### **Carolyn Schmidt**

From:

George Stokus

Sent:

Tuesday, October 25, 2022 1:54 PM

To:

Carolyn Schmidt

Subject:

FW: Questions about Stuart pet shops

Attachments:

GOESSEL.ARREST.AFFID.pdf; GOESSEL.PLEA.PKT.pdf; GOESSEL.SENTENCE.pdf

Respectfully,

George M. Stokus Assistant County Administrator

(772) 221-2352 2401 SE Monterey Road Stuart, FL 34996

From: Virginia Sherlock <vsherlock@lshlaw.net> Sent: Friday, October 21, 2022 12:40 PM

To: George Stokus <gstokus@martin.fl.us>

Cc: Don Donaldson <ddonalds@martin.fl.us>; Sarah Heard <sheard@martin.fl.us>; Virginia Sherlock

:vsherlock@lshlaw.net>

Subject: Questions about Stuart pet shops

Caution: This email originated from an external source.

Be Suspicious of Attachments, Links, and Requests for Login Information

George,

I am sending you the attached materials as staff liaison for the Martin County Animal Care and Control Oversight Board.

I was unable to attend the ACCOB workshop on the ordinance banning retail sales of dogs, cats and rabbits Wednesday, but I understand that it was somewhat raucous with owners of the two pet shops in the County that sell animals reportedly behaving quite aggressively. Apparently, there was no mention of the fact that Ryan Goessel, owner of Wags About You, is currently on probation after pleading no contest to criminal charges including selling an animal without proper health requirements.

The Order of Probation was entered last month and includes as conditions: "You may not ell any animals out of your home. You must discontinue corporate sale of animals by the end of 2022." The Probation Order says Mr. Goessel can retain ownership of Wags About You, even if it is allowed to sell animals after the end of 2022. It is not clear how Mr.

Goessel can retain ownership of the shop if it continues to sell animals after the end of 2022 without violating his probation. Although the shop is operated as a sole proprietorship under a fictitious name registration, the owner is an LLC established by Mr Goessel, which would appear to constitute "corporate sale of animals" via the pet shop.

Mr. Goessel also was charged with criminal use of personal I.D. information. According to the arrest report, he altered a veterinarian's report of examination/treatment of an animal that the veterinarian said he never examined. The name of the veterinarian is redacted so it is not clear whether it is the veterinarian who treats animals sold at Wags About You.

I've attached the arrest report, the plea packet and the probation order.

I also see from Florida Division of Corporation records that Mr. Goessel was a member of other LLCs which included the owners of the second Martin County pet shop that sells animals (The Noble Paw), so the two Martin County pet shop owners apparently have been in business together in the past. There are a number of records of "animal infractions" in Palm Beach County public records related to Jill Scott or entities owned and operated by her in Palm Beach County.

I assume that none of this information was provided by the pet shop owners at the workshop. I will appreciate your letting ACCOB members know about these materials in advance of their discussion of the ordinance at the November meeting.

Thank you.

**Ginny Sherlock** 

LITTMAN, SHERLOCK & HEIMS, P.A.

P.O. Box 1197

Stuart, FL 34995

Phone: (772) 287-0200

Fax: (772) 872-5152

www.LSHLaw.net



### FLORIDA DEPARTMENT OF AGRICULTURE

22-28-CFA
4302105495 ARREST REPORT

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Report Date / Time > 01/05/2022 09:55 AM	Agency Case/Olfense Number 21-2233	OCA / Agency ID	OBTS Number Disease Based Transaction System	Jail Booking Number I'	Other Number
Subscribed and sworn to (o	r affirmed) before me this	day of	AD 2.00 Zilby	who is perso	onally known to me or
has produced	as (dentification	ic _LEO 160	Commission No: 1503		on Expires: TEXA

ARREST REPORT

OALE99ARR06317

Page 2 of 2

Market 1

# NOTE: READ THIS FORM CAREFULLY. IT IS THE SAME AS A CONTRACT. IFYOU HAVE ANY QUESTIONS YOU MUST ASK YOUR ATTORNEY OR THE JUDGE.

## IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT IN AND FOR MARTIN COUNTY, STATE OF FLORIDA

IN WAD L	OK WARTIN COUNTY, STATE C	OF FLORIDA	
STATE OF FLORIDA	CASE NUMBER(S):	432022 CF0000 2874	
Ryan Goessel  DEPENDANT	e (*)		FILED I MARI
	FELONY PLEA FORM	a	
1 am entering a plea as follows: ( ) G  1. My true/legal name is: Bu	an Erik Goessel	nission to V.O.P.	<b>6</b> 25
(V) I can read, write and under	stand the English language.	ade/year in school. read and explained to me by my	AN IO: 49
3. I am represented by an attorne	y whose name is <u>Kathnyn</u>	Roegiers.	,
4. I am not currently using nor am	I under the influence of drugs or	alcohol.	
Chiminal use of Perso	with (include the crime and the de nation in information Sall without Prope Ment (FB)	1 (+3)	S(mi)
probation or community control, as follo	esonal ID Inform	ARGER Health Resureme	– īūts Lmi)
7. I understand that the mandatory to is: NONL	minimum penalty for the charges	(incl. any special status) i am pleadi	ng
and the maximum possible penalty is:		tof convections and	
Atterney is as follows: WHYNDIA the detendant is not to is to discontinue the obje- the defendant is able to a filtr the end of 2022, ever	sell and animals of sell and animals of sell and animals of sell of animals of the state is still termination of control of the state is still termination of the state is still terminated by the state is stil	pot store, wags from your selling civil mals, \$200 residence to the most fall consider to the most fall consider to the most fall consider to the most fall in may be entitled.	ecolart it, set of prosecution, secondary

- if this is a negotiated plea, the Court will allow me to withdraw my plea if the Court rejects the plea agreement. If this is an open plea to the Court, regardless of the recommendations of my lawyer and the State Attorney, the Court may sentence me to any legal sentence. (attach a separate form if more space is needed) and statutory costs / fees, which will be announced at sentencing. \* All ready paid (V) I have never been found to be insane or incompetent, or admitted to or committed to a mental health facility, and have never been a patient in any hospital for a mental illness, disease or defect. OR ( ) I was previously found to be insane or incompetent, or admitted to or committed to a mental health facility or I have been treated for mental health issues. EXPLAIN: ) admit that I am guilty of the charge or charges I am pleading Guilty/No Contest/admitting to. believe the plea is in my best interest even though I am innocent of the charge, charges, or violations, or may have defenses to them. I understand that I have the right to be represented by a lawyer at every stage of the legal proceedings, and that if I cannot afford a lawyer, one would be appointed for me. I understand that by pleading Guilty, or No Contest, or by entering an Admission, I am giving up the following constitutional rights: a) I am giving up my right to a trial including to have my case decided by a jury or a judge. (If this is a violation of probation or community control - I am giving up my right to a hearing before the Judge). There will be no further determination of guilt or innocence. b) I am giving up my right to ask questions of the State's witnesses and to call defense witnesses. d) I am giving up my right to testify if I choose, and my right to remain silent and not to testify or incriminate myself. I realize if I did not testify, that fact could not be used against me. e) I am giving up my right to make the State prove me guilty by presenting evidence beyond a reasonable doubt. (in violation of probation or community control cases, the standard of proof is the greater weight of the evidence.) I realize that at a trial, I would not need to prove my innocence, or testify, or call any witnesses. f) I am giving up my right to appeal all matters connected with the judgment and sentence, including the issue of guilt or innocence. I understand that I am not waiving my right to appeal a void or voidable judgment and my right to review by appropriate collateral attack. g) I am not waiving my right to appeal any sentence in violation of the Criminal Punishment Code, unless specifically contained within the plea agreement. h) I agree that there is a factual basis for the charges against me. I UNDERSTAND THAT NO ONE CAN ASSURE ME OF HOW MUCH GAIN TIME OR ANY OTHER FORM OF EARLY RELEASE CREDIT I WILL RECEIVE. I AGREE THAT I ASSUME I WILL SERVE EVERY DAY OF ANY JAIL OR PRISON SENTENCE IMPOSED. No one has tricked me, coerced me, pressured me, or has made any threats against me to get me to give up these rights and enter this plea. The only promises or representations made to me are those listed in this document, and any other promises or representations are not binding on the Court or the Prosecution. I also
  - 17. I understand that if I am convicted of a drug charge; a D.U.I. offense; fleeling or eluding a law enforcement officer, theft of a motor vehicle; or theft of any parts or components of a motor vehicle, my driver's license will be revoked by the Court. If I have any questions about this or about the length of the revocation, I will ask the judge or my lawyer.

understand and agree that another judge may impose the sentence in this case.

