



Steven W. Troxler
Commissioner

North Carolina Department of Agriculture
and Consumer Services
Veterinary Division

Christina L. Waggett
Assistant Commissioner
for Consumer Protection

Michael Martin, DVM
State Veterinarian

April 29, 2026

Mary Furtado
Catawba County Manager
25 Government Drive
Newton, NC, 28658
Via email
MFurtado@CatawbaCountyNC.gov
BethC@CatawbaCountyNC.gov

NOTICE of WARNING and NOTICE of VIOLATION

Re: VIOLATIONS of TITLE 02 N.C. ADMINISTRATIVE CODE (“NCAC”) CHAPTER 52J SECTIONS .0210(d) and (g).

AWS-WL-2026-4

**Facility: Catawba County Animal Services Animal Shelter
Registration Number: 400**

Dear County Manager Furtado:

On April 8, 2026, AWS received a complaint alleging that the Catawba County Animal Services Animal Shelter (“the shelter”) failed to provide adequate veterinary care to a dog named Lainey that died the day after she was transferred to a rescue. Based on this information, AWS opened an investigation. The investigation centered on possible violation(s) of the N.C. Animal Welfare Act (“AWA”) as these statutes and associated regulations are the extent of the jurisdiction of AWS.

The AWS investigation included the following:

- 1) Multiple communications with the complainant;
- 2) Review of the information provided by the complainant;
- 3) An unannounced site visit to the shelter on April 14, 2026 by an AWS Veterinary Program Specialist;
- 4) A review of relevant shelter records; and
- 5) A review of the medical record for Lainey for the April 20, 2026 veterinary examination obtained by the rescue immediately after the transfer from the shelter.

The investigation findings included the following:

- 1) On December 14, 2025, the dog named Lainey was impounded as a stray. On intake, a large mass was noted over the dog's left shoulder, and the dog was noted to have a fever;
- 2) Each time the dog's temperature was taken from December 14 - 29, 2025, it was elevated, ranging from 103.2 – 105.1°F;
- 3) The shelter's veterinarian examined the dog on December 15, 22, and 29, 2025 and January 5 and 7, 2026. The dog was medicated at different times during its stay at the shelter with carprofen, cephalexin, gabapentin, prednisone, praziquantel, and Panacur.
- 4) Lainey was noted to be moderately lame on her left front leg on 12/22/2025;
- 5) Initially, the size of the mass on Lainey's shoulder appeared to decrease according to the shelter's medical records for Lainey. However, subsequently, the shelter's veterinarian noted on January 5, 2026 that the mass "appears much larger today." The veterinarian's recommendation was for the dog to be seen by a "full service veterinarian for bloodwork and radiographs." The shelter did not provide this recommended veterinary care;
- 6) On January 20, 2026, Lainey was transferred to a rescue that took her immediately for a veterinary examination. A review of the medical record for this veterinary examination showed:
 - a. Blood was aspirated from the mass;
 - b. Bloodwork showed the dog was anemic but had a very significant regenerative response (typically indicates blood loss) and the white blood cell count was elevated (typically indicates infection or inflammation). One liver enzyme was also elevated; and
 - c. An antibiotic was prescribed and the recommendation was made for referral to a larger veterinary facility for potential surgical drainage of the mass.
- 7) Lainey was found deceased at the rescue on January 21, 2026. The rescue did not obtain a necropsy for Lainey to ascertain the cause of death.

In violation of 02 NCAC 52J .0210(d), the shelter failed to provide adequate veterinary in a timely manner to the dog named Lainey once the mass was noted to be enlarging on January 5, 2026. The shelter's veterinarian made recommendations for additional veterinary care due to the worsening of the dog's medical condition, but the shelter failed to act on these recommendations. Instead of providing adequate veterinary care in a timely manner or euthanizing the dog, the shelter waited 15 days for a rescue to take the dog and for the rescue to provide the recommended care.

In violation of 02 NCAC 52J .0210(g), the shelter failed to maintain proof that full written medical disclosure was provided to the rescue for Lainey. AWS has been provided with information that this failure was due to a personnel issue that has since been rectified. It was also noted that during this investigation, the shelter struggled to produce records upon request as required by 02 NCAC 52J .0103. The AWS Veterinary Program Specialist made recommendations for improvement in compliance with this rule. Compliance with this rule will be monitored through future AWS Facility Compliance Inspections.

During the investigation, the shelter's veterinarian detailed a pathway planning program for the shelter to follow for medical cases that she intends for the shelter to implement. Full implementation of this plan by the shelter should significantly increase the shelter's compliance with 02 NCAC 52J .0210(d) which requires that the shelter either provide adequate veterinary care in a timely manner or euthanize an animal

that requires such veterinary care. Compliance with this rule will also be monitored through future AWS Facility Compliance Inspections.

This Warning Letter serves as written notice indicating in which respects the shelter violated the N.C. Animal Welfare Act ("AWA") and the rules issued pursuant thereto. The shelter is directed to immediately comply with the AWA and its associated rules.

Continued or future violations of these statutes or regulations will be considered a willful disregard or violation of the N.C. Animal Welfare Act and the rules issued pursuant thereto. Such willful disregard or violation may result in action against your facility's animal shelter registration pursuant to N.C. General Statute § 19A-30 and/or the assessment of a civil penalty of up to \$5,000.00 per violation under N.C. General Statute § 19A-40.

Your immediate compliance with the N.C. Animal Welfare Act is required.

