

Charlotte.com

Wednesday, Oct 3, 2007

Posted on Wed, Oct. 03, 2007

## Dog owner won't be charged in death of boy, 2

KARA LOPP

No charges will be filed in the death of a 2-year-old Lincoln boy who was killed after wandering too close to a neighbor's dogs last week, the sheriff's office said.

Karson Dylan Gilroy, of the 4100 block of Reepsville Road, was found mauled by at least one German shepherd after an almost hourlong search Sept. 25. The toddler had been eating and watching television at his grandfather's house on Atlantic Lane in Lincoln when he wandered off.

Police initially thought that male German shepherds, a 1 1/2-year-old and a 4-year-old named Buddy, both played a role in the killing. But they said Tuesday that Buddy's chain couldn't have reached where Karson was found.

Dog owner Wayne Oliver has maintained that since the death and said he'll pay \$90 in fees to get Buddy back.

Oliver has allowed the younger dog to be euthanized, a news release from the Lincoln County Sheriff's Office said.

Oliver said the younger dog belonged to his late wife, who died in March. He said taking him home wouldn't sit well with him.

"I don't know, I just wouldn't feel right," he said last week.

Animals involved in bite cases or who are aggressive can be reclaimed by their owners after a 10-day waiting period aimed at allowing rabies to be discovered in anyone who was bitten, sheriff's spokesman Larry Seagle said. There is no difference in cases that involve a death, he said.

Neither dog had a current rabies vaccination, Seagle said, and Oliver will be cited.

Oliver, a father himself, said he's having a tough time coping with what happened in his backyard because both dogs had always been friendly and gentle. They hardly barked and have never bitten anyone, he said.

The day of the search Oliver got home about 5 p.m., as family members were looking for Karson, he said. The toddler's grandfather knocked on Oliver's door asking if he had seen Karson and the two searched the neighborhood together.

During the search he and others, including police, passed by the dogs -- and Karson -- at least three times, he said, before finding him.

The dogs watched the activity quietly, he said.

"It's hard," he said, "knowing a little child was found dead in my backyard and knowing one of the animals had something to do with it. This is something nobody wants to go through."

Buddy, he said, makes a morning routine of plopping his food dish at Oliver's feet to be filled. He's playful too, Oliver said.

"He'll lick the heck out of you. He's got a lot of puppy left in him," he said.