Rel: March 20, 2026

ALABAMA COURT OF CRIMINAL APPEALS

CR-2025-0070

Debra Jane Catledge v. State of Alabama

Appeal from Colbert Circuit Court
(CC-24-188)

MEMORANDUM DECISION

On Return to Remand

WINDOM, Presiding Judge.

Debra Jane Catledge appeals her convictions for 3 counts of first-degree cruelty to a dog, see § 13A-11-241(a), Ala. Code 1975; 17 counts of second-degree cruelty to a dog, see § 13A-11-241(b), Ala. Code 1975; 3 counts of aggravated cruelty to animals, see § 13A-11-14.1, Ala. Code

1975; 12 counts of cruelty to animals, see § 13A-11-14, Ala. Code 1975; and 2 counts of failure to bury an animal, see § 3-1-28, Ala. Code 1975. Catledge was sentenced to 10 years in prison, split to serve 3 years in prison followed by 3 years of probation for her convictions for first-degree cruelty to a dog; to 1 year in jail for her convictions for second-degree cruelty to a dog; to 10 years in prison, split to serve 3 years in prison followed by 3 years of probation for her convictions for her convictions for aggravated cruelty to animals; and to 90 days in jail for her convictions for failure to bury an animal. Catledge's sentences for first-degree cruelty to a dog were ordered to be served consecutively, while all other sentences were ordered to run concurrently.[1]

On September 27, 2023, Darren Moore, a plumber, traveled to Catledge's property to fix a water pipe that had burst. While on the property, a 50-acre tract with pastures and wooded areas, Moore was struck by the appearance of a number of dogs who were confined to cages. Moore, having observed their matted fur, testified that the dogs appeared to be rugs. When the pipe was repaired, water began flowing into

[1] On October 29, 2025, this Court remanded the case to the circuit court with instructions for it to impose terms of probation on Catledge's sentences for first-degree cruelty to a dog and aggravated cruelty to animals. The circuit court has complied with this Court's order.

previously dry troughs. Horses then appeared; Moore testified that "they all come running to the water. ... It was a whole herd of them, nearly like a stampede." (Corr. Supp. R. 328.) Moore had no doubt that the horses had been suffering from thirst.

Moore's report to his employer of the disturbing scene was overheard by his employer's wife. She, in turn, reported the state of the animals on Catledge's property to Colbert Animal Services ("CAS"). Moore was contacted by Corey Speegle of CAS, and he reported what he had seen. Based on that information, Speegle obtained a search warrant for Catledge's property. On September 29, 2023, a multifarious team, including Speegle, Lt. Tyler Evans of the Colbert County Sheriff's Office, Whitney Hamby of the Colbert County Animal Shelter, Cheryl Jones of Florence Animal Services, and veterinarian Dr. Sonya Gray, descended on Catledge's property to execute the search warrant.

The canines on Catledge's property suffered a pitiful existence.[2] Some of the dogs were caged outside in raised hutches, holding 5 - 6 dogs with varying degrees of matted fur. Others were held in a barn in smaller cages, akin to rabbit cages, that sat on the ground. Dr. Gray "did not

[2] Mercifully, the nature of Catledge's claims on appeal do not require this Court to list in detail the condition of each animal.

observe any food in the cages" and Hamby testified that the drinking water "was green or had algae growing in the containers or it had bugs floating around in it." (Corr. Supp. R. 342, 475.) Dr. Gray saw that multiple cages "had bones that appeared to be equine, horse bones, in the cages with [the dogs]." (Corr. Supp. R. 342.) Dr. Gray described another cage that housed a "mother dog with puppies that had not had their eyes opened yet and with several other dogs." (Corr. Supp. R. 342.) The crates sat on the ground and were severely overrun with feces -- 4 - 5 inches, according to Jones. Hamby noted ammonia burns on the dogs, which was caused by the animals' sitting in their feces and urine. The excrement surrounding the canines also caused them to endure matted fur, with some cases so severe that an observer could hardly identify the animal as a dog. (Corr. Supp. C. 48-64; 77-78; 102-09; 115-18.) Dr. Gray told the jury that matted fur leads to skin and ear infections, and often houses fleas, ticks, and maggots. Additionally, matted fur pulls at an animal's skin, which Dr. Gray testified was a "very painful condition." (Corr. Supp. R. 341.) In Dr. Gray's opinion, it would take "months, potentially years" of neglect for dogs to attain the level of matting she had observed. (Corr. Supp. R. 351.) Other than the matted fur, Dr. Gray observed

