

NEVADA BOARD OF WILDLIFE COMMISSIONERS
Request for Hearing

(To be completed by person requesting hearing, and returned to Secretary of the Commission/Director of NDOW, 1100 Valley Road, Reno, NV 89512.)

Name: Guy W. Rozar

Address: 15510 Hunters Lake Way Houston, TX 77044

Reason license or permit was denied, revoked, or suspended: I accidentally shot & killed a cow elk.

Brief statement supporting position of party requesting hearing: Please see attached letter & court documents

<u>Department Use Only</u>		
Hearing Date	Hearing Time	Hearing Place
Nature of Hearing		
Legal Authority and Jurisdiction		
Statute and Regulation Citations		
Statement of the Matters Asserted		
Findings of Fact and Conclusions of Law		

FILED 1/22/09 TIME 4:50P
D.C. ✓

ORDER *Amore*

By virtue of the foregoing Notice of Dismissal Without Prejudice,

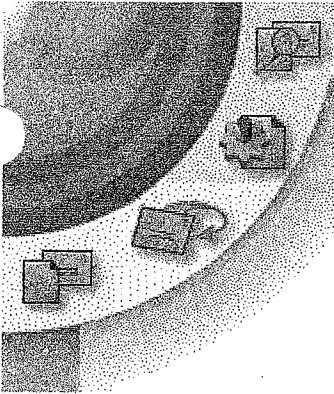
IT IS HEREBY ORDERED that the above charge(s) be, and hereby is dismissed without prejudice pursuant to NRS 174.085 (5).

Dated this 22 day of January 2008.

Patricia L. Calton


PATRICIA L CALTON
JUSTICE OF THE PEACE

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From: <crozar@entouch.net> **Sent:** Mon Feb 23 20:52
To: " crozar @ entouch . net " <crozar@entouch.ne ... **Priority:** Normal
Cc: ga.Lent@yahoo.com, michaelkmcbeath@cox.net, dmcnin ...
Subject: RE: Confiscated Bull Elk Tag **Type:** HTML Msg

 Reply

 Reply All

 Forward

 Delete

 Address Book

 Print

 Block Sender

 View Headers

 Next

 Previous

Please let me know if you need anything from me (Ie. court docs, Guides names, Lawyer name, District Attorney) or anything else. Would you please forward to the other Commissioners, I don't think they are getting these messages, or they are not responding. I will be calling you you this week if I don't hear something....Thanks Guy

On Mon Feb 16 11:22 , "Lurie, Ron" sent:

Received your e-mail and will investigate.

From: crozar@entouch.net [mailto:crozar@entouch.net]
Sent: Sunday, February 15, 2009 10:34 AM
To: ga.Lent@yahoo.com; Lurie, Ron; tmcavin@charter.net;
michaelkmcbeath@cox.net; dmcninch@washoecounty.us; pmori9@hotmail.com;
scottraine@sbcglobal.net; fourswan@mvdsl.com; hay4you@veawb.coop
Subject: Confiscated Bull Elk Tag

Please open attachment

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Guy W. Rozar
NV Sportsman's ID: 3056198
15510 Hunters Lake way
Houston, TX 77044
Home# 281-225-4724
Cell# 832-563-5728
E-mail- crozar@entouch.net

Dear Wildlife Commission.

My name is Guy Rozar and I'm writing this letter to you because I want another bull elk tag and/or my bonus points reinstated with no waiting period. I am a nonresident hunter that has been putting in for the big game draw hunts in Nevada since 1986. On 11/07/08 while on a guided elk hunt in Unit #81, I shot and wounded a bull elk. On my second shot while shooting at the same bull, I accidentally shot and killed a cow elk that ran in front of the bull elk. I turned myself in to the Department of Wildlife and was instructed to field dress the cow elk by Officers Kreamer(badge#2404) and Jackson(badge#2410). They were going to meet us at the Flying J in Wells, Nevada because they couldn't meet us in the field. I was told to bring her entire carcass to Wells, Nevada, which I did. We called the wildlife officers when we got to Wells. They were running late and instructed us (my two guides and myself) to skin and quarter the cow elk in the Flying J. gas station parking lot, which we did.

The officers arrived and interviewed us individually. I explained the events of the accident to Officer Jackson and asked him if I could follow up the wounded bull elk. Officer Jackson told me we could handle this situation two different ways. I could get a Felony and both my guides and I would have our trucks, guns, 4-wheelers, and camp trailers confiscated, or I could get a misdemeanor violation.

I told Officer Jackson that the guides were not responsible for this accident and that it was my responsibility. Officer Jackson told me my elk hunt was over and I should go home. I explained to him that it had taken me 16 years to draw this bull elk tag which I had paid \$1,342.00 including the license. I also paid \$5,000.00 for a guide fee. I let him know that if I had a 10 year waiting period and 16 years of applying for another elk tag I would be 72 years old before I could possibly hunt elk in Nevada again. Officer Jackson issued me a \$487.00 Misdemeanor Citation, (6) Demerits points, 10 year waiting period before I could put in for the elk draw again and confiscated my bull elk tag.

