

January 14, 2021

Robert M. Gibbens, D.V.M.  
 Director, Animal Welfare Operations  
 USDA-APHIS-Animal Care

*Via e-mail*

**Re: Request to Terminate A to Z Film Animals' Animal Welfare Act License**

Dear Dr. Gibbens,

I am writing on behalf of PETA to request that the U.S. Department of Agriculture (USDA) terminate Chelsey Lewis', dba "A to Z Film Animals," Animal Welfare Act (AWA) exhibitor license (License No. 85-C-0042) because Chelsey and Kip Lewis—her husband and business partner—both pled *nolo contendere* to criminal charges pertaining to the unlawful importation of animals.

The USDA may terminate a license for any reason that would require it to deny an initial license. 9 C.F.R. § 2.12. Those reasons include, if the licensee made any false statements or provided any false or fraudulent records to government agencies or "has pled *nolo contendere* (no contest) or has been found to have violated any Federal, State, or local laws or regulations pertaining to the transportation, ownership, neglect, or welfare of animals." *Id.* § 2.11(a)(7). Under the AWA, a licensee is not only held responsible for their actions, but is also held directly responsible "for any act or omission by any person acting for it or in its employ." 7 U.S.C. § 2139.

On December 15, 2018, the New Mexico Department of Game and Fish (NMDGF) executed a search warrant at Chelsey and Kip's property "in reference to the crime of forgery, relating to a Montana Veterinary health certificate, altered by Mrs. Lewis, for the purpose of importing two (2) cougar's from the State of Montana." Ex. A (Affidavit for Search Warrant, April 10, 2019). While searching their property, the NMDGF found a number of animals in their possession that had been unlawfully imported into the state, including a mountain lion, a raccoon, an American alligator, a coyote, a striped skunk, a red kangaroo, a capuchin monkey, and a prairie dog. *Id.*; see also Ex. B (Nov. 15, 2018 USDA Inspection Report listing the illegally imported coyote, skunk, and kangaroo on the animal inventory). The NMDGF did not initially seek criminal charges, but instead directed Chelsey and Kip to export out of New Mexico the unlawfully imported animals by March 8, 2019. Ex. C (February 23, 2019, NMDGF letter to Chelsey and Kip).

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PETA FOUNDATION IS AN  
 OPERATING NAME OF FOUNDATION  
 TO SUPPORT ANIMAL PROTECTION.

AFFILIATES:

- PETA U.S.
- PETA Asia
- PETA India
- PETA France
- PETA Australia
- PETA Germany
- PETA Netherlands
- PETA Foundation (U.K.)

Prior to the deadline, Chelsey and Kip told the NMDGF that they had exported the animals to a specified location in Texas. Ex. A. However, upon investigation, the NMDGF determined the animals had not been exported. *Id.* The individual at the Texas address stated that Chelsey and Kip just asked to use their address on “a form” needed to film in Texas, and that they did not have any of the animals that were allegedly exported. *Id.* After confronting Kip with this information, he admitted that the animals were still in New Mexico. *Id.*

Shortly thereafter, the NMDGF sought and obtained another warrant to seize the unlawfully imported animals, explaining to the court that “Mr. and Mrs. Lewis have attempted to deceive . . . the New Mexico Department of Game and Fish with Forgery as well as false export information regarding these animals” and “did not act in good faith and follow directives to remove the animals from the State of New Mexico.” *Id.* Pursuant to this warrant, the NMDGF seized six animals from Kip and Chelsey. *Id.* On July 26, 2019, Kip was criminally charged with six counts of unlawful importation, and Chelsey was charged with six counts of being an accessory to the unlawful importation. Ex D (Criminal Complaint, Chelsey Lewis); Ex. E (Judgment and Sentence, Kip Lewis)

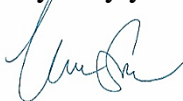
On August 25, 2020, both Kip and Chelsey entered plea deals with the court. Kip pled no contest to three counts of unlawful importation and was sentenced to 364 days of unsupervised probation. Ex. E. The remaining three counts were dropped and the fines were suspended. *Id.* Chelsey pled no contest to one count of accessory to unlawful importation, and her sentence was deferred pending completion of 364 days of unsupervised probation. Ex. F (Judgment and Sentence, Chelsey Lewis). The remaining five counts against Chelsey were dropped and the fines were suspended. *Id.*

Kip and Chelsey’s no contest pleas for criminal charges regarding the illegal importation of animals—animals who are regulated by the USDA and some of whom were listed on a USDA inspection inventory (Ex. B)—constitute grounds to terminate A to Z Film Animals AWA license. The fact that the underlying criminal charges stemmed from forgery, i.e. providing fraudulent documents to government officials, is yet another basis to terminate the company’s AWA license. Even after being given the opportunity to resolve the matter by exporting the illegally imported animals, Kip and Chelsey choose to again lie to government officials instead of complying with directives from law enforcement, which is further evidence that their license should be terminated.

Please exercise your discretion to immediately terminate A to Z Animals license.

Thank you for your attention to this important matter. Please inform me of the complaint number that your agency assigns to this correspondence.

Very truly yours,



Michelle Sinnott, Esq.  
Associate Director, Captive Animal Law Enforcement