maladies such as tumors, cuts, rashes, and herniations, none of which were receiving treatment. According to Hamby, every dog was malnourished and almost 90% suffered from heartworms.

Dr. Gray saw two canine carcasses, both of which were lying under the hutches. The carcasses "were very decomposed. One of them still had a collar around its neck. It was primarily bone with some hair left. There was no flesh left." (Corr. Supp. R. 344.)

Catledge's property was littered too with equine skeletons:

> "I myself counted 17 different skeletons. There were -- most of them were bones. There was one that was roughly a hundred yards behind the barn that was still identifiable as a horse. It had skin still stretched over it. It looked like it had been decomposing there for a few months, and then there was another horse that appeared to be dead I would say around 24 hours, just based on the fact that it had not been eaten by vultures yet, that was dead in a pond on the back of the property."

(Corr. Supp. R. 344-45.) Examining the horse that had died at the edge of the pond was difficult for Dr. Gray because half of the animal was submerged and the banks were muddy. Dr. Gray stated that marks on the bank indicated to her that the horse had tried but failed to paw its way out of the water.

There were dozens of horses on Catledge's property, many of whom had an existence that was equally as distressing as the dogs'. Multiple witnesses saw a horse collapse during the execution of the search warrant; Lt. Evans testified that he later learned that the horse had died. Dr. Gray testified that her field utilizes a numeric scale, 1 - 9, to evaluate the body condition of horses, with 1 being the thinnest and 9 being the fattest. The horse depicted in State's Exhibit 4 was representative: "It appears 1 as well based on the picture, just based on the amount of rib that you can see, and that you can also see all the vertebrae on the top line. That's the back of the horse. You can see where it is sunken in." (Corr. Supp. R. 356.) In a sampling of horses, every horse tested positive for parasites. Dr. Gray assumed the care of one of the horses; with deworming and a few months of proper care, the animal had gained several hundred pounds, moving from a body condition of 2 to a healthy 4.

Dr. Gray told the jury that, in her opinion, every animal about which she had testified had been subjected to abuse. In sum, Dr. Gray testified that Catledge's property was one of the worst cases of abuse and neglect she had ever seen, while Jones categorized the scene as "horrific."

(Corr. Supp. R. 533.) Catledge, though, appeared to be unfazed by the condition of her animals. Jones spoke to Catledge and found her to be "deliberately indifferent" to the animals' suffering. (Corr. Supp. R. 532.) Catledge explained to Jones that "she was a 62-year-old woman who lived on $1,400 a month and didn't have the finances or resources ... to take care of what was there." (Corr. Supp. R. 532.) Catledge was unable to tell Jones how many animals she had on her property.

A few days after the initial search, Speegle obtained and executed a second search warrant on Catledge's property, this time to seize all remaining equine that had been under Catledge's care. Also, Special Agent Monty Merriman of the State Bureau of Investigation piloted a drone over Catledge's property. Using a camera mounted on the drone, Agent Merriman was able to identify 5 - 7 rotting equine carcasses, with another 28 equine skeletons.

On appeal, Catledge asserts that the circuit court erred: 1) by denying her motion to suppress and 2) by denying her motions for judgment of acquittal.

I.