After I drove back home, I was so upset, I got in touch with a Nevada Lawyer and told him about the accident. I also talked with another Nevada Game Warden Rob Buonamici and he told me that normally the game warden would turn in the confiscated elk tag to the court. I could then go to court and meet with the judge and tell them about the accident, at which time the judge would decide what my punishment would be. I was never given this option or I would have gone to court and met with the judge. My lawyer instructed me to plead not guilty which I did. My case was dismissed by the State of Nevada.

Is there anyway to get another elk tag or to reinstate my bonus points? I have been told that the commission has issued other big game tags in the past for these types of accidents.

**WELLS JUSTICE/MUNICIPAL COURT
P.O. BOX 297
WELLS, NEVADA 89835**

(775) 752-3726

Date NOV. 13, 2008

Guy A. Prozan
15510 Hunters Lake Way
Houston, TX 77044

Dear *Mr. Prozan*

This notice is to inform you that the officer provided an incorrect arraignment date.
Please appear or have your payment into the court by Jan 5, 2009 at
10:00 A.M.

If you have any questions, you may telephone the court at the above number.

Respectfully,

Wells Justice Court

Enclosure: Copy of Citation → *Turn Page*

WELLS JUSTICE MUNICIPAL COURT

15510 Duke Blvd
Duncan TX 77004
PHONE 281-225-4724

TRIAL NOTICE

City of Wells
15510 Duke Blvd
Duncan TX 77004
PHONE 281-225-4724

Call 832-563-5229

CHARGE Did Kill a Cow Elk with a Bull Elk Tag

TRIAL DATE AND TIME: February 4, 2008 11:30 AM

I give my written promise to appear as scheduled. I understand I am required to post bail of \$4870 by prior posted. I understand I must telephone the court between the hours of 9:00 a.m. - noon, or 1:00 p.m. to 5:00 p.m. pacific time at (775) 752-3726 on Saturday 28. 2008 to confirm my appearance at trial. I understand I have a right to have an attorney of my own choosing represent me. If I employ an attorney, I will contact this court and the prosecutor's office immediately with my attorney's name, phone number and address. Attorneys must be licensed in this state. Unlicensed attorneys must comply with Nevada SCR 42. Failure to post bail, sign and return trial notice or telephone the court as required will result in my trial date being vacated and the possible issuance of a bench warrant for my arrest with additional bail being assessed.

JUDGE OF THE DISTRICT ATTORNEY
15510 Duke Blvd
Duncan TX 77004
PHONE 281-225-4724

OFFICE OF WELLS CITY ATTORNEY
15510 Duke Blvd
Duncan TX 77004
PHONE 281-225-4724

Dated this _____ day of _____

X

Defendant signature

PLEASE DATE, SIGN AND RETURN THE ORIGINAL TO THIS COURT BY December 28, 2008



STATE OF NEVADA
DEPARTMENT OF WILDLIFE
DIVISION OF LAW ENFORCEMENT



60 YOUTH CENTER ROAD
ELKO, NV 89801
1-775-777-2341

CITATION REPORT

SUBJECT(S): ROZAR, GUY W.

CASE NO: Citation# 84212

DATE SUBMITTED: November 8, 2008

OFFICER: JASON D. JACKSON # 2410

On November 7, 2008 I Game Warden Jason D. Jackson, was notified by our Elko Office about a cow (antlerless) elk that was unintentionally killed by a hunter in Hunt unit 081. According to our Elko office, a subject later identified as Guy W. Rozar [REDACTED] had killed the cow elk and did not possess a valid antlerless elk tag for that hunt unit. Rozar however did have a valid antlered elk tag for that area (tag #355632) see photocopy attached. The hunting guide later identified as Jesse Tatman was the subject who notified our Elko Office. Jesse was the sub guide that was accompanying Roza at the time of the accident.

I notified the Elko Office to have the hunter and guide, take care of the dead cow elk as if they were going to save and process it, and contact me by phone when they had gotten the animal to a main road. At approximately 4:40pm I was contacted by Jesse Tatman, Jesse stated they had gotten the cow elk out whole and I asked Jesse and Rozar to meet myself and Game Warden Jake Kreamer in Wells. I contacted Jesse at around 5:15 pm and asked if he could possibly quarter the cow elk as we had to transport the cow in a truck with a camper shell on it back to Elko. Jesse complied with my request. Upon arriving in Wells we met Rozar, Tatman and another sub guide identified as Allen Tyler Hickman at the Flying J.

I proceeded to interview Rozar as to what had taken place, while Warden Kreamer interviewed Tatman and Hickman.

Rozar stated that they were hunting near Cedar Knoll in Hunt unit 081 and had spotted a bull elk that he wanted to harvest. Rozar stated him and sub guide Tatman stalked to within 382 yards and set up for a shot at the bull elk. According to sub guide Tatman the bull was with 6 other elk and in front of the herd. Tatman stated that Rozar was kneeling and had his rifle resting on a tripod shooting platform.

