

Bond Case Briefs

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DOGGIES! - TEXAS

Lira v. Greater Houston German Shepherd Dog Rescue, Inc.

Supreme Court of Texas - April 1, 2016 - S.W.3d - 2016 WL 1267745

Dog owners brought conversion action against animal shelter seeking declaratory and injunctive relief to recover possession of dog following its impoundment by city animal control agency when dog was found illegally running at large and its subsequent transfer to shelter in lieu of euthanasia.

The District Court entered judgment in favor of owners. Animal shelter appealed. The Court of Appeals reversed, rendered, and remanded. Owners petitioned for review, which was granted.

The Supreme Court of Texas held that:

- Owners, who diligently searched for dog until he was found and immediately requested his return, did not abandon dog, and
- City ordinances under which dog was impounded and transferred to shelter in lieu of euthanasia did not divest owners of their ownership of dog, and thus shelter was required to return dog to owners upon request.