the amendment central to the subject matter of this memorandum states:

The commission shall exercise the regulatory and executive powers of the state with respect to wild animal life and fresh water aquatic life, and shall also exercise regulatory and executive powers of the state with respect to marine life, except that all license fees for the taking wild animal life, fresh water aquatic life, and marine life and penalties for violating regulations of the commission shall be prescribed by general law. The legislature may enact laws in aid of the commission, not inconsistent with this section, except that there shall be no special law or general law of local application pertaining to hunting or fishing.

West's Fla. Stat. Ann. Const. Art. 4 § 9 (2015) (emphasis added).

b. Judicial Precedent

In 1960, the Florida Supreme Court decided the issue of whether the 1942 constitutional amendment granted the FWC's predecessor, the GFC, the power to regulate captive wildlife. *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960). In *Barrow*, the Florida Supreme Court held that the predecessor to FWC had no power under the 1942 constitutional amendment 'to regulate the use of purely private property imported into this State even though such property be wildlife acquired in some other state.' *Barrow*, 125 So.2d at 751.

Barrow owned a wildlife exhibit in Florida that housed many animals, including domesticated animals, native species, and non-native species born outside the State and transported into the State by *Barrow*. *Barrow*, 125 So.2d at 750. The FWC's predecessor, the GFC, refused to give *Barrow* a permit to operate the exhibit. *Id.* *Barrow* sought an injunction against the closing of his business, the injunction was denied, and the appeal followed. *Id.* at 750.

On appeal, *Barrow* argued that the FWC's predecessor 'had no power to regulate the control of animals which have been reduced to private possession.' *Id.* The Court analyzed the language of the 1942 Constitution and held that the FWC's predecessor 'has been given no power to require that the owner of non-native birds and animals obtain a permit in order to exhibit them in the State.' *Id.* at 751. As stated above, Article IV, Section 30 in part read as follows:

1. 'From and after January 1, 1943, the management, restoration, conservation and regulation of the birds, game, fur bearing animals, and fresh water fish of the State of Florida * * * shall be vested in a Commission to be known as a Game and Fresh Water Fish Commission * * *.'

4. 'Among the powers granted to the Commission by this Section shall be the power to fix bag limits and to fix open and closed seasons, on a statewide, regional or local basis, as it may find to be appropriate, and to regulate the manner and method of taking, transporting, storing and using birds, game, fur bearing animals, fresh water fish, reptiles, and amphibians.'

Id. at 750; Fla. Const. Art. 4 § 30 (1974) (emphasis added). Regarding the constitutional amendment, the Court further held:

In approving Article IV, Section 30, it was obviously intended to create a governmental agency clothed with power adequate to protect, preserve and promote the fresh water fish and game of the State. The justification for the establishment of such a Commission stems from the State's interest in animals ferae naturae. It is a concept as old as the Common Law that such animals are owned by the State for the benefit of all of the people. This is not in the nature of a private proprietary ownership. It is in the nature of a title in trust with the public the beneficiary. Under this concept the State has the power to regulate the taking of wildlife and its reduction to possession. To the extent that confinement and transportation are related to the basic purpose of protecting, preserving and promoting the wildlife of the State as a public asset then such activities are subject to control and regulation by the appellee Commission.

Once such animals *ferae naturae* have been legitimately reduced to private control, confinement and possession, they become private property. When this occurs the owner thereof cannot be deprived of the use thereof, except in accord with all of the elements of due process which protect one's ownership of private property generally. In other words, once the animals are legitimately removed from their natural condition and are brought into confinement through private ownership, they cease to be a subject of regulation by appellee Commission.

Id. (citations omitted) (emphasis added). Because the Court held that the Commission was created for the preservation of animals *ferae naturae*, the Commission had no power to regulate non-native animals and domesticated animals in private possession. *Id.* at 751-2; see also, Black's Law Dictionary (10th ed. 2014), *ferae naturae* ('(of animals) wild; untamed; undomesticated'). Therefore, the judgment in favor of the Commission was reversed. *Id.* at 753. *Barrow* remains still controlling law from Florida's highest court.

Following *Barrow*, the Florida Legislature enacted Florida Statutes §§ 372.921 and 372.922 (renumbered as Florida Statutes §§ 379.303, 379.304, 379.3761, and 379.3762) that authorized the Commission to issue permits for the private ownership and public display of captive wildlife. While legislative history is not available for these statutes, it is generally accepted that the Florida Legislature enacted these statutes in response to the *Barrow* decision. In fact, the FWC acknowledges this in a 2007 Memorandum. See, Memo. from Carla J. Oglo, Assistant General Counsel, Florida Fish and Wildlife Conservation Commission Office of the General Counsel, to FWC Captive Wildlife Program, Local Ordinances And The Regulation of Captive Wildlife, 1 (May 17, 2007), available at <http://meetingdocs.alachuacounty.us/documents/boccd/agendas/2014-06-10/8dc4a7b5-8da04a12-b23f5855acb230bf.pdf> (accessed July 28, 2015). In this Memorandum, Assistant General Counsel Oglo states:

In 1960, the Florida Supreme Court held that the then Game and Fresh Water Fish Commission had the authority to regulate *ferae naturae* or untamed animals in the wild, but the agency did not have the authority to regulate ownership of animals once they became the property of someone, especially non-native animals. *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960). In response to this issue, the Legislature enacted section 372.921 and 372.922 to authorize GFC to regulate captive wildlife, including wildlife possessed as pets or for exhibition or sale.

Yet, despite acknowledging that the statutes granted FWC power over captive animals in response to *Barrow*, FWC argues in the Memorandum that the 1974 constitutional amendment somehow expanded the FWC's constitutional mandate to include authority over captive wild animals, rendering *Barrow* no longer applicable. The only relevant change in language made post-*Barrow* by the 1968 amendment (and retained in the 1974 and 1999 amendments) was to substitute "wild animal life" for the prior phrase "birds, game fur bearing animals"

The FWC Memorandum makes no effort to explain how this change could possibly be interpreted to be a conscious effort on the part of the drafters to grant authority over captive animals as a power derived from the constitution rather than by the statutes. The Memorandum relies solely on case law that in fact does not support the FWC position as discussed in Section IV, *infra*.

III. IN INTERPRETING CONSTITUTIONAL LANGUAGE

As noted, the only relevant change in language made by the 1968 amendment is to substitute "wild animal life" for the prior more cumbersome phrase "birds, game, fur bearing animals." The Florida Constitution must be read exactly as it is written. *Crist v. Fla. Assn. of Crim. Def. Law., Inc.*, 978 So.2d 104, 110 (Fla. 2006) ("If [the actual language used in the Constitution] is clear, unambiguous, and addresses the matter in issue, then it must be enforced as written"). The actual language of the Constitutional Amendment only grants the FWC "the power to exercise legislative and executive functions over wild animal life." See, West's Fla. Stat. Ann. Const. Art. 4 § 9 (2015) (emphasis added). The term "wild" means

Living in a state of nature and not ordinarily tame or domesticated <wild ducks> Merriam-Webster.com, Wild, <http://www.merriam-webster.com/dictionary/wild> (accessed August 14, 2016); see also, American Heritage Dictionary 161 (2d ed., Houghton Mifflin Company 1985) ("wild" defined as "[o]ccurring, growing, or living in a natural state; not domesticated, cultivated, or tamed"). Thus, the definition of "wild" animal connotes an animal that lives in its natural habitat. This is in contrast to an animal living as a pet or one living in captivity. "Captive" means "[a]n animal, esp. a wild one, that is caught and kept confined." Black's Law Dictionary (10th ed. 2014), captive.

The FWC's interest in regulating *ferae naturae* cannot be reasonably interpreted to extend to privately owned animals under the constitutional amendment. Once an animal is in private possession, the animal cannot be considered wild because it is no longer living in a natural state and is under private control, is confined, or is otherwise in possession of an owner. See e.g., *Co. of Pasco v. Riehl*, 635 So.2d 17, 19 (Fla. 1994) ("[a]n animal becomes private property when it is under the 'private control, confinement and possession of an owner'"); see also, *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960). On the other hand, an animal is within the regulatory authority of the FWC once it is released into the wild (and no longer under private control, confinement, or in possession of an owner). The FWC's own definition of "wildlife" does not extend to domesticated animals or mention anything about animals in private possession or living in captivity. See, F.A.C. § 68A-10.04(90) ("wildlife" defined as "[a]ll wild or non-domestic birds, mammals, fur-bearing animals, reptiles and amphibians"). Following the definition, the word "wildlife" is used in several defined terms ("wildlife and environmental area," "wildlife management area," and "wildlife refuge") in each case clearly referring to animals that roam free, not animals in cages or under private ownership. See, F.A.C. § 68A-10.04(91)-(93).

We have no legislative history to rely on to explain the change in constitutional language to "wild animal life." So we have to ask what makes sense, keeping in mind the Court's direction in *Crist* that when the language in the Constitution is clear it should be interpreted as written. There is simply no logical basis whatsoever for interpreting the change from "birds, game, fur bearing animals of the State of Florida" to "wild animal life" as an intention by the drafters to expand the FWC constitutional authority to include captive animals because the words "wild animal life" by definition clearly refer to animals loose in the wild. Because the legislature had already addressed *Barrow* and granted the FWC authority over captive wild animals by statute, there was no reason for the drafters of the amendment to address *Barrow*. But, if the drafters intended to expand the FWC's constitutional authority to extend to captive wildlife, they certainly would not have used the words "wild animal life;" they would have used "captive wildlife" or words with similar clear meaning in the constitutional amendment. We must interpret these decisions by the constitutional drafters using the term "wild animal life" as intentional. The most logical interpretation of the change from "birds, game, fur bearing animals of the State of Florida" to "wild animal life" is that it was either just a simplification of the prior constitutional amendment language or it was intended to expand the species of *ferae naturae* beyond birds, game or fur bearing, such as manatees and dolphins.

The phrase "wild animal life" is clear, but to the extent that the FWC were to attempt to argue that this phrase is ambiguous, the drafters' intent (as manifested by the voters) is also clear that the FWC's constitutional purpose is natural conservation. See e.g., *W. Fla. Regl. Med. Ctr., Inc. v. See*, 79 So.3d 1, 9 (Fla. 2012) ("if constitutional language is ambiguous, 'a court must endeavor to construe the constitutional provision in a manner consistent with the intent of the framers and voters'). The amendments are consistent with the conservation purpose of the original constitutional amendment as described in *Barrow* where the Court held that the justification for the Commission "stems from the State's interest in animals *ferae naturae*," *id.* at 751, and the Editor's Notes to the 1999 amendment describing the constitutional mandate of the FWC to be "natural resources conservation efforts." As such, the plain language of the constitutional amendment and the overall intent of the constitutional drafters both reflect a conscious decision to grant the FWC the power to regulate only wild (i.e. non-captive) animals. The FWC's limited authority to regulate captive wildlife and wildlife in private possession is a result of acts of the legislature passed after *Barrow*, not as a result of constitutional amendments. Based on this, the Florida Legislature retains the authority to enact statutes regulating captive animals, including passing a ban on private ownership of exotic animals such as big cats.

IV. CASE LAW CITED IN FWC MEMORANDUM

In its Memorandum, the FWC takes the position that it "has constitutional authority over all fish and wildlife whether in the wild or in captivity" and its authority "to regulate captive wildlife as part of its constitutional authority is no longer in question." Memo. from Carla J. Oglo at 1-2. This bold conclusion is unsupported and is very much in question. First, the FWC does not have control over all fish and wildlife because the FWC's constitutional authority does not extend to threatened and endangered species. See e.g., *Fla. Fish and Wildlife Conserv. Commn. v. Caribbean Conserv. Corp., Inc.*, 789 So.2d 1053, 1054-5 (Fla. 1st DCA 2003); see also, *Wilkinson v. Fla. Fish and Wildlife Conserv. Commn.*, 853 So.2d 1088, 1089 (Fla. 1st DCA 2003). Second, the Barrow decision is still binding authority of Florida's highest court. The FWC has not cited any binding legal precedent contrary to the holding in Barrow. As such, this issue is still governed by the Court's decision in Barrow.

Last, the authority relied on by the FWC in its internal Memorandum does not interpret the constitutional amendments and are distinguishable. The FWC cites authority for its position that the FWC's authority over captive wildlife "is no longer in question." Two of the FWC's citations are from opinions by administrative law judges that acknowledge that they have no authority to interpret the Constitution. In the only court case cited by the FWC as authority, the Court does not actually interpret the constitutional amendments, make any findings regarding the FWC's authority over captive animals, nor does it decide whether the FWC's regulatory authority over captive animals is based on the constitution as opposed to the statutes.

Ray Haddock & Greyhound Breeders Assn. of Fla. v. Fla. Game and Fresh Water Fish Commn., DOAH Case No. 86-334 IRP (1987) is an opinion decided by an administrative law judge. The opinion acknowledges that "[t]he Division of Administrative Hearings has no jurisdiction to determine either Florida or federal constitutional questions which may be pending in this matter." The administrative law judge does not decide whether the proposed rule regulating black-tailed jack rabbits is constitutional as suggested by the FWC Memorandum. Because the parties only identified the constitutional amendment as the source of the FWC's power to regulate, the administrative law judge dismissed the case because the Florida Administrative Code does not authorize administrative hearings to decide constitutional issues. No findings were made regarding the FWC's power; rather, the judge held that he lacked jurisdiction to decide the issue. Therefore, this decision has no precedential value and certainly does not support the FWC's argument that its authority "to regulate captive wildlife as part of its constitutional authority is no longer in question."

The second opinion cited is *Charles River Laboratories, Inc. v. Fla. Game and Fresh Water Fish Commn.*, DOAH Case No. 96-20 17 (1997), affirmed, 717 So.2d 1003 (Fla. 1st DCA 1998). Like Ray Haddock, the administrative law judge made no conclusion of law that the FWC's authority over captive animals stems from the Constitution because such a conclusion would exceed the judge's jurisdiction. Instead, the judge recognized that the permits at issue were authorized pursuant to Florida statute. The judge concluded that the permits were properly issued and this holding was affirmed by the District Court of Appeal. Therefore, the holding of this opinion supports the conclusion that the FWC's authority in this realm is a creature of legislative enactment and not constitutional prerogative.

The third case, *Miramar v. Bain*, 429 So.2d 40 (Fla. 4th DCA 1983), stated in dicta, "that the Commission has exclusive authority to enact rules and regulations governing wildlife such as those that are the subject of this appeal," however, the court did not address the issue of whether the FWC's authority is based on the constitutional amendment or Florida statutes. To the contrary, there was no dispute that the FWC had authority to issue permits for captive animals (under Fla. Stat. § 372.922 enacted after the Barrow decision). In *Miramar*, a homeowner challenged a city ordinance that restricted the fences she erected on her property where she kept cougars as pets. The only issue decided by the *Miramar* court was whether the local ordinance impermissibly conflicted with the FWC's regulations for private ownership of the cougars. The court held it did not. Therefore, this case provides no authority for the FWC's claim that its power over captive wildlife comes from the Constitution.

V. CONCLUSION

The self-serving claim by the FWC that the agency's authority over captive wildlife comes from the Florida Constitution hinges entirely on whether the 1968 constitutional amendment that changed the phrase "birds, game, fur bearing animals" to "wild animal life" was clearly intended to overrule Barrow in the Constitution rather than rely on the statutes that had already addressed Barrow. The FWC argument that this change in wording granted the FWC constitutional authority over captive animals conflicts with the known purpose of the amendments (conservation of natural resources in the wild), the clear meaning of the phrase "wild animal life," and any logical analysis of the likely intent of the drafters in choosing to change that phrase. The case law cited by the FWC simply does not support the FWC argument. It is clear, therefore, that authority granted to the FWC by the Constitution is only over *ferae naturae*, i.e. animals in the wild, consistent with the intent of the Constitution to establish an agency whose mission was to protect and manage Florida's natural resources. The FWC's authority over captive wildlife comes only from Florida Statutes §§ 379.303, 379.304, 379.3751 and 379.3762. Since the FWC's authority over captive wildlife comes from the Legislature by statute, not from the Constitution, the Legislature clearly has the power to change that authority, including passing a ban on private ownership of dangerous big cats.

- 1 For instance, the FWC regulates the spread of non-native, invasive species that could potentially harm native species and Florida's ecosystem such as Burmese Pythons, Lionfish, and Tegus. These animals were likely pets under private ownership, but were ultimately released into the wild. See, Fla. Fish and Wildlife Conserv. Comm., Florida's Exotic Fish and Wildlife, <http://www.myfwc.com/wildlifehabitats/nonnatives/> (accessed August 18, 2015).

NEWER POST

OLDER POST



**LICENSE TO POSSESS CLASS I AND/OR CLASS II WILDLIFE
FOR EXHIBITION OR PUBLIC SALE (1 TO 25 ANIMALS)**

**Florida Fish and Wildlife Conservation Commission
PO Box 6150, Tallahassee, FL 32314-6150
(850) 488-6253**

ESA 3486

Cost: \$150.00

Issued: 02/27/2020

Applicant ID: 77684 License ID: 401-145188

Expires: 02/26/2021

PINSON, JR., ROY ALAN
5340 LAKE BUFFUM ROAD
LAKE WALES, FL 33859

Location Address:
PINSON, JR., ROY ALAN
5340 LAKE BUFFUM ROAD
LAKE WALES, FL 33859

LICENSEE AUTHORIZATIONS

**CLASS 1 - This license IS Authorized to Possess Class I Wildlife
FELIDAE**

Must obtain and maintain USDA license within 180 days of initial FWC licensing.
Includes all Class I Felidae except cheetahs and cougars.