Catledge asserts that the circuit court erred by denying her motion to suppress. Specifically, Catledge asserts that the warrant authorizing the first search of her property was improperly procured by Speegle, who is not a police officer, and that the search of her property could not be salvaged under the good faith exception.

On October 27, 2023, Speegle filed an affidavit in support of an application for a search warrant for Catledge's property. The affidavit alleged:

> "This office was contacted in the last 48 hours by a reputable local plumbing business sayin (sic) there are up to 100 dogs, animals living in poor conditions. Some dogs up to 4-5 per kennel in pee and poop. Complaind (sic) also says animals look to not have been fed or watered for a month. He said the (sic) looked bad and emaciated. This is the 4th call we have had on this address and property extending back into the summer. Colbert Animal Services has been conducting an investigation on this since June of 2023."

(Supp. C. 35.) That same day, District Judge Chad Smith issued the requested search warrant to "Animal Control Officer Speegle." (Supp. C. 34.)

At the hearing on Catledge's motion to suppress, both parties probed Speegle's official role. Speegle testified that he had been sworn in as director of the CAS and that his job duties included operating the

Colbert County Animal Shelter and enforcing city ordinances and the Alabama Code with respect to animal control. Additionally, Speegle served Colbert County as its captain of Search and Rescue, and he was a certified canine instructor. Speegle also stated that he served the Colbert County Sheriff as a reserve deputy. According to Sheriff Eric Balentine, reserve deputies are volunteers with his office and they fill various roles, such as working security at special events, going on patrol with deputies, or serving legal summons. Sheriff Balentine clarified, though, that certification by the Alabama Peace Officers Standards & Training Commission ("APOSTC") is not required to serve as a reserve deputy and that, absent that certification, a reserve deputy would not possess arrest powers. Speegle testified that he had not received certification by APOSTC.

Turning to the search warrant itself, Speegle testified that he did not believe he needed one to enter Catledge's property, which was fenced and gated, because § 13A-11-242(a)(1), Ala. Code 1975, authorized him to remove a neglected or cruelly treated dog from its location. According to Speegle, he obtained a search warrant out of an abundance of caution.

Catledge argued, and the circuit court agreed, that § 13A-11-242(a)(1) did not obviate the need for a search warrant to enter her property and, further, that Speegle could not obtain a search warrant because he was not a law enforcement officer. Even so, the circuit court denied Catledge's motion to suppress:

> "[T]his evidence is not excluded by this Court because you have a good faith exception under the law. I found several cases to that.
>
> "Now, I grant you that I'm sure in what I heard yesterday one of the things that I was interested in was had any deputy come into my office or another judge's office and gave that kind of affidavit would that search warrant have been signed? I believe the answer -- I believe the answer for Judge Smith would have been yes. I saw an affidavit with probable cause. He was neutrally detached, and therefore, he signed it. Any deputy brought that to him he would have signed it. I believe that. I believe that based on the testimony that I heard, okay.
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> "So the only argument you have is this all should go away because Mr. Speegle is not authorized to request a search warrant and therefore the search warrant is invalid. That's your argument. I agree in part, and that part is the search warrant is invalidated because he's not -- however, the deputies going out there and conducting a search warrant was based on objectively reasonable reliance that Judge Smith had issued it and he's neutral, he's detached, and therefore this is an exception to this particular rule meaning that the evidence is not excluded."

(Corr. Supp. R. 122-23.)[3]

Catledge filed a motion for reconsideration, and the circuit court held a hearing on that motion. Catledge called Lt. Evans and questioned him about his knowledge of Speegle's status or lack thereof as a law enforcement officer. Lt. Evans testified that he knew Speegle was not a law enforcement officer but that he enforced the search warrant anyway. Lt. Evans explained: "Once I saw the judge's signature on the search warrant, I went with good faith on the search warrant because the judge signed it. I didn't have the authority to question the judge." (Corr. Supp. R. 142.) The circuit court maintained its prior ruling, finding that it had been presented with no evidence of misconduct.

