

1 ROCKARD J. DELGADILLO, Los Angeles City Attorney  
2 Martin Vranicar, Ass't City Atty, Supervisor, Gang Unit  
3 Lisabeth Shiner, Deputy City Attorney (151792)  
4 200 North Main Street, 1800 City Hall East  
5 Los Angeles, California 90012  
6 213-847-0134

7 Attorneys for Plaintiff,  
8 People of the State of California

ORIGINAL FILED

APR - 7 2003

LOS ANGELES  
SUPERIOR COURT

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

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

14 Plaintiff, )

15 vs. )

16 AVENUES, an unincorporated association; )  
17 DOES 1 through 500, inclusive, )

18 Defendants. )

Case No. BC 287137

[PROPOSED]  
JUDGMENT GRANTING  
PERMANENT INJUNCTION  
BY COURT AFTER DEFAULT

Assigned for all purposes to the  
Honorable Susan Bryant-Deason

DATE: No hearing required  
TIME: N/A  
PLACE: Dept 52  
111 North Hill Street  
Los Angeles, CA 90012

TRIAL DATE: Not Set  
CASE FILED: December 17, 2002

19  
20  
21 Plaintiff, the People of the State of California, *ex rel.* Rockard J. Delgadillo as the City  
22 Attorney for the City of Los Angeles, filed a complaint on December 17, 2003, seeking to abate a  
23 public nuisance through the use of what is commonly known as a "gang injunction," against  
24 defendant Avenues, an unincorporated association alleged to be a criminal street gang, in a "Safety  
25 Zone" (as depicted in the map included as page 5) within the City of Los Angeles which is defined  
26 by the area bounded by the route starting at the intersection of Eagle Rock Boulevard and Colorado  
27 Boulevard, continuing east along Colorado Boulevard to La Loma Road, to the Los Angeles city  
28 limits at Sycamore Glen, continuing in a predominately southeasterly direction along the Los

1 Angeles city limit line until it meets the 110 Freeway, south along the 110 Freeway to Griffin  
2 Avenue, to Avenue 35, to Pasadena Avenue, to the 110 Freeway, south along the 110 Freeway until  
3 the Los Angeles River, continuing northwest along the bed of the Los Angeles River until the 2  
4 Freeway, northeast along the 2 Freeway to San Fernando Road, north along San Fernando Road to  
5 Treadwell Street, continuing in a straight line from the termination of Treadwell Street to the western  
6 edge of Chapman Avenue, continuing along Chapman Avenue to Weldon Avenue, to Fletcher Drive,  
7 to Eagle Rock Boulevard, continuing northeast on Eagle Rock Boulevard to the starting point at  
8 Colorado Boulevard, and including both sides of the boundary streets; plaintiff subsequently  
9 voluntarily dismissed without prejudice all fictitious "Doe" defendants; default was duly entered  
10 against defendant Avenues; after due consideration of all the papers filed in this action, including the  
11 declarations, requests for judicial notice, and other evidence submitted, plaintiff's memorandum of  
12 points and authorities including *People v. ex rel. Gallo v. Acuna*, 14 Cal. 4th 1090, *cert. denied*, 521  
13 U.S. 1121 (1997); *People v. Englebrecht*, 88 Cal. App. 4th 1236 (2001); *In re Englebrecht*, 67 Cal.  
14 App. 4th 486 (1998), and other argument of counsel, this Court finds by clear and convincing  
15 evidence that service is proper under the circumstances and that (1) Avenues is also known as Aves,  
16 Avenidas, A's (collectively "Avenues"); (2) Avenues is a criminal street gang as defined in Penal  
17 Code section 186.22 (Street Terrorism Prevention and Enforcement ("STEP") Act) and is a gang as  
18 defined for the purpose of a gang abatement injunction in *People v. Englebrecht*, 88 Cal. App. 4th  
19 1236,1258 (2001); and (3) the conduct and activities of defendant Avenues and its members  
20 constitute a public nuisance in the Safety Zone; and

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

22 1. Defendant Avenues, its members, agents, servants, employees, and all persons acting  
23 under, in concert with, for the benefit of, at the direction of, or in association with them or any of  
24 them, are enjoined and restrained from engaging in or performing directly or indirectly, any of the  
25 following activities in the Safety Zone:

26 a. **Do Not Associate:** Driving, standing, sitting, walking, gathering or  
27 appearing, anywhere in public view or anyplace accessible to the public, with any known member of  
28 Avenues including but not limited to those members identified on pages 6 and 7 herein, but not

1 including: (1) when all individuals are inside a school attending class or on school business, (2)  
2 when all individuals are inside a church; and (3) when all individuals are inside a vehicle in transit  
3 on the 110, 5 or 2 Freeways; provided however that this prohibition against associating shall apply to  
4 all claims of travel to or from any of those locations;

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

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

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

19           **e. No Open Containers of Alcohol:** Anywhere in public view or anyplace  
20 accessible to the public, except on properly licensed premises, (1) possessing an open container of an  
21 alcoholic beverage, (2) knowingly remaining in the presence of anyone possessing an open container  
22 of an alcoholic beverage, or (3) knowingly remaining in the presence of an open container of an  
23 alcoholic beverage;

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

28           **g. Obey Curfew:** Being outside between the hours of 10:00 p.m. on any day

1 and sunrise of the following day, unless (1) going to or from a legitimate meeting or entertainment  
2 activity, (2) actively engaged in some business, trade, profession or occupation which requires such  
3 presence, or (3) involved in a legitimate emergency situation that requires immediate attention;