**CLASS 2
FELIDAE**



Florida Fish and Wildlife Conservation Commission

Administrative Informal Hearing FWC 21-0074

Written Transcript of FWC Audio 33:04 Total Running Time

(Transcribed by <https://otter.ai>; rough version)

Time

0:06 FWC Hearing Officer: All right, this proceeding will now come to order.

This cause comes before the Fish and Wildlife Commission as an informal proceeding. In the case of Roy Allen Pinson versus F as Petitioner versus FWC as respondent, the case number is 21 Dash 0074. And today's date for the record is Wednesday, October 6, and the time right now, roughly 10 o'clock 1002. Again, as I said, my name is Harold Vielhauer, I'm presiding as the hearing officer in this matter by a delegation of authority from the executive director of the commission. This is an informal administrative hearing, meaning that speed issues of fact are not at issue pursuant to section 120 point 57 (2) of the Florida Administrative Code, and section 28 Dash 6.301 through 307 of the Florida Administrative Code, excuse me, the one chapter 120 is Florida Statutes. All statements and testimony, as I indicated previously are being preserved through an audio recording. At this time, I'd like to have everybody put their appearances in starting with the petitioner. Go ahead and state your name for the record.

1:36 Roy Pinson: My name is Roy Allen Pinson Jr.

1:41 FWC Hearing Officer: and you're by yourself today and you don't have an attorney.

EXHIBIT 7

1:46 Roy Pinson: Not this time No, I do not.

1:52 FWC Hearing Officer: And for the agency.

1:56 Bridget McDonnell: FWC Asst General Counsel: This is Bridget McDonnell for the commission. And I have with me, Lieutenant John Conlin. And then also present in the room as legal intern Taylor Green.

2:06 FWC Hearing Officer: Okay. Do we have anybody else that's present? I think that should be about everybody. But if there's anybody else, let me know.

2:18 FWC Hearing Officer: Okay, the purpose of admission.

2:20 FWC Hearing Officer: Okay, Mr. Pinson? Yeah, like you said, you're by yourself. For the purpose of the proceeding today is to allow the petitioner to present any statements testimony or evidence that he would like to have the agency consider in the subject matter of this proceeding, which is a proposed agency action, the action was set forth in a notice of denial of Mr. Pinson's application for class one class to wildlife for exhibition or sale. And from what I have the notice went out on July 17, 2021. Do I have that correct? Yes. Okay. At this point, let's get some housekeeping done. The talk about exhibits. I have this for the agent. Well, I have my own file exhibits agency file exhibits, which are the election of rights that was filed. A list of rights and petition that was filed. We received it on July 28 2001. And they also have the notice of denial that went out. I've got some, those are the ones

we have for the agency. And then for the respondents filed some exhibits, the 2020 through 2021 application, and then there's a 2021 through 2022 application and a warning that was issued. Mr. Pinson, you didn't pre file anything, but do you have any exhibits that you want to offer? have us consider?

4:16 Roy Pinson: Well, I just have, you know, what I've got to say about why I didn't get my USDA license. Okay. I had a lot of problems getting it. And...

4:28 FWC Hearing Officer: Before we... before get into that, I'm just trying to straighten out what exhibits that we have any objections for consideration as to any of the exhibits that that are in the normal exhibits that are in our agency file or the exhibits that were filed by the respondent?

4:51 Roy Pinson: No, I did not have any objections. They were all correct.

4:57 FWC Hearing Officer: All right. So before we get into letting you make your presentation, I'm going to have you do the oath. And I'm going to ask that you hold up your right hand and I'm going to take trust you and say that you assume that you're doing it. Do you solemnly swear, or a man this will go also for the witness if the the agency is proposing? Lieutenant Conlin, Do you solemnly swear or affirm that the testimony you're about to give in this case will be the truth, the whole truth and nothing but the truth? I do. Okay. Great. All right, Mr. Pinson, and here's how it's gonna work. I'm gonna let you go ahead and make your statement. And then when I let the respondent agency folks do theirs. And then afterwards, I'll

explain how the process is going to work after this. So let's go ahead and get started then, and you can go ahead and make your presentation.

6:07 Roy Pinson : Okay, and February, I was granted a license, that's 2020. I was granted the license to have wildlife for exhibit class one and two. In May of that year, I contacted my vet, and my vet informed me that they were no longer doing exotics. At the time, I contacted them. I had a female lion that needed to be treated. And they tell me, they're not doing exotic anymore. And I'm like, You should have told me this when you made that decision. So I called around and called around I finally found a vet. She was a four. She didn't livestock basically. But she said she would come out and look at my lion. She did. She prescribed some stuff. I gave it to her. She got better. And her and I talked and I told her I'd like her to be my vet. She said she could probably do that. But when I approached her to do the paperwork for USDA, she said she didn't feel comfortable doing that because she was not an exotic that. Basically she filled out the first page. And on it, she basically said she wanted me to find a different vet to do the exotic because she didn't feel comfortable doing them or filling out any paperwork for USDA. I contacted you to SBA in Raleigh, North Carolina, a woman told me that it was no use to file paperwork if I didn't have the vet stuff because they would not give me a license. So it took me a while to find a vet, when I finally found out that she is an exotic vet. I presented her with the paperwork, and she did not want to fill it out because she said she didn't have all the records for the Lions. She had to get them. Meantime, I got back with USDA and asked him this paperwork, is it old or new stuff? They said this paperwork is an outline of what you're doing from now forward. And you know how often the vet's going to come out what she's going to do when she comes out

and everything. So the vet did that paperwork. I found it. I had the email, they were not taking physical mail at the time. So I email that they sent me a physical letter saying that the USDA just would be back with me. Within 10 days, well, she never contacted me. So I got back with them. They told me to reach out to her. I did this on several times. And she would not return my calls. So I contacted my wildlife Officer Erika Zimmerman, and she called USDA. She did not get her but she left her a message. USDA called me back.

9:10 FWC Hearing Officer: when you second inform me that when you said you talked to your wife when you said you talked to your wildlife that some the officer with FWC that you've been working with. Yes. Okay. Yes.

9:24 Roy Pinson: And she called USDA and asked a woman to please get with me because I needed the USDA called me back and told me they were not coming out to do inspections because of COVID. Therefore, they could not give me a license because they had to do a physical inspection. I said, Well, I've got to get a license. What can I do? She said, Well, I'll tell to my commander and get back with you. Well, she never did. And so I finally got back with her. And she's still you know, it's COVID co We can't come out. And so finally, when I got the letter of denial, I called her and I said, what's going on? I just got a letter saying I can't renew my license because you people will not come out and inspect me. She said, Well, since you got that letter, it wouldn't do me any good to come out and inspect you now anyway. I said, Let me see. So I called legal legal told me that my license was still valid. So I called USDA back and I told her, I said, they said, my license is still valid. Can you please come out and inspect me? She said, I've talked to your

officers, Commander. And he told me that it's better just to let it go until after the hearing. And that's where I stand now.

11:00 FWC Hearing Officer: When you said legal, are you talking about USDA legal or our legal?

11:07 Roy Pinson: Your legal. I talked to your legal.

11:10 FWC Hearing Officer: Right. So let me try to get some of this clear. So roughly May 2020. You were told by your vet, your original vet that he was he or she was no longer doing? Exotics so you find another one what tie that actually treated your lion but said that she wouldn't do exotics. When was that?

11:34 Roy Pinson: That was that was the same month that was that was when I first called My vet said they went and do exotics because my female lion was sick. I needed to get somebody to come out and look at her. And that's when Dr. Her name was Dr. Waters. She came out she you know, look better told her what she felt was wrong. She gave me medicine for her. I gave it to her and she got better. But when I asked Dr. Waters to do the paperwork, that's when she said, Hey, I'm not an exotic vet, I don't feel comfortable doing the paperwork, you really need to find an exotic vet. And it took me quite a while to find a vet. That's an exotic vet. Because all your exotic vets now are stopping there because of insurance and stuff. They're not doing exotics anymore. So I had a real hard time finding an exotic vet. I finally did find a doctor. I can't think of her name right now. But she is my vet. But I also have an emergency vet now and another Vet so I have three

vets I can contact now. I realized that having just one vet was a bad situation. And now I have three different vets I can contact. One is Dr. Ashley she's Blackdog Mobile Veterinarian Service. She is my all time vet for everything. Then I have a Dr. Martin who's in Palm City who will come up here anytime I have an emergency in my that can't make it. And then I have a Dr. Elizabeth Bohannon, who is actually in Tallahassee now working for a veterinary service, but I can call her whenever I need information and she will try to help me. So I realized having just one vet was a bad idea. And I've got I've got my regular vet that's comes out does inspections and everything. Excuse me. And then I've got Dr. Martin who's my emergency vet who will come up at any time I need the Okay, so right now what what I'm trying to do right now I'm trying to... I'm hoping you will find that in my favor to give me a Class One so I get USDA out here and get my USDA license and get everything all the paperwork in order and straightened out.

14:06 FWC Hearing Officer: So how much time did it take you between Dr. Waters and when you actually found somebody that could do it?

14:14 Roy Pinson: It took me almost six months to find a vet that would actually come out and do my exotic

14:19 FWC Hearing Officer: Okay. Now help me out here. So the way it appears is that it's... you need to have the Class One, Class Two to get the USDA but you can't get the Class One and Class Two because you don't have the USDA is that it? Or am I missing something here?

14:42 Roy Pinson: That's it? Yes. That that is it. Exactly. USDA, like I said they refuse to come out because of COVID... they don't mean now they are coming out but because of the hearing and everything they won't come out she said it'd be a waste of her time if she came out and gave me a license. And then you denied me a license. So what she wants to do, she wants to wait until see if you will give me a license if you give me a license and she said she will come out and do the inspection.

15:14 FWC Hearing Officer: Okay. So is that it?

15:22 Roy Pinson: Yes, sir.

15:22 FWC Hearing Officer: All right, I'll turn it over to the... I mean. First of all, does the ad anybody from the agency have any... Miss McDonnell? Do you have any questions for Mr. Pinson?

15:35 Bridget McDonnell FWC Asst. Gen. Counsel:

Yes, one. Mr. Penson. When did you submit your application materials to the USDA?

15:46 Roy Pinson: It was, it wasn't until January of 2021.

15:53 Bridget McDonnell FWC Asst. Gen. Counsel: And what is it that what are? It was their application?

16:00 Roy Pinson: Yes.

16:04 Bridget McDonnell FWC Asst. Gen. Counsel: Okay, and in there? Did you... Is there a part of that that required something from your vet? Is that?

16:14 Roy Pinson: Yes, yes, you have to have that paperwork. That's part of their paperwork, you have to have the vet paperwork, describing what they're going to do in the next year, how many times are going to come out... And exactly what their intentions are when they come out what they're going to do with the animals or for the animals.

16:33 Bridget McDonnell FWC Asst. Gen. Counsel: Okay, so you, you say from May 2020, took you almost six months to find the vet. So, at that time, is there a reason you didn't submit the application then?

16:45 Roy Pinson: Because the vet the vet, what didn't fill out the paperwork until January because she didn't know exactly what they wanted. And she was trying to get paperwork from the other vets that had treated my animals for background purposes.

17:02 Bridget McDonnell FWC Asst. Gen. Counsel: Okay, but you did say you got your license, your 2020 and 2021 license was issued in February 2020. So I guess there's a delay between you getting your license in February 2020. And then starting the process of acquiring and is that what you said... that was in May 2020?

17:26 Roy Pinson: Yes.

17:27 Bridget McDonnell FWC Asst. Gen. Counsel: Okay. And that's all the questions I had.

17:30 FWC Hearing Officer: Okay. You want to go ahead and make your presentation now?

17:30 Bridget McDonnell FWC Asst. Gen. Counsel: Yeah, thank you. So so as Mr. Penson said, He submitted his application for his new license to possess class on wildlife, we'll call it the ESA. That was February 22, 2021. His previous license was issued in February 27, 2020. And so he filed his application for the USDA license on January 13, 2021. That's almost 12 months after that initial licensure. And rule 68A 6.0042 F requires that any person authorized to exhibit or sell class one wildlife shall obtain and maintain a current and valid USDA license. And that license shall be made obtained within 180 days of initial licensing by the commission. So that would have been the time period 180 days from February 27, 2020. So although he did not apply for the USDA license until basically you didn't apply for the USDA license, right before the time, that is 2020/2021. license was up for renewal. And so because he has not obtained and maintained that license, he does not meet the requirements to possess _____ for commercial use. And so the commission that shall deny applications for any license based on the failure of the applicant to meet eligibility requirements or criteria. And so that's the basis for this action today. ***And just to clarify, Mr. Pinson, did call and***

ask, because I guess I've communicated with a USDA investigator about whether his license was still valid. And so he did speak with me and I responded that under Chapter 120, well, he's challenging the agency's action in this case, the license is considered to be still active until the conclusion of any appeal. So that was the answer that we gave him. So when he's referring to legal telling him that his license is still valid, it was still active while he's in the process of challenging this action. I have a couple of questions. For Lieutenant Conlin. Just to give a little more background and on what was happening with the USDA in regards to FWC licensees during this time period, if I may.

20:09 FWC Hearing Officer: Go ahead.

20:12 Bridget McDonnell FWC Asst. Gen. Counsel: Thank you. Lieutenant Conlin, will you please tell us what your responsibilities are related to processing captive wildlife applications?

20:21 Lt. Conlin – FWC: So I supervise the permitting office processors that actually process the applications.

20:29 Bridget McDonnell FWC Asst. Gen. Counsel: And are you responsible for the review of applications for the type of license that Mr. Pinnson has applied for? Are you familiar with a process for licensees to obtain their USDA licenses?

20:43 Lt. Conlin – FWC: In general terms? Yes.

20:45 Bridget McDonnell FWC Asst. Gen. Counsel: Okay. Can you please describe that process?

20:49 Lt. Conlin – FWC: So the way it works is her the rule, once a applicant has received their license, they have 180 days to obtain a USDA license. And usually they'll forward a copy of it to us so we can put it with their file. In this case, we never received it. Do you want to go into the what the USDA has done?

21:17 Bridget McDonnell FWC Asst. Gen. Counsel: yeah, so that was that was my next question. So as Mr. Pinson has, has raised, there was a difference in how USDA was responding to applications during the global pandemic in 2020, so I was going to ask Lieutenant Conlin how the USDA's process had changed because of response to the COVID.

21:42 Lt. Conlin - FWC: So during the pandemic, USDA was operating under the fact that if you had a current license with them, it was considered active. And if it was coming up on an expiration date, they were just going to consider an active until they could get back to processing renewal applications. If any applicant submitted an application, and we requested information on it, they would say, yes, we've received an application. However, we can't process it right now. Please consider them to meet the requirements until we can actually process it.

22:19 Bridget McDonnell FWC Asst. Gen. Counsel:

Okay, and so if someone was applying for him, just to kind of summarize if someone was applying for a new license with USDA, they were not processing

those applications, but would notify the agencies that they have received application.

22:39 Lt. Conlin – FWC: Yes, ma'am.

22:40 Bridget McDonnell FWC Asst. Gen. Counsel: And that was the agency considering that to meet their meet the requirements of the rule for for that time. Okay. Do you are you familiar, if other applicants during this time, were new applicants and had that same edification happening from the USDA regarding their licenses?

23:06 Lt. Conlin – FWC: I'm not aware of any new applicants. I do know that there were several renewal applications where they had previously obtained USDA. And when we contacted USDA, they said, please consider their license valid at this time. And in other instances, we were aware that they had submitted the renewal paperwork to renew their existing license due to it expiring and USDA said please consider running or active

23:33 Bridget McDonnell FWC Asst. Gen. Counsel: And did the Commission consider it to be running or active. Yes, ma'am. Okay. Thanks. That's all the questions I have for Lieutenant Conlin.

23:43 FWC Hearing Officer: Okay, Mr. Pinson. Do you have any cross exam? Any other questions for Mr. Conlin or Lieutenant Conlin?

23:51 Roy Pinson: No, sir, I don't.

23:53 FWC Hearing Officer: Okay. Does the agency have anything else?

23:59 Bridget McDonnell FWC Asst. Gen. Counsel: Just to ask that his denial and Mr. Pinson's application for wildlife be upheld. Thank you.

24:06 FWC Hearing Officer: Okay. Mr. Pinson, do you have any rebuttal?

24:09 Roy Pinson: Well, when my Fish and Wildlife Officer came out for her six months inspection, she told me I needed to get my license. Within the next six months before the end of my year, I took that to mean I was granted an extension, maybe that I misunderstood that maybe she just told me I needed to get it before she came out for her next inspection. But I did file and get the paperwork in before the end of that year. That's, you know, I was under the impression that she had contacted somebody and had given me another six months. That's what that was what I took from what she said I could have been taking it wrong when she said you need to get it within before the end of the year before your year is up. Maybe she was just saying, Hey, if you get it out, I'll except it, you know, but she did tell me I needed to add her six month inspection. She told me I needed to get it before she came back for one year.

25:22 FWC Hearing Officer: Okay, so you don't deny that you didn't get it in within 180 days, six months?

25:28 Roy Pinson: No, sir. No, sir.

25:29 FWC Hearing Officer: But you were under the impression. Okay, but you are under the impression you had an extension?