A "'Law Enforcement Officer' means an officer, employee or agent of the State of Alabama or any political subdivision thereof who is required by law to [m]aintain public order; [m]ake arrests for offenses, whether that duty extends to all offenses or is limited to specific offenses; and [i]nvestigate the commission or suspected commission of offenses."

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[3] At trial, the circuit court found that the evidence should not have been suppressed under the inevitable-discovery doctrine. (Corr. Supp. R. 579.) Catledge addresses this finding in her brief, though, because of our resolution of the suppression issue, we need not address this specific claim in this memorandum opinion.

Rule 1.4(p), Ala. R. Crim. P. It is undisputed that Speegle was not a law enforcement officer at the time he obtained and participated in the execution of the search warrant. Yet, Rule 3.7, Ala. R. Crim. P., requires that a search warrant be issued only upon the request of a "law enforcement officer or district attorney," and Rule 3.6, Ala. R. Crim. P., states that a search warrant must be "directed to any law enforcement officer as defined by Rule 1.4(p)." Thus, this Court agrees with the circuit court that Catledge's property was searched pursuant to an invalid search warrant. This Court also agrees with the circuit court, though, that exclusion of the evidence obtained from Catledge's property was unwarranted.

The Fourth Amendment to the United States Constitution provides:

> "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

This right is enforceable against the States through the Due Process Clause of the Fourteenth Amendment to the United States Constitution, Mapp v. Ohio, 367 U.S. 643, 655 (1961), and the right is

likewise recognized by our own Constitution. Art. 1, § 5, Ala. Const. 2022. The exclusionary rule has been adopted by courts to help preserve this right:

> "The exclusionary rule was adopted to effectuate the Fourth Amendment right of all citizens 'to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures. ...' Under this rule, evidence obtained in violation of the Fourth Amendment cannot be used in a criminal proceeding against the victim of the illegal search and seizure. Weeks v. United States, 232 U.S. 383, 34 S. Ct. 341, 58 L. Ed. 652 (1914); Mapp v. Ohio, 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed. 1081 (1961). This prohibition applies as well to the fruits of the illegally seized evidence. Wong Sun v. United States, 371 U.S. 471, 83 S. Ct. 407, 9 L. Ed. 2d 441 (1963); Silverthorne Lumber Co. v. United States, 251 U.S. 385, 40 S. Ct. 182, 64 L. Ed. 319 (1920)."

United States v. Calandra, 414 U.S. 338, 347 (1974).

That said, the Fourth Amendment "has never been interpreted to proscribe the introduction of illegally seized evidence in all proceedings or against all persons." Stone v. Powell, 428 U.S. 465, 486 (1976). The exclusionary rule is designed not to cure the violation of a citizen's Fourth Amendment right but to prevent future encroachments through a deterrent effect. United States v. Calandra, 414 U.S at 354. Where "the exclusionary rule does not result in appreciable deterrence, then, clearly,

its use in the instant situation is unwarranted." United States v. Janis, 428 U.S. 433, 454 (1976).

Here, the circuit court found that suppression of the evidence from Catledge's property was unwarranted under the good-faith exception to the exclusionary rule. "The good faith exception provides that when officers acting in good faith, that is, in objectively reasonable reliance on a warrant issued by a neutral, detached magistrate, conduct a search and the warrant is found to be invalid, the evidence need not be excluded." Rivers v. State, 695 So. 2d 260, 262 (Ala. Crim. App. 1997). The Supreme Court of the United States has recognized four circumstances that render the good-faith exception inapplicable:

> "(1) when the magistrate or judge relies on information in an affidavit that the affiant knew was false or would have known was false except for his reckless disregard of the truth; (2) when the magistrate wholly abandons his judicial role and fails to act in a neutral and detached manner; (3) when the warrant is based on an affidavit so lacking an indicia of probable cause as to render official belief in its existence entirely unreasonable; and (4) when the warrant is so facially deficient that the executing officer cannot reasonably presume it to be valid."

