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DEPT. 44

FILED
LOS ANGELES SUPERIOR COURT

JUL 17 2000

JOHN A. CLARKE CLERK
[Signature]
BY M. Hagan DEPUTY

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

PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

Case No. BC 192678

vs.

~~RESERVED JUDGMENT~~
**JUDGMENT GRANTING
PERMANENT INJUNCTION**

**HARPYS, an unincorporated association;
JAIRO ALBAYERO ("RAPIDO"/"SPEEDY"),
JESUS ANDRADE ("CHICO"/"NINO"/
"YOUNGSTER"), EVER JUSTIN AREVALO
("LEVER"/"INDIO"), DEANDRE BARNES
("BULLET"), JUAN CASTRO ("SLEEPY"),
FERNANDO CHAVEZ ("LIL SCRAPPY"),
MARIO DUENAS ("BULLY"), ARISTIDEZ
FLORES ("PONY"/"NEGRO"), ISIDRO
GARCIA ("TERMITE"), RODOLFO LEON
GARCIA ("SPANKY"), CONRADO GOMEZ
("NEGRO"), VICTOR HUGO GOMEZ
("FROSTY"/"LIL SILENT"), DAMIAN LOPEZ
("BIG HEAD"/"D-LOC"), EDGAR LUNA ("LIL
LOONY"/"GANGSTER"), EDGAR MARES
("GUY"/"LIL GUY"), JOSE MANUEL
MARQUEZ ("SHORTY"/"CROOK"/"LUCKY"),
FRANCISCO JAVIER MARTINEZ ("GORDO"),
JOSE MARTINEZ ("SPIDER"), NAHUM
MEDINA ("BABY TRIGGS"/"BABY SILENT"),
MARTIN MELLAN ("GALLO"), JUAN
MERIDA ("LIL D"/"D-BOY"), NATHANIEL
NEWMAN ("SINNER"), REFUGIO
NUNGARAY ("KUKU"), LUIS JAVIER
QUINONEZ ("STOMPER"/"SINBAD"), JAIME
ANGEL RAMIREZ ("LIL SNAPPER"), JUAN
CARLOS RAMIREZ ("UPPER"), ROSAMBER
REAL ("LONELY BOY"/"TRIGGER"),**

Assigned for all purposes to the
Honorable Reginald A. Dunn

DATE: July 17, 2000
TIME: 8:30 a.m.
PLACE: Dep't 44
111 North Hill Street
Los Angeles, CA 90012

TRIAL DATE: Not Set
CASE FILED: June 16, 1998

JUDGMENT GRANTING PERMANENT INJUNCTION

1 MANUEL de JESUS REYES ("CHUEY"/)
 2 "LOBO"), JAIME ROMERO ("CISCO"),)
 3 DANNY NATHAN SACKLEY ("LIL CASPER"/)
 4 "BUGSY"), OSCAR ALFREDO SANCHEZ)
 ("SNEAKY"/"SNAPPER"), DANIEL SILVA)
 ("ROOSTER"/"LIL SHY BOY"), RAUL VEGA)
 ("LIL CHUBBS"), all as individuals; and)
 5 DOES 1 through 200, inclusive,)
 6 Defendants.)
)

7
 8 WHEREAS plaintiff, the People of the State of California, acting by and through James K.
 9 Hahn, as the City Attorney of the City of Los Angeles, filed a complaint on June 16, 1998, seeking
 10 injunctive relief against the Harpys, a criminal street gang sued as an unincorporated association,
 11 thirty-three (33) individual defendants and Does 1 to 200; added the following individual
 12 defendants: David Campos as Doe 1, Mario Nol as Doe 2, Osvaldo Padilla as Doe 3, Roberto Diaz
 13 as Doe 4, Juan Saravia as Doe 5, Francisco Laguna as Doe 6, and Adam Soto as Doe 7; and then
 14 dismissed without prejudice unserved defendants Juan Carlos Ramirez ("Upper") and Does 8 to 200;

15 WHEREAS all undismissed defendants have been properly served with the complaint and
 16 summons, and all undismissed defendants other than Juan Castro, Fernando Chavez, Jose Martinez
 17 and Nahum Medina have had their default entered;

18 WHEREAS, after due consideration of the evidence before it, including the evidence
 19 submitted to this Court in support of and opposing the motion for preliminary injunction, and in
 20 support of a default judgment, and including the deemed admissions of the defaulting defendants;
 21 good cause appearing,

22 WHEREFORE, **JUDGMENT** is entered in favor of plaintiff, the People of the State of
 23 California, acting by and through James K. Hahn, as the City Attorney of the City of Los Angeles,
 24 and (i) by stipulation against JUAN CASTRO and FERNANDO CHAVEZ, appearing through
 25 Public Counsel, et al., (ii) by judgment on the pleadings against JOSE MARTINEZ ("SPIDER") and
 26 NAHUM MEDINA ("BABY TRIGGS"/"BABY SILENT"), appearing in pro per, (iii) by the
 27 "Stipulation and Agreement to Entry of Judgment," approved by this Court February 2, 1999 against
 28 DANNY NATHAN SACKLEY, appearing through Richard A. Moss, Esq., and (iv) by default

1 against the HARPYS, an unincorporated association, JAIRO ALBAYERO ("RAPIDO"/
2 "SPEEDY"), JESUS ANDRADE ("CHICO"/"NINO"/"YOUNGSTER"), EVER JUSTIN
3 AREVALO ("LEVER"/"INDIO"), DEANDRE BARNES ("BULLET"), MARIO DUENAS
4 ("BULLY"), ARISTIDEZ FLORES ("PONY"/"NEGRO"), ISIDRO GARCIA ("TERMITE"),
5 RODOLFO LEON GARCIA ("SPANKY"), CONRADO GOMEZ ("NEGRO"), VICTOR HUGO
6 GOMEZ ("FROSTY"/"LIL SILENT"), DAMIAN LOPEZ ("BIG HEAD"/"D-LOC"), EDGAR
7 LUNA ("LIL LOONY"/"GANGSTER"), EDGAR MARES ("GUY"/"LIL GUY"), JOSE MANUEL
8 MARQUEZ ("SHORTY"/"CROOK"/"LUCKY"), FRANCISCO JAVIER MARTINEZ
9 ("GORDO"), MARTIN MELLAN ("GALLO"), JUAN MERIDA ("LIL D"/"D-BOY"),
10 NATHANIEL NEWMAN ("SINNER"), REFUGIO NUNGARAY ("KUKU"), LUIS JAVIER
11 QUINONEZ ("STOMPER"/"SINBAD"), JAIME ANGEL RAMIREZ ("LIL SNAPPER"),
12 ROSAMBER REAL ("LONELY BOY"/"TRIGGER"), MANUEL de JESUS REYES ("CHUEY"/
13 "LOBO"), JAIME ROMERO ("CISCO"), OSCAR ALFREDO SANCHEZ ("SNEAKY"/
14 "SNAPPER"), DANIEL SILVA ("ROOSTER"/"LIL SHY BOY"), RAUL VEGA ("LIL
15 CHUBBS"), DAVID CAMPOS (Doe 1), MARIO NOL (Doe 2), OSVALDO PADILLA (Doe 3),
16 ROBERTO DIAZ (Doe 4), JUAN SARAVIA (Doe 5