25:36 Roy Pinson: Yes. And I just took that for granted because of COVID. I mean, you know, everything was being extended because of COVID, but I just figured that's what happened.

25:47 Bridget McDonnell FWC Asst. Gen. Counsel: May I ask a question?

25:49 FWC Hearing Officer: Sure.

25:50 Roy Pinson: Yes. Oh, I'm sorry.

25:52 Bridget McDonnell FWC Asst. Gen. Counsel: That's okay. When Mr. Pinson, when when did that inspection occur? When you said the six-month inspection.

26:02 Roy Pinson: It was in August.

26:08 Bridget McDonnell FWC Asst. Gen. Counsel: August of 2020?

26:11 Roy Pinson: Yes.

26:18 Bridget McDonnell FWC Asst. Gen. Counsel: And so when you're saying that the investigator told you that you needed it done by the end of the license year meaning paying for the USDA license...

26:29 Roy Pinson: Before the end of February. Yes.

26:33 Bridget McDonnell FWC Asst. Gen. Counsel: Okay, but you hadn't put in the application at that time?

26:38 Roy Pinson: No, I had not.

26:39 Bridget McDonnell FWC Asst. Gen. Counsel: And with that... (interruption)
Go ahead...

26:45 Roy Pinson: I didn't have the veterinary paperwork. And when I talked to USDA, they said that it was no use to file for an application if I didn't have the vet work... that they would deny it.

26:59 Bridget McDonnell FWC Asst. Gen. Counsel: But at that, at that point, you were it was your six month inspection. So you at you are already out of out of compliance. At that point, if you had not even submitted the paperwork yet. Is that correct?

27:17 Roy Pinson: I guess it would have been. I mean, I don't know the exact date.

27:23 Bridget McDonnell FWC Asst. Gen. Counsel: Okay, that's that's all.

27:27 FWC Hearing Officer: Okay. All right. Mr. Pinson, anything else?

27:41 Roy Pinson: No, sir. I'm just hoping that I can be given a little bit of leniency. I understand. I didn't show when I should have filed. But I did talk to USDA and they told me it wouldn't have been any good to file because of my not having a vet paperwork. I'm hoping that you'll find it. You know, some way to allow me to keep my animals and give me a class one and maybe a certain amount of time to get USDA out here and get that flesh and squared away.

28:13 FWC Hearing Officer: Just curious what animals do you have? I mean, it sounds like from the reading the file. It's mostly cats.

28:20 Roy Pinson: Yes. Lions. Okay. Just curious. Now I've only got one female. I've got three in Miami waiting to come here. But I've got to get my paperwork straightened out before I take delivery.

28:38 FWC Hearing Officer: Okay, anything else?

28:41 Roy Pinson: No, sir. That's it.

28:48 FWC Hearing Officer: Anything else from the agency?

28:51 Bridget McDonnell FWC Asst. Gen. Counsel: No, thank you.

28:53 FWC Hearing Officer: Mr. Pinson, here's how it's gonna work from here on out or from here going forward. The way I will be drafting a recommended order, which will go up to our executive office, and then they will issue a final order. In the meantime, what I normally do is give the parties both parties and opportunities to submit a proposed recommended order. And what that is, is just give me basically a statement of what the facts are, and then any conclusions of law that are applicable. I will take those under consideration while I'm drafting up my recommended order. I'm going to give everybody I always give 10 days but in this case, looks like that would be on the 16th which is a Saturday, so I'll extend it to Monday the 18th. So if you can give me something by giving me a proposed recommended order by Monday, October 18. That'd be great. And then I'll start working on the final order after that. recommended order after that. Any questions?

-- End of Transcript --

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
(name of court or agency whose order you are appealing)

ROY ALAN PINSON JR.
Appellant (name of person(s) filing appeal)

v.
FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION
Appellee (name of opposing party)

Case No. 21-0074
(lower tribunal case #)
County POLK
(indicate if administrative)

NOTICE OF APPEAL

NOTICE IS GIVEN that ROY ALAN PINSON JR.
(name of person(s) filing appeal)

Appellant, appeals to the Second District Court of Appeal the order
of this court rendered on 1/21/2022 (date of order). The
nature of the order is

(name of order)

REVIEW OF A RENEWAL FOR A LICENSE TO
POSSESS CLASS I & II WILDLIFE FOR EXHIBITION
OR PUBLIC SALE

(State if the order on appeal is final or is an order listed in rule 9.130
If a motion listed in rule 9.020(i) was filed, state the date of the
motion and the date, if any, that it was ruled upon)

EXHIBIT 8

.....
This is what I sent Bridget McDonnell.

-----Original Message-----

EXHIBIT 9

From: Roy <roypinson@verizon.net>
To: bridget.mcdonnell@myfwc.com
<bridget.mcdonnell@myfwc.com>
Sent: Thu, Feb 17, 2022 9:46 am
Subject: Appeal

2/17/22 9:45 AM

Form 0001 (10-1-2015)

Deanna D. Benthley For & on behalf of Appellant
(Name of court or agency whose order you are appealing)

Deanna D. Benthley
Appellant (name of person filing appeal)

Deanna D. Benthley
Appellee (name of opposing party)

Case No. *22-00000*
(Does not exceed case #)

Case No. *22-00000*
(Indicate if administrative)

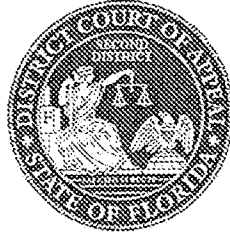
NOTICE OF APPEAL

NOTICE IS GIVEN that *Deanna D. Benthley*
(Name of person filing appeal)

Appellant, appeals to the Second District Court of Appeal the order of this court rendered on *2/17/2022* (date of order). The nature of the order is _____
(name of order)

Deanna D. Benthley For & on behalf of Appellant
Deanna D. Benthley For & on behalf of Appellee
Deanna D. Benthley

(State if the order on appeal is final or is an order based in rule 9.130. If a motion listed in rule 9.02(b) was filed, state the date of the motion and the date, if any, that it was ruled upon)



DISTRICT COURT OF APPEAL

SECOND DISTRICT

Post Office Box 327

LAKELAND, FLORIDA 33802

(863)940-6060

ACKNOWLEDGMENT OF NEW CASE

DATE: March 11, 2022

STYLE: ROY ALAN PINSON, JR.

v. FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION

2DCA#: 2D22-0776

The Second District Court of Appeal has received the APPEAL reflecting a filing date of February 17, 2022.

The county of origin is Polk.

The lower tribunal case number provided is 21-74.

The filing fee is: Fee Owed.

Case Type: Administrative Other Final

The Second District Court of Appeal's case number must be utilized on all pleadings and correspondence filed in this cause. Moreover, ALL PLEADINGS SIGNED BY AN ATTORNEY MUST INCLUDE THE ATTORNEY'S FLORIDA BAR NUMBER.

Please review and comply with any handouts enclosed with this acknowledgment.

STATE OF FLORIDA
COUNTY OF POLK

THIS COPY IS A TRUE COPY OF ORIGINAL
Acknowledgment of New Case
ON FILE IN THIS OFFICE.

WITNESS, MY HAND AND OFFICIAL SEAL THIS

1st of April, 2022

Mary Elizabeth Kuenzel

MARY ELIZABETH KUENZEL, CLERK
SECOND DISTRICT COURT OF APPEAL

FLORIDA FISH AND
WILDLIFE
CONSERVATION
COMMISSION

ROY ALAN PINSON, JR.

EXHIBIT 10

CERTIFICATE

I, STACY M. BUTTERFIELD, CPA, Clerk of the Circuit Court, Polk County, Florida, do hereby certify that case number 2022CA-000475-0000-00 was processed in error and re-filed with the 2nd DCA under case number 2D22-776 on March 11, 2022.

I hereby certify that a copy of this certificate has been furnished to Roy A. Pinson by United States mail at Post Office Box 666, Fort Meade, Florida 33841.

Witness my hand and official seal at Bartow, Polk County, Florida this 11th day of March 2022.



STACY M. BUTTERFIELD, CPA
Clerk of the Circuit Court and County Comptroller

By: /s/ Sharon Doner, Deputy Clerk

EXHIBIT 11



STATE OF FLORIDA, COUNTY OF POLK
This is to certify that the foregoing is a true
and correct copy of the document now of
record in this office. Witness my hand and
Official Seal on April 11, 2022
This copy has been reviewed, and if required by
law, reflected.
STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
By: [Signature] D.C.

From: Roy roypinson@verizon.net 
Subject: Fwd: Appeal
Date: April 11, 2022 at 2:17 PM
To: law@penalta.com



This is what their office sent me.

-----Original Message-----

From: Bone, Rebecca <Rebecca.Bone@MyFWC.com>
To: RoyPinson@verizon.net <RoyPinson@verizon.net>
Cc: Efile, Legal <efile@MyFWC.com>; McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Sent: Fri, Feb 18, 2022 4:36 pm
Subject: FW: Appeal

The attached has been received by our office.

Best,

Rebecca “Becky” Bone

FWC Records Management Liaison Officer
Operations Analyst II – Legal Office
Office: 850-487-1764
Phone: 850-617-9574
620 S Meridian St
Tallahassee, FL 32399

From: McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Sent: Friday, February 18, 2022 4:34 PM
To: Bone, Rebecca <Rebecca.Bone@MyFWC.com>
Subject: FW: Appeal

From: Roy <roypinson@verizon.net>
Sent: Thursday, February 17, 2022 9:47 AM
To: McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Subject: Appeal

[EXTERNAL SENDER] Use Caution opening links or attachments

2/17/2022, 9:43 AM

Thursday, 2/17/2022



EXHIBIT 12



Florida Fish
and Wildlife
Conservation
Commission

Commissioners
Rodney Barnett
Chairman
Coral Gables

Michael W. Soto
Vice Chairman
Tequesta

Steven Hudson
Fort Lauderdale

Gary Lester
Orlando

Gary Nicklaus
Jupiter

Sonya Rood
St. Augustine

Robert A. Spottswood
Key West

Office of the
Executive Director
Eric Sutton
Executive Director

Thomas H. Eason, Ph.D.
Assistant Executive Director

Jennifer Fitzwater
Chief of Staff

Division of Law
Enforcement
Colonel Roger Young
Director
(850) 488-6253
(850) 487-0463 FAX

Managing fish and wildlife
resources for their long-term
well-being and the benefit
of people.

620 South Meridian Street
Tallahassee, Florida
32399-1600
Voice: (850) 488-4676

Hearing/speech-impaired:
(800) 955-8771 (T)
(800) 955-8770 (V)

MyFWC.com

February 23, 2022

Roy Alan Pinson
5340 Lake Buffum Road
Lake Wales, Florida 33859

NOTICE TO RELINQUISH WILDLIFE

Dear Mr. Pinson:

This letter is regarding the Final Order filed with the Commission on January 21, 2022, in FWC case no. 21-0074, which upheld the Commission's action denying your application for a license to Possess Class I/II Wildlife for Exhibition or Public Sale.

You had thirty (30) days to seek judicial review of the Final Order by filing a Notice of Appeal with the Commission, with a copy filed with the clerk of the appropriate appellate court and accompanied by any filing fees prescribed by law. Our agency received a document titled "Notice of Appeal" from you on February 17, 2022, but we have no record of the notice having been filed with an appellate court. For this reason, your appeal is not timely filed. Pursuant to section 120.60(4), Florida Statutes, your existing license has now expired, and you are no longer licensed to possess Class I/II wildlife.

Possession of Class I/II wildlife for commercial use without a license is a violation of Section 379.3761, Florida Statutes. If you are in possession of wildlife that requires a license, you must place the wildlife with a licensed facility immediately. For your convenience, we have enclosed a list of facilities licensed to possess Class I Felidae in your area. Failure to relinquish wildlife may result in law enforcement action.

If you have any questions, please call the Captive Wildlife Office at (850) 488-6253, or write to us at Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Captive Wildlife Office, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

Sincerely,

Kara Hooker

Captain Kara Hooker
Division of Law Enforcement

KH/ed

EXHIBIT 13



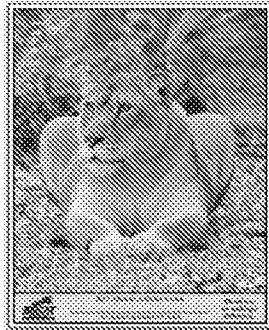


EXHIBIT 16





LION SPONSOR KIT DOWNLOAD



QUICK & EASY GIFT
CHOOSE A CAT,
DOWNLOAD & PRINT



Download - Lion Sponsorship

\$25.00 USD

Choose Your Favorite Lion

Koda

Sponsor Amount

\$25

Quantity

1 2 3

Add to Cart

View Cart

This sponsorship kit is a download. You will not receive a physical sponsorship kit in the mail. Choose a cat to sponsor and a sponsorship amount. Your download instant download. After checkout, you will receive a PDF. Click on the link to download and print your sponsorship kit. You will be able to download and print a 4-page PDF about each lioness about tigers, an 8x10 sponsorship photo featuring the cat you choose above and a thank you to your state as the sponsor, and a personal dedication sheet showing how your donation helps the cats.

Upon purchasing your kit at \$500 or more please register online to receive additional benefits including signs and more. [CLICK HERE](#)

Choose your favorite Lion:

Koda, born 2010, BCP, staff and Vet aided law enforcement with the seizure of a 4 year old lioness. She was seized and transported to the sanctuary on March 2, 2022.

All kits include the following that you can download and print:

Four-page color fact sheet about your chosen species

Sponsorship certificate photo with a blank to fit in your name

Financial breakdown of how your donation helps the cats

Sponsored cat profile and rescue story

Your sponsorship in the amounts listed below help us to provide these cats with large natural enclosures, a healthy diet, exceptional veterinary care, and toys and enrichment. Thank you for helping to care for them!

\$25 SUPPORTER

- 4-Page Species Information Pamphlet
- Sponsorship Certificate with Line to Handwrite Sponsor's Name
- Sponsored Cat Profile and Species Information

\$50 BIG CAT FRIEND

- 4-Page Species Information Pamphlet
- Sponsorship Certificate with Line to Handwrite Sponsor's Name
- Sponsored Cat Profile and Species Information
- 8x10 Photo of Sponsored Cat

\$100 BIG CAT PROTECTOR

- 4-Page Species Information Pamphlet
- Sponsorship Certificate with Line to Handwrite Sponsor's Name
- Sponsored Cat Profile and Species Information
- 8x10 Photo of Sponsored Cat
- Donor Name Listed in Online Version of the Big Cat Times

\$250 BIG CAT CONSERVATOR

- 4-Page Species Information Pamphlet
- Sponsorship Certificate with Line to Handwrite Sponsor's Name
- Sponsored Cat Profile and Species Information
- 8x10 Photo of Sponsored Cat
- Donor Name Listed in Print Version of the Big Cat Times

\$500 BIG CAT WARRIOR

- 4-Page Species Information Pamphlet

- Sponsorship Certificate with Link to Handwrite Sponsor's Name
- Sponsored Cat Profile and Sponsor Information
- 3x10 Photo of Sponsored Cat
- Donor Name Listed in Print Version of the Big Cat Times
- 18x12" Big Cat Photo Tee with Donor's Name Displayed Permanently in Gift Shop
- 12x12" Engraved Sign with Donor's Name Displayed for 1 Year
- Private Tour for 2 Guests

\$1500 BIG CAT HERO

- 4-Page Sponsor Information Pamphlet
- Sponsorship Certificate with Link to Handwrite Sponsor's Name
- Sponsored Cat Profile and Sponsor Information
- 3x10 Photo of Sponsored Cat
- Donor Name Listed in Print Version of the Big Cat Times
- 18x12" Big Cat Photo Tee with Donor's Name Displayed Permanently in Gift Shop
- 12x12" Engraved Sign with Donor's Name Displayed for 1 Year
- Private Tour for 4 Guests

\$2500 BIG CAT CHAMPION

- 4-Page Sponsor Information Pamphlet
- Sponsorship Certificate with Link to Handwrite Sponsor's Name
- Sponsored Cat Profile and Sponsor Information
- 3x10 Photo of Sponsored Cat
- Donor Name Listed in Print Version of the Big Cat Times
- 18x12" Big Cat Photo Tee with Donor's Name Displayed Permanently in Gift Shop
- 12x12" Big Cat Photo Sign with Donor's Name Displayed for 1 Year
- Private Tour for 4 Guests

\$5000 KING OF BEASTS

- 4-Page Sponsor Information Pamphlet
- Sponsorship Certificate with Link to Handwrite Sponsor's Name
- Sponsored Cat Profile and Sponsor Information
- 3x10 Photo of Sponsored Cat
- Donor Name Listed in Print Version of the Big Cat Times
- 18x12" Big Cat Photo Tee with Donor's Name Displayed Permanently in Gift Shop
- 18x24" Big Cat Photo Sign with Donor's Name Displayed for 1 Year
- Tour by Founder/Carrie Dodson for up to 4 Guests with Behind the Scenes Pass

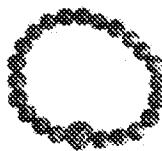


Contact Us

You may also like



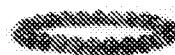
T-shirt - Big Cat Wilderness Collage
From \$19.00 USD - \$59.00 USD



Bracelet - Blue Beaded Lion
\$2.00 USD - \$15.00 USD



Bracelet - Purple Beaded Lion
\$2.00 USD - \$15.00 USD



Bracelet Stretchy Brim, Howling Earth
Imperial jewelry to Protect Tigers
\$2.00 USD - \$15.00 USD

EXPLORE

ABOUT US
CONTACT
DONOR PAGE

CONTACT

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Because we're off our own game, please be signing up for our email list to receive special discounts throughout the year and updates when new products arrive.

