

# YOUNG COUNTY SHERIFF'S OFFICE

315 N. Cliff Drive  
Graham, TX 76450  
(940) 549-1555

Case #: SO222457

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Report Type: Incident Report  
Status: Closed  
Reason: Not Applicable  
Report Date: 7/12/2022  
Title: ESTRAY

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CASE #: SO222457

☐ Cargo Theft

Incident Date/Time: 7/12/2022 10:51:21 AM

Location: SALEM LOOP  
GRAHAM, TX 76450

INVESTIGATING OFFICER:

Gallardo, Joshua ID-NR: 2315

SIGNATURE: 

REGION/DISTRICT/SGT. AREA: Texas

APPROVING SUPERVISOR:

ID-NR:

SIGNATURE: \_\_\_\_\_

Suspect Name

DOB

DL/ID#

## EVIDENCE INFORMATION:

### VIDEO EVIDENCE

Evidence Collected:

☒ Yes ☐ No

Evidence Type:

Still Photographs

## NARRATIVE:

1. On 7/12/2022 Deputy Joshua Gallardo of the Young County Sheriff's Office was dispatched to the Graham Sale Barn in reference to a Black Bull that was dropped off.
2. Reporting Officer arrived and spoke with sale barn employees who stated that Mike Lukert dropped off this bull and told them that he didn't know who's it was.
3. Reporting Officer made contact with Lukert who stated that the bull showed up on his property on Salem Loop a few days prior. Lukert stated that all of his neighbors told him the bull was not theirs.
4. Reporting Officer photographed the bull and filled out an estray packed with the sale date of August 1st. All information will be forwarded to the Young County Auditors Office.

I, Deputy Joshua Gallardo with the Young County Sheriffs' Office completed this supplement in reference to this case. I hereby state that at this time, and to the best of my knowledge, this supplement and the named attachments in this supplement, contains all the information in my possession in connection with this offense.

I further state that to the best of my knowledge, I have no knowledge or belief of any exculpatory, impeachment, or mitigating documents, items or information that tend to negate the guilt of the defendant or reduce their punishment for the offense charged.

Any further information, items, or documents that come to my personal knowledge, in reference to this offense will be supplemented in writing and forwarded as required by law.



Signature

Date

7-12-22

Service No: SO222457 Date: 07112022 Ref: Operator: TP  
Received: 082655 Dispatch: 082655 Respd: Arvd: 085231 Clear: 091522

Nature: 092 ESTRAY  
Str/Hwy #: Str/Hwy Name:  
Reported By: BISHOP, JACKIE Phone: Typ:  
How Reported: T Report: Y Incident:

Complainant:  
Address:  
City/ST/Zip: GRAHAM TX 76450 Phone: Typ:  
Direction: HAD ONE THAT WAS BROUGHT YESTERDAY LUKERT, MIKE  
BLK BULL 769 HWY 251 S IS MIKES ADDRESS.  
911? N Priority: Geo: City/Dist:  
Vehcl/Lic: ST: Color: / Make: Model:

Officers: GALLARDO  
Oth Unit: Dispatch: Arvd: Clear:  
Oth Unit: Dispatch: Arvd: Clear:  
Wrecker:  
Disposed: 004 CALL SHEET

Remarks:

# YOUNG COUNTY SHERIFF'S OFFICE

Sheriff ~~Bryan Walls~~ Travis Baker

315 N Cliff Dr.

Graham, TX 76450

(940) 549-1555



## NOTICE OF IMPOUNDMENT OF ESTRAY

On the 11 day of July, 2022, I, Deputy Joshua Galbraith impounded the following estray;

Kind of Animal/Fowl: Blk Bull  
Breed: Bull  
Color: Black  
Sex: Male  
Age: 6 months  
Size: 700 LBS

Brand, Marks, Identifying Characteristics: ear tag 3180

And, on the 11 day of July, 2022, I filed a NOTICE OF ESTRAY in the Estray Book of YOUNG COUNTY, Texas.

I have made a diligent search of the registrar of the recorded brands in YOUNG COUNTY, Texas, for the owner of said estray, and contacted local owner of exotic fowl but the search did not reveal the owner.

Notice is hereby given that, if the ownership of said estray is not determined by the 29 day of July, 2022, said estray will be sold at public auction/ Sheriff's Sale at Young County Sale Barn.

WITNESS my hand this 11 day of July, 2022

Travis Baker

~~BRYAN WALLS~~, SHERIFF  
YOUNG COUNTY, TEXAS

By: Deputy Joshua Galbraith

### Note:

Prepare in 4 copies:

- 1 copy Newspaper
- 1 copy Bulletin Board
- 1 copy County Clerk
- 1 copy Sheriff's File

# **ESTRAY LIVESTOCK**

The purpose of this directive is to establish guidelines outlining the legal procedure of impounding and disposing of estrays. Young County adopted the Stock law in 1905. This law continues to exist, and makes it unlawful to permit livestock including cattle, to run at large in Young County. A person who finds an estray on public or private property must report the presence of the estray to the Sheriff as soon as reasonably possible. If the owner cannot be determined or does not immediately remove the estray, the Sheriff or his designee must proceed with the impoundment process.