18. If I am entering a plea to a felony charge in this case, I understand that if I am later convicted of another felony charge in the future, the felony charge in this case could be used to increase my sentence, including a possible mandatory or enhanced sentence, in the future criminal case.

- 19. The Criminal Punishment Code and the score sheet have been fully explained to me by my lawyer, i understand that under the Criminal Punishment Code, the statutory maximum penalty may not apply. The maximum possible penalty would depend on how my prior record and present offenses are scored, and may be higher than the statutory maximum.
- 20. If agree that if I am released from Jail until sentencing and I fail to appear in Court when I am required or if I commit a new criminal offense during my release, then I may be sentenced, in my absence, to any lawful sentence and will NOT be able to withdraw my plea. Further, I could be prosecuted for the new crime for failure to appear, and be subject to contempt of court.
- 21. I understand that if I am placed on probation, or community control, I must obey general and special conditions of probation or community control. If I violate probation or community control, even in a technical way, I can be rearrested and charged. I will be tried by the Judge and that the standard of proof is much lower than proof beyond a reasonable doubt. If convicted I could receive the maximum sentence for the crime,
- 22. The Jimmy Ryce Act: I understand if I am pleading to (or previously been convicted of) any "sexually violent offense" or a "sexually motivated offense" the Jimmy Ryce Act will apply to me, and I can be held in confinement indefinitely after my jail or prison sentence ends. I also understand that even if the offense I am entering a plea to is not a "sexually violent offense" or a "sexually motivated offense," I can still be held in confinement indefinitely after my jail or prison sentence ends if it is determined later that I have been convicted previously of such qualifying offense. Also, that my name, address, photograph, and other personal information may be posted on the Internet and in other public places as part of a community notification of where I am living and working.
- 23. I understand that no statement made in connection with this plea will be admissible in any civil or criminal proceeding against me except as a basis for perjury.
- 24. If I am not an American citizen, I understand that this plea will be used by the United States Government as a basis to deport me, prevent me from becoming a U.S. citizen, from alien status, or prevent me being a Permanent Resident (Green Card), or for prosecution for Federal crimes, whether or not I am adjudicated guilty or whether the crime is a misdemeanor or felony.
- 25. If I am on probation or community control in another case, this plea can form the basis of a violation of that probation or community control.
- 26. I understand a conviction of a crime may cause me to lose local, State or Federal licenses, and can prevent me from getting certain licenses. A conviction of a felony will cause me to lose the right to vote, and my right to own or possess a firearm, ammunition, or a deadly weapon.
- 27. I have discussed this case and everything in this document with my attorney, and I am satisfied with the representation of my attorney. I have told my attorney all of the facts and circumstances known to me about the charges. My attorney has explained all of the contents of this plea form to me. I have no questions and I understand what I am doing. I wish to enter my plea and not have a trial or hearing in this case. I offer my plea freely and voluntarily with full understanding of all the matters in the Information/indictment/Violation Affidavit and in this document.

Date: <u> </u>	21	3099	R
		*	DEFENDANT

(ATTACH ADDITIONAL PAGES IF NECESSARY
IF THERE ARE ADDITIONAL PAGES INDICATE NUMBER OF PAGES:

am the afterney for the Defendant. I have read the contents of this document word for word to the Defendant, and explained It fully to him/her. OR [1/3] have not read this document to the Defendant, but I have fully explained the contents of this document to him/her.

I have fully explained the allegations contained in the charging document(s). I have explained the maximum penalty for each count pled to by the Defendant: I consider him/her competent to understand the charges against him/her and the effect of this plea entered by this document. I have explained to him/her the right of appeal and the difference between a direct appeal and a collateral attack. I have reviewed the discovery disclosed by the State of Florida and discussed the leaves of the case with the Defendant, I am not sware of any physical evidence disclosed by the State of Florida in which DNA may expensate the Defendant or it any such evidence exists, it has been examined and determined that no further examination is needed. RIDRNEYFOR EFENDANT The State of Florida believes that this plea is in the best interest of the State of Florida and therefore recommends the plea be accepted by the Court. The State of Florida has discussed the plea terms with the victim and the arresting authority and they are in agreement with the orei or have been informed of their right to appear at sentencing in order to speak with the Court. The State of Florida is not aware of any physical evidence for which DNA testing may exponently the Defendant. NT STATE ATTORNEY (interpreter /name) certify that as an interpreter fluent in the language, that I have interpreted this document to the Defendant who understands that language, The Defendant states he/she fully understands the contents of this document and that he/she signed it freely and voluntarity.