Enter Email Address JOIN

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Please take note of the following disclaimer: all the products listed on our website are custom made to order and subject to change from time to time. Features and colors are not available for custom made to order products.

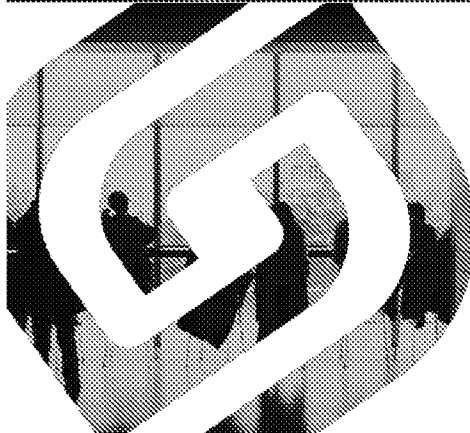
PLEASE NOTE: OUR SITE IS UNDER CONSTRUCTION. PLEASE VISIT US OFTEN FOR UPDATES.



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WE ARE A DIFFERENT KIND OF VENTURE CAPITAL PARTNERSHIP

We invest in companies and products that will make a difference in the lives of animals, people and the planet.

[PITCH SHOWCASE APPLICATION](#)[GWS OPEN ROUND FORM](#)[INVESTOR APPLICATION](#)

WHO WE ARE

A large group of venture capitalists, foundations, trusts, non-profits, and individual investors who share a similar investment thesis and want to accelerate mainstream adoption of products and services that will make a difference in the lives of animals, people and that are better for the planet.

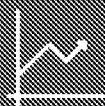
WHAT WE DO

SHARE RESOURCES

Investors share their knowledge, experience, and resources to help promising companies grow.

HELP PROMISING COMPANIES

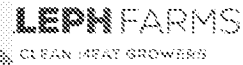
Investors provide capital, mentorship, and other forms of support to help promising companies grow.



WHY WE DO IT

We want to help grow companies in this space by providing them with significant capital, resources, mentorship, and other forms of support.

SAMPLE OF COMPANIES OUR MEMBERS HAVE INVESTED IN



COMPANIES

APPLY

IF YOU'RE AN
ENTREPRENEUR
WITH AN EARLY
STAGE COMPANY
THAT FITS OUR
MISSION

[APPLY HERE](#)

IF YOU'RE A
MISSION-ALIGNED
INVESTOR AND
WANT TO JOIN US

[APPLY HERE](#)

PARTNERS WE LOVE



IF YOU WANT TO KNOW MORE ABOUT US

[CONTACT US](#)



INFO@GLASSWALLSYNDICATE.ORG

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[SELECT MEMBERS](#)
[SELECT INVESTMENTS](#)
[COMMITTEE](#)
[CONTACT](#)

JOIN US



From: Alexander Penalta, Esquire law@penalta.com 
Subject: RE: JUMA Litigation Hold Letter and Demand to Contact FFWC
Date: March 19, 2022 at 7:50 PM
To: carolebaskin@bigcatrescue.org, carole.baskin@bigcatrescue.org, info@bigcatrescue.org, Cat@bigcatrescue.org, admin@bigcatrescue.org



Good afternoon Ms. Baskin:

Please see the attached correspondence below with instructions to preserve JUMA's life, and to preserve all written and electronic corporate records, as evidence. Your company needs to contact FFWC headquarters ASAP to arrange the transport of JUMA to the authorized facility mentioned below. If you choose to not cooperate or make any attempt to keep possession of JUMA, you will leave our member no other alternative but to initiate immediate legal action against you, your corporation and anyone who facilitated JUMA's hostile corporate acquisition for Big Cat Rescue, Inc..

Sincerely,
Alexander Penalta



Carole Baskin
Demand .pdf

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Alexander Penalta, Esquire
Chief Litigation Counsel, Juris Doctor
www.penaltalaw.com
Office: (386) 847-5335

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United States Court of International Trade
United States Court of Military Appeals
United States District Court, Southern Middle and Northern District
National Association of Administrative Law Judiciary
Supreme Court of Florida Approved Rule 11.020 Qualified Court-Appointed Arbitrator
Navy Veteran and Minority Business Enterprise, Certified by the State of Florida
FBI Infragard, Orlando Branch Critical Infrastructure, Transportation, Food and Agriculture Sectors

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Primary: admin@penaltalaw.com
Secondary: law@penalta.com

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EXHIBIT 20

Alexander Penalta, Juris Doctor ^{I-XII}
Also admitted in District of Columbia

Law Firm
of
PENALTA & ASSOCIATES, P.A.

I. U.S. Court of Appeals for the Eleventh Circuit
II. U.S. District Courts
Southern Middle & Northern Districts of Florida
III. U.S. Court of Appeals for the Armed Forces
IV. U.S. Court of International Trade
V. United States Supreme Court
VI. FAA SEL Licensed Private Pilot
VII. (AOPA) Legal Service Plan Attorney
VIII. NRA Legal Plan Attorney
IX. USCG Licensed Captain & Master 50T
Sailing Endorsement & USNA NA44s/26 Qualified
X. Navy Veteran and Minority Owned Business
Certified by the State of Florida
XI. National Association of
Administrative Law Judiciary
XII. Supreme Court of Florida Approved Rule
11.020 Qualified Court Appointed Arbitrator
XIII. FBI Infragard. Orlando Branch,
Transportation, Food and Agriculture
Critical Infrastructure Sectors

The Penalta Law Firm

The Barnett Group Building
3301 South Ridgewood Avenue
Edgewater, Florida 32141
Telephone (386) 847-5335
E-Mail: admin@penaltalaw.com
Web: www.penaltalaw.com

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Boating Safety & Operations
Business Operations and Disruptions
Casino Operations
Civil Criminal & Administrative Law
Complex Business Litigation
Domestic Terrorism Animal Enterprise
EEOC and Employment
Insurance Claims
Litigation, Mediation and Trials
Military Courts
Motorsports and Driver Safety
National Security
Professional and Trade Licensing
Restaurant and Bar Law
Risk Management, Safety & Injury
Scuba Diving Operations
Self Defense Law
Agri-Tourism and Transportation

March 19, 2022

TIME SENSITIVE COMMUNICATION

Carole Baskin, CEO and Registered Agent
Big Cat Rescue and Sanctuary, Inc.
12802 Easy Street
Tampa, FL 33625

RE: "JUMA" FEMALE AFRICAN LIONESS

Attention Ms. Baskin:

Our office has been retained by Roy Pinson, a Cavalry Group member, to investigate the wrongful taking, transport and your possession of our member's ESA protected lioness, "JUMA". Please be advised that you and your corporation are knowingly or negligently in possession of stolen property. As you know, Mr. Pinson is the title owner of JUMA. You do not hold legal title, nor do you or your company hold a property interest in JUMA. The lioness in your possession was transported to your facility unlawfully and under false pretense by an FFWC officer. This communication serves as a demand for you to voluntarily relinquish JUMA and to coordinate with FFWC headquarters to arrange for her transfer to Elmira's Wildlife Sanctuary in Wimauma, Florida, without delay. If you refuse to coordinate with FFWC to transport JUMA to Elmira's, you will leave my client with no other alternative but to take legal action against you and your corporation in a replevin action to recover JUMA. Moreover, you may become an indispensable party in a civil action for Conversion, Civil Theft, Fraudulent Inducement, Fraudulent

EXHIBIT 21

Misrepresentation and Negligent Hiring and Retention that will likely be brought against FFWC and the officer responsible for the fraudulent, hostile taking and transport of JUMA to your GFAS operation and which financially benefitted GFAS, you and your corporation. You, Big Cat Rescue and Sanctuary, Inc., along with the other participants, may be exposed to liability for participating in JUMA's unlawful transport and housing at your company headquarters. We ask that you be cooperative and report the current health condition of JUMA immediately to FFWC and regularly, thereafter, as this investigation proceeds or until this matter is resolved between counsel. Our member prefers cooperation over litigation, but Mr. Pinson will not hesitate to enforce his rights and do whatever is necessary to protect his lioness.

As of this moment forward, please consider this communication as notice that you are to preserve all physical evidence, video surveillance from all store cameras, documents, tangible items and electronically stored information ("ESI") potentially relevant to the above-referenced matter. As used in this document, "you" and "your" refers to **Carole Baskin and Big Cat Rescue and Sanctuary, Inc.**, and its predecessors, successors, parents, subsidiaries, divisions or affiliates, and their respective officers, directors, agents, attorneys, accountants, employees, partners or other persons occupying similar positions or performing similar functions.

You should anticipate that much of the information related to the above-referenced matter is stored on your current and former computer systems and other media and devices (including personal digital assistants, voice-messaging systems, online repositories, cameras and cell phones). ESI includes, but is not limited to, digital communications, word processed documents, spreadsheets and tables, image and facsimile files, sound and video recordings, other video or animation, contact data, scheduling data, presentations, project management data and backup and archive files. In addition to ESI, you are to preserve all hard copy documents or other tangible items related to the above-referenced matter. *However, because hard copies do not preserve electronic searchability or metadata, hard copies should not be considered a substitute for electronically stored data and information. If information exists in both electronic and paper forms, you should preserve both. You should anticipate that metadata will be required to review and search ESI.*

The documents, tangible items and ESI that should be preserved includes, but is not limited to, any and all incident bank records, company records, financial reports, employee records, and any other related documents or records. Additionally, you should preserve any and all information, tangible items or ESI related to any and all phone calls, text messages or photos regarding the above-referenced matter or made or sent since the effective date of the above-referenced matter by any of your employees, contractors or agents involved in the subject of the above-referenced matter. Identification of specific documents, items and information above is not a limitation of the information, tangible items and ESI you should preserve relating to the Subject Incident. You should preserve all documents, tangible items and electronically stored information ("ESI") potentially relevant to the above-referenced matter.

Preservation requires your immediate intervention and a suspension of your regular record review and destruction. Additionally, any employees, agents or other persons who may have access to information, tangible items or documents related to the above-referenced matter must be notified of this preservation request and prevented from altering or deleting any relevant information, tangible items or documents.

This preservation letter should not be interpreted as a limitation of any other document or record retention requirements that you must follow, either by state law, case law, federal regulation, industry policy, or internal policy or guidelines. You should forward this letter to any of your employees, officers, directors, agents or independent contractors who were involved in the above-referenced matter who have knowledge or who have knowledge or possession of any documents, items or information related to the above-referenced matter, to ensure that they are aware of these requirements and that they do not destroy any of the documents, items or information requested. It would be prudent for you to forward this demand to your general counsel's office immediately.

Govern yourself accordingly,

PENALTA & ASSOCIATES, P.A.

A handwritten signature in black ink, appearing to read 'Alexander Penalta', with a stylized flourish at the end.

Alexander Penalta, Esquire

From: Alexander Penalta, Esquire law@penalta.com 
Subject: TIME SENSITIVE COMMUNICATION - JUMA Female African Lioness
Date: March 21, 2022 at 5:21 AM
To: Emily.Norton@myfwc.com, Jill Canfield jill.canfield@myfwc.com
Cc: The Cavalry Group generalcounsel@thecavalrygroup.com, governornon.desantis@eog.myflorida.com



Good morning Ms. Norton:

Please review the correspondence below and advise how the Commission wishes to proceed.

Kind regards,
Alexander Penalta



FFWC Demand-
merge...ed.pdf

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Alexander Penalta, Esquire
Chief Litigation Counsel, Juris Doctor
www.penalatalaw.com
Office: (386) 847-5335

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United States Court of International Trade
United States Court of Military Appeals
United States District Court, Southern Middle and Northern District
National Association of Administrative Law Judiciary
Supreme Court of Florida Approved Rule 11.020 Qualified Court-Appointed Arbitrator
Navy Veteran and Minority Business Enterprise, Certified by the State of Florida
FBI Infragard, Orlando Branch Critical Infrastructure, Transportation, Food and Agriculture Sectors

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Secondary: law@penalta.com

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EXHIBIT 22

Alexander Penalta, Juris Doctor ^{I-XII}
Also admitted in District of Columbia

Law Firm
of
PENALTA & ASSOCIATES, P.A.

The Penalta Law Firm

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II. U.S. District Courts
Southern Middle & Northern Districts of Florida
III. U.S. Court of Appeals for the Armed Forces
IV. U.S. Court of International Trade
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Agri-Tourism and Transportation

March 21, 2022

Service by email only: Emily.Norton@myfwc.com
Jill.Canfield@myfwc.com

TIME SENSITIVE COMMUNICATION

Emily Norton, Esq., General Counsel
Florida Fish and Wildlife Conservation Commission
Farris Bryant Building
620 South Meridian Street
Tallahassee, FL 32399
Tel: 850.488.4676

RE: "JUMA" FEMALE AFRICAN LIONESS

Attention Ms. Norton:

This correspondence serves to address two issues. The first issue is the unlawful transfer of JUMA to Carole Baskin's corporation by FFWC Officer Erika Zimmerman. The second issue is The Cavalry Group's concern for the level of influence that the Humane Society of the United States (Hereinafter, "HSUS") is exerting on the Commission. Also troubling, is the Commission's expansion of big government public policies which directly advance the paid interests of politically influential animal rights corporations, at the expense of private ownership and managers of licensed wildlife facilities throughout Florida. The Cavalry Group is concerned about the criminalization of what were historically considered by the Commission as civil compliance issues that were typically resolved through oral guidance, written instructions, and civil penalties. What

we are seeing is a paradigm shift away from a non-adversarial, customer-based model of civil compliance measures and toward an animal-rights model that establishes criminal traps and sets a negative, hostile tone to punish and criminalize otherwise lawful private ownership of wildlife. That tone and direction sets the stage for the forced transfers of wildlife assets away from highly regulated privately owned wildlife facilities toward a virtually unregulated corporate monopoly of HSUS Global Federation of Animal Sanctuaries (Hereinafter referred to as “GFAS”). The Cavalry Group is monitoring the expanding inequalities that exists between the Commission’s policies that impose criminal penalties against the private management, possession, and husbandry practices of Class 1 licensed facilities, while at the same time leaving HSUS’s Global Federation of Animal Sanctuaries practically unregulated and unaccountable to Floridians. Fairness and equity call for the equal application of the law. The Commission’s rules for compliance, punishment, and criminal enforcement of private ownership of wildlife should be enforced equally against licensed individuals and 501C3 GFAS corporate monopoly members (e.g., Big Cat Rescue, Inc).

The HSUS-GFAS “rescues” rarely ever rescue wildlife. Wildlife managed by animal rights organizations and activists have a body count of dead animals that spans across the country. The interests promoting the marriage between influential animal rights organizations and big government policies is directed by land moguls and corporate raiders and fueled by venture capitalist firms that seek the hostile acquisition of land and private property of middle-class Americans through lawfare and in partnership with an armed government police force to achieve results that would otherwise expose these corporate raiders to personal and corporate liability for interfering with a competitor’s lawful business activities.

The Cavalry Group is aware that HSUS has attended closed door meetings with Commission members and senior management at FFWC in northwest Florida to influence public policy against licensed wildlife facilities. As you know, such 501C3 activity is improper and regulated by federal law and the regulations of the Internal Revenue Service. The Cavalry Group has been monitoring a disturbing trend in the ranks at FFWC that promotes animal rights activism. The recent policy decision issued by the Commission in December 2021 is demonstrative of the fruits of closed-door HSUS political influence and lobbying. The policy that was adopted by the Commission is a discriminatory redistribution away from individually owned and corporate owned assets to HSUS GFAS 501C3 corporations. HSUS and other animal rights corporations have been forming business partnerships with government agencies at all levels and it’s not just happening in Florida. The Cavalry Group has observed this trending nationwide. The interaction between these 501C3 animal rights corporations and government is more reminiscent of the interactions between corrupt oligarchs and Marxist authoritarian rulers rather than the conduct traditionally associated with an American constitutional republican form of government that respects its citizens individual rights and the rule of law. The Humane Society of the United States is the common denominator across the country and is at the center of the shift toward criminalizing private ownership of wildlife, while providing a virtually unregulated sanctuary for their corporate

activities. Their mission creep is slowly drawing the Florida Fish and Wildlife Conservation Commission into direct legal conflict with private property owners and licensees.

As someone who descends from generations of family members who served in government, law enforcement, the military, and the intelligence community, I'm approaching you as the Chief Counsel of FFWC's Legal Department to help you understand The Cavalry Group's view of the legal landscape and the potential for litigation in the future. The Cavalry Group wishes to share its concerns and to educate your department about the outside forces that are battling for control over public policy to achieve financial results that advance their economic interests and harm Florida's agritourism community. Their financial objectives and our member's constitutional rights intersect at FFWC's and The Cavalry Group's Legal Departments. Rather than take an adversarial position against the Commission and FFWC, The Cavalry Group wishes to continue to maintain a professional working relationship. We recognize that FFWC's primary focus is on animal and wildlife management, regulatory enforcement, administrative and legislative governmental affairs. However, it would be prudent for your office to raise its awareness and understanding that the Commission is associating with politically influential animal and environmental non-governmental organizations who seek a partnership to exercise governmental authority over private individuals and agritourism. These NGOs serve the interests of corporate investors who financially thrive by gutting small businesses, engaging in corporate raids, hostile land and asset acquisitions, and by annihilating their business competitors.

