

AFFIDAVIT IN SUPPORT OF ARREST WARRANT FOR RUDESINDO ACOSTA

"Your Affiant" is Detective Frank Caldara of the Hialeah Police Department. "Your Affiant" has been a police officer for over twenty (20) years. "Your Affiant" is cross designated as a Code Enforcement Officer with the Code Enforcement Division of the City of Hialeah. "Your Affiant" has received training in the investigation of illegal slaughter and animal cruelty cases and has investigated animal cruelty cases.

This affidavit is based upon information known personally to "Your Affiant" based upon investigation and information obtained from others including but not limited to Richard Couto, who have investigated this matter and/or have personal knowledge of the facts herein. Because this affidavit is being submitted for a limited purpose of establishing probable cause, "Your Affiant" has not included every aspect, fact, or detail of this investigation.

Richard Couto, is the founder and lead investigator for a non-profit animal rescue organization known as the Animal Recovery Mission (ARM). The Animal Recovery Mission is dedicated to raising awareness while fighting to stop illegal horse slaughter, shutdown of any and all illegal slaughter farms, and animal fighting farms. "Richard Couto" was previously affiliated with the Society for the Prevention of Cruelty to Animals and remains a Board member for that organization.

"Richard Couto" became aware of several farms operating within the City of Hialeah, in Miami-Dade County, Florida that were illegally slaughtering animals, and in doing so were slaughtering said animals in a cruel manner, resulting in unnecessary pain and suffering to said animals in violation of the Florida Humane Slaughter Act. Once aware of this activity, "Richard Couto" entered the farm during their normal business hours while they were conducting business of animal slaughter and posed as a potential customer. "Richard Couto," with the use of camera equipment, was able to record the activities that were carried out within the farm that constitute the felony of animal cruelty detailed below.

The land upon which the slaughter is taking place is zoned in the Miami-Dade property records as raw agricultural land and thus cannot contain any structures, not even a fence. Furthermore, it is not the property of the individuals who were observed operating the farm, according to the records of Miami-Dade County. More specifically, the land, hereinafter referred to as "The Premises" is located within an agricultural area in the City of Hialeah at GPS coordinates 25°55'26.66"N and 80°21'40.92"W. (See Exhibit A attached) "The premises" to be searched can be reached by traveling northbound along NW 97th Avenue from the intersection of approximately NW 97th Avenue and NW 138th Street, and turning westbound onto a dirt driveway at approximately NW 169th Street. (See Exhibit B attached) "The premises" are located approximately 400 yards west of NW 97th Avenue at the end of the dirt road and includes but is not limited to three areas. The first, located to the North and at the end of the dirt

road, is designated the slaughter and butcher area and includes several horse or large animal trailers and partially covered structures. The second, located to the northwest of the slaughter and butcher area, is designated a large animal holding area and includes at least one partially covered structure or animal pen. The third, located to the south and at the end of the dirt road below a radio tower, is designated as the office and small animal holding area. (See Exhibit C attached).

