

Monroe A. Miller, Jr.
2200 Camp Branch Road
Waynesville, NC 28786
January 26, 2023

Subject: Ed Smathers: Lois Hollis wins the Trifecta!

Tri·fect·a, noun -

1. a bet in which the person betting forecasts the first three finishers in a race in the correct order.

In a hearing against **Ed Smathers** 10/11/2022, (on www.haywoodtp.net)

[22CR050955 - State v. Ed Smathers - ASSAULT ON A FEMALE. "Defendant not to have any contact direct or indirect w/Lois Hollis. Defendant not to engage in any assaultive behavior. Defendant cannot violate any laws. PJC to carry term to term for 18 months", \(+ pay court costs\). 10/13/2022...](#)

<https://www.haywoodtp.net/pubII/221013Judgement-Probation.pdf>

Judge Monica Leslie ordered:

- Defendant not to have any contact direct or indirect w/Lois Hollis.
- Defendant not to engage in any assaultive behavior.
- Defendant cannot violate any laws.

This guy cannot stay out of trouble.

The first two orders went by the wayside on 10/24/2022 -

[.mp4 \(Slo-Mo\), 22CR50955. Say **Zeb Smathers**, can you spot in this video by Lois Hollis where your client \(criminal case\) Ed Smathers violates Judge Monica Leslie's Orders of "Defendant not to have any contact direct or indirect w/Lois Hollis, and not to engage in any assaultive behavior ...". Say, **Zeb Smathers**, are you related to **Ed Smathers**? 10/24/2022. 12/23/2022...](#)

<https://www.haywoodtp.net/pubII/221223Slo-Mo-EdSmathers.mp4>

The last order was violated on 11/18/2022 -

[22CR50955. Say, Zeb Smathers - What do these doggie photos have to do with ASSAULT OF A FEMALE? 12/8/2022...](#)

<file:///C:/haywoodtp/pubII/221208SmathersDoggiePhotos.pdf>

Violation of Town and County Animal Ordinance CHAPTER 91 §91.05, Allowing K9 to run at large, resulting in a Notice of Civil Penalty, cited for a violation of Haywood County Animal Services ordinance.

See the Investigation log which follows...

So **Ed Smathers** has blatantly violated all three (3) of Judge Monica Leslie's orders. What next? Back to court?

Say, **Zeb Smathers**, are you a relative of **Ed Smathers**?

Monroe A. Miller, Jr.
Haywood County Taxpayer

JAN 24 2023

A21-015570-8 OWNED/NUISANCE Priority Level: 5 Total Animals: 2 Animal Type: DOG

Call Date: 01/24/23 01:30 PM Dispatch Date: 01/24/23 01:30 PM

Activity Address: 124 JOHNSON HILL DR WAYNESVILLE, NC 28786
Activity Comment: RECIEVED PHOTOS OF K9 OFF PROPERTY THAT HAD A HANDWRITTEN TIME AND DATE STAMP.

Caller Information

P002449 LOIS HOLLIS - (928) 254-9552
156 JOHNSON HILL DR
WAYNESVILLE NC 28786

Owner Information

P006517 EDWARD SMATHERS
124 JOHNSON HILL DR
WAYNESVILLE NC 28786
(828) 550-0803

Animal Information

Investigation Result

Officer: P993102 STAMEY Result Codes:
Arrival Date: 01/24/23 02:54 PM 1 COMP
Complete Date: 01/24/23 02:54 PM 1 CITE

M22-016446 11/21/2022 A21-015570

Reporting Officer (R/O) Lyla Bible, Haywood County Animal Services Officer, responded to the complaint. Arrived at residence, did not observe any canines. Was unable to access the door of home to knock on door. Will attempt to contact owner via phone.

Placed phone call to Mr. Smathers on 11/22/22. Left voicemail.

Mr. Smathers responded to the voicemail and told R/O that the dogs would play in between his houses. Mr. Smathers states a neighbor has old photos of his dogs off property from a while back they will try to use against him.

M22-016619 12/30/2022 A21-015570

Reporting Officer (R/O) Lyla Bible, Haywood County Animal Services Officer, responded to the complaint. Spoke with Ms. Hollis via phone who stated she had video of the dog in the roadway, but the dog did not come onto her property. Officer Bible waiting for image/video to be sent. Ms. Hollis states she has called the police numerous times on Mr. Smathers.

Officer Bible requested records from Waynesville Police Department.

Ms. Hollis e-mailed Officer Bible stating that the cameras did not get clear video of Mr. Smathers' dogs and that she would have to get photos via phone.