Bailey v. State, 67 So. 3d 145, 150 (Ala. Crim. App. 2009) (citing United States v. Leon, 468 U.S. 897, 914-23 (1984)).

In her brief, Catledge raises several arguments regarding the sufficiency of Speegle's affidavit, such as staleness and reliability, and the parties dispute whether her arguments are preserved for review. Although the arguments were asserted in one of Catledge's motions to suppress, this Court is inclined to agree with the State that the arguments have been waived for appellate review.

Catledge filed on August 19, 2024, a scatter-gun motion to suppress with little relevant detail. (Supp. C. 30-31.) The circuit court conducted a suppression hearing on the motion two days later. At the beginning of the hearing, Catledge produced an amended motion to suppress, which she would not file until after the hearing, that raised additional arguments, including the arguments challenging the affidavit that she seeks to reassert on appeal. (Corr. Supp. R. 5.) It is not clear from the record how much of the amended motion the circuit court reviewed, though the circuit court did state that the amended motion was "taking on a whole different angle and approach" than the original motion. (R. 6.) Catledge conceded the point, and the circuit court stated that it would take the motion "up through witnesses." (Corr. Supp. R. 6.) Catledge agreed. At the conclusion of the hearing, the circuit court stated, "So the

only argument you have is this all should go away because Mr. Speegle is not authorized to request a search warrant and therefore the search warrant is invalid. That's your argument." (Corr. Supp. R. 122.) Catledge said nothing to the circuit court to correct any misapprehension the circuit court may have had regarding grounds asserted in his recently produced motion to suppress. Further, Catledge's motion for reconsideration, on which the circuit court held an additional hearing, challenged only the officers' reliance on the search warrant given that Speegle was not a law enforcement officer. As such, it cannot be said that the circuit court ruled on the arguments Catledge now seeks to present to this Court regarding Speegle's affidavit. See Ex parte Coulliette, 857 So. 2d 793, 794-95 (Ala. 2003) ("The purpose of requiring a specific objection to preserve an issue for appellate review is to put the trial judge on notice of the alleged error, giving an opportunity to correct it before the case is submitted to the jury.").[4]

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[4] Of course, this Court has already agreed with Catledge, albeit for a different reason, that the search warrant was invalid. Thus, at this point, her arguments regarding the affidavit supporting the warrant would be relevant only insomuch as they reflect on the circuit court's finding that the good-faith exception applied. See Bailey, 67 So. 3d at 150. However, as we have already stated, Catledge did not challenge the circuit court's good-faith determination on the ground that the affidavit was deficient. (Supp. C. 44-46, 48-50.)

Catledge raises two arguments challenging the circuit court's application of the good-faith exception that are properly before this Court.

First, Catledge asserts that the good-faith exception cannot apply because the judge relied on information in an affidavit that the affiant knew was false or would have known was false except for his reckless disregard of the truth. Here, Catledge refers to "Speegle's application for the warrant knowing he lacked arrest powers, to the extent his status as a law enforcement officer was misrepresented to the judge." (Catledge's brief, at 39.) As the wording of the argument suggests, this is a wholly speculative claim, and this Court can find no support in the record for a misrepresentation to the judge.

Second, Catledge asserts that the good-faith exception cannot apply because the warrant was so facially deficient that the executing officer cannot reasonably presume it to be valid. Specifically, Catledge argues that the search warrant's being issued to Speegle rendered the warrant so facially deficient that the deputies who helped execute the search warrant could not have presumed it was valid. While this may present a closer question, this Court nonetheless resolves it against Catledge.