Returning to the first issue, our office has been retained by Roy Pinson, a member of The Cavalry Group, to investigate the wrongful transport and possession of our member's lioness, "JUMA". As you know, The Cavalry Group is a national animal welfare advocate and stakeholder for Florida Agriculture, Marine Mammals, Wildlife and Agritourism. Please refer to Mr. Pinson's sworn affidavit that is attached and incorporated by reference for the specific facts giving rise to JUMA's unlawful taking. It has become apparent to The Cavalry Group that Ofc. Zimmerman is empathetic to the animal rights movement and was influenced by HSUS and its GFAS members. Ofc. Zimmerman has used her gun, her badge, her government position, and her employment as a law enforcement officer at FFWC, to advance an animal rights agenda and to specifically benefit HSUS and Carole Baskin. Ofc. Zimmerman's pro animal rights bias direct conflicts with our member's constitutional right to individual private ownership. FFWC's internal records show Ofc. Zimmerman's troubling history of interactions with Floridians, other law enforcement unaffiliated with FFWC, facility licensees and members of the public. Despite FFWC's knowledge of Ofc. Zimmerman's employment history, FFWC continues to retain her as a government employee. Her ongoing employment at FFWC gave rise to the current case with JUMA.

The Cavalry Group's urgency is in protecting JUMA from further harm or death, while in the possession and control of Carole Baskin. As Ofc. Erika Zimmerman knows and has repeatedly admitted to Mr. Pinson, he is the legal title owner of JUMA. JUMA was forcibly taken from Mr. Pinson while he was under duress and while in reasonable fear for his liberty and his life. Ofc.

Zimmerman placed Mr. Pinson in reasonable fear that he would be arrested or shot by the armed officers that stood within shooting distance to Mr. Pinson and JUMA, if he had resisted Ofc. Zimmerman. The veterinarian's use of violence against a trained and non-aggressive ESA protected animal was completely unnecessary.

Please refer to Mr. Pinson's Sworn Affidavit, page 4:

"When he shot JUMA, I felt so bad. She went crazy. She was running into the side of the cage, running into her house, and bouncing off the walls".

"You could tell it really hurt JUMA".

"JUMA broke the syringe off, leaving the needle embedded in her, so he shot JUMA again".

Shooting JUMA, a non-aggressive trained ESA protected lioness, was sadistic and legally actionable. There was no need for JUMA or Mr. Pinson to be emotionally scarred by demanding that JUMA be shot with a high-powered dart gun twice when the same result could have been achieved using less violent alternative method of administering a sedative. Rather, this action was taken to intimidate Mr. Pinson and to serve as a demonstration of Ofc. Zimmerman's willingness to use force and violence to take what Ofc. Zimmerman came for. The gratuitous violence perpetrated against JUMA, in front of Mr. Pinson, was for the *abusement* of Ofc. Zimmerman and the other armed men who refused to allow Mr. Pinson the opportunity to employ accepted husbandry practices used every day in wildlife facilities across the nation to move apex predators from one location to another. It is evident that the shooting incident, the intimidation tactics, the deceitful conduct, and the violence against JUMA would have not occurred, had she been owned by Busch Gardens Corporation or the Animal Kingdom Disney Corporation.

If this type of interaction is happening throughout the State of Florida, FFWC needs to consider sensitivity training for its wildlife officers and training on alternative nonviolent practices, along with training on honest and respectful communications with its licensees. JUMA was not a wild and aggressive animal. Mr. Pinson had informed Ofc. Zimmerman and the armed officers that he needed a safe space for her in order to move JUMA into the transport cage but they all refused Mr. Pinson's reasonable requests. JUMA unnecessarily suffered physical and emotional violence at the hands of the Commission's alleged guardians of Florida's wildlife. JUMA was subsequently transported to Carole Baskin and converted to Ms. Baskin's newly acquired corporate asset.

What transpired on the day that officer Zimmerman took JUMA from our member's facility under false pretense and under armed threat is nothing short of *"the action of taking property unlawfully from a person or place by force or threat of force"*. If civilians had engaged in the same

conduct, they would be in jail. These actions have federal implications because JUMA is a unique piece of personal property that happens to also be an endangered species protected under the ESA. JUMA's unlawful taking has constitutional and statutory state and federal implications for Ofc. Zimmerman and the Commission, as well. Ofc. Zimmerman's conduct was reprehensible. Under the Uniform Code of Military Justice, Ofc. Zimmerman's behavior would have been an actionable court-martial proceeding for conduct unbecoming an officer. This incident exemplifies poor training, poor leadership, poor policy making or a combination thereof. Moreover, this level of indignation toward Floridians and their property is a lawsuit waiting to happen. Most jurors would understand how Mr. Pinson and JUMA felt, if Ofc. Zimmerman and a group of armed men suddenly arrived at their homes with guns and violently shot their animals, causing the animals obvious distress and pain then deceived them about their rights, and then transported their animal to Carole Baskin so that she could celebrate over the increase to her company's net worth and fundraise off their animal. People who are robbed at gunpoint would experience similar human emotions. More importantly, a badge may not always shield a tortfeasor for their intentional and abusive conduct against citizens and ESA protected animals.

Mr. Pinson has reason to believe that JUMA's life is in danger in Carole Baskin's possession. To date, we do not know the current health condition of JUMA. The Cavalry Group is reaching out to your office to arrange for the immediate transfer of JUMA from Carole Baskin's corporation to Elmira's Wildlife Sanctuary in Wimauma, Florida, a Class 1 licensed facility. Our office communicated with Carole Baskin's corporation on Saturday to instruct them to coordinate the voluntarily return of JUMA to her rightful owner and to coordinate with FFWC headquarters to arrange for JUMA's transfer to Elmira's, without delay. The Cavalry Group requests a forensic financial accounting and an investigation of any money, employment benefit, or personal benefit that was derived by any person or entity involved in the transport of JUMA by Ofc. Zimmerman to Carole Baskin's corporate headquarters in Tampa. A forensic accounting should include money flowing to and from HSUS, any other government agency, agent, employee, government subcontractor, non-governmental organization, transport service and needs to include the veterinarian who intentionally shot JUMA.

The Cavalry Group has discovered evidence that HSUS has provided monetary benefits to government agencies who have partnered with animal rights NGOs, in other states. The Cavalry Group is requesting the identity of everyone involved in the taking and transport of JUMA, including all government agents, subcontractors, witnesses at the scene, and the veterinarian who shot JUMA. In the meantime, please notify all departments, subcontractors and agents of the State of Florida involved in JUMA's case to immediately place a litigation hold on all electronic, written, photographic, video, bodycams, computer and ESI evidence and to preserve all communications in any form that has occurred between Ofc. Zimmerman, Carole Baskin and the Big Cat Rescue corporation, its agents or employees, including all private forms of communications and cell phones, within the past 5 years. Should this request be ignored, we will seek this evidence through formal discovery.

At this time, our member does not seek litigation, but merely asks for cooperation between the two parties that are responsible for the unlawful taking and fraudulent transfer of his private personal property, i.e., JUMA. Ofc. Zimmerman acted with extra-constitutional authority when she and the other officers were used as an armed force for HSUS-GFAS's member, Carole Baskin, to redistribute Mr. Pinson's private personal property to convert it as Ms. Baskin's corporate asset. The Commission should not be in the business of loaning its police force to animal rights-based corporations to help them achieve their hostile business objectives against our members and Floridians nor should its officers partake in shielding HSUS and its client's true financial motives, disguised in public virtue signaling media campaigns, under the false guise of "rescuing wildlife". The Cavalry Group will interpret the Commission's failure to transport JUMA to Elmira's Wildlife Sanctuary as governmental ratification of Ofc. Zimmerman's conduct, while acting under color of law that financially benefitted HSUS-GFAS member, Carole Baskin, and it will be evidence that the Commission condoned the employment of its officers as a capital corporate contribution to Ms. Baskin's 4.4+ million-dollar annual revenue stream and to HSUS's \$180+ million-dollar annual revenue stream.

Please advise the appropriate parties that if any other harm is inflicted against JUMA before or during the time that she is transported to Elmira's Wildlife Sanctuary, our member will be left with no other alternative but to take immediate legal action against Carole Baskin and her corporation, as party defendants, along with the Commission, Officer Erika Zimmerman, individually, and every agent and subcontractor that knowingly participated in the wrongful taking and harm of JUMA, including the veterinarian. Should our negotiations to transport JUMA fail, our member is prepared to file a replevin action against Ms. Baskin's company and to file a pre-suit notice with the State of Florida in two separate actions for Fraudulent Inducement, Fraudulent Misrepresentation, Conversion, Civil Theft, Negligent Hiring and Negligent Retention, and in a third action for the unlawful taking and fraudulent transport of an endangered lioness involving FFWC and Ofc. Zimmerman. Mr. Pinson respectfully asks that the General Counsel's office oversee FFWC's activities to determine whether JUMA is still alive and to demand regular veterinarian health reports from Carole Baskin's corporation regarding JUMA's health condition, until this matter is settled between our respective offices or resolved through judicial intervention.

Please confirm receipt of this correspondence and advise how the General Counsel's office wishes to proceed and whether FFWC will coordinate with Ms. Baskin's company to transport JUMA to Elmira's, so that we can take appropriate legal action against the non-responsive party, if needed. We look forward to working with you to resolve this matter.

Sincerely,

PENALTA & ASSOCIATES, P.A.

A handwritten signature in black ink, appearing to read "Alex Penalta", with a horizontal line extending to the right.

Alexander Penalta, Esquire

SWORN AFFIDAVIT

OF

ROY PINSON

1. On March 2, 2022, just after 3.30 p.m., armed Florida Fish and Wildlife Commission Officers entered my property and informed me that they were "taking JUMA", my lioness.
2. My FFWC officer assigned to my facility, Erika Zimmerman, took me to the side and asked me, "if there was going to be any problems".
3. I told her no because I want to get JUMA back and I know if I caused any problems that would not be possible.
4. She told me to remember that the JUMA was my property, I owned her and that they could not take ownership away from me.
5. I told her I wanted JUMA to go to Elmira's in Manatee County, that they had an enclosure waiting on her.
6. At that time, I noticed there were a few more armed officers starting to gather around me, not real close but they were within combative and shooting distance. I started to feel very intimidated by all the guns that could have been used against me or JUMA.
7. I was already emotionally distressed when I realized they were planning on forcibly taking JUMA and now I'm getting nervous, feeling intimidated under extreme duress and wondering what's going on.
8. She then told me that for now JUMA was going to Carole Baskin's Big Cat Rescue.

9. I clearly told her I did not want her to go to Big Cat Rescue and reminded her that she had told me if they came to get her for any reason, I'd be able to place her at the facility of my choice.
10. Ofc. Zimmerman then showed me a paper that said I had not filed my appeal and I was to place the animal in a facility for class 1 immediately.
11. Allegedly, for my convenience, there was a list of class 1 facilities and that is why she believed I was going to be able to place JUMA because that's what the paper said, "that I was to place her".
12. The officer then pulled out an FFWC Property Receipt form and told me I needed to sign it to show that she gave me the paperwork.
13. With all the armed officers aggressively standing around me, I was under such duress, I felt I had no choice but to sign it, especially if I intended on getting my lioness back.
14. Ofc. Zimmerman then pulled out another form and told me I needed to sign it. It stated that saying that my cat was going to be stored at Big Cat Rescue.
15. Once again feeling ambushed by armed officers, I was intimidated into believing that I had no choice I signed it.
16. She gave me a copy of that along with the form that said I was to move JUMA. Again she told me, "remember you own her [JUMA], she's your property".
17. I told her once again, "I don't want her going to Big Cat Rescue," and that "I want her to go to Elmira's".
18. Ofc. Zimmerman, said that it was too late for that because they already had Big Cat Rescue on the way and to give her a couple of days and she would try to get her moved to Elmira's.

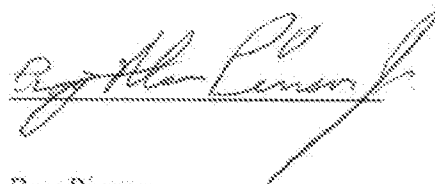
19. Things started to calm down and one of the men asked me about my tractor.
20. I asked my officer's Commander if he thought he brought enough guys.
21. He said, "they're just here to help move the cat".
22. When Big Cat Rescue got there, I told them they would not be able to get their equipment back to where the JUMA was.
23. They said, "oh yes, we will, we've got a golf cart".
24. I told them, "Your golf cart won't even make it back there much less pulling a travel cage".
25. One of the officers said, "well let's walk back there and see what we're dealing with".
26. When we got back to where the sugar sand was, they realized that the travel cage wouldn't be that easy to get there so they said something about me pulling it with the tractor.
27. I told them pulling it with the tractor was not a good idea that the cage itself would drag bottom that the wheels would sink in the sand.
28. I then told them how I did it using my flatbed trailer and that I would let them use it for the sake of my lioness.
29. One of the officers hooked the trailer to his truck.
30. They put the travel cage on the trailer and we started back.
31. When we got back there, I helped them take down the perimeter fence so they could get the travel cage up against the enclosure.
32. I had settled down enough to realize I needed to show them the appeal, so I called someone told them to look up the appeal and text it to me.

33. In the meantime, I told them if everybody would just go away, I could get JUMA to go in the travel cage.
34. They said they'd step back but they weren't going to go anywhere.
35. I told them with all of them standing around she was so upset that she was not going to go into that cage.
36. They said, "well then we will just have to trunk her".
37. At that time, I got my text and it showed the court that I had filed my appeal in and the appeal itself.
38. I showed it to my officer. She said stop, he has the appeal right here.
39. Ofc. Zimmernan's commander came over, took my phone, walked away, came back and said, "I called my commander, he said it's in the wrong Court, "take her."
40. At that time, the vet came out with a CO2 dart gun.
41. I told him I don't want her shot with a CO2 because it leaves bruises.
I have a blowgun. I will let you use it.
42. The vet said no, "I'm using this". He said, "it doesn't hit much harder than a blow gun".
43. When he shot JUMA, I felt so bad. She went crazy. She was running into the side of the cage, running into her house, and bouncing off the walls.
44. You could tell it really hurt JUMA.
45. I had asked the Vet about using bam. He basically told me that bam was for amateurs and said that he did not use bam.
46. After a few minutes, JUMA had not even slowed down.
47. JUMA broke the syringe off, leaving the needle embedded in her so he shot JUMA again.

48. When JUMA finally did go to sleep, they would not let me go check on her. They had me move aside and they went in and dragged her out.
49. They loaded limp body in a cage and we started toward the front of the property.
50. The armed officers took JUMA off the property to load her in their van.
51. I went over and started talking to my officer. She told me again, "you own her she's your property".
52. Ofc. Zimmerman said to me, "give me the information to where you want her to go and I will see what I can do about getting her moved".
53. At that time, her commander walked up and told me that he appreciated the help.
54. I was left with the impression that most people would not have done that.
55. I told him I did it for JUMA.
56. At that time, the Commander told me, "that I didn't have enough money to own a lioness".
57. I told him, "I didn't need a lot of money to own her and that I had people that would donate so that she could have what she needed".
58. He said they needed to go and got in the patrol vehicles.
59. Ofc. Zimmerman told me, "Roy, she's your property. I will do what I can to get her moved, but I can't make any promises".
60. JUMA remains with Carole Baskins to this day.
61. Carole Baskin's public reputation in the community is that she likely murdered her husband.
62. Carole Baskin has a history of negligent husbandry practices that result in the premature death of animals that were placed at her relatively unregulated facility.

63. I reasonably fear that JUMA will be killed by Carole Baskin's either intentionally or negligently.
64. I executed documents under great duress, surrounded by armed men who appeared would shoot me and my lion if I resisted them
65. I believe that I was fraudulently induced to execute FWC's documents on March 2, 2022.
66. I will hold Carole Baskins and the State of Florida accountable for any harm.
67. I am seeking an expedited transfer of JUMA to her rightful place at Elmira's in Manatee County.
68. I am the rightful owner of JUMA. JUMA is my personal property. JUMA was taken from me by force and deception. I had no opportunity to prevent armed men from taking my property wrongfully without risking my life and liberty.
69. I demand my constitutional rights and privileges as a citizen of the State of Florida and as a citizen of the United States of America. I demand my right to due process, life, liberty and property from FFWC and from the State of Florida.
70. If JUMA suffers any harm because of the way that she was fraudulently and forcefully taken from me by armed men with guns, who are agents and employees of the state government, I will hold all parties, state departments and individuals accountable in a court of law and before a judge or jury.

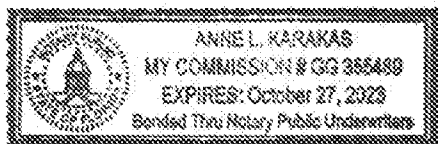
Further the affiant sayeth not.

A handwritten signature in black ink, appearing to read "Roy Pinson", written over a horizontal dotted line.

Roy Pinson

Subscribed and sworn before me, on this 19 day of March, 2022.

SEAL Anne L. Karakas Notary Public



From: Alexander Penalta, Esquire law@penalta.com 
Subject: JUMA/KODA TIME SENSITIVE COMMUNICATION

Date: March 22, 2022 at 3:25 PM

To: ethan.aufdembrink@myfwc.com

Cc: Emily.Norton@myfwc.com, The Cavalry Group generalcounsel@thecavalrygroup.com, governornon.desantis@eog.myflorida.com



TIME SENSITIVE COMMUNICATION

Good afternoon Mr. Aufdembrink:

Thank you for returning my call and for communicating to Ms. Norton our latest concerns about JUMA. Please review the notice that was sent to FFWC Monday morning, along with the you tube video link below.

