

STATE OF NORTH CAROLINA
COUNTY OF BERTIE

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
2022-CVD-193

FILED

2022 AUG 15 P 1:01

PEOPLE FOR THE ETHICAL TREATMENT
OF ANIMALS, INC. (PETA),

Plaintiff,

v.

CHERELLE M. ASKEW and
JAMES P. ASKEW, JR.

Defendants.

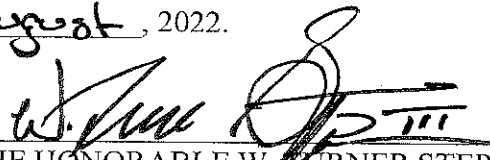
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) **ORDER GRANTING PRELIMINARY**
) **INJUNCTION PURSUANT TO**
) **N.C.G.S. §§ 19A-3 AND 1A-65(a)**
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1. THIS MATTER is before the Court on Plaintiff's Verified Complaint filed on July 25, 2022.
2. Defendants were served with the summons and complaint on July 27, 2022.
3. All adverse parties received notice of this hearing as required by Rule 65 of the North Carolina Rules of Civil Procedure.
4. Having considered the Verified Complaint, materials offered in support of and the record established thus far, as well as the arguments of counsel, the Court GRANTS the Preliminary Injunction based upon the following: Because of the conditions giving rise to Defendants' cruel treatment of the dogs known as Nala and the Puppy the Court requires these dogs to be removed from Defendants' possession pending a hearing on the merits and final ruling of this Court; and the Court finds the dogs known as Duke, Duchess, Sandy and Zeus held at the Bertie County Animal Shelter will receive better care and treatment if placed into Plaintiff's

custody pending a hearing on the merits and final ruling of this Court due to the shelter's limited capacity and design to be only a temporary safe haven for animals.

5. The Court hereby ORDERS the following:
 - a. PETA is permitted to take and maintain custody of the dogs known as Nala and the Puppy currently in Defendants' possession until such a time a full hearing on the merits may be held and a final ruling of this Court is made.
 - b. PETA is permitted to take and maintain custody of the dogs known as Duke, Duchess, Sandy, Zeus currently held at the Bertie County Animal Shelter until such time a full hearing on the merits may be held and a final ruling of this Court is made.
6. The Bertie County Sheriff's Office is to serve a copy of this Order on the Defendants.
7. This Court has considered the necessity of a bond under Rule 65 of the North Carolina Rules of Civil Procedure and finds that a nominal bond will suffice. Plaintiff is therefore ORDERED to pay a bond of \$1.00 (One Dollar) to the Bertie County Clerk of Court.

SO ORDERED, this 15 day of August, 2022.



THE HONORABLE W. TURNER STEPHENSON, III

RETURN OF SERVICE BY SHERIFF

This is to certify that the undersigned Sheriff's Office of Bertie County has this date served this ORDER GRANTING PRELIMINARY INJUNCTION by personally delivering to the Defendant named below a copy of the same:

Cherelle M. Askew

Date Served: _____

This is to certify that the above named person cannot be found by a diligent effort because

Date Received / Name of Sheriff

Date Returned / Deputy Making Return