Sincerely,



Patricia Norris, DVM, MS
Director, Animal Welfare Section

cc: Michael Martin, DVM, State Veterinarian
Jonathan Lanier, General Counsel, NCDA&CS
Christina L. Waggett, Assistant Commissioner, NCDA&CS
Lindsey Spain, Special Deputy Attorney General

(See Appendix for text of referenced General Statutes and Administrative Code)

Appendix

REFERENCED STATUTES AND REGULATIONS

§ 19A-26. Certificate of registration required for animal shelter.

No person shall operate an animal shelter unless a certificate of registration for such animal shelter shall have been granted by the Director. Application for such certificate shall be made in the manner provided by the Director. No fee shall be required for such application or certificate. Certificates of registration shall be valid for a period of one year or until suspended or revoked and may be renewed for like periods upon application in the manner provided.

§ 19A-30. Refusal, suspension or revocation of certificate or license.

The Director may refuse to issue or renew or may suspend or revoke a certificate of registration for any animal shelter or a license for any public auction, kennel, pet shop, or dealer, if after an impartial investigation as provided in this Article he determines that any one or more of the following grounds apply:

- (1) Material misstatement in the application for the original certificate of registration or license or in the application for any renewal under this Article;
- (2) Willful disregard or violation of this Article or any rules issued pursuant thereto;
- (3) Failure to provide adequate housing facilities and/or primary enclosures for the purposes of this Article, or if the feeding, watering, sanitizing and housing practices at the animal shelter, public auction, pet shop, or kennel are not consistent with the intent of this Article or the rules adopted under this Article;
- (4) Allowing one's license under this Article to be used by an unlicensed person;
- (5) Conviction of any crime an essential element of which is misstatement, fraud, or dishonesty, or conviction of any felony;
- (6) Making substantial misrepresentations or false promises of a character likely to influence, persuade, or induce in connection with the business of a public auction, commercial kennel, pet shop, or dealer;
- (7) Pursuing a continued course of misrepresentation of or making false promises through advertising, salesmen, agents, or otherwise in connection with the business to be licensed;
- (8) Failure to possess the necessary qualifications or to meet the requirements of this Article for the issuance or holding of a certificate of registration or license.

The Director shall, before refusing to issue or renew and before suspension or revocation of a certificate of registration or a license, give to the applicant or holder thereof a written notice containing a statement indicating in what respects the applicant or holder has failed to satisfy the requirements for the holding of a certificate of registration or a license. If a certificate of registration or a license is suspended or revoked under the provisions hereof, the holder shall have five days from such suspension or revocation to surrender all certificates of registration or licenses issued thereunder to the Director or his authorized representative.

A person to whom a certificate of registration or a license is denied, suspended, or revoked by the Director may contest the action by filing a petition under G.S. 150B-23 within five days after the denial, suspension, or revocation.

Any licensee whose license is revoked under the provisions of this Article shall not be eligible to apply for a new license hereunder until one year has elapsed from the date of the order revoking said license or if an appeal is taken from said order of revocation, one year from the date of the order or final

judgment sustaining said revocation. Any person who has been an officer, agent, or employee of a licensee whose license has been revoked or suspended and who is responsible for or participated in the violation upon which the order of suspension or revocation was based, shall not be licensed within the period during which the order of suspension or revocation is in effect.

§ 19A-40. Civil Penalties.

The Director may assess a civil penalty of not more than five thousand dollars (\$5,000) against any person who violates a provision of this Article or any rule promulgated thereunder. In determining the amount of the penalty, the Director shall consider the degree and extent of harm caused by the violation. The clear proceeds of civil penalties assessed pursuant to this section shall be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2.

02 NCAC 52J .0103 INSPECTION OF RECORDS

All operators of animal shelters, pet shops, boarding kennels, public auctions, and persons operating as dealers shall make all required records available to the Director or his or her authorized representative on request, during the business and cleaning hours listed on the license application and/or during an inspection of the facility or an investigation. The operator must be able to match each animal to its record upon request. Records shall be maintained for a period of one year after the animal is released from a boarding kennel or sold from a pet store or public auction. Animal shelters shall maintain records required by the Animal Welfare Act or this Subchapter for a period of three years after the disposition of the animal.

History Note: Authority G.S. 19A-24; 19A-25; Eff. April 1, 1984; Amended Eff. January 1, 2005; April 1, 1985; Readopted Eff. September 1, 2022.

02 NCAC 52J .0210 VETERINARY CARE

(d) Each dog and cat shall be observed daily by the animal caretaker who has been adequately trained or is experienced in animal care or is under the direct supervision of a person who has such training or experience. Sick or diseased, injured, lame, or blind dogs or cats shall be provided with adequate veterinary care in a timely manner or be euthanized, provided that the euthanasia shall not affect compliance with any state or local law requiring the holding, for a specified period, of animals suspected of being diseased. If an animal cannot be euthanized due to a required holding period and does not meet the criteria of G.S. 19A-32.1(b)(2), then adequate veterinary care shall be provided to the animal.

(g) Full written disclosure of the medical condition of the animal and all veterinary medical treatments provided to the animal shall be provided to the person or organization receiving, adopting, purchasing or otherwise acquiring the animal. Proof of written disclosure signed by the person or organization receiving the animal shall be maintained as part of the animal's record

History Note: Authority G.S. 19A-24; Eff. April 1, 1984; Amended Eff. March 23, 2009; January 1, 2005; Readopted Eff. September 1, 2022.