

Victims of 'horrific' dog attacks in Montgomery County file lawsuit | WHIO-TV

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New developments at six. Two dog attack victims are suing. They say animal control ignored red flags tied to their neighbors vicious dogs.

Now those animals ended up attacking them leaving them with serious injuries. This is an update on a story we first reported in the fall. NewsCenter 7's John Bedell live in Dayton.

And John, you talk with the victim's lawyer about accountability. You also talk with the county. Gabby, the dog owner is in the middle of a six-month sentence here at the Montgomery County Jail for a criminal conviction tied to this attack.

The lawyer for the two victims here wants a trial in connection with their civil lawsuit in this case right here at the courthouse next door. We followed Dawn Kilbarger's story since a dog attack left her hospitalized with more than 700 stitches. Most of them to her face.

You can't even walk out your house because you don't know what dog's coming for you. Three of her neighbor's Cane Corso dogs attacked her in August right after they went after her neighbor Rick. That was the first time in my life where I said you're gonna be dead in a couple of seconds.

Craig Matthews is the lawyer now representing both victims. What happened here was just a horrific attack by dogs. Just this week Matthews filed this civil lawsuit in connection with the attack.

It names the dog's owner Desmond Payne, his landlord at the time, and Montgomery County and its animal control agency as defendants. In the lawsuit, Matthews writes, prior to the attack, the Montgomery County Sheriff's Office and or the Montgomery County Animal Resource Center received at least 15 reports concerning these dogs, including, he says, reports that the dogs were running loose and creating a safety risk on Dawn and Rick's block. The neighbors, they knew it was just a matter of time something was going to happen.

That's why they're calling and really nothing was done. Matthews tells me the Animal Resource Center is the primary defendant. Animal controls, their purpose is to protect the public and the ball was dropped here to terrible catastrophic effect.

I mean, my people will never be the same. I could not find that former landlord for comment today. When I reached out to Montgomery County, they sent me back a statement from County Administrator Michael Colbert that said, our thoughts are with the victims and their families as they navigate this difficult time because this matter involves pending litigation.

We are not able to comment further. We're live in Dayton tonight. I'm John Bedell, New Center

7. All right, John, and as we reported in the fall, the dog's owner, Desmond Payne, faced misdemeanor charges of failure to combine a vicious dog.

He pleaded guilty to one of the charges last month. As of today, he's served about two months of that six-month jail sentence John talked about. The county euthanized all five of his Cane Corsos.

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