Ms. Baskin's corporation has changed the name of JUMA to KODA. We have video that JUMA/KODA is now limping. Please review the video before it disappears. Elmira's veterinarian is scheduled to make an assessment. We do not want to find ourselves in a situation where somebody at Ms. Baskin's company is going to make a decision to euthanize JUMA/KODA and claim that they had to take lethal action because she allegedly arrived injured or in poor health.

The best thing for Ms. Baskin, from a liability standpoint, is for JUMA/KODA to be transferred out of her current setting and moved to Elmira's Wildlife Sanctuary in Wimauma, Florida. Please initiate that transfer without delay, before her condition deteriorates. Time is of the essence. FFWC needs to communicate to Carole Baskin's entire company, in the form of a direct order, they are not authorized to kill JUMA/KODA under any circumstance. JUMA/KODA is not Ms. Baskin's property. Their corporation's possession of JUMA/KODA is being legally contested and they have a fiduciary duty to ensure her safety and her life. If JUMA/KODA is killed while in the possession of Ms. Baskin's corporation, it will guarantee civil and criminal legal action and it will trigger a federal action.

We continue to look forward to working with FFWC to ensure the immediate and safe transfer of JUMA/KODA to Elmira's.

Kind regards,
Alexander Penalta

<https://youtu.be/vMRgtLzxEv4>



FFWC Demand-
merge...ed.pdf



Carole Baskin
Demand .pdf

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From: Alexander Penalta, Esquire law@penalta.com

Subject: JUMA/KODA transfer to Elmira's

Date: March 23, 2022 at 3:15 PM

To: Bridget McDonnell bridget.mcdonnell@myfwc.com

Cc: Emily.Norton@myfwc.com, governornon.desantis@eog.myflorida.com, The Cavalry Group generalcounsel@thecavalrygroup.com



Good afternoon Ms. McDonnell:

It is my understanding that you've been assigned as the lead attorney on the case involving Juma.

We continue to get reports from Mr. Pinson, Juma's owner, that she continues to limp and is barely eating. Please consider this correspondence as a formal pre-suit request for FFWC to open an investigation into Carole Baskin's corporate husbandry practices and to monitor the maintenance of Juma, as we have reason to believe that her health and life is at risk. The Cavalry Group requests an OIG investigation into Ofc. Erika Zimmerman and would like reports of its findings.

FFWC always takes action, even disciplining its own officers, when PETA/HSUS and other animal rights NGOs file complaints and demand investigations against our licensed members and against non-member licensed facilities. The Cavalry Group expects the same professional courtesy and equal treatment from FFWC, as an animal welfare stakeholder in the State of Florida that has provided FFWC with legal notice of imminent harm to an endangered species within its state borders.

Mr. Pinson is receiving reports that Carole Baskin's company is allegedly attempting to engage in some form of deworming protocol. Juma was raised and accustomed to seeing her owner everyday and now she hasn't seen him for 3 weeks. Juma's placement is having a negative psychological impact that is highly detrimental to Juma's well-being. It is not uncommon for animals who have been raised in close contact and have been abruptly taken away from their owners to spiral into the state of depression and refusal to eat leading to their death. It happens with many apex species from elephants, to dolphins and wolves/dogs.

The combinations of all these factors are having a substantial negative impact on Juma's health and well-being. The longest Juma has ever gone without seeing her owner has been two days and now it's been three weeks. Juma went from being treated like a close family member to an isolated abandoned roadside zoo animal at Carole Baskin's company headquarters. These animals are sentient beings used to existing in close social units called prides, particularly the females. Ofc. Zimmerman has disrupted Juma's pride. There will be legal consequences to that, if anything happens to Juma, particularly, if she dies in the hands of Carole Baskin.

Please advise what time is good for you to speak with me today regarding the status of Juma's transfer to Elmira's. We need to know FFWC's plan of action to move Juma to Elmira's facility. We notified Carole Baskin on Saturday and FFWC on Monday. It is Wednesday and the clock is ticking.

Our office is drafting the pre-suit notice to department of financial services and will be filing the notice within days, if we do not begin to see concrete measures being taken to correct the situation.

Juma's case is time sensitive.

Sincerely,
Alexander Penalta

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Alexander Penalta, Esquire

Chief Litigation Counsel, Juris Doctor

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Subject: Re: JUMA/KODA transfer to Elmira's
Date: March 23, 2022 at 8:17 PM
To: McDonnell, Bridget Bridget.McDonnell@myfwc.com
Cc: Norton, Emily Emily.Norton@myfwc.com, GovernorRon.Desantis@eog.myflorida.com, The Cavalry Group
generalcounsel@thecavalrygroup.com



Good afternoon Ms. McDonnell:

As you should be aware from your prior interactions with me, I serve as Chief Litigation Counsel throughout the entire State of Florida for The Cavalry Group (The C-A-V-A-L-R-Y Group, www.thecavalrygroup.com).

Apparently, you do not remember me but I clearly remember you. At our next telephone conference, I will gladly reiterate and confirm what I have previously stated in writing on multiple occasions that our law firm represents Juma and Mr. Pinson. It was also made clear to FFWC in multiple communications that I, Alexander Penalta and The Penalta Law Firm, represent Roy Pinson and Juma. Mr. Pinson retained our office to represent the best interests of Juma in this matter. Once again, Roy Pinson is a member of The Cavalry Group.

We have not entered a notice of appearance or filed any legal documents as "attorney of record" for any proceeding because we have not opened a court case, yet.

As you know, the Department of Financial services has to review this matter before filing suit against the Commission. However, no such filing prerequisite exists before commencing a lawsuit against Carole Baskin's corporation for replevin, conversion and civil theft. We are prepared to take whatever action brings the fastest and most equitable resolution for Juma's best interests.

Mr. Pinson is being reasonable because he is not demanding the return of his lioness to his facility but rather seeks Juma's placement at Elmira's, as he had directed Ofc. Zimmerman to do on the day, she deceptively took Juma from my client by force and under duress. For reasons unknown to Juma's owner, Officer Zimmerman and Carole Baskin's corporation, reached some unilateral agreement on how they were going to use, dispose of and continue to possess my client's private property that neither one of them whole legal title to.

Officer Zimmerman and the Commission do not have legal title to Mr. Pinson's private property and therefore, taking Mr. Pinson's private property by force surrounded by armed men and the arbitrary disposition of Mr. Pinson's personal property, at the Commission's whim, is actionable. Ms. Baskin's continued possession and conversion of Juma/Koda, after being placed on legal notice on Saturday that Juma's owner does not want Carole Baskin to remain in possession of Juma, is actionable. Changing Juma's name to Koda shows intent to possess and to keep my clients property. Ms. Baskin either needs to transfer Juma to Elmira's or she will have to prove title ownership which she cannot, to avoid the legal storm that is heading toward her and her company, veterinarian the shot Juma and eventually the Commission, once DFS concludes their pre-suit investigation of Mr. Pinson's fraudulent inducement, civil conversion and theft claims.

If the Commission can produce any compelling Florida case law on property, title ownership, conversion of property or civil theft cases that stand for the proposition that the Commission and Carole Baskin's corporation wins in any legal action contesting title to Mr. Pinson's private property, please forward it to us for our review.

We understand that the Commission may be viewing this case as just a regulatory licensing enforcement issue but this matter is fundamentally a private property dispute that could land everyone that touched Mr. Pinson's private property in court to answer for why they believe they can continue to keep Juma imprisoned at a corporation in solitary confinement. Who had legal title when Juma was taken from Mr. Pinson by deceit, under duress and by force? What legal justification each person had to touch, harm and continue to possess Mr. Pinson's private property, against the property owner's will and for continuing to hold Juma in a place that is not in Juma's best interests (i.e. Conversion/Theft). If this private property was an inanimate chattel, or a house there would not be the same sense of urgency as there is with a living sentient being like Juma who is living abandoned, isolated in solitary confinement and showing signs of depression and injury.

We are requesting that the Commission provide the factual basis and supporting evidence that JUMA was lawfully taken by the Commission and it's agent/employee who acted under color of law and within the scope of her employment to dispossess our client and Cavalry Group member from his personal property. Provide us with the case law and holding that Juma's continued possession is lawful even against the owner's will. We request that you produce whatever evidence the Commission will have to prove in court that Juma was not converted or stolen through deceptive means and by force from my client's facility. If this evidence production and case law request is ignored then we will look to convene a jury that will answer these questions for the Commission.

The Commission is on notice that Mr. Pinson is challenging legal title and possession of his personal property and Ms. Baskin's claim to possession and legal title to do anything with our client's property, without an ownership contract or a court order. The Commission has neither a court order awarding title ownership nor a valid contract passing title ownership to the state nor to Ms. Baskin's corporation.

Your FFWC officer, Erika Zimmerman, admitted to Mr. Pinson and continuously reassured him that Mr. Pinson owns Juma, while at the same time she was engaging in a deceptive act to take my client's property by intimidation, force and duress. If and when the Commission's inaction forces this matter to be litigated, we intend to offer Ofc. Zimmerman's admission as a party opponent (both individually and as an employee/agent of the Commission).

We are merely attempting to negotiate the safe return and placement of Juma at Elmira's, without the need for litigation. A little cooperation from the Commission could go along way in Juma's safe return.

Thank you for referring this matter to the OIG. We need to discuss Juma in a telephone conference or by zoom, ASAP so that we have clarity on the commissions resistance or refusal to move Mr. Pinson's property from Carole Baskins corporation to Elmira's. I'm available for you anytime tomorrow after 1:00 pm, or Friday or even throughout the weekend, if necessary.

We look forward to working with you and the Commission to resolve this matter, expeditiously.

EXHIBIT 26

Sincerely,
Alexander Penalta

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Alexander Penalta, Esquire

Chief Litigation Counsel, Juris Doctor

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On Mar 23, 2022, at 5:12 PM, McDonnell, Bridget <Bridget.McDonnell@myfwc.com> wrote:

Mr. Penalta,

Your letter sent Monday refers to your involvement on behalf of the Calgary Group and your retention in this matter for investigation purposes. We would appreciate your clarification on whether you are Mr. Pinson's attorney of record? The lion you have referenced was lawfully seized by the Commission in the exercise of its official duties and has been temporarily boarded at a captive wildlife facility. Mr. Pinson received documentation reflecting this. Additionally, we have received your request related to an OIG investigation and will refer accordingly.

Sincerely,

Bridget K. McDonnell
Assistant General Counsel
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
Telephone: 850-487-1764
Fax: 850-487-1790

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From: Alexander Penalta, Esquire <law@penalta.com>
Sent: Wednesday, March 23, 2022 3:15 PM
To: McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Cc: Norton, Emily <Emily.Norton@MyFWC.com>;
governorrn.desantis@eog.myflorida.com; The Cavalry Group
<generalcounsel@thecavalrygroup.com>
Subject: JUMA/KODA transfer to Elmira's

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From: Alexander Penalta, Esquire law@penalta.com
Subject: Re: JUMA/KODA transfer to Elmira's
Date: March 23, 2022 at 9:58 PM
To: McDonnell, Bridget Bridget.McDonnell@MyFWC.com
Cc: Norton, Emily Emily.Norton@MyFWC.com, governornron.desantis@eog.myflorida.com, The Cavalry Group
generalcounsel@thecavalrygroup.com



Good morning Ms. McDonnell:

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As you know, the Department of Financial services has to review this matter before filing suit against the Commission. However, no such filing prerequisite exists before commencing a lawsuit against Carole Baskin's corporation for replevin, conversion and civil theft. We are prepared to take whatever action brings the fastest and most equitable resolution for Juma's best interests. Mr. Pinson is being reasonable because he is not demanding the return of his lioness to his facility but rather seeks Juma's placement at Elmira's, as he had directed Ofc. Zimmerman to do on the day, she deceptively took Juma from my client by force and under duress. For reasons unknown to Juma's owner, Officer Zimmerman and Carole Baskin's corporation, reached some unilateral agreement on how they were going to use, dispose of and continue to possess my client's private property that neither one of them has legal title to.

Officer Zimmerman and the Commission do not have legal title to Mr. Pinson's private property and therefore, taking Mr. Pinson's private property by force surrounded by armed men and the arbitrary disposition of Mr. Pinson's personal property, at the Commission's whim, is actionable. Ms. Baskin's continued possession and conversion of Juma/Koda, after being placed on legal notice on Saturday that Juma's owner does not want Carole Baskin to remain in possession of Juma, is actionable. Changing Juma's name to Koda shows intent to possess and to keep my clients property. Ms. Baskin either needs to transfer Juma to Elmira's or she will have to prove title ownership which she cannot, to avoid the legal storm that is heading toward her and her company, the veterinarian who shot Juma and eventually the Commission, once DFS concludes their pre-suit investigation of Mr. Pinson's fraudulent inducement, civil conversion and theft claims.

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EXHIBIT 27

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We look forward to working with you and the Commission to resolve this matter, expeditiously.

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Bridget K. McDonnell
Assistant General Counsel
Florida Fish and Wildlife Conservation Commission
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Telephone: 850-487-1764
Fax: 850-487-1790

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Cc: Norton, Emily <Emily.Norton@MyFWC.com>;
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Alexander Penalta

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Alexander Penalta, Esquire
Chief Litigation Counsel, Juris Doctor

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Office: [\(386\) 847-5335](tel:3868475335)

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From: Alexander Penalta, Esquire law@penalta.com
Subject: TIME SENSITIVE COMMUNICATION Juma/Koda - second request for telephone conference
Date: March 24, 2022 at 3:55 PM
To: Bridget McDonnell bridget.mcdonnell@myfwc.com
Cc: Emily Norton Emily.Norton@myfwc.com, governorron.desantis@eog.myflorida.com, The Cavalry Group
generalcounsel@thecavalrygroup.com



TIME SENSITIVE COMMUNICATION

Good afternoon Ms. McDonnell:

Mr. Pinson has just informed us that Carol Baskin is refusing to allow his veterinarian on the corporate premises where Officer Zimmerman arranged with Carole Baskin to keep Juma imprisoned.

Be advised that every day that Mr. Pinson is denied access to his private property is adding to any awardable monetary damages. We are requesting that the Commission issue an order allowing Mr. Pinson's veterinarian from Elmira's to inspect and perform an evaluation of Juma's health condition. If the Commission is unwilling to assist Mr. Pinson's veterinarian in obtaining access to Juma, please acknowledge, in writing, the legal basis and the reason for the refusal.

Once again, please provide a date and time for a telephone conference regarding the above referenced for a meet and confer.

This is our second request and time is of the essence.

Sincerely,
Alexander Penalta

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EXHIBIT 28

From: Alexander Penalta, Esquire law@penalta.com
Subject: Third request for telephone conference to discuss Juma's false imprisonment at Big Cat Rescue (Day 23)
Date: March 25, 2022 at 2:13 AM
To: Bridget McDonnell bridget.mcdonnell@myfwc.com
Cc: Emily Norton Emily.Norton@myfwc.com, governorron.desantis@eog.myflorida.com, The Cavalry Group
generalcounsel@thecavalrygroup.com



Time Sensitive Communication

Good morning Ms. McDonnell:

Please provide a date and time for a telephone conference regarding the above referenced for a meet and confer to discuss Juma's unlawful imprisonment and possession at Carole Baskin's Big Cat Rescue Corporation and to have a state veterinarian enter Carole Baskin's premises to perform a health examination, without further delay.

Sincerely,
Alexander Penalta

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EXHIBIT 29

From: McDonnell, Bridget Bridget.McDonnell@MyFWC.com
Subject: RE: Third request for telephone conference to discuss Juma's false imprisonment at Big Cat Rescue (Day 23)
Date: March 25, 2022 at 6:35 PM
To: Alexander Penalta, Esquire law@penalta.com
Cc: Norton, Emily Emily.Norton@MyFWC.com



Dear Mr. Penalta,

The wildlife was lawfully seized by the Commission in the exercise of its official duties and has been temporarily boarded at a captive wildlife facility which is required to provide appropriate care and maintenance of the animal. Your client has been provided with documentation regarding the seizure by our Law Enforcement Officers. I do not have anything additional to discuss at this time.

Sincerely,

Bridget K. McDonnell
Assistant General Counsel
Florida Fish and Wildlife Conservation Commission
620 South Meridian Street
Tallahassee, Florida 32399-1600
Telephone: 850-487-1764
Fax: 850-487-1790

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From: Alexander Penalta, Esquire <law@penalta.com>
Sent: Friday, March 25, 2022 2:13 AM
To: McDonnell, Bridget <Bridget.McDonnell@MyFWC.com>
Cc: Norton, Emily <Emily.Norton@MyFWC.com>;
governorron.desantis@eog.myflorida.com; The Cavalry Group
<generalcounsel@thecavalrygroup.com>
Subject: Third request for telephone conference to discuss Juma's false imprisonment at Big Cat Rescue (Day 23)

[EXTERNAL SENDER] Use Caution opening links or attachments
Time Sensitive Communication

Good morning Ms. McDonnell:

Please provide a date and time for a telephone conference regarding the above referenced for a meet and confer to discuss Juma's unlawful imprisonment and possession at Carole Baskin's Big Cat Rescue Corporation and to have a state

EXHIBIT 30

veterinarian enter Carole Baskin's premises to perform a health examination, without further delay.