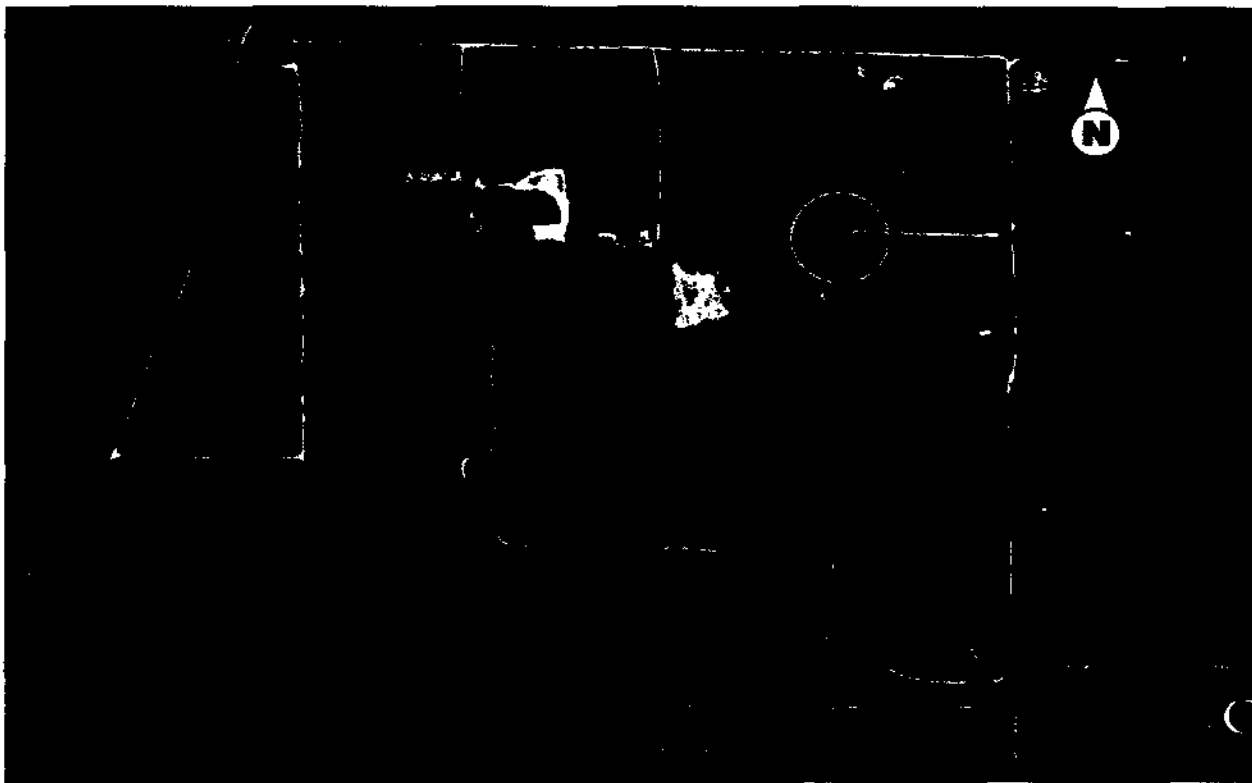


Exhibit A

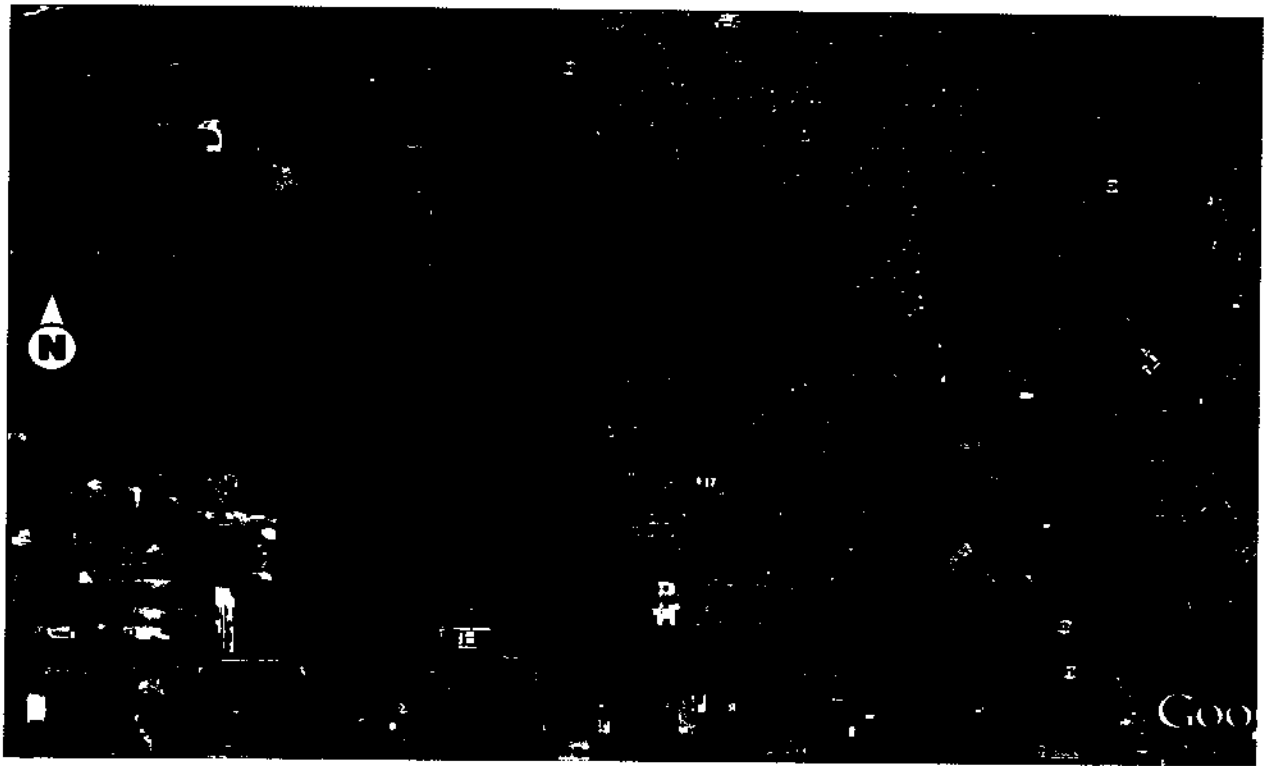


Exhibit B

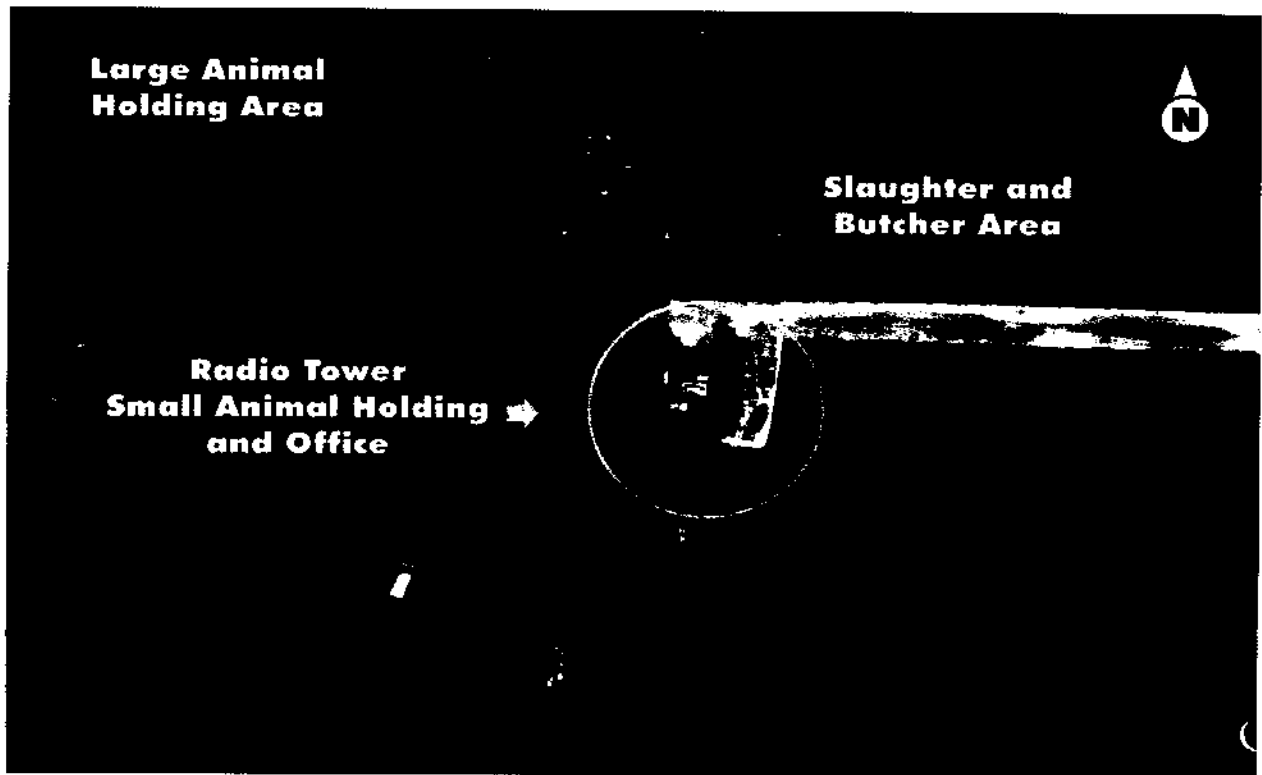


Exhibit C

The defendant in this case, Rudesindo Acosta, participated as a principal in the killing of two swines and a cow, in violation of s. 828.12 s. 777.04 Fl Stat. on three occasions as detailed below.

On each occasion, the defendant, Rudesindo Acosta, conspired with persons known and unknown and his activities were documented on video.

On or about September 3, 2011, "Richard Couto" entered "The Premises" and observed and documented the slaughter of a swine. The swine was restrained within a structure. Once restrained, the swine was struck on the head with a metal sledge hammer repeatedly. Each strike stunned but failed to kill said animal. The swine was pursued as it attempted to escape and eventually fell to the ground. At that time, an individual, referred to as the butcher, took a metal knife with a blade approximately one foot long and plunged it into the swine in the area of the chest, near its heart. He then struck the swine several more times with the hammer. He then kicked and dragged the swine across the trailer. The swine continued to struggle and cry out as the butcher then attempted to gut the swine while it continued to cry out and struggle. The incident was observed and recorded by "Richard Couto".

