

Court orders Spring couple to surrender ownership of more than 200 ill cats

By Marialuisa Rincon, Staff writer Updated 3:33 pm CST, Tuesday, December, 2018



Photo: Houston SPCA

More than 200 cats found in bad living conditions were seized from a home in Spring on Wednesday, Oct. 17, 2018.

A Spring couple accused of animal cruelty were again ordered on Tuesday to surrender ownership of more than 200 cats found on their property in various stages of illness. In a trial de novo requested by the couple, County Court at Law No. 2 Judge Claudia Laird ordered David and Faye Spencer to divest ownership of the cats to the Houston SPCA, who has been caring for the animals since they were seized from the home on Hickory Hollow Lane in mid-October.

The Spencers, who did not attend the hearing, are also being held responsible for the more than \$100,000 in veterinary bills accrued since the seizure of the animals.

Investigators from the Montgomery County Sheriff's Office Livestock Division and the HSPCA served a seizure warrant at the Spencers' home on Oct. 16 after neighbors made continued complaints about the condition of the cats and the smell emanating from the home.

An initial evaluation of the home found many of the 231 cats suffering from malnutrition, open wounds, diarrhea, eye and nasal discharge, bacterial and viral infections, worms, or fleas — all the cats showed signs of upper respiratory infections. "Just walking through and looking at these cats — a reasonable human being could tell something's going on with them and something's not right," HSPCA investigator Bob Wilson said at the hearing.

Since their arrival at the HSPCA, medical director Amy Crum said, three of the cats have been humanely euthanized and six suffering from heart disease and organ failure died of natural causes. The surviving cats have all been treated with oral and topical antibiotics, deworming medicine and treatments for external parasites, she added. Most of the cats will be available to adopt by the weekend. "I would say their quality of life has improved since being in the care of the SPCA," Crum said.

Montgomery County Precinct 3 Justice of the Peace Edie Connelly originally ruled the couple surrender the cats and be held responsible for the court fees and veterinary fees accrued up until that point, but allowed the couple to go forward with the appeal in front of Laird.

Assistant County Attorney Ronald Chin called up investigators and veterinarians from the HSPCA who testified on the cats' condition when they arrived at the shelter. "These cats deserve to be protected from a cruel situation," Chin said.

Despite Laird's seemingly final ruling, the couple is not giving up — they did not appear in court on Tuesday after filing two motions in the last two days accusing Chin and the county courts of improperly asserting jurisdiction over the case. "Everything they have done so far has been totally illegal," David Spencer said. "The county courts do not interpret the law the way it is written, they interpret it the way they want."

Early Tuesday, they said, the two filed a lawsuit against Chin, the Houston SPCA, the Montgomery County Sheriff's Office and Montgomery County Animal Control in federal court, accusing them of conspiring against them in seizing the cats. The lawsuit had not been made public as of press time.

"We're going to carry it all the way to the Supreme Court if we have to," Spencer said.