## **Definition of Estray**

- a. An "estray" is a valuable animal which has strayed from its owner.
- b. As used in the Estray Act, "estray" means any stray horse, mule, ass, hog, sheep, goat, or any species of cattle, exotic livestock or exotic fowl.

## **Finding a Estray; Notice**

- a. A person who finds an estray on his property, or the custodian of public property who finds an estray on public property, must report the presence of the estray to the Sheriff of the county where the estray is discovered as soon possible.
- b. A deputy, on observation or notification of a stray animal, will;
  - (1) Respond, investigate and document the incident on an incident report.
  - (2) If the animal is a danger to persons or property, the deputy will attempt to secure the animal in a safe place while he attempts to identify and contact the owner of the animal. If the owner is identified, file the owners contact information with the dispatcher.
  - (3) If the animal presents a danger and cannot be contained in a safe place or the owner cannot be identified; the deputy will contact a Contract Cowboy to impound the animal. The deputy will complete a Contract Cowboy forms, a Estray Report Form, a Notice to Sale Barn Form and submit an email to the Administrator Assistant on the day of the report of the impoundment.
  - (4) Under no circumstances will a deputy leave an animal where it presents a danger to persons or property.
  - (5) Deputies will not herd animals onto private or public property where it may present a danger to persons, property, other animals or crops.
  - (6) If a deputy can confirm the pasture an animal belongs in then the deputy will attempt to place the animal back where it belongs. If possible, contact the owner and advise the animal was out.
  - (7) If the animal is secure on property other than the estray's owner, then the estray requires impoundment, it is permissible for the responding deputy to make arrangements for the estray to be impounded at a more convenient time, such as necessary to obtain a contract cowboy. This is providing the deputy receives consent from the property owner.
  - (8) A deputy is required to be on scene when an animal is impounded. The only variance is with prior approval of a supervisor.

It is the responsibility of each Young County Deputy responding to a call for an astray to attempt to find the owner of the animal.

**Deputies should do the following:**

1. Request dispatch to attempt to locate any owners listed in this area. Remember horses or cattle can easily travel two to three miles from the area they got out from. Also have dispatch check to see if they have had any animals matching the description reported missing.
2. Look for tracks showing where the animals may have traveled from and backtrack to that area to attempt to locate where the animal got out at.
3. If the animal has a brand on it attempt to find out who the brand is registered to at the Young County Clerk's Office. If it is a bovine and it has an ear tag it might have a telephone number or name of the owner stamped on it.

**If you have to impound an animal, you need to do the following:**

4. Have dispatch contact a contract cowboy.
5. When cowboy arrives complete a **Contract Cowboy Invoice**, and have them sign it. This form will need to be given to the Administrator Assistant to insure the Cowboy gets paid. Make a copy of this form and place in the file folder.
6. Complete an **Estray Report Form** include the information included in #9 below, location impounded from and any information the reporting party has concerning the animal.
7. Complete a **Notice to Sale Barn of Estray Form** and give this form to the contract cowboy to leave with the sale barn when he takes the animal to the sale barn.

If the impounded animal is a horse, then the Contract Cowboy needs to take the horse by a vet to obtain a Coggins test prior to leaving it at the sale barn if possible. The invoice for the Coggins test needs to be given to the Administrative Assistant.

9. Estray Report and Notice to Sale Barn of Estray Form needs the following information:

- a. Breed
- b. Color
- c. Sex
- d. Age
- e. Size
- f. Description of Brands, Ear Tags, or any other identifying information. If it is a brand include where the brand is located. If it is an ear tag include the ear it is located in and the color of the tag with any information on the tag.
- g. Your report will also need pictures of the animal. Obtain pictures of the animal, front, back and both sides. Include pictures of brands and ear tags.

(If you do not know the answer to these questions in #9 you may want to ask the Contract Cowboy to help you with this.)

If the animal is a bull and it has to be spelt may also need to be tested for "Trich", confirm this with a supervisor.

"The day of the impoundment" you need to prepare a report and email the Administrative Assistant the information listed in #9 and include location animal was impounded from and CC the Patrol Sgt. and the Estray Officer. You need to write on the white board-in the patrol room the information listed at the top of the board pertaining to the impounded animal.

The Administrative Assistant will send you an email confirming the date that the impoundment was posted on the Website. The posting has to be on the website for a period of 18 days and then if no one claims the animal it can be sold.

Place on the white board the date that the animal can be sold.

If the animal is not claimed and needs to be sold, then an Authorization for Sale form needs to be prepared and taken to the Sale Barn as soon as the 18 days is up. Place a copy of the Authorization for Sale form in the file folder.

If the animal is claimed an Authorization for Release form needs to be prepared and the owner needs to sign for the animal and pay the appropriate fees listed below to get the animal back. Owner needs to provide proof that the animal belongs to them. Confirm permission to release the animal by a supervisor.

