



San Diego City Attorney Jan I. Goldsmith

NEWS RELEASE

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Appellate Court Upholds Revocation of Cheetahs Permit *Calls nude club's violations of no-touching rule "ongoing, blatant"*

An appellate court Wednesday upheld the City's revocation of the nude entertainment business permit of Cheetahs Gentlemen's Club, a Kearny Mesa strip club that had engaged in a pattern of illegal activity over several years.

The ruling by the Fourth District Court of Appeal affirmed Superior Court Judge Randa Trapp's ruling that Cheetahs employees had engaged in "numerous and continuing violations" of the City's municipal code, and that they continued despite Cheetahs owner Suzanne Coe and her managers being aware of the violations.

"The testimonial and documentary evidence showed a clear pattern of ongoing, blatant violations of the six-foot, no-touch, and no-fondling rules at Coe's business," Presiding Judge Judith McConnell wrote for the unanimous court.

The appellate court also noted that violations persisted even "during overt inspections by police detectives and ... in the midst of revocation proceedings." More than 40 nude entertainers committed the violations, most often in private dance rooms.

The appellate decision has been certified for publication, meaning it will be cited as legal authority statewide.

It can be found here: <http://www.courts.ca.gov/opinions/documents/D068814.PDF>

City Attorney Jan Goldsmith and Police Chief Shelley Zimmerman praised the ruling.

"The illegal conduct by Cheetahs was extensively documented and four judges have now reached the same conclusion: that the City is acting legally by denying a permit to a business that cannot or will not follow the law," Goldsmith said.

"This confirms our officers conducted legal, proper and justified inspections," Chief Zimmerman said. **"The Police Department has a duty to inspect police regulated businesses, including Cheetahs, and to enforce the Municipal Code, and we will continue to do so for the welfare of our public."**

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