It is true that at least Lt. Evans knew that Speegle was not a law enforcement officer. Yet, Speegle was not a random, private citizen, as Catledge's brief suggests. Catledge's property was the site of a significant level of animal distress; naturally, Speegle, as director of the CAS, would be involved in addressing that issue. Further, Speegle held several law-enforcement adjacent roles in Colbert County. We think, under the circumstances presented here, Speegle's being issued the search warrant would not render it so facially deficient that the deputies who helped execute the search warrant could not have presumed it was valid.

Under the totality of the circumstances, this Court holds that the circuit court properly applied the good-faith exception. There was no evidence of any misrepresentation by Speegle made to the magistrate. The warrant was issued by a neutral and detached magistrate, and there is no allegation otherwise. Speegle presented the magistrate with an affidavit, which we will restate, amply setting out probable cause to believe that animals were being cruelly treated on Catledge's property:

> "This office was contacted in the last 48 hours by a reputable local plumbing business sayin (sic) there are up to 100 dogs, animals living in poor conditions. Some dogs up to 4-5 per kennel in pee and poop. Complaind (sic) also says animals look to not have been fed or watered for a month. He said the (sic) looked bad and emaciated. This is the 4th call

> we have had on this address and property extending back into the summer. Colbert Animal Services has been conducting an investigation on this since June of 2023."

(Supp. C. 35.) The affidavit cited its source, was written in the present tense, and described protracted and ongoing violations, which would lessen the force of any claims of staleness. See Harrelson v. State, 897 So. 2d 1237, 1239 (Ala. Crim. App. 2004). Finally, both the affidavit and the search warrant list the property to be searched and the search warrant lists the animals to be seized. See Leon, 468 U.S. at 924 ("a warrant may be so facially deficient -- i.e., in failing to particularize the place to be searched or the things to be seized -- that the executing officers cannot reasonably presume it to be valid").

The suppression of evidence, inasmuch as it impedes the truth-finding functions of judge and jury, carries with it a substantial social cost. Leon, 468 U.S. at 907. Consequently, it must be "our last resort, not our first impulse." Hudson v. Michigan, 547 U.S. 586, 591 (2006). The mistake here was made by the magistrate, yet the Supreme Court of the United States has made clear that exclusion is aimed at deterrence of police misconduct, not judicial misconduct. See Herring v. United States, 555 U.S. 135, 142 (2009).

Even if this Court were to hold that the officers should shoulder some of the blame for the mistake, suppression would still not be warranted. "When the police exhibit 'deliberate,' 'reckless,' or 'grossly negligent' disregard for Fourth Amendment rights, the deterrent value of exclusion is strong and tends to outweigh the resulting costs." Davis v. United States, 564 U.S. 229, 238 (2011) (quoting Herring, 555 U.S. at 144). The record would not support such findings of misconduct. Rather than a disregard for Catledge's Fourth Amendment rights, the record demonstrates that Speegle, though he did not believe he needed a search warrant, obtained one anyway. Stated differently, Speegle and the law enforcement officers who executed the search warrant were trying to protect her Fourth Amendment rights. Further, this case has presented this Court with an unfamiliar and rare set of facts; thus, the "'deterrence rationale loses much of its force.'" Davis v. United States, 564 U.S. at 238 (2011) (quoting United States v. Peltier, 422 U.S. 531, 539 (1975)). As such, this issue does not entitle Catledge to any relief.

II.

Catledge asserts that the circuit court erred by denying her motions for judgment of acquittal with respect to her convictions for animal cruelty. Specifically, she asserts that the State presented no evidence as to her length of ownership or custody of the animals.