(a)Contract Cowboy fee for taking the animal to the sale barn is determined by the Contract Cowboy.

(b)Fee for storage of the animal is \$7.00 per day per head.

(c)Owner has to pay these fees by check, money order, or cash. The check is to be given to the Administrator Assistant. Place a copy of the check in the file folder attached to the release form.

If the animal was on someone's property and created damage to their property get with a supervisor and confirm how this is to be handled.

When responding to a livestock call, if you locate an owner, determine if they are registered with the Young County dispatch as a livestock owner. If they are not, complete a Young County Livestock Registration form and give it to dispatch.

The Sheriff is responsible for all estray in the county. This can be a serious liability to the Sheriff personally and to the county. It is imperative that this process is completed properly. If any deputy has a question they are to contact their supervisor. Deviation from these procedures will not be allowed without prior supervisor approval. This is considered the official procedure for the Sheriff's Office and noncompliance will result in discipline actions per policy.



# YOUNG COUNTY SHERIFF'S OFFICE

TRAVIS BABCOCK, SHERIFF



315 N Cliff Dr.

Phone: (940) 549-1555

Graham, Texas 76450

Fax: (940) 549-0011

## ESTRAY REPORT

DATE: 7-11-22

### 1. PERSON REPORTING ESTRAY

NAME: Lukert, Mike

ADDRESS: 769 Hwy 251

PHONE: 940-564-6262

### 2. DATE ESTRAY REPORTED TO SHERIFF'S OFFICE:

7-11-22

### 3. LOCATION OF ESTRAY WHEN FOUND:

Star Salen Loop

### 4. CONTRACT COWBOY:

\_\_\_\_\_

### 5. DESCRIPTION OF LIVESTOCK:

BREED: Bull

COLOR: Black

SEX: Male

AGE: 7 months

SIZE: 700 LBS

BRAND, EAR TAGS, MARKINGS; IDENTIFYING CHARACTERISTICS:

Ear tag 3180

LOCATION OF LIVESTOCK (WHILE IMPOUNDED): Young County Substn

CONTRACT COWBOY

J. Gallo 232

DEPUTY

BADGE#



# YOUNG COUNTY SHERIFF'S OFFICE

TRAVIS BABCOCK, SHERIFF



315 N Cliff Dr.

Phone: (940) 549-1555

Graham, Texas 76450

Fax: (940) 549-0011

## NOTICE TO SALE BARN OF ESTRAY

DATE: 7-11-22

1. CONTRACT COWBOY IMPOUNDING ESTRAY

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

2. DATE ESTRAY REPORTED TO SHERIFF'S OFFICE:

7-11-22

3. LOCATION OF ESTRAY WHEN FOUND:

Salem Loop

4. IMPOUND LOCATION:

Young County Sale barn

5. DESCRIPTION OF LIVESTOCK:

BREED: Bull

COLOR: Black

SEX: Male

AGE: 7 months

SIZE: 700 LBS

BRAND, EAR TAGS, MARKINGS; IDENTIFYING CHARACTERISTICS:

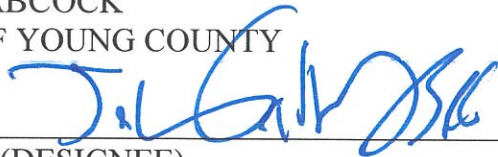
cat tag 3180

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TRAVIS BABCOCK  
SHERIFF OF YOUNG COUNTY

BY:

(DESIGNEE)



- The Sale Barn cannot release or sale any livestock until a “Release of Livestock” form from the Young County Sheriff Office has been received.

# YOUNG COUNTY SHERIFF'S OFFICE

TRAVIS BABCOCK, SHERIFF



315 N Cliff Dr.

Phone: (940) 549-1555

Graham, Texas 76450

Fax: (940) 549-0011

## Authorization for the Release or Sale of Estray Livestock

Case# \_\_\_\_\_

Jan G. V. O'Shea

Date: 7-11-22

Releasing Deputy

### ☐ AUTHORIZATION FOR SALE

In accordance with Texas Agriculture Code Title 6, Subtitle B, Chapter 142 the following described Estray livestock are eligible for sale as of the 24 day of July 2022. The Sheriff of Young County authorized the release/sale of the livestock as of the above date.

### ☐ AUTHORITY FOR RELEASE TO OWNER

If the owner of the Estray livestock should be identified and wishes to exercise his/her ownership rights, the sheriff authorizes the release of the livestock only after all fees have been paid to the Young County Sheriff's Office in the administration office located at 315 North Cliff Drive, Graham, Texas 76450. This can be completed Monday through Friday, 8:00 A.M to 4:00 P.M, unless otherwise arranged.

Date released or sold: \_\_\_\_\_

☐ Sold

☐ Released to owner

Kind of Animal: Bull

Breed: Bull

Color: Black

Sex: Male

Age: 7 Months

Size: 700 Lbs

BRAND, EAR TAGS, MARKINGS; IDENTIFYING CHARACTERISTICS:

Ear tag 3180