INTERPRETER

The Court determines that the plea is freely and voluntarily entered, upon a knowing and intelligent walver of the Defendant's rights, and that there is a factual basis for the Court to accept the plea to each charge and/or the violation of probation or community control. The plea is accepted.

DONE AND ORDERED OF

CIRCUIT JUDGE SHERWOOD BAUER

STATE OF FLORIDA				IN THE NINETEENTH JUDICIAL CIRCUIT COURT, IN AND FOR MARTIN COUNTY				
-VS-								
RYAN ERIK GOESSEL					CASE NUMBER	432022CF000028AXMX		
Defendant				•	629			
		127	ODDE	D OF BRODATE	ON			
				R OF PROBATI				
	his cause aving	coming before the Court to be hear	d, and y	you, the defendant, l	peing now present before	re the court, and you		
i	entered a plea of guilty to			been found guilty b	y jury verdict of			
[	entered a plea of nolo contendere to			been found guilty b	en found guilty by the court trying the case without a jury of			
,	7 1	CDYMINAL LICE OF BEDCON	1 A Y Y 100					
	Count 1 Count 2	CRIMINAL USE OF PERSON OFFERING AN ANIMAL FO			D HEAT TH DECLIES	MENTO		
•	20uiii <u>2</u>	OFFERING AN AMMADIO	XOALIE	WIIIIOUTTROIL	K HEALIH KEQUIKE	WIEN15		
SE	ECTION 1	: ORDER WITHHOLDING ADJU	DICAT	ION				
		Now, therefore, it is ordered and Probation for a period of three (3 supervision of the Department of	) years	as to Count I and one	(1) year as to Count 2,	ld and that you be placed on counts concurrent under the		
		. K						
IT lav		HER ORDERED that you shall comp	ly with t	the following standard	conditions of supervision	as provided by Florida		
(1)	You will	report to the probation officer as direc	ted.					
(2)	You will accordan	pay the State of Florida the amount of ce with s. 948.09, F.S., unless otherwis	\$ <u>40.00</u> se exemp	per month, as well as opted in compliance with	4% surcharge, toward the th Florida Statutes.	cost of your supervision in		
(3)		remain in a specified place. You wil irst procuring the consent of your office		ange your residence of	r employment or leave th	e county of your residence		
(4)	You will of your o	not possess, carry or own any firearm.	You wil	Il not possess, carry, or	own any weapon withou	t first procuring the consent		
(5)	5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.					ation of law to constitute a		

(6) You will not associate with any person engaged in any criminal activity.

FILED FOR RECORD
MARTIN CO. FI.A

2022 SEP -2 PM 1: 09

Order of Probation Ryan Erik Goessel Case #432022CF000028AXMX DC #G81629

- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced practice registered nurse, or a physician assistant. Nor will you knowingly visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
- (12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in Martin County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 2015 S. Kanner Highway, Stuart, FL 34994.

#### SPECIAL CONDITION(S)

- 1. You may not sell any animals out of your home. You must discontinue corporate sale of animals by the end of 2022. You are able to retain ownership of pet store, "Wags About You" after the end of 2022, even if store is still selling animals.
- 2. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full: NAME: ORDERED AND PAID TO VICTIM TOTAL AMOUNT PAID: \$1.400.00
- 3. You may automatically early terminate probation after 18 months if all conditions are met/completed.

Order of Probation Ryan Erik Goessel Case #432022CF000028AXMX DC #G81629

YOU ARE HEREBY PLACED ON NOTICE that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

IT IS FURTHER ORDERED that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

IT IS FURTHER ORDERED that you pay:  Court Costs, Fees, and Fines, as imposed at sentencing, in the total amount of: \$
Payments processed through the Department of Corrections will be assessed a 4% surcharge pursuant to s. 945.31, F.S. Pursuant to s. 948.09, F.S., you will be assessed an amount of \$2.00 per month for each month of supervision for the Training Trust Fund Surcharge.
Court Costs/Fines Waived Court Costs/Fines in the amount of converted to community service hours Court Costs/Fines in the amount of reduced to civil judgment.
SPECIFIC INSTRUCTIONS FOR PAYMENT: Pay costs in equal, monthly installments.
IT IS FURTHER ORDERED that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.
DONE AND ORDERED, on September 2, 2022  NUNC PRO TUNC 08/16/2022
Sherwood Bauer, J., Carduit Judge
I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.
Date: Defendant
Instructed by: Supervising Officer
Supervising Officer