On or about October 29, 2011, "Richard Couto" entered "The Premises" and observed and documented the slaughter of a cow. The cow was being chased by several apparent employees of the farm. The cow was slaughtered in the presence of two male customers who had come to purchase the meat. The Cow was eventually caught and restrained with a rope placed around its neck. Several individuals restrained the cow as the recognized director of the farm approached the cow and shot it in the head. The gunshot stunned but failed to kill the animal. Instead, the butcher again stabbed the cow in the neck with the foot long metal knife and attempted to cut off its head as the animal struggled. Other individuals attempted to capture the blood that was now flowing from the cow's neck in a container to make blackened sausage. The animal attempted to get up several times during the slaughter. One individual attempted to further restraint the animal by placing his foot and leg upon the body of the cow while another placed his leg upon the body of the cow. The animal was eventually slaughtered and butchered and the meat was sold to the two customers. The incident was observed and recorded by "Richard Couto".

On or about October 29, 2011, "Richard Couto" entered "The Premises" and observed and documented the slaughter of another swine. The swine was selected and cornered by the butcher. Once cornered, the butcher struck the swine on the head repeatedly with a sledge hammer. Each strike stunned but failed to kill said animal. The swine was pursued as it attempted to escape and eventually fell to the ground. The Butcher then stabbed the swine in the chest while the swine attempted to escape. The swine continued to struggle and cry out as the butcher then attempted to

gut the swine while it continued to cry out and struggle. The incident was observed and recorded by "Richard Couto".

On or about October 29, 2011, "Richard Couto" observed in the same area stacks upon stacks of plastic crates, approximately three feet high by three feet long, containing live ducks. The ducks were crowded into the crates and were without food, water, or the ability to stand, including the ability to stretch their necks to a normal position. In addition, there was no cover over the crates, which were stacked up on each other.

"Richard Couto" counted a minimum of forty (40) ducks and video documented them.

"Your Affiant" has viewed the video and audio recorded by "Richard Couto" during the slaughter of each of the animals described above. A condensed version of the video recorded during each of the aforementioned incidents is attached to this affidavit as Exhibit D.

Aerial surveillance photographs of "The Premises" taken within the last ten days corroborated by physical surveillance clearly confirm the presence of livestock available for slaughter including cattle, horses and swine. The photographs clearly show that these animals are being deprived of necessary sustenance and shelter.



Affiant

Detective Frank Caldara – 04-929

Hialeah Police Department

Sworn to and subscribed before me, this 18 day of November, 2011



Circuit/County Judge
Eleventh Judicial Circuit of Florida

Reviewed by:

ASA: SD

Judge: MR