Sincerely,
Alexander Penalta

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From: Alexander Penalta, Esquire law@penalta.com
Subject: (Corrected) TIME SENSITIVE COMMUNICATION Save JUMA: 26 days held hostage at Carole Baskin's Big Cat Rescue Corporation and Fourth Request for a Telephone or Zoom Video Conference with FWC General Counsel's Office
Date: March 28, 2022 at 9:45 PM
To: Emily Norton Emily.Norton@myfwc.com, governornon.desantis@eog.myflorida.com



TIME SENSITIVE COMMUNICATION

Good morning General Counsel Norton:

Please substitute this corrected email communication for the 10:41 a.m. email that your office received this morning. The computer program did not capture the final edit when it fired off. We included a few of the online links below, for your review. These links specifically demonstrate how Carole Baskin's Big Cat Rescue Corporation is exploiting Juma's unlawful possession, for money. As we had informed you in previous emails, the BCR Corporation unilaterally changed the name of Juma to KODA to cover up the unlawful seizure. It also demonstrates the felonious intent of Carole Baskin's Big Cat Rescue Corporation to permanently deprive the title owner of his property and to exercise continued possession, dominion and control over Juma, even after Carole Baskin's company was instructed on March 19, 2022, to transfer Juma to Elmira's Wilderness Sanctuary immediately:

<https://www.youtube.com/watch?app=desktop&v=vMRqtLzxFy4>

<https://bigcatrescue.org/koda-lioness/>

https://www.youtube.com/results?search_query=donate+koda+big+cat+rescue+amazon+smile

Our prayers are that you are filled with compassion and as the leader of a government agency dedicated to protecting animals from exploitation, you will consider engaging with us. Lead the investigation into how Juma's situation got sideways. Have some empathy for what it's like for Juma. Her brain cannot compute what is happening to her right now at BCR. Imagine having your home raided by armed officers, having them shoot your dog with a high-powered weapon twice and then emotionally tearing your drugged and unconscious dog away from the only family she has ever known. Then imagine having to live every day knowing that your dog is being exploited at some "dog rescue" that is prostituting her for the online amusement of voyeurs who flood her captor's corporate accounts with cash, under the guise of "donations". In the meantime, she's wondering why she can't be with "mom" and her family, every waking minute of every waking hour of every waking day.

EXHIBIT 31

hour, or every waking day.

Asst. General Counsel McDonnell told Mr. Pinson his class 1 license would be good until all the appeals were done. She made an admission by a party opponent and a declaration against interest in the minutes of the licensing hearing that Mr. Pinson attended. Please see the 4 documents attached numbered 1-4. These four documents demonstrate that Mr. Pinson had filed the appeal on time and that he completed the paperwork in order for it to be filed in the correct court. Document #1 is the one telling the court who Mr. Pinson was sending a copy of Document #2. Document #2 is the one Mr. Pinson had to fill out to appeal, and it says, "Appellant, appeals to the Second District Court of Appeal", which is where it should have been filed. Document #3 clearly demonstrates that the clerk processed the case in error and fixed it. Document #4 demonstrates that the Second District Court of Appeal accepted his appeal and it shows a filing date of February 17, 2022. Therefore, according to Ms. McDonnell's own admission, Mr. Pinson's Class 1 license was still good, because his appeal is actively pending. Mr. Pinson sent Document #2 to Ms. McDonnell on February 17, 2022. Your office confirmed on February 18, 2022, that they had received the attachment.

Mr. Pinson didn't hear from the FWC Commission again, until February 24, 2022, when Officer Erika Zimmerman called him and said, "Roy you didn't file your appeal". Mr. Pinson said "yes, I did" and sent Ofc. Zimmerman the email he had sent to Ms. McDonnell and the reply they returned to him. Ofc. Zimmerman then called Mr. Pinson on February 28, 2022, and said she had a paper for Mr. Pinson to sign and she needed to meet him on Wednesday March 2, 2022, at 3:30 pm. At no time was Mr. Pinson's appeal mentioned, after he sent the emails to Ofc. Zimmerman, so he had a good faith reason to believe that all was good until the FWC Commission ambushed him with armed officers who arrived ready to shoot and capture Juma. FWC left Juma's owner holding a "property receipt" for Juma with an "X" in the box denoting "misdemeanor" offense. The property receipt is further evidence that FWC recognized Mr. Pinson as Juma's owner.

The Cavalry Group is monitoring tactical armed raids using high powered weaponry and trumped up criminal prosecutions of law-abiding private citizens, derived from legislation originated by lobbyists at HSUS. These armed tactical raids often leave citizens shaken and fearful of prosecution and destitute through loss of property and the legal expenses necessary to defend them. The animal law unit distributes the living property seized by government agents to its animal rights nongovernmental organizations (e.g ASPCA) partners, acting in concert and operating in joint tactical operations. These NGOs provide

the government with transport, boarding and expert witness services, and on occasion provide HSUS cash and supplies directly to a government agency to fund training of government agents, animal raids and asset seizures. The Cavalry Group recently became aware that the Animal Law Unit at the Attorney General's Office in Virginia received HSUS funding. All this disruptive activity to families of law-abiding animal owners happens "under color of law" and is the modus operandi of HSUS's training and lobbying efforts to have animal law enforcement units develop strategies to generate revenue, raid private property and redistribute wealth in a highly destructive manner to the citizenry.

The Cavalry Group has been monitoring government agencies that partner with HSUS. We are defending our members and fighting back in court and in every level of government, nationwide. Raiding privately owned animal facilities and alleging trumped up charges against law abiding citizens, often destroys the animal enterprise owner who is unable to recover from the heavy handedness of government being left with a debt for tens or hundreds of thousands of dollars for boarding their seized animals at an HSUS or ASPCA nongovernmental organization's company. They often target the financially weakest individuals and minority owned businesses because they calculated an attack against a target that is unlikely to have the financial resources to expose the collusion and conduct. It's a form of the strong preying on the weak. It is essentially a form of theft. Citizens are divested of their living property by the nongovernmental corporate raiders, under threat of violence or arrest. This is the HSUS business model that is being deployed nationwide against private owners of wildlife. If the venture capitalist firms that shield their liability and exposure to criminal prosecution by operating through HSUS, weren't acting in concert with government law enforcement agencies, their conduct would be considered actionable civil and criminal racketeering. Once they monopolize all wildlife under the Global Federation of Animal Sanctuaries (GFAS) member syndicate, HSUS will apply the "armed raid and seizures" business model to continue incrementally monopolizing and outlawing private land ownership and private personal property that has been targeting farmers, ranchers and American working-class families, and the agriculture sector of domesticated animals raised for human consumption. The end game of the venture capitalists that fund HSUS is to lobby governments and ultimately gain control of America's food supply, which is a critical infrastructure and a national security concern in every country. The venture capitalists behind the shield of HSUS have an agenda to force all humans to consume synthetic meat. It is known in the intelligence community as

"Food Security" or better said, "Food Insecurity" which is capable of destabilizing any society, when enough pressure is applied to the markets of supply and demand. This is how Marxists prop up authoritarian rulers who must destroy freedom to control enslaved nations. Either the 7 FWC Commissioners are naive and ignorant about world history with respect to HSUS's end goal or they are willing participants.

Did Captain Kara Hooker give Ofc. Zimmerman the order to raid the facility, have Juma shot, drugged and taken unconscious to Carole Baskin's BCR so that Ms. Baskin's captive wildlife company could exploit Juma for corporate cash and propaganda fundraising? We know Captain Hooker issued a February 23, 2022, letter ordering Juma's owner to place Juma at a licensed facility. Captain Hooker's letter even included a "list of licensed facilities that are authorized to possess Class 1 Felidae". If Capt. Hooker did not issue that order, then who was the decision maker in Captain Hooker's chain of command? Have the 7 FWC Commissioners ratified Juma's shooting and false imprisonment at Carole Baskin's BCR Corporation?

The sum of the events that transpired leading up to the March 2 raid on privately owned property translates into an unlawful shooting (2X) and an unconstitutional act to permanently deprive Juma from her lawful title owner. The overwhelming body of law in Florida on private property rights and duress provides that we win in any legal action to recover Juma. It is also our legal position that an unlawful "Taking" of an ESA federally protected endangered African Lioness occurred on March 2, 2022, by your FWC officers. The unlawful FWC corporate gift to the Big Cat Rescue Corporation from a government body is troubling. Mr. Pinson's Class 1 was active and he was legally in possession of Juma. Prove us wrong.

The 7 FWC Commissioner's primary mission is to protect and to serve as the guardians of wildlife throughout Florida. Instead, they transported an unconscious hand raised domesticated female African Lioness to Carole Baskin's BCR Corporation. Somebody at the Commission is either heartless, or they developed a bias in favor of the HSUS GFAS business model over the Accredited Zoos and the highly experienced Barnum and Bailey Circus Animal Handlers. It's one thing to seize a wild lioness and hold her captive. It's something totally different to violently shoot a domesticated hand raised 4-year-old lioness with a high-powered CO2 weapon filled with barbed needles and drugs, then rip her away from the only companion she has ever known. Of all the people in the State of

Florida and of all the Class 1 licensees that FWC manages, FWC could have easily arranged, with the consent of Juma's owner, to deliver Juma to Elmira's or to Kay Rosaire at her Big Cat Habitat and Gulf Coast Sanctuary. Ms. Rosaire is the preeminent animal handler and an internationally recognized expert on big cats, boarding requirements, and proper acclimation protocols for a domesticated 4-year-old African Lioness that has emotionally bonded to her human caretaker. Yet, someone high up in management or within the FWC Commission clearly had a business preference to gift Juma to the Dr. Kevorkian of Big Cats to die alone and afraid, as one of Ms. Baskin's corporate cash prostitutes. It speaks volumes for the 7 FWC Commissioners that Juma landed where she did and it speaks to the culture and sordid decay that The Cavalry Group has witnessed, nationally, wherever HSUS achieves influence over government taxpayer funded agencies. Juma was taken under threat of deadly force and against her title owner's consent. If Ofc. Zimmerman had complied with the owner's instructions to have Juma temporarily boarded at Elmira's Wildlife Sanctuary where the owner could keep Juma reassured that she will continue to see him until the lawyers could resolve the clerk's clerical filing error, we wouldn't be in this situation with Juma in danger of death or serious bodily harm.

The FWC Commissioners have provided Carole Baskin with a golden opportunity to exploit and prostitute Juma online. A domesticated African Lioness that is kept apart from her lifelong companion and is not provided a proper acclimation protocol can die within a short time period. If she dies before she is transported to Elmira's, her blood will forever be on the hands of the 7 FWC Commissioners: Rodney Barreto; Robert A. Spottswood, Steven Hudson, Gary Nicklaus, Gary Lester, Sonya Rood and Michael W. Sole.

How does it work, by the way? Will Ms. Baskin's BCR \$4.4 million dollar a year corporation continue to receive priceless endangered apex predators as corporate gifts from the FWC Commissioners who will continue attending meetings with Kate McFall throughout the state and with other HSUS lobbyist "stakeholders" at luxury beachfront hotels, enjoying pricey taxpayer funded meals at conferences? Will HSUS shower the Commissioners and an FWC officer with an "HSUS Hero Award" then get a pat on the back for "rescuing wildlife" from privately owned animal enterprise licensed facilities? Thanks to the FWC Commission and whatever clandestine deals they made with Carole Baskin and HSUS Ms

whatever clandestine deals they made with Carlos Baskin and HSUS, Mrs. Baskin's \$4.4 million dollar a year corporate bank accounts are overflowing from all the online revenue streams her company generates from "rescued" animals.

The Cavalry Group is aware that Ms. Baskin's BCR Corporation currently had no lions for people to "sponsor" and throw cash at Ms. Baskin's company, until Juma was forcibly removed from her title owner. The BCR Corporation does not hold title nor do they have consent from the title owner to possess Juma. Ms. Baskin's corporation will be liable for conversion and so will FWC and the 7 Commissioners, if they do not immediately remove Juma and transport her to Elmira's. The false "seizure and rescue" narrative that the 7 Commissioners facilitated, allowed BCR Corporation to create, supports HSUS and BCR's public relations campaign to end private ownership of all wildlife and privately owned animal enterprise throughout the State of Florida. Juma will likely end up on some Netflix documentary so that BCR Corporation can enjoy more fame and fortune from the false narratives and virtue signaling "rescue corporations" as the cash and the spoils of their war against private ownership are redistributed among the BCR Corporation, GFAS and HSUS.

Surely, you must know that it's more than just coincidence that Juma's seizure was timed to coincide with World Wildlife Day and that her unlawful seizure will add fuel to BCR's corporate fundraising campaigns. The unlawful and unconstitutional seizure will increase BCR's revenue streams on the verge of them releasing Ms. Baskin's newest "Tiger King" spinoff docu-series and Ms. Baskin's latest documentary, "The Conservation Game" which is a BCR and HSUS false propaganda campaign to disparage Zoological professionals and create a false sense that there is a national crisis. The crisis narrative is created in order to pressure legislation to force private animal enterprise owners into submission and into HSUS GFAS's Corporate membership or risk total destruction of their animal enterprise. The intended consequences of HSUS public policy is to ensure the extinction of all animal species that have been conserved in large part by private animal enterprise, zoological professionals, and responsible breeding of all life forms throughout the planet. We've been practicing animal law and defending private animal enterprise long enough to remember when the revenue generating message against our members was that "nobody had a right to keep captive wildlife" and that they should be "released to run free in the wild". HSUS and BCR's Corporate message has changed, now that HSUS erected a GFAS monopoly over captive wildlife

changed, now that FWS elected a GFAS monopoly over captive wildlife and constructed a business model that evolved into their GFAS membership program which funds a steady revenue stream for a billion-dollar animal industry and enjoys celebrity endorsements and political access at every level of government. Unlike the "Born Free" message of the 1970s, in 2022, the message has evolved into "only GFAS governed members who pay GFAS a share of their operations" should have the right to keep captive wildlife. In congress, this type of business arrangement is known as a forced "Green" contract. Substitute the word "green" with a red flag containing a hammer and sickle and it will crystallize the meaning of the "green politics" of controlling animal enterprises.

The Cavalry Group wants to know what reports the FWC Commissioners are receiving from the Big Cat Rescue Corporation or is it that GFAS members are receiving special treatment and are not being held to the same regulatory standards as the FWC and USDA highly regulated Class 1 licensed facilities? If the 7 Commissioners are not receiving veterinarian health status reports regularly from Ms. Baskin, why aren't they? If FWC is going to serve as Ms. Baskin's corporate supplier, then FWC will also be assuming the legal liability for anything that happens to the private living property of any FWC licensed owner and Cavalry Group Member. The Commission owns the Carole Baskin BCR corporate problem.

Today, March 28, 2022, will be Day 26 that Juma is being held hostage and prostituted for cash at Carole Baskin's Corporate Hospice for Big Cats. The Cavalry

Group will hold the FWC Commissioners legally, morally and publicly responsible for that situation.

On Friday, March 25, 2022 after my third request for a telephone conference with your office, Ms. McDonnell replied:

Dear Mr. Penalta,

The wildlife was **lawfully seized** by the Commission **in the exercise of its official duties** and has been **temporarily boarded** at a captive wildlife facility which is required to provide **appropriate care** and maintenance of the animal. Your client has been provided with documentation regarding the seizure by our Law Enforcement Officers. **I do not have anything additional to discuss at this time.**

Sincerely,

Bridget K. McDonnell
Assistant General Counsel
Florida Fish and Wildlife Conservation Commission 620 South Meridian
Street
Tallahassee, Florida 32399-1600
Telephone: 850-487-1764
Fax: 850-487-1790

Please provide answers to the following:

1. Please provide the Commission's factual basis for Ms. McDonnell's allegation that Juma was "**lawfully seized**"?
2. Please provide the Commission's factual basis for Ms. McDonnell's allegation that Juma was shot and seized "**in the exercise of its official duties**"?
3. Please provide the Commission's factual basis for Ms. McDonnell's allegation that Juma is "**temporarily boarded**"?
4. Please provide the Commission's factual basis for Ms. McDonnell's allegation that Juma is being provided "**appropriate care**".
5. Does appropriate care include proper acclimation protocols for violently taking a domesticated ESA protected and endangered African Lioness from its lawful owner only to abandon Juma at Carole Baskin's company?
6. What professionally accredited acclimation protocols are being administered by the BCR Corporation? Please produce the documentation to support that protocol for each day that Juma/KODA has been held by the BCR Corporation.
7. What are the 7 Commissioner's and FWC's law enforcement's explanations of the evidence that we possess that shows Juma was illegally removed by an extra-constitutional act of the FWC Commission?

In closing, please do not send another underling that refuses to cooperate with our investigation and is nonresponsive to our legitimate and reasonable requests for factual evidence. Since you oversee your

department's leadership, we would appreciate a response directly from you on this communication, as this matter has escalated and every minute that passes, sand is running through the hourglass which moves Juma one minute closer to death at Ms. Baskin's corporation.

We are formally requesting an OIG investigation of what transpired between Carole Baskin, the Big Cat Rescue (BCR) Corporation, Captain Kara Hooker, Ofc. Erika Zimmerman and Asst. General Counsel Bridget McDonnell.

