

Birdwatcher's Case Declared A Mistrial

Case declared a mistrial for man who shot a feral cat to protect an endangered bird

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In 1986 the Piping Plover bird was placed on the List of Endangered and Threatened Wildlife with a "threatened" designation.

James M. Stevenson, founder of the Galveston Ornithological Society, until recently, faced charges of animal cruelty for the shooting of a cat that was hunting an endangered bird, the Piping Plover. In 1986, the Piping Plover (*Charadrius melodus*) was listed for protection under the Endangered Species Act in the United States.

The Galveston Orthological Society website explained: "In early November 2006, Director Jim Stevenson found a lame feral cat that was hunting endangered Piping Plovers (and other Federally protected species) in the sand dunes at San Luis Pass.

For many years, Jim has done everything possible to stop the release of cats in this sensitive area, but to no avail. Unable to catch the cat, and knowing that feral cats are not protected by law, he now stands accused of Felony Animal Cruelty in the alleged shooting of this cat."

Whether the cat was a pet or feral was the debatable factor in the case. The cat, known as "Mama Cat," lived under the San Luis Pass Bridge near Galveston, Texas. According to John Newland, the toll collector of the bridge, the cat was his as he took care of her and the other cats under the bridge. The prosecution in the case argued that the cat was a pet because Newland provided food, water, toys and a name for the cat.

Stevenson's defense was he did what he had to do to protect an endangered animal.

On November 16th, 2007, his case was declared a mistrial.

Visit the Fish And Wildlife Service for information on the Piping Plover.