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Dog gets 'dangerous' billing

A German shepherd that mauled a 4-year-old Goldsboro boy will be labeled dangerous by a law that is apparently seldom used in the city, police say.

Nathan Barry, 4, was mauled by a dog that belongs to Alexander Height Jr. of Central Heights Road at a September birthday party.

Police attorney Darrell Brown said Maj. Mike Hopper submitted the report to him for review.

Hopper said it is the first time he can remember that police have used the state's dangerous dog legislation.

Brown said the incident is also his first encounter with such a dog attack while serving as the police department's attorney.

But Brown said when he compared the law with the police investigative reports and pictures of Nathan's injuries, his decision was relatively easy.

"The statute's pretty clear, that if a dog causes serious bodily injury to a person, then it's designated a dangerous dog," the police attorney said.

"After reading the file, it's pretty clear that the dog did cause serious injury to the child," Brown said.

Hopper and other police investigators balked at taking further action with the dog's owner because investigation showed the child had wandered into the yard.

The child's mother, Christy Barry, disputed the

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investigation but said she was not outside with her two boys when the attack occurred.

But Brown said it's hard for him to believe that a small boy could have provoked the German shepherd.

"Considering the size of the dog, and the size of the child ... it's hard for us to believe that the dog was provoked," the police attorney said.

Under North Carolina law, the owner of a dangerous dog has requirements with which he must comply.

N.C. statute 67-4.2 states dangerous dog owners must keep their animal enclosed if unattended and leash or muzzle it off of their property.

The law also commands owners to notify police if the dog goes to a new owner.

If a dangerous dog attacks a person and causes injuries in excess of \$100, the owner is guilty of a Class 1 misdemeanor, the law states, which can carry a fine and up to six months imprisonment.

Mrs. Barry, who expressed frustration after the attack that action was not taken, said she was glad the dog would have new restrictions -- although she says if it were her animal, she would destroy it.

By [Nick Hiltunen](#)  
 Published in News on December 13, 2007 02:22 PM

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