

ORIGINAL FILED
MAR 16 2004
LOS ANGELES
SUPERIOR COURT

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**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES (CENTRAL DISTRICT)**

**PEOPLE OF THE STATE OF CALIFORNIA,
ex rel. Rockard J. Delgadillo as the
City Attorney for the City of Los Angeles,**

Plaintiff,

vs.

**18th Street aka XV3 aka Diesiocho,
an unincorporated association;
DOES 1 through 200, inclusive,**

Defendants.

) Case No. BC 305434

) ~~[PROPOSED]~~
) **JUDGMENT GRANTING
PERMANENT INJUNCTION**

) Assigned for all purposes to
the Honorable Lee Edmon

) DATE: March 16, 2004
) TIME: 8:30 am
) PLACE: Dep't 68
111 North Hill Street
Los Angeles, CA 90012

) TRIAL DATE: Not Set
) CASE FILED: November 4, 2003

Plaintiff, the People of the State of California, *ex rel.* Rockard J. Delgadillo as the City Attorney for the City of Los Angeles, filed a complaint November 4, 2003, seeking to abate a public nuisance through the use of what is commonly known as a "gang injunction" against defendant 18th Street aka XV3 aka Diesiocho ("18th Street"), an unincorporated association alleged to be a criminal street gang, its members and all those through whom the 18th Street gang acts, in a "Safety Zone" (a map of which is included as page 5), comprised of two areas, both of which are located in the City of Los Angeles: (a) "Hollywood Streets Safety Zone" bounded by an area starting at Franklin Avenue and Sierra Bonita Avenue, continuing east to Highland Avenue, north to the 101 Hollywood Freeway, south along the Hollywood Freeway to Bronson Street (but not

1 including the roadbed of the Freeway), south to Santa Monica Boulevard, west to La Brea Avenue,
2 north to Fountain Avenue, west to Sierra Bonita Avenue, and north to the starting point at Franklin
3 Avenue, and extending 100 yards to the outside of each of those boundary streets; and (b) "Lake
4 Hollywood Safety Zone" comprised of Weidlake Drive and the loop formed by Lake Hollywood
5 Drive and Montlake Drive around the Hollywood Reservoir and the Upper Hollywood Reservoir,
6 and extending 100 yards to the outside of each of those boundary streets; plaintiff subsequently
7 voluntarily dismissed without prejudice all fictitious "Doe" defendants; default was duly entered
8 against defendant 18th Street; after due consideration of all papers filed in this action, including the
9 declarations and other evidence submitted, and plaintiff's memorandum of points and authorities
10 including *People ex rel. Gallo v. Acuna* (1997) 14 Cal. 4th 1090, *cert. denied*, 521 U.S. 1121; *People*
11 *v. Englebrecht* (2001) 88 Cal. App. 4th 1236; and *In re Englebrecht* (1998) 67 Cal. App. 4th 486,
12 this Court finds by clear and convincing evidence that service is proper under the circumstances,
13 18th Street is a criminal street gang as defined in Penal Code section 186.22 (Street Terrorism
14 Enforcement and Prevention "STEP" Act), 18th Street is a gang as defined for the purpose of a gang
15 abatement injunction in *People v. Englebrecht* (2001) 88 Cal. App. 4th 1236, 1258, and the conduct
16 and activities of defendant 18th Street, its members, and those persons through whom 18th Street
17 acts, constitute a public nuisance in the Safety Zone; good cause appearing for entry of judgment,

18 **IT IS ORDERED, ADJUDGED AND DECREED** that:

19 1. Defendant 18th Street aka XV3 aka Diesiocho ("18th Street"), its members, agents,
20 servants, employees, and all persons acting under, in concert with, for the benefit of, at the direction
21 of, or in association with them or any of them, including but not limited to all persons who are
22 involved in the sale or attempted sale of controlled substances under, in concert with, for the benefit
23 of, at the direction of, or in association with the 18th Street gang, are enjoined and restrained from
24 engaging in or performing directly or indirectly, any of the following activities in the Safety Zone:

25 a. **Do Not Associate:** Standing, sitting, walking, driving, gathering or
26 appearing, anywhere in public view or anyplace accessible to the public, with any known member of
27 18th Street including but not limited to those members identified on pages six and seven herein, but
28 not including: (1) when all individuals are inside a school attending class or on school business, and

1 (2) when all individuals are inside a church; provided however that this prohibition against
2 associating shall apply to all claims of travel to or from any of those locations;

3 **b. No Intimidation:** Confronting, intimidating, annoying, harassing,
4 threatening, challenging, provoking, assaulting or battering any person known to be a witness to any
5 activity of 18th Street, known to be a victim of any activity of 18th Street, or known to be a person
6 who has complained about any activity of 18th Street;

7 **c. No Guns or Dangerous Weapons:** Anywhere in public view or anyplace
8 accessible to the public, (1) possessing any gun, ammunition, or illegal weapon as defined in Penal
9 Code section 12020, (2) knowingly remaining in the presence of anyone who is in possession of
10 such gun, ammunition or dangerous weapon, or (3) knowingly remaining in the presence of such
11 gun, ammunition or dangerous weapon;

12 **d. Stay Away From Drugs:** Without a prescription, (1) selling, possessing, or
13 using any controlled substance or related paraphernalia, including but not limited to rolling papers
14 and pipes used for illegal drug use, (2) knowingly remaining in the presence of anyone selling,
15 possessing, or using any controlled substance or such related paraphernalia, or (3) knowingly
16 remaining in the presence of any controlled substance or such related paraphernalia;

17 **e. No Drug-Sales Related Activities:** Anywhere in public view or anyplace
18 accessible to the public, committing any of the following activities in a manner consistent with the
19 illegal sale or purchase of controlled substances: (1) repeatedly passing to or receiving from
20 passersby, whether on foot or in a motor vehicle, money or small objects, (2) repeatedly beckoning
21 to, stopping, attempting to stop, engaging in conversation with passersby, whether on foot or in a
22 motor vehicle, (3) using signals or language indicative of summoning purchasers or sellers of illegal
23 drugs, (4) transferring small objects or packages for currency in a furtive fashion, or (5) acting as a
24 look-out;

25 **f. Obey Curfew:** Being outside between the hours of 10:00 p.m. on any day
26 and sunrise of the following day, unless (1) going to or from a legitimate meeting or entertainment
27 activity, (2) actively engaged in a legitimate business, trade, profession or occupation which requires
28 such presence, or (3) involved in a legitimate emergency situation that requires immediate attention;

1 g. **No Trespassing:** Being present on or in any property not open to the general
2 public, except (1) with the prior written consent of the owner, owner's agent, or the person in lawful
3 possession of the property, or (2) in the presence of and with the voluntary consent of the owner,
4 owner's agent, or the person in lawful possession of the property;

5 h. **No Graffiti or Graffiti Tools:** Damaging, defacing, or marking any public
6 property or private property of another, or possessing any spray paint can or felt tip marker; and

7 i. **Obey All Laws:** Failing to obey all laws (1) which prohibit violence and
8 threatened violence including robbery by force or fear, extortion, assault and battery, (2) which
9 prohibit interference with the property rights of others including trespass, burglary, burglary from a
10 motor vehicle, theft and vandalism, or (3) which prohibit the commission of acts which create a
11 nuisance including the illegal sale of controlled substances;

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13 [text continued on page 8 after map and photos]

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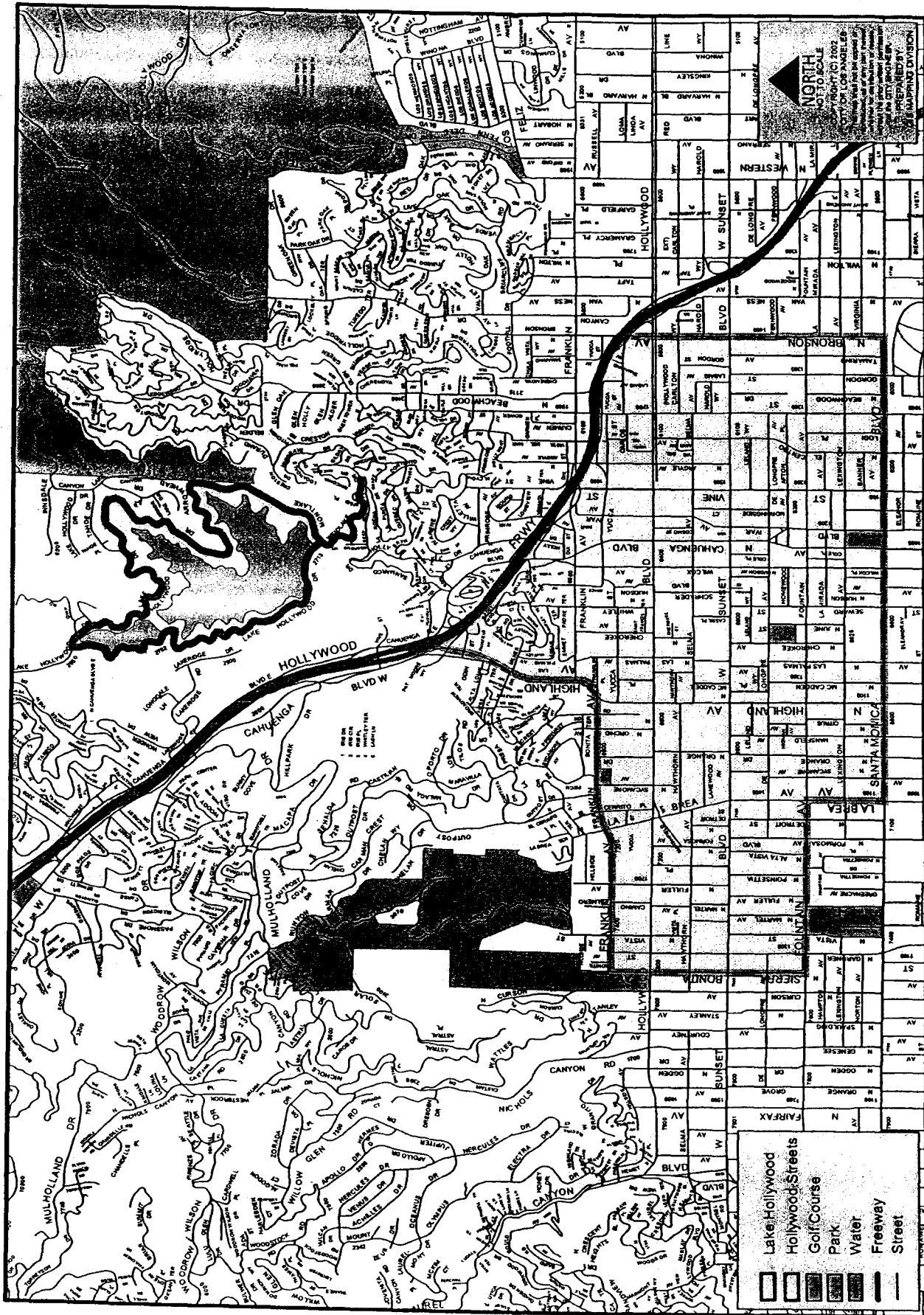
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Hollywood Streets and Lake Hollywood

Office of the City Attorney
 City of Los Angeles



JAMES K. HAHN
 MAYOR



GARY LEE MOORE, P.E.
 CITY ENGINEER

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2. No Costs. Plaintiff waived costs. Each party shall bear its own costs in this action.

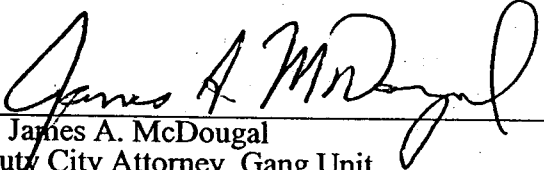
LEE SMALLEY EDMON

DATED: MAR 16 2004

Judge of the Superior Court

Submitted on January 8, 2004 by:

ROCKARD J. DELGADILLO, Los Angeles City Attorney
Martin Vranicar, Ass't City Atty, Supervisor, Gang Unit
James A. McDougal, Deputy City Attorney (140408)
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Los Angeles, California 90012 (213-847-0135)



By: James A. McDougal
Deputy City Attorney, Gang Unit

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