

## Texas Rangers investigating deputy's shooting of family dog

Written by

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Farmer says action was unnecessary

By KERRY CRAIG

Texas Rangers are investigating the shooting of a family cow dog that has left third-generation Rains County dairy farmer Cole Middleton questioning the law enforcement motto, "to serve and protect."

For Middleton, the odyssey started last Friday morning after he called the Rains County Sheriff's Office to report his home had been burglarized.

Middleton said he, his father and grandfather were cutting silage that morning and his wife had gone shopping when someone broke into their home stealing jewelry, electronics and guns.

Three hours after Middleton made two calls to Rains County Sheriff's Office, Middleton said he went back to work.

"I finally gave up on [deputies] and went to relieve my 78-year-old grandfather, who was on a tractor next to my house," he said. "After I did that, a sheriff's deputy pulled into my house about 15 minutes later."

Middleton said he saw the deputy pull up, and he and his father, who was on another tractor, started driving toward the house to meet with the officer.

Middleton's dog, Candy, a trained female Australian Blue Heeler, was in the back of his pickup where she normally stays.

"The officer pulls up and gets out of his vehicle. We are headed toward him and we are blowing our horns at him to let him know we are coming — we were about 50 yards away," Middleton said. "He [the deputy] proceeds to shoot my dog in my front yard. Now Candy, at this point, had jumped out of the pickup and she is barking. That's it. He shoots her in the side of the head, the dog was facing sideways toward the tractors. Candy was not even facing or looking at the officer."

Middleton also said the deputy walked to the front door of the house, opened it and looked inside.

"He steps off my porch and informs me as I am stepping off the tractor, 'I shot your dog, I'm sorry, she charged me,'" Middleton explained.

The shot, however, was not fatal and Middleton said the dog was suffering.

Middleton identified deputy Jerred Dooley as the officer who shot his dog.

"He got in his squad car, backed out of our driveway and got on his loud speaker and said, 'Do not approach the vehicle. Do not approach the vehicle. Step away. Step away,'" Middleton said. "We were not even approaching the vehicle. We were in the front yard with the dog. I begged him to please come back and put my dog out of her misery, and he wouldn't do it."

Middleton said he had to put the dog down with his own hands.

Candy was a Blue Heeler, a cow dog, and Middleton said he had no doubt she was barking. A typical Blue Heeler female will weigh about 30 to 35 pounds.

"Dogs bark when somebody pulls up to the house," he said. "If a barking dog at your house deserves a bullet in the head from an officer, then I believe we have a severe problem."

At that point, Middleton said things became even worse.

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The deputy had apparently called for back-up from other officers and two state troopers, an Emory police officer and another Rains County deputy arrived at the residence.

"I don't know why he called in back-ups. Was my father and I emotional? Yes," he said. "All five officers approach us with Tasers pulled, pistols at the ready, and we are trying to explain to them we were the ones that was robbed. It's our house that was burglarized."

Middleton said he started the video recorder on his phone.

"Me and my dad, totally innocent with no weapons on us, and they are coming at us like this," he said. "Anything could happen.

"I informed them I was video taping this and I had a state trooper mocking me on the video. He says, 'Hi mom, hi dad, hi Channel 8, how are you doing?'"

Middleton said the state trooper mocking him was "Wood County Officer Hayes and officer accompanying him was Officer Sneed."

A call to Rains County Sheriff David Traylor Wednesday morning was not returned by press time.

The office of Rains County Judge was referring calls to Rains County District Attorney Robert Vititow's office.

In the district attorney's office, Investigator Serena Booth said Texas Ranger John Vance was investigating the incident, and if criminal charges are filed they will be referred to a grand jury.

None of the offices contacted said whether Dooley was performing his regular duties or on administrative leave following the shooting of the animal.

Middleton said [facebook.com/justiceforcandymiddleton](https://www.facebook.com/justiceforcandymiddleton) was created after the incident and by Tuesday morning had received more than 250,000 hits.

The video that Middleton took on his cellphone is shared on the News-Telegram's website, [mySSnews.com](http://mySSnews.com), and on the newspapers's facebook page, [facebook.com/mySSnews.com](https://www.facebook.com/mySSnews.com).