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F I L E D

Clerk of the Superior Court

APR 02 2004

By: **LEERYAN**, Deputy

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

THE PEOPLE OF THE STATE OF CALIFORNIA, and

THE CITY OF SAN DIEGO,
a municipal corporation,

Plaintiffs,

Case No. 725795
I/C JUDGE J. MICHAEL BOLLMAN

MODIFIED PERMANENT INJUNCTION
AND FINAL JUDGMENT

LINCOLN PARK, an unincorporated association; MARLRAY BAILEY (aka RAY RAY), an individual; KEVIN TYRONE BANKS (aka LIL DOOTER), an individual; DAFONTA BELCHER (aka BABY MAD HATTER), an individual; DARNELL L. BELL (aka D-BELL), an individual; DEESHAWN BROADNAX, an individual; JARIUS BUSH (aka BOO), an individual; MOJOE BUSH, an individual; STACY BUTLER JR. (aka LIL SOFT), an individual; REGINALD COLE, an individual; DERMETRIC CULPEPPER (aka RAY MONEY), an individual; MICHAEL J. CUNNINGHAM (aka BLACK MIKEY), an individual; BRANDON DUNCAN (aka TINY), an individual; UAWNDRE FIELDS, an individual; GLENN GREEN (aka LIL RIDER), an individual; GLEN R. GRAY JR. (aka LIL FATAL), an individual; TERRANCE L. GROSS (aka TEAR BEAR), an individual; DEMETRICE L. HARRIS (aka MEATFACE), an individual; JESSIE R. L. HORN (aka BABY BUDDY LUV), an individual; MARCUS L. HOUSE (aka LIL DUCE HOUND), an individual; COREY HUGGINS (aka BLACK COREY), an individual; ALI JABBAR, an individual; BOBBY JENKINS, an individual;

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1 MAZI JOHNSON (aka M-HOUND), an
individual; MARVIN L. MILLER (aka PIMPIN
2 MARV), an individual; CHARLES L.
MITCHELL (aka MITCHY SLICK), an
3 individual; TRAVIS MONTGOMERY (aka
KILLATRAV), an individual; STANLEY
4 MORRIS (aka LIL WIGG), an individual;
TAMOYIA D. MORRIS (aka T-MIGHTY), an
5 individual; ELLIOTT L. PERRY JR. (aka LIL
E), an individual; DESABIAN POWELL (aka
6 P NUTTY), an individual; DANA PURVIS (aka
LITTLE T. MIGHT), an individual; LUTHER
7 SHAW JR. (aka SHARP), an individual;
WOODROW T. WALKER (aka LIL ZIGGY),
8 an individual; VAN ANTHONY WHITE (aka
LIL PEANUT), an individual; JERMAINE T.
9 WILEY (aka JINX), an individual; and
DOES I through L, inclusive,

10
11 Defendants.

12 This cause came on for hearing on April 2, 2004 before the Honorable J. Michael
13 Bollman, Judge Presiding in Department 4; such evidence being submitted by declarations and
14 Deputy City Attorney Makini M. Hammond appearing for the Plaintiffs.

15 It appearing that Defendants, Lincoln Park, Marlay Bailey, Kevin Tyrone Banks, Dafonta
16 Belcher, Darnell L. Bell, Deeshawn Broadnax, Jarius Bush, Mojoe Bush, Stacy Butler Jr.,
17 Reginald Cole, Dermetric Culpepper, Michael J. Cunningham, Brandon Duncan, Uawandre
18 Fields, Glenn Green, Glen R. Gray Jr., Terrance L. Gross, Demetrice L. Harris, Jessie R. L. Horn,
19 Marcus L. House, Corey Huggins, Ali Jabbar, Bobby Jenkins, Mazi Johnson, Marvin L. Miller,
20 Charles L. Mitchell, Travis Montgomery, Stanley Morris, Tamoyia D. Morris, Elliot L. Perry Jr.,
21 Desabian Powell, Dana Purvis, Luther Shaw Jr., Woodrow T. Walker, Van Anthony White, and
22 Jermaine T. Wiley have been served with process; on application of plaintiff to the court, and
23 after having heard and considered the evidence and it appearing to the satisfaction of the court
24 that modification of the Amended Default Judgment filed on April 12, 1999, is appropriate and
25 proper.

26 IT IS HEREBY ORDERED that this Modified Permanent Injunction supersedes and
27 replaces the Amended Default Judgment filed on April 12, 1999, and that the above-listed
28 Defendants and their agents, servants, employees, representatives and all persons acting in

1 concert or participating with or for them, with actual or constructive notice of this injunction, are
2 subject to the following terms and conditions as set forth below and are hereby permanently
3 restrained or enjoined from engaging in any of the following activities in the Expanded Target
4 Area which boundaries are Market Street to the north, Euclid Avenue to 45th Street to the
5 west, South 54th Street to San Jacinto to Santa Isabel to the east and Bonita Drive to
6 Cervantes Avenue to Magnus Avenue to Boston Street to the south. (See Exhibit 7, Map 4,
7 Expanded Target Area.)

8 1. Standing, sitting, walking, driving, bicycling, *gathering or appearing anywhere in*
9 *public or in public view* with one or more Defendants herein, or with any other known Lincoln
10 Park gang member but not to include any Defendant while he is validly
11 enrolled, attending and on the school campus of Lincoln Prep Academy during that Defendant's
12 regular school schedule;

13 2. Possessing or using any dangerous weapons in any public place or open to public
14 view or knowingly remaining in the presence of anyone who is in possession of a dangerous
15 weapon including but not limited to: knives, clubs, concealed, unloaded or loaded firearms or
16 ammunition, baseball bats, glass bottles, bb guns, metal pipes or any other instrument prohibited
17 by Penal Code section 12020;

18 3. Possessing any replica fire arm, super soaker water gun, or bb gun, or knowingly
19 remaining in the presence of anyone who is in possession of such an item;

20 4. Discharging any firearms;

21 5. Challenging to fight or engaging in a fight in the public streets, alleys, and/or
22 public and private property;

23 6. Using or possessing marker pens, spray paint cans, nails, razor blades,
24 screwdrivers, or other sharp objects capable of defacing private or public property;

25 7. Spray painting or otherwise applying graffiti on any public or private property,
26 including but not limited to the street, street signs, fences, garage doors, vehicles, tree, alley, pole,
27 utility box or telephone box, block walls, residences and/or any other real or personal property;

28 8. Trespassing or encouraging others to trespass on any private property;

1 9. Blocking the free passage of any person or vehicle on any street, walkway,
2 sidewalk, driveway, alleyway, or other area of public passage;

3 10. Approaching vehicles to engage in conversation, or otherwise communicating with
4 ~~the occupants of any vehicle or doing anything to obstruct or delay free flow of vehicular or~~
5 pedestrian traffic unless required by a legitimate emergency situation;

6 11. Approaching or signaling any moving vehicles on any street unless required by a
7 legitimate emergency situation;

8 12. Selling, possessing, or using, without a prescription, controlled substances or
9 related paraphernalia, including but not limited to, rolling papers or pipes used for illegal drug
10 use, or riding a bicycle to facilitate any of the foregoing activities;

11 13. Knowingly remaining in the presence of anyone possessing, selling, or using,
12 without a prescription, controlled substances or related paraphernalia;

13 14. Owning, possessing, or driving a vehicle or knowingly being a passenger of a
14 vehicle found to have any contraband, narcotics, or illegal or deadly weapons;

15 15. Possessing channel lock pliers, lock picks, wire cutters, dent pullers, sling shots,
16 steel shots, spark plugs, rocks, "slim jims," and other devices capable of being used to break into
17 locked vehicles;

18 16. Hiding people who are evading a law enforcement officer;

19 17. Signaling to, whistling, yelling, acting as a lookout, or using other means,
20 including riding a bicycle to warn another person of an approaching law enforcement officer or
21 soliciting, encouraging or employing another to do so;

22 18. Littering in any public place or place open to public view;

23 19. Urinating or defecating in any public place open to public view;

24 20. Using words, phrases, physical gestures, or symbols, commonly known as hand
25 signs or engaging in other forms of communication which describe or refer to the gang known as
26 Lincoln Park;

27 21. Wearing any clothing which bears the name, colors, symbol or letters of the gang
28 known as Lincoln Park, including but not limited to the following clothing items: wearing green

1 or red shoe laces, green or red bandanas, green or red belt buckles, green or red rubber bands in
2 hair, green or red sweatshirts, green or red t-shirts, and green or red baseball caps;

3 22. Making, causing, or encouraging others to make loud noise of any kind including,
4 but not limited to, yelling and playing loud music at any time of the day or night, or participating
5 in boisterous parties;

6 23. If eighteen years of age or older, being in public place between midnight on any
7 day and sunrise of the immediately following day unless (1) going to/from a legitimate meeting or
8 entertainment activity; (2) actively engaged in some business, trade, profession or occupation
9 which requires such presence; (3) a legitimate emergency situation so requires;

10 24. Being present on the private property of others, except (1) with the prior written
11 consent of the person in lawful possession of the property, or (2) in the presence
12 and with the voluntary consent of the person in lawful possession of the property; (3) or aiding or
13 abetting the foregoing acts on private property by any other person;

14 25. In any manner confronting, intimidating, annoying, harassing, challenging,
15 provoking, assaulting and/or battering, or threatening the peace or safety of any residents or
16 patrons or visitors to the Target area, including but not limited to the use of vulgar or abusive
17 language, whether (1) in retribution for any past complaint or to prevent a future complaint about
18 Defendants' gang and nuisance activities, including complaints to law enforcement officers, or
19 (2) any other purpose;

20 26. Gambling including but not limited to playing cards, dice, or dominoes for money,
21 in public or any place open to public view;

22 27. Drinking any alcoholic beverage in any public place or any place open to public
23 view;

24 28. Knowingly being within 10 feet of an open, and partially or wholly full, container
25 of alcohol in a public place or place open to public view;

26 29. Damaging or vandalizing the property of another including but not limited to any
27 vehicle, light fixture, door lock, fence, gate, wall or window;

28 / / / / /

1 30. Being at, standing, or loitering on the sidewalks, in the parking lots, common areas
2 and on either side of the streets around any of these Prohibited Target Location properties located
3 at (1) 4870 Magnus Way (2) 1367 Wyconda Way; (3) 4936 Palin Avenue; (4) 4700-4800 Solola
4 Avenue, (a) Logan Square Apartments at 4715-4770 Solola Avenue and 1207-1291 South 47th
5 Street, (5) specifically Kennedy Park, known to the gang members as "Lincoln Park, boundaries:
6 north-Ocean View; east- South Gloria Street; south-T Street; west-Kennedy Elementary School;
7 (6) 4700-5100 Logan Avenue including (b) Bay Vista Methodist Apartments at 4888 Logan
8 Avenue; (c) Arbor Village Apartments (formerly Westwood Villa Apartments) at 4926-4998
9 Logan Avenue, (d) "The Dip" at 4800-5000 Logan Avenue, a dirt trail and easement, known to
10 the gang members as "The Dip," (e) Island View Market, formerly Dr. J's Liquor Store at 5080
11 Logan Avenue, (f) Parking Lots at 5000-5100 Logan Avenue, (g) Casa Del Sol Apartments at
12 5021-5029 Logan Avenue, (7) Lincoln Prep Academy at 150 South 49th Street, (8) 4473 Logan
13 Avenue (Bel Aire Market), (9) 841 S. 45th Street (Jerry's Market), (10) 4501-4599 Logan
14 Avenue (Park Crest Apartments), (11) 1035 S. 45th Street (Willie Henderson Sport Complex and
15 Park) (12) 5000-5100 La Paz Drive (13) 300 foot radius from the middle of the intersection of
16 45th Street and Logan Avenue, (14) 6401 Skyline Drive (Martin Luther King Jr. Park and
17 Recreational Center), unless (a) a lawful owner or tenant, (b) actively engaged in some legitimate
18 business, trade, profession, or occupation which requires such presence, or (c) a legitimate
19 emergency situation so requires;

20 31. Congregating in any public place or in any place open to public view with any
21 other person for the purpose of engaging in any conduct prohibited by this injunction or any
22 criminal statute;

23 32. Attending any Lincoln Prep Academy sponsored event on or off campus including
24 but not limited to school dances and/or sporting events unless prior written permission was
25 obtained from the school principal or vice principal;

26 33. Possessing, or using any pager, beeper, cellular phone, walkie-talkie or police
27 scanner unless (a) required by legitimate business, trade, profession or employment, or (b) a
28 legitimate emergency situation so requires;

1 34. Possessing dogs, or engaging in dog fights, or using dogs to intimidate, harass,
2 annoy, challenge, assault and/or batter any person;

3 Additionally as to DAFONTE BELCHER and DEESHAWN BROADNAX
4 ONLY:

5 35. If under age of eighteen, being in a public place between the hours of 9:00 p.m. on
6 any day, and sunrise of the immediately following day, unless (1) accompanied by a parent, legal
7 guardian, other adult having care and custody of that minor, or by a spouse eighteen years of age
8 or older; (2) performing an emergency errand directed by a parent or legal guardian, or other adult
9 having care and custody of that minor or by a spouse eighteen years or older; (3) returning
10 directly home from a public meeting, or a place of public entertainment, such as a movie, play,
11 sporting event, dance or school; (4) actively engaged in some business, trade, profession or
12 occupation which requires such presence;

13 Additionally as to MICHAEL L. CUNNINGHAM ONLY:

14 36. Wearing clothing which bears the name, symbol or letters of the gang known as
15 5/9 Brim or wearing maroon or red shoe laces, bandanas, belt buckles, rubber bands in hair, or
16 baseball caps;

17 37. Using words, phrases, physical gestures, or symbols, commonly known as hand
18 signs or engaging in other forms of communication which describe or refer to the gang known as
19 5/9 Brim.

20 AS TO ALL DEFENDANTS:

21 38. *In order to maintain their conduct in compliance with all laws and statutes*
22 *relating to public nuisance, the Defendants are ordered to immediately perform the following*
23 *acts.*

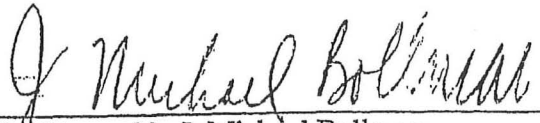
24 a) If not already employed full-time or if part-time and attending an
25 educational institution or job training program, retain and maintain employment in a lawful
26 occupation and/or enrolled as a full-time or part-time student in an educational institution or job
27 training program within 90 days of the date of service of this judgment.

28 / / / / /

1 39. Jurisdiction is retained for the purpose of enabling any of the parties to this Final
2 Judgment to apply to this Court at any time for such order or directions that may be necessary or
3 appropriate for the construction, operation or modification of the Final Judgment, or for the
4 enforcement or compliance therewith.

5 IT IS SO ORDERED.

6 Dated: April 2 , 2004


The Honorable J. Michael Bollman
J MICHAEL BOLLMAN

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Superior Court of California, County of San Diego

[Court Index Home](#) [Previous Page](#) [New Case Number Search](#)**View Case Detail**Case Title: **THE PEOPLE OF THE STATE OF CALIFORNIA vs LINCOLN PARK**Case Number: **725795** Case Location: **San Diego**Case Type: **Civil** Date Filed: **11/13/1998**Category: **A60501 Abate a Nuisance**

Plaintiff/Petitioner		
Last Name or Business Name	First Name	Primary (P)
THE PEOPLE OF THE STATE OF CALIFORNIA		P
THE CITY OF SAN DIEGO		

Defendant/Respondent		
Last Name or Business Name	First Name	Primary (P)
LINCOLN PARK		P
ADAMS	NATHAN JAMIL	
BABY BUDDY LUV		
BELL	DARNELL L	
BLACK COREY		
BLACK MIKEY		
BUSH	MOJOE	
CUNNINGHAM	MICHAEL J	
D-BELL		
DOOTIE		
GRAY JR	GLEN R	
GROSS	TERRANCE L	
HORN	JESSIE R L	
HUGGINS	COREY	
JACK NASTY		
JACKSON	AIRDIS D	
JOHNSON	MAZI	
LIL E		
LIL FATAL		
LIL SAM BAM		

LIL T-WAY		
LIL ZIGGY		
LOGAN	RAY A	
LOVE	TOMMY L	
M-HOUND		
MIGHTY SLICK		
MILLER	MARVIN L	
MITCHELL	CHARLES L	
MORRIS	TAMOYIA D	
PEANUT		
PERRY JR	ELLIOTT L	
PIMPIN MARV		
SAM BAM		
SCOTT	KEESHAWN	
SHARP		
SHAW JR	LUTHER	
SIMMONS	WILL	
SOLO		
STEWART	SAMUEL	
T-MIGHTY		
T-WAY		
TEAR BEAR		
WALKER	WOODROW T	
WILSON	THABITI S	
WILSON	THANDIWE	

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Microfilm

Microfilm ID	Location	Reel Number	Frame Number
1	SD-OREC	10960	0021
2	SD-OREC	10960	0022
3	SD-OREC	10960	0023
4	SD-OREC	10960	0024
5	SD-OREC	10960	0025

Lincoln Park Gang Abatement Expanded Target Area (Revised 2004)

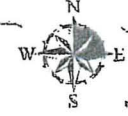
EXHIBIT 7 MAP 4 Legend

 Target Area

Prohibited Target Locations

(Including parking lots, common areas, sidewalks and both sides of the streets)

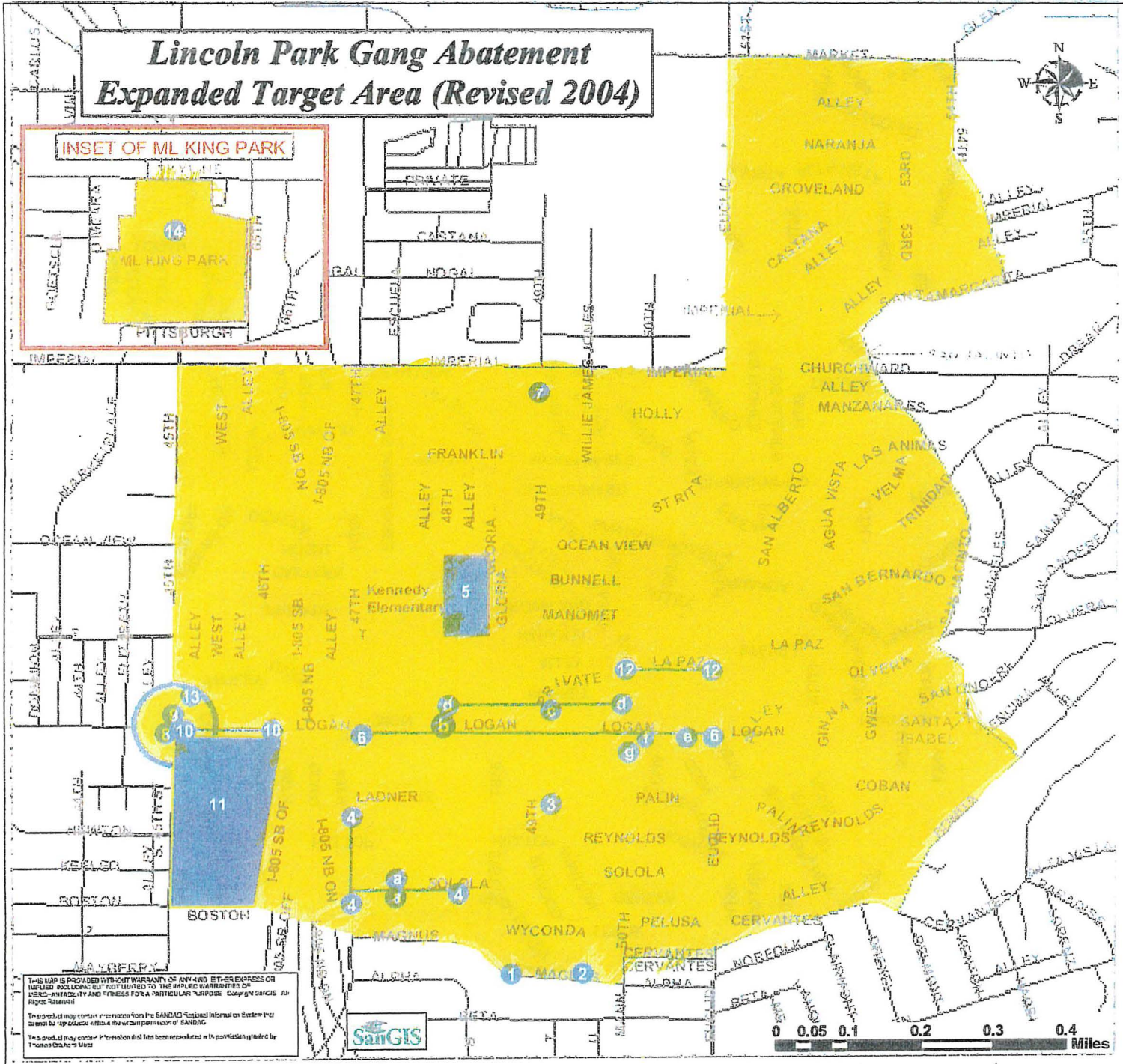
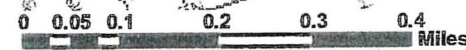
- 1 4870 Magnus Way
- 2 1367 Wyconda Way
- 3 4936 Palin St.
- 4 4700-4800 Solola Ave.
- a Logan Square Apts at 4715-4770 Solola Ave and 1207-1291 So. 47th St.
- 5 Kennedy Park (aka Lincoln Park) Boundaries: North-Ocean View; East-Gloria St; South-T St; West-Kennedy Elementary
- 6 4700-5100 Logan Ave.
- b Bay Vista Methodist Apts at 4888 Logan Ave.
- c Arbor Village Apts. (formerly Westwood Villa Apts) at 4926-4998 Logan
- d "The Dip" at 4800-5000 Logan Ave
- e Island View Market (formerly Dr. J's Liquor Store) at 5080 Logan Ave.
- f Parking Lots at 5000-5100 Logan Ave.
- g Casa Del Sol Apartments at 5021-5029 Logan Ave.
- 7 Lincoln Prep Academy at 150 So. 49th St.
- 8 Bel Aire market at 4473 Logan Ave.
- 9 Jerry's Market at 841 So. 45th St.
- 10 Park Crest Apartments at 4501-4599 Logan Ave.
- 11 Willie Henderson Sports Complex and Park at 1035 So. 45th St.
- 12 5000-5100 La Paz Dr.
- 13 300 foot radius from the middle of the intersection of 45th St and Logan Ave.
- 14 Martin Luther King Park and Rec. Center at 6401 Skyline Dr.



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Lincoln Park Gang Abatement Expanded Target Area (Revised 2004)