Rozar shot at the bull and hit him in one of his hind legs.

STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Division of Law Enforcement

WITNESS / SUSPECT STATEMENT FORM

Name: Guy Bozar Date of This Report: 11/7/08
Home Address: [REDACTED] Phone No. [REDACTED]
Work Address: Shell Deer Park Refinery, TX Phone No. [REDACTED]

We were hunting unit #81 & Glassing off Cedar knoll when we spotted a Bull Elk, North west of Cedar knoll. My Guide & myself planned a stalk & went after the Bull. We got approx 382 yards & set up for a shot, there were approx 7 Elk in the herd. My 1st ~~shot~~ shot hit the Bull in the leg, my guide said to shoot it again as the Bull was moving farther away, I held over him & shot again. It was at this shot or the 3rd shot that I saw a different Elk fall when I shot at the Bull trotting. I shot one more time at the Bull & missed. We trailed the Bull approx 4 to 5 miles with no luck. We marked where we saw the tracks & went back to camp to get the satellite phone to call the Dept of Fish & Game to report the accident & met the Game warden.

I swear the above to be true to the best of my knowledge.

Signature: [Signature]
Date: 11/7/08
Reference Case No.: _____

STATE OF NEVADA
DEPARTMENT OF WILDLIFE
Division of Law Enforcement

WITNESS / SUSPECT STATEMENT FORM

Name: Jesse W. [redacted] Date of This Report: 11/07/08

Home Address: [redacted] Phone No.: [redacted]

Work Address: [redacted] Phone No.: _____

Stalked Guy in one 6x6 bull in unit 081 on 11/07/08
(@ 09:00 hrs. when we got to top of ridge elk had
winded us and were moving off at a slow walk the 6x6
bull was out in front of the other 6 head about 50 yards
I Ranged the bull @ 362 yards. I set up my spotting
scope tripod with the spotting scope on it. Told Guy to get
a Rest on the scope and hold on the top of his back.
when he shot the bull humped up and picked up his
hind legs I was trying to get my Binos out when I heard
the shot when I looked up I saw a cow down
the hill Guy said what was that and I told him he had
just shot a cow. He ask me what to do and I told
him if he had to shoot the bull again he had him
hit so he shot two more times I could not tell
if we hit again. then we walked up and Guy ask
me if we should gut the cow I told him no not
till after we talked to the Game warden we then
tracked the wounded bull about ~~about~~ four miles.
we have not found the bull yet.
I swear the above to be true to the best of my knowledge.

Signature: [Signature]

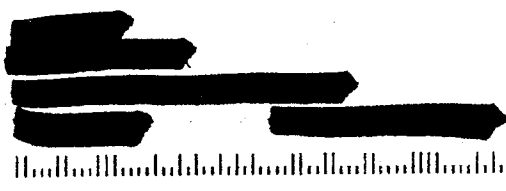
Date: 11/07/08

Reference Case No.: _____

NEVADA DEPARTMENT OF WILDLIFE - GAME TAG - RANDOM DRAW

REGISTRATION NUMBER: 2008-5-671550-4251-1
SPECIES: ELK TAG
PHYSICAL CHARACTERISTICS: ANTI-BELD
TYPE OF HUNT: CLERICAL AND LGA; WEAPON
APPLICATION NUMBER: 2008-5-671550-4251-1
LICENSE CLASS NUMBER: 28 - 236956 - 2009
BAND GROUP: UNITS 076, 077, 079, 081 EARLY
SEASON DESCRIPTION: NOV 4 - NOV 18, 2008

Tag must be in owner's possession while hunting. It is unlawful to possess or use a tag of another person. Immediately after reaching the killed animal, validate tag by PUNCHING spaces on reverse. (see reverse for instructions.)



Tag No. 355632
110000154

NEVADA DIVISION OF WILDLIFE
LAW ENFORCEMENT BUREAU

No 40482

SEIZED PROP

No

Date seized: 11-7-08 Time: 19:00 Seized Property No.

Date 11-7-08

Seized from: ~~XXXXXXXXXX~~

Place seized: **EVIDENCE**

Article(s) seized: 1

Article(s) seized: 1 Cow elk

SEIZURE

Violation: Kill without tag

Officer: KREMER / JACKSON I.D. No. 2401 / 2401

Officer: KREMER
Officer phone No. 7

Citation/Case No. 84212 0-1523

NEVADA DIVISION OF WILDLIFE
LAW ENFORCEMENT BUREAU

No 40483

Date seized: 11-7-08 Time: 19:00 Seized Property No.

Seized from: ~~XXXXXXXXXX~~

Place seized: **EVIDENCE**

Article(s) seized: Elk Tag 355632

SEIZURE

Violation: Kill without tag

Officer: Kremer / Jackson I.D. No. 2401 / 2401

Citation/Case No. 84212 0-1523