> "'"In determining the sufficiency of the evidence to sustain a conviction, a reviewing court must accept as true all evidence introduced by the State, accord the State all legitimate inferences therefrom, and consider all evidence in a light most favorable to the prosecution."' Ballenger v. State, 720 So. 2d 1033, 1034 (Ala. Crim. App. 1998), quoting Faircloth v. State, 471 So. 2d 485, 488 (Ala. Crim. App. 1984), aff'd, 471 So. 2d 493 (Ala. 1985). '"The test used in determining the sufficiency of evidence to sustain a conviction is whether, viewing the evidence in the light most favorable to the prosecution, a rational finder of fact could have found the defendant guilty beyond a reasonable doubt."' Nunn v. State, 697 So. 2d 497, 498 (Ala. Crim. App. 1997), quoting O'Neal v. State, 602 So. 2d 462, 464 (Ala. Crim. App. 1992). '"When there is legal evidence from which the jury could, by fair inference, find the defendant guilty, the trial court should submit [the case] to the jury, and, in such a case, this court will not disturb the trial court's decision."' Farrior v. State, 728 So. 2d 691, 696 (Ala. Crim. App. 1998), quoting Ward v. State, 557 So. 2d 848, 850 (Ala. Crim. App. 1990). 'The role of appellate courts is not to say what the facts are. Our role ... is to judge whether the evidence is legally sufficient to allow submission of an issue for decision [by] the jury.' Ex parte Bankston, 358 So. 2d 1040, 1042 (Ala. 1978).
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> > "'The trial court's denial of a motion for judgment of acquittal must be reviewed by determining whether there was legal evidence before the jury at the time the motion was made from which the jury by fair inference could find the

> defendant guilty. Thomas v. State, 363 So. 2d 1020 (Ala. Cr. App. 1978). In applying this standard, this court will determine only if legal evidence was presented from which the jury could have found the defendant guilty beyond a reasonable doubt. Willis v. State, 447 So. 2d 199 (Ala. Cr. App. 1983). When the evidence raises questions of fact for the jury and such evidence, if believed, is sufficient to sustain a conviction, the denial of a motion for judgment of acquittal does not constitute error. McConnell v. State, 429 So. 2d 662 (Ala. Cr. App. 1983).'"

Gavin v. State, 891 So. 2d 907, 974 (Ala. Crim. App. 2003) (quoting Ward v. State, 610 So. 2d 1190, 1191 (Ala. Crim. App. 1992)). Also,

> "'[c]ircumstantial evidence is not inferior evidence, and it will be given the same weight as direct evidence, if it, along with the other evidence, is susceptible of a reasonable inference pointing unequivocally to the defendant's guilt. Ward v. State, 557 So. 2d 848 (Ala. Cr. App. 1990). In reviewing a conviction based in whole or in part on circumstantial evidence, the test to be applied is whether the jury might reasonably find that the evidence excluded every reasonable hypothesis except that of guilt; not whether such evidence excludes every reasonable hypothesis but guilt, but whether a jury might reasonably so conclude. Cumbo v. State, 368 So. 2d 871 (Ala. Cr. App. 1978), cert. denied, 368 So. 2d 877 (Ala. 1979).'
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> "Ward, 610 So. 2d at 1191-92."

Lockhart v. State, 715 So. 2d 895, 899 (Ala. Crim. App. 1997).

The State presented evidence that Moore, while completing a plumbing project, saw many animals who were being subjected to cruel treatment and neglect on Catledge's property. Two days later, when Catledge's property was searched, numerous animals were found living in dire straits, to say nothing of the dead animals, one of which had recently died after having tried in vain to paw its way out of a pond. Dr. Gray treated horses that were dehydrated and emaciated, suffering from parasites, and dogs that were housed over capacity in cages, with many that were forced to slog through inches of their own feces. The dogs' drinking water was filthy, and Dr. Gray did not see any food in their cages. Many of the dogs suffered from severe fur matting, with Dr. Gray opining that these painful conditions could take months or even years to develop. From this evidence, the jury could have reasonably determined that animals were in Catledge's custody and that she was responsible for the animals' conditions. Therefore, this issue does not entitle Catledge to any relief.

Accordingly, the judgment of the circuit court is affirmed.

AFFIRMED.

Kellum, Cole, and Minor, JJ., concur. Anderson, J., concurs in the result.