



# Sallee Law, LLC

ATTORNEYS AT LAW

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## **CEASE AND DESIST LETTER**

Ms. Katie Trennepohl, Deputy Director Administrator  
Indianapolis Animal Care Services  
2600 S. Harding St.  
Indianapolis, IN 46221

October 23, 2023

RE: Unlawful Seizure of Patas Monkey (“Momo”) from Alex Nguyen and Hoang Pham

Deputy Director Trennepohl:

Please be advised that our office and our co-counsel, Hurst Limontes LLC, represents Alex Nguyen and Hoang Pham.

Between October 4-5, 2023, your agency assisted in locating my clients’ common patas monkey (“Momo”). On October 5, 2023, when Momo was in the physical possession of Alexis Nguyen, your agency unlawfully took possession of Momo by trick or subterfuge. Specifically, an employee of Indianapolis Animal Care Services (IACS) agreed to help Mr. Nguyen bring Momo to Mr. Nguyen’s vehicle parked at another location. The IACS employee then seized Momo. This seizure was unlawful because Momo was not at large at the time and IACS did not have a warrant or court order to seize the animal from Mr. Nguyen. Section 531-501(c) of the Revised Code of the City of Indianapolis states that IACS is required to obtain a warrant if it intends to seize an animal pending an investigation. At no time was Momo voluntarily surrendered to IACS. During a televised statement to the media on October 5, 2023, you confirmed that Momo’s owner had taken custody of him, but that Momo was “impounded” by IACS.<sup>1</sup>

Our office demands that IACS cease and desist the unlawful seizure and retention of Momo, and return him to Alexis Nguyen and Hoang Pham.

In addition to unlawfully seizing the animal, IACS has denied due process of law to Mr. Nguyen and Mr. Pham by refusing to hold a public hearing on the matter, and by reaching a decision not to return Momo before an investigation was concluded in violation of Section 531-501(b) and (d). Mr. Nguyen and Mr. Pham were sent a letter on October 7, 2023, stating *inter alia*, “[I]t is determined the animal will not be returned to Alexis Nguyen, Alex Nguyen, or Hoang Pham.” Nevertheless, media reports thereafter quote IACS and representatives from the City of Indianapolis saying an investigation is still underway.<sup>2</sup>

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<sup>1</sup> Studdard, D. (2023, October 5). *Momo the monkey captured after running rampant for the night in Indianapolis*. Fox 59. <https://fox59.com/indiana-news/momo-the-monkey-captured-after-running-rampant-for-the-night/>.

<sup>2</sup> Haughn, T. (2023, October 11). *Momo the monkey still being held at Indy Zoo 1 week after running loose on Indy’s Far East Side*. Fox 59. <https://fox59.com/news/momo-the-monkey-still-being-held-at-indy-zoo-1-week-after-running-loose-on-indys-far-east-side/>.



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In addition to demanding the return of Momo, this letter should also serve as notice of a tort claim against Indianapolis Animal Case Services, the City of Indianapolis, and any individual involved in the illegal seizure and detention of Momo, or the denial of due process rights of Alexis Nguyen and Hoang Pham. Our Co-counsel at Hurst Limontes will be sending a more detailed notice of tort claim to all municipal agencies involved with this heinous act as well as the Mayor's Office. Mr. Nguyen and Mr. Pham do not wish to enter into litigation, and also believe that a prolonged dispute would also be detrimental to the health and wellbeing of Momo. Should IACS comply with this demand to return the illegally seized animal, Mr. Nguyen and Mr. Pham would forego pursuing further legal action.

David Staples  
Attorney-at-Law

CC: Hurst Limontes LLC