M23-016762 1/24/2023 A21-015570

officer Stamey/officer Bible and Director Howard Martin received the evidence that HCAS has been waiting on from the complainant at Johnson Hill drive Waynesville NC 28786. The evidence was showing Mr. Ed Smathers German Shepherd off its property and onto the neighboring property. Mrs. Lois Hollis took the photos of the k9 in question on 11/18/2022. Officer Stamey after receiving the evidence did visit Mr. Smathers on 1/24/2023 at around 1:30 pm and wrote a Warning citation on 91.05 (Allowing a k9 to run at large.)

This is a written warning and if this incident does occur again a violation will be written as a level 1 penalty with an amount of 50 dollars.

Mr. Smathers stated that he is always out with his dog and never lets the k9 roam on its own and or by itself. Mr. Smathers did see the evidence photos that were used in the complaint and stated that he remembered that day well because he and his neighbor was on the other side of the street that day throwing a ball to his dog, when those photos were taken.

Citation # 2555 written for allowing k9 to run at large. (warning)..

Photos:

HAYWOOD COUNTY ANIMAL SERVICES DEPARTMENT
NOTICE OF CIVIL PENALTY

Name: C. J. H. H. D.O.B. 1/24/23
Address: 1234 Main St, Haywood, NC 28743
Phone: 828-288-1234 FAX: 828-288-1234

You are hereby cited for a violation of
Haywood County Animal Services Ordinance.

CHAPTER 91.91.02 Failure to restrain (Level 1)
 CHAPTER 91.91.03 Control by animals (Level 2)
 CHAPTER 91.91.04 Animal opening 1 bucket (Level 1)
 CHAPTER 91.91.06 Failure to properly contain/leash (with identification) (Level 1) 2555
 CHAPTER 91.91.08 Compliance with noise laws (Level 1)
 CHAPTER 91.91.09 Compliance with noise laws (Level 2)

The above cited ordinance(s) shall apply to 1234 Main St, Haywood, NC 28743
on 1/24/23 at 12:30 PM

When this document is received, you will be notified by mail of the amount of the fine and the date by which you must pay it. If you do not pay the fine by the date specified, you may be liable for additional penalties and costs. Payment of this fine does not constitute an admission of guilt.

FEE SCHEDULE			
Category	Amount	Category	Amount
Administrative Fee	\$100.00	Animal Services Fee	\$100.00
Animal Services Fee	\$100.00	Animal Services Fee	\$100.00
Animal Services Fee	\$100.00	Animal Services Fee	\$100.00
Animal Services Fee	\$100.00	Animal Services Fee	\$100.00

Image:A21-015570 - 1
Stored: 1/24/23 15:20

2555

**HAYWOOD COUNTY
ANIMAL SERVICES DEPARTMENT**



NOTICE OF CIVIL PENALTY

Name Ed Smathers DOB 5/10/52
Address 124 Johnson Hill drive
Phone# 828-550-0803 ID/DL# _____

You are hereby cited for a violation of
Haywood County Animal Services ordinance;

- CHAPTER 91 § 91.02. Failure to restrain: (Level I)

- CHAPTER 91 § 91.03. Cruelty to animals: (Level II)

- CHAPTER 91 § 91.05. Animal creating a nuisance: (Level I)
Allowing XG to run At Large
- CHAPTER 91 § 91.06. Failure to provide canine/feline
with identification: (Level I) _____
- CHAPTER 91 § 91.20. Compliance with state law: (Level I)
(Rabies Control) _____ + _____
- CHAPTER 91 § 05 Warning violation
_____ (Level)

The above cited violation(s) took place at Johnson Hill drive
Waynesville, at _____ am/pm on 4-18, 20 22

You are hereby directed to pay a fine of \$ 0.

Failure to clear this fine within a period of thirty (30) days after receiving this notice may result
in a summons being issued for your court appearance. Personal payments are to be made in
the Animal Services Office at 453 Jones Cove Rd, Clyde NC, 28721

Date _____ at _____ am/pm Officer _____ ID# _____

Signature: [Signature] (Signature is NOT an admission of guilt.)

THIS IS A LEGAL DOCUMENT

Civil Penalty Fine Schedule				
	First offense	Second offense	Third offense	Each additional offense
Level I	\$50.00	\$75.00	\$100.00	\$100.00
Level II	\$75.00	\$125.00	\$250.00	\$250.00
Level III	\$250.00	\$500.00	\$1,000.00	\$1,000.00