What is your office going to do to correct this situation? Why don't you pick up the phone or zoomconference with me and let's develop a plan of action to transport Juma to Elmira's Wilderness Sanctuary, without further delay and let's save her life together. Otherwise, if your legal department is not going to provide us with the answers to our questions or respond to our public records requests, then please have the professional courtesy of telling us that your legal department is refusing to negotiate with us any further and that our diplomatic efforts to avert litigation have failed.

Please provide us with an acknowledgement and a response by close of business on Thursday, March 31, 2022.

Sincerely,

Alexander Penalta



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CERTIFICATE OF SERVICE

I hereby certify that a copy has been furnished to: _____

Barbara M. Penick
P.O. Box 500000, Tallahassee, FL 32399
Barbara.M.Penick@bcrcor.com

(write names of opposing parties or attorneys, mailing addresses, and addresses used for service (if different, for example, email addresses).

Roy Alan Pinson Jr.
Signature

ROY ALAN PINSON JR.
Printed name

P.O. Box 666
FT MEADE, FL 33841

Address

Attach copy of order appealed.

Exhibit 1

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION
(name of court or agency whose order you are appealing)

ROY ALAN PINSON JR.
Appellant (name of person(s) filing appeal)

v.

Case No. 21-0074

FLORIDA FRONTLAND WILDLIFE
CONSERVATION COMMISSION
Appellee (name of opposing party)

(lower tribunal case #)
County Polk
(indicate if administrative)

NOTICE OF APPEAL

NOTICE IS GIVEN that ROY ALAN PINSON JR,
(name of person(s) filing appeal)

Appellant, appeals to the Second District Court of Appeal the order
of this court rendered on 1/21/2022 (date of order). The
nature of the order is

(name of order)

DENIAL OF A RENEWAL FOR A LICENSE TO
POSSESS CLASS I & II WILDLIFE FOR EXHIBIT
OR PUBLIC SALE

(State if the order on appeal is final or is an order listed in rule 9.1
If a motion listed in rule 9.020(i) was filed, state the date of the
motion and the date, if any, that it was ruled upon)

Exhibit 2

CERTIFICATE

I, STACY M. BUTTERFIELD, CPA, Clerk of the Circuit Court, Polk County, Florida, do
hereby certify that case number 2022CA-000475-0000-00 was processed in error and re-filed
with the 2nd DCA under case number 2022-776 on March 11, 2022.

_____ Case Report furnished to Roy A. Pinson by United

I hereby certify that a copy of this document has been furnished to the
States mail at Post Office Box 666, Fort Meade, Florida 33841.

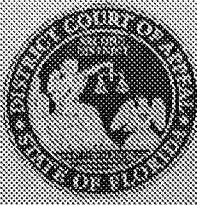
Witness my hand and official seal at Bartow, Polk County, Florida this 11th day of March 2022.



STACY M. BUTTERFIELD, CPA
Clerk of the Circuit Court and County Comptroller

By: 
Deputy Clerk

Exhibit 3



DISTRICT COURT OF APPEAL
SECOND DISTRICT
Post Office Box 327
LAKELAND, FLORIDA 33802
(863)948-6060

ACKNOWLEDGMENT OF NEW CASE

DATE: March 11, 2022

STYLE: ROY ALAN PINSON, JR.

v. FLORIDA FISH AND WILDLIFE
CONSERVATION COMMISSION

2DCA#: 2D22-0776

The Second District Court of Appeal has received the APPEAL reflecting a filing date of February 17, 2022.

The county of origin is Polk.

The lower tribunal case number provided is 21-74.

The filing fee is: Fee Owed.

Case Type: Administrative Other Final

The Second District Court of Appeal's case number must be utilized on all pleadings and correspondence filed in this cause. Moreover, ALL PLEADINGS SIGNED BY AN ATTORNEY MUST INCLUDE THE ATTORNEY'S FLORIDA BAR NUMBER.

Please review and comply with any handouts enclosed with this acknowledgment.

FLORIDA FISH AND
WILDLIFE
CONSERVATION
COMMISSION

ROY ALAN PINSON, JR.

Exhibit 4

DO NOT COPY OR DISCLOSE
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Alexander Penalta, Esquire
Chief Litigation Counsel, Juris Doctor
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Office: (386) 847-5335

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United States Court of International Trade
United States Court of Military Appeals
United States District Court, Southern Middle and Northern District
National Association of Administrative Law Judiciary
Supreme Court of Florida Approved Rule 11.020 Qualified Court-Appointed Arbitrator
Navy Veteran and Minority Business Enterprise, Certified by the State of Florida
FBI Infragard, Orlando Branch Critical Infrastructure, Transportation, Food and Agriculture Sectors

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From: Alexander Penalta, Esquire law@penalta.com 
Subject: (Amended Civil Remedies Notice) TIME SENSITIVE COMMUNICATION F.S. 624.155 and 768.28, Civil Remedies Notice and Time Sensitive Demand for FWC to transfer Juma, a hand raised ESA African Lioness to Elmira's Wilderness Sanctuary 
Date: April 2, 2022 at 8:43 PM
To: Emily.Norton@myfwc.com, governornon.desantis@eog.myflorida.com
Cc: The Cavalry Group generalcounsel@thecavalrygroup.com

Alexander Penalta, Juris Doctor ^{MSB}
Also admitted in District of Columbia

Law Firm
of
PENALTA & ASSOCIATES, P.A.

I. U.S. Court of Appeals for the Eleventh Circuit
II. U.S. District Courts
Southern Middle & Northern Districts of Florida
III. U.S. Court of Appeals for the Armed Forces
IV. U.S. Court of International Trade
V. United States Supreme Court
VI. FAA SEL Licensed Private Pilot
VII. (ACOPA) Legal Service Plan Attorney
VIII. NRA Legal Plan Attorney
IX. USCG Licensed Captain & Master 50T
Sailing Endorsement & USNA NA44s/26 Qualified
X. Navy Veteran and Minority Owned Business
Certified by the State of Florida
XI. National Association of
Administrative Law Judiciary
XII. Supreme Court of Florida Approved Rule
11.020 Qualified Court Appointed Arbitrator
XIII. FBI Infragard, Orlando Branch,
Transportation, Food and Agriculture
Critical Infrastructure Sectors

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Animal and K-9 Law
Aviation & Drones (UAS/UAV)
Boating Safety & Operations
Business Operations and Disruptions
Casino Operations
Civil Criminal & Administrative Law
Complex Business Litigation
Domestic Terrorism Animal Enterprise
EEOC and Employment
Insurance Claims
Litigation, Mediation and Trials
Military Courts
Motorsports and Driver Safety
National Security
Professional and Trade Licensing
Restaurant and Bar Law
Risk Management, Safety & Injury
Scuba Diving Operations
Self Defense Law
Agri-Tourism and Transportation

April 2, 2022

Good afternoon General Counsel Norton:

Please substitute this amended notice in place of the April 1, 2022, 9:55 p.m. communication that we emailed you and kindly forward this copy to FWC's Executive Director, Eric Sutton. We will stipulate that the 60-day clock starts running on April 2, 2022. This communication serves as formal notice to the head of the Florida Fish and Wildlife Conservation Commission. The Cavalry Group and its member, Roy Pinson, provides this Civil Remedies Notice, in compliance with F.S. 624.155 and 768.28. As you know, the purpose of this notice is to allow for a 60-day pre-suit investigation of the claims we intend to prosecute against the following parties:

1.) Executive Director, Eric Sutton and the seven (7) commissioners at the Florida Fish and Wildlife Conservation Commission for the State of Florida (FWC);

EXHIBIT 32

2.) Captain Kara Hooker; and,

3.) Ofc. Erika Zimmerman.

Mr. Pinson has never passed legal title to Juma to any of the parties that are about to be sued for Juma's unlawful possession and retention. Mr. Pinson is filing suit for compensation and the repossession of Juma, based on civil conversion, and the unlawful seizure and taking of personal property by FWC in violation of his Florida constitutional right to privately own wildlife (i.e., specifically, a four-year-old African Lioness named Juma, an ESA federally protected, Felidae). Mr. Pinson is the sole legal title owner of Juma. The FWC Commissioners, nor the FWC officers, nor Ms. Baskin's Big Cat Rescue Corporation have ever possessed legal title to Juma. Mr. Pinson hand raised and rehabilitated Juma since she was just a little cub. Ms. Baskin's company, the BCR Corporation, is a corporate house of horrors that raises cash and ensures the extinction of every endangered species it encounters. The BCR Corporation's mission is in direct conflict with the mission statement of The Florida Fish and Wildlife Conservation Commission. Mr. Pinson's licensed facility was founded for a purpose that is consistent with FWC's stated mission to protect wildlife throughout the State of Florida. One of Mr. Pinson's mission is to ensure the conservation of endangered African Lions.

On March 2, 2022, FWC unlawfully raided Mr. Pinson's FWC Class I licensed facility and gifted Juma as if she was FWC's own property to give to Carole Baskin and her Big Cat Rescue Corporation. Ms. Baskin and her corporation have ignored Mr. Pinson's repeated demands for the return of Mr. Pinson's private property. Silence and evasion of process servers is an admission of guilt by Big Cat Rescue Corporation. Big Cat Rescue has demonstrated guilt through the following unlawful conduct:

1.) the felonious and tortious intent to permanently deprive a private citizen and a Cavalry Group member of his living personal property, through the unconstitutional acts committed by the FWC Commission and its armed officers;

2.) the felonious and tortious intent to permanently deprive Mr. Pinson's possession of Juma and to attempt to psychologically abuse and confuse Juma; the unilateral exercise of corporate ownership that changed Juma's name to Koda to disguise FWC's business relationship with BCR Corporation and to disguise Juma to potential BCR corporate donors;

3.) the felonious and tortious intent to permanently deprive Mr. Pinson's possession of Juma in furtherance of FWC's service to Ms. Baskin's BCR Corporation as its corporate supplier and trafficker of unconstitutionally seized privately owned domesticated wildlife and ESA wildlife;

4.) the felonious and tortious intent to permanently deprive Mr. Pinson's possession of Juma to financially exploit Mr. Pinson's private property, without his consent and without payment;

5.) the felonious and tortious intent to permanently deprive Mr. Pinson's possession of Juma and for the refusal to contractually bargain for payment of royalties for using private property without Mr. Pinson's consent in the BCR Company's corporate advertising, marketing, and fundraising;

6.) the felonious and tortious intent to permanently deprive Mr. Pinson's possession of Juma, to confine Juma, to engage in harmful and unlawful tortious conduct that forces Juma to live in an emotionally abusive environment for online voyeurs, donors, and the legacy corporate media for the corporate financial exploitation by Carole Baskin's Big Cat Rescue Company; and,

7.) the felonious and tortious intent to permanently deprive Mr. Pinson's possession of Juma in order to engage in continuous corporate online false and misleading campaigns to fuel the exploitation of a federally protected endangered species for BCR Corporate marketing, documentaries, Hollywood movies, advertising and fundraising campaigns; to promote false and misleading Marxist anti-private property ideology and HSUS inspired legislation funded by venture capitalists and syndicate donors that are advancing a

globalist agenda for “The Great Reset” of Florida’s agritourism industry and Floridians who wish to exercise their fundamental rights to own private property; the HSUS public policy of animal ownership in Florida which will be a landmark constitutional infringement case upon the rights of every Floridian and United States citizen to own personal property throughout the state;

8.) the felonious and tortious intent to permanently deprive Mr. Pinson’s possession of Juma and to challenge the fundamental right to own private property and to be free from authoritarian governmental abuses involving armed intimidation, tactical raids, shootings, trumped up criminal charges and unlawful government seizures;

9.) the felonious and tortious intent to permanently deprive Mr. Pinson’s possession of Juma, to prosecute the licensee and grind them down in criminal litigation, and to destroy BCR’s business competitors; the end goal is to ultimately force the monopolization of all licensees through a false and misleading public campaign which generates congressional legislation of all privately owned wildlife throughout the United States to submit to nonconsensual private corporate governance and financial control under the umbrella of the animal based nongovernmental organizations and the syndicate led by the Humane Society of The United States’ Global Federation of Animal Sanctuaries (GFAS); the syndicate’s ultimate corporate agenda is to subvert the Florida Antitrust Act in order to achieve a corporate monopoly over Florida’s food production and to create food insecurity which contributes to the political destabilization of the society throughout the state and throughout the nation.

The Office of the Executive Director, The seven FWC Commissioners and the two FWC armed officers, either through negligent or willful conduct, participated directly or indirectly, with coordinating the unlawful raid of Mr. Pinson’s facility to shoot Juma twice, drug her and drag her unconscious to FWC’s corporate partner, Carole Baskin and her Big Cat Rescue Corporation, a wildlife facility of ill repute, for the financial online exploitation of Juma and other endangered animals like her.

—

Silence by the Executive Director's Office and the seven FWC Commissioners is an admission of guilt. We have made multiple requests for telephone conferences, production of documents and we provided specific instructions to transfer Juma out of BCR's Corporate possession (to avoid the risks of permanent physical and emotional injury or death to an endangered species, i.e., Juma). FWC has ignored the following requests, to date:

- 1.) the Office of the Executive Director and the FWC Commissioners have failed to produce any lawfully bargained for contract evidencing title and lawful ownership to Juma;
- 2.) the Office of the Executive Director and the FWC Commissioners failed to produce any judicial court order(s) evidencing FWC's title to Juma;
- 3.) the Office of the Executive Director and the FWC Commissioners failed to produce any case law that demonstrates FWC's legal right to take possession (and title) of Juma;
- 4.) the Office of the Executive Director and the FWC Commissioners have failed to produce the factual and legal basis for engaging in an unlawful scheme with BCR Corporation to unlawfully take possession of a federally protected non-native African endangered species for corporate online financial exploitation;
- 5.) the Office of the Executive Director and the FWC Commissioners have failed to produce any lawful order to show cause for the legal and factual basis supporting FWC's justification, as a constitutional body of the State of Florida, to unlawfully attempt to provide a political/corporate gift that would financially benefit the BCR Corporation where Juma is being held captive and at risk of suffering emotional and physical harm (e.g. FWC has actual notice that Juma was perfectly healthy prior to the FWC raid and after FWC gifted Juma to BCR, Juma is showing signs of injury and abuse to an ESA protected animal, i.e. limping on her front leg; FWC has actual notice and the video link of Juma's visible leg injury which happened during or after the shooting, transport and delivery of Juma to Carole Baskin; FWC has willfully ignored repeated requests from The

Cavalry Group, Juma's owner and the owner's veterinarian to enter the BCR corporate grounds where Juma is being confined against her will to make a veterinarian's assessment of Juma's injury;

6.) the Office of the Executive Director and the FWC Commissioners have failed to produce any lawful court order that legally justifies Juma's theft, conversion and continued false imprisonment at the BCR Corporation which has been detrimental to Juma and is likely to cause emotional damage to Juma's psychological and physical welfare;

7.) the Office of the Executive Director and the FWC Commissioners have failed to produce full disclosures of any communications regarding Juma, in any form, between FWC Officers, the seven FWC Commissioners, the Executive Director's Office and HSUS, GFAS, Carole Baskin, and BCR Corporate (or any family members, that violates F.S. 112.313(2) and (4), 112.3148, 112.31485 and 112.3215 relating to "things of value," "gifts" and "expenditures"); and,

8.) the Office of the Executive Director and the FWC Commissioners have failed to produce full disclosure of whether any mutually beneficial, political, or financial relationships exists between the FWC Commissioners, FWC Officers and HSUS, GFAS, Carole Baskin, and the Big Cat Rescue Corporation.

Finally, kindly consider this communication as F.S. 119 Public Records Request #30 for a complete copy of the insurance provider's policies, all riders, and all attachments. Please provide the specific name of the insurance provider who will be defending this action for violations of the Florida Constitution, Civil Conversion, and Negligence on behalf of The Florida Fish and Wildlife Conservation Commission's role in the seizure and transport of Juma, which Mr. Pinson is challenging. Request #31 is for the disclosure of all donations made to FWC from HSUS, PETA, any other animal rights related nongovernmental organizations or animal rights activists.

The Cavalry Group member and Juma's owner seeks a fair and just resolution which includes compensatory damages for the

government's unlawful and extraconstitutional transgressions against the animal welfare of Juma, an endangered African Lioness. We also intend to prosecute the civil claims against the Executive Director, the seven FWC Commissioners and will seek compensatory damages for the claims: 1.) the negligent or intentional acts of conversion of private property; 2.) the violations to the rule of law and violations against the Florida constitutional rights of a Florida citizen's private property rights; and 3.) carrying on FWC's regulatory policies that conflict with the Florida Supreme Court ruling, the Florida Legislature, the will of the people and the fundamental constitutional liberties and American founding principles of private property ownership of animals and domesticated wildlife throughout the State of Florida, *Barrow v. Holland*, 125 So.2d 749, 751 (Fla. 1960).

As you know, The Cavalry Group is an Animal Welfare Stakeholder in Florida and throughout the nation. Mindy Patterson, President of The Cavalry Group, and our office would always welcome a zoom conference with Executive Director, Eric Sutton, the seven FWC Commissioners, and your office in order to find an immediate solution that achieves the safe return of Juma from Carole Baskin and achieves Juma's transport to Elmira's Wilderness Sanctuary for temporary boarding, until this litigation is complete. Wishing you and your legal team a lovely weekend and we look forward to any future interactions with the Office of the General Counsel.

Sincerely,

PENALTA & ASSOCIATES, P.A.



Alexander Penalta, Esquire
Chief Litigation Counsel





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Office: (386) 847-5335

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