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

6 i. **No Reckless Driving:** Driving a vehicle in willful or wanton disregard for  
7 the safety of persons or property, including but not limited to while evading a peace officer as  
8 defined in Vehicle Code sections 2800.1 through 2800.3; and

9 j. **Obey All Laws:** Failing to obey all laws (1) which prohibit violence and  
10 threatened violence including murder, rape, robbery by force or fear, assault and battery, (2) which  
11 prohibit interference with the property rights of others including trespass, theft, driving or taking a  
12 vehicle without the owner's consent, and vandalism, or (3) which prohibit the commission of acts  
13 which create a nuisance including the illegal sale of controlled substances and blocking the sidewalk;

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

15

16

17

18

19

20

21

22

23

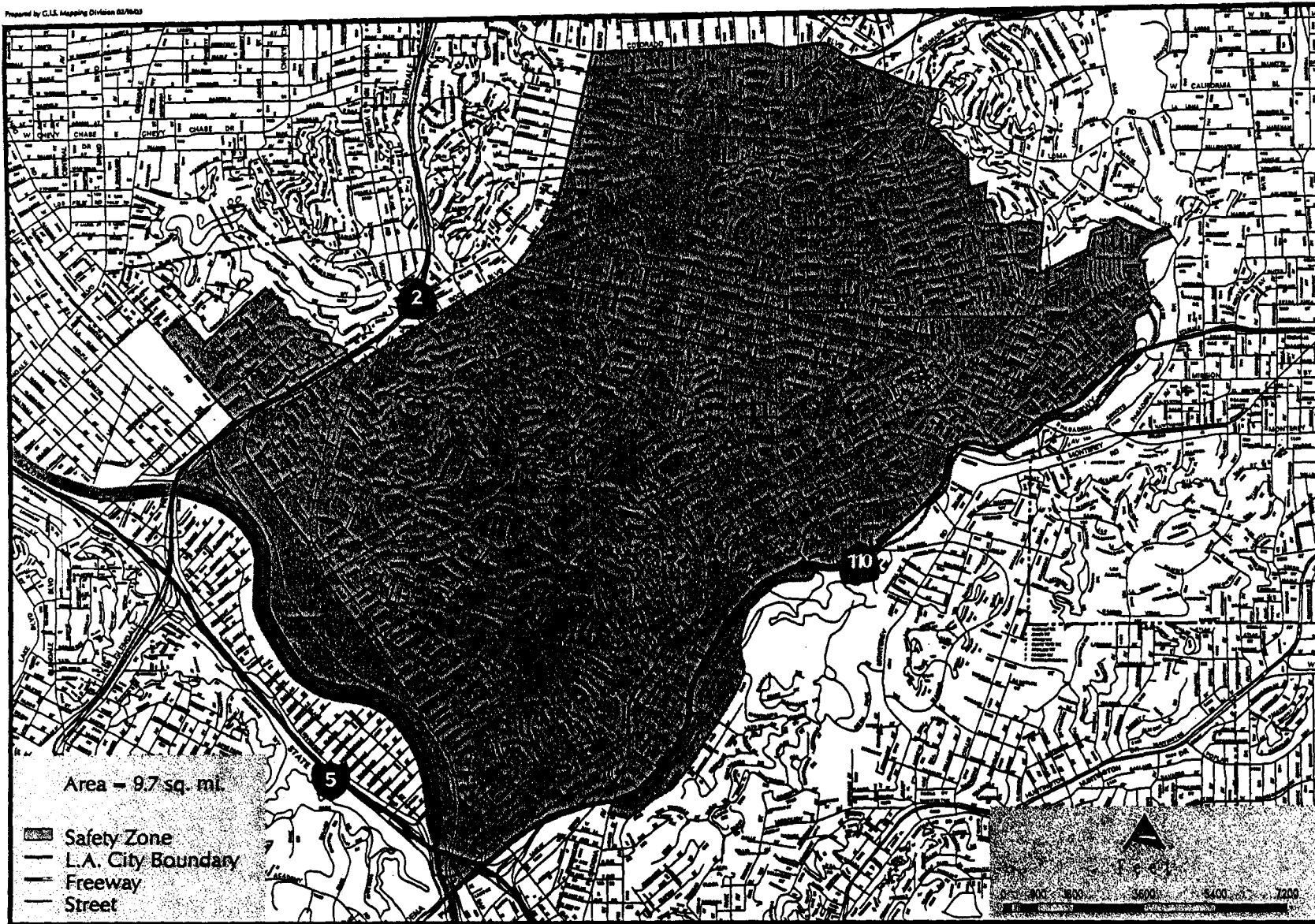
24

25

26

27

28



5



JAMES H. HANSEN  
 Streets Copyright © 2000 Thomson-Broadford Maps Inc.

# Safety Zone Map

Office of the City Attorney

City of Los Angeles

LA DPW  
**ENGINEERING**

Preserving, Developing, The Future

VITALY B. TROYAN, P.E.  
 CITY ENGINEER

COPYRIGHT © 2003 Bureau of Engineering, City of Los Angeles  
 This map shall not be copied or reproduced, all or any part thereof,  
 whether for distribution or resale, without the prior written permission  
 of the CITY ENGINEER.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

DATED: 4/7/02

**Susan Bryant-Deason**

Judge of the Superior Court

Submitted on February 24, 2003 by

ROCKARD J. DELGADILLO, Los Angeles City Attorney  
Martin Vranicar, Ass't City Atty, Supervisor, Gang Unit  
Lisabeth Shiner, Deputy City Attorney  
200 North Main Street, 1800 City Hall East  
Los Angeles, California (213) 847-0134



By: Lisabeth Shiner  
Deputy City Attorney, Gang Unit

Attorneys for Plaintiff,  
People of the State of California