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# San Diego City Attorney Jan I. Goldsmith

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## NEWS RELEASE

**FOR IMMEDIATE RELEASE: November 18, 2013**

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**PROPERTY OWNER PERMANENTLY ORDERED NOT TO OPERATE, MAINTAIN, OR ALLOW A  
MARIJUANA DISPENSARY AT 2589 IMPERIAL AVENUE IN SAN DIEGO**  
*Dispensary had been the site of ongoing nuisance activity and crime*

**San Diego, CA:** Despite the fact that a civil complaint was filed by the City Attorney's Office on October 7, 2013 against the property owner of 2589 Imperial Avenue and the dispensary operators to whom she leased, the dispensary "VIP Buds" continued to operate in violation of local zoning laws. Initially the dispensary shut down but complaints continued and investigation by the City Attorney's Office revealed that the dispensary was operating again, this time from the rear of the property. On November 8, 2013, however, after an attempted burglary at "VIP Buds" and the confiscation of a large amount of marijuana and marijuana edibles by the Drug Enforcement Agency, property owner Hermelinda Gonzalez entered into a settlement with the City. On November 12, 2013, the Honorable Ronald S. Prager signed the stipulated permanent injunction against Gonzalez which prohibits her from operating, maintaining, or allowing a marijuana dispensary anywhere in the City of San Diego and requires her to formally evict VIP Buds and its operators if necessary.

During the investigation of the burglary on November 7, 2013, the San Diego Police Department determined that there was a sophisticated marijuana operation being conducted from the premises. The Drug Enforcement Agency then served a search warrant at the property resulting in the seizure of the marijuana and marijuana edibles. Previously, on or about September 12, 2013, San Diego police officers conducted a traffic stop of a van on 25<sup>th</sup> Street in San Diego for a vehicle code violation. During the stop, officers smelled a strong odor of marijuana coming from the vehicle and after a search of the vehicle, officers recovered a backpack with a large amount of cash. Three females were detained and it was determined they worked at VIP Buds at 2589 Imperial Avenue. After the investigation, the police seized over \$24,000 in cash that was inside the backpack which the employees confirmed to be the dispensary's proceeds of just one day's business.

In past months, City code inspectors and the Code Enforcement Unit of the City Attorney's Office had received numerous complaints from citizens, businesses, and churches regarding nuisance activity stemming from VIP Buds, such as constant car and foot traffic, loitering, and smoking marijuana in public. Deputy City Attorney Gabriela Brannan of the Code Enforcement Unit prosecuted the case, working closely with code inspectors and City Attorney Investigators. As part of the settlement Gonzalez must also pay \$10,000 in civil penalties to the City of San Diego and reimburse the City \$2,651 in investigative costs. Failure to comply with the terms of the stipulated agreement may result in the imposition of an additional \$15,000 in suspended penalties. (MORE)

**“Marijuana dispensaries are illegal in the City of San Diego,” said City Attorney Jan Goldsmith. “We will continue to enforce the law and obtain sanctions against violators.”**

Complaints about marijuana dispensaries may be forwarded to the Code Enforcement Services Division of the Development Services Department at 619-236-5500.

[The City Attorney’s Code Enforcement Unit](#) addresses nuisance properties and code violations throughout San Diego. The Unit works in partnership with the City’s Code Enforcement Services Division, the San Diego Police Department, and the community to identify and aggressively address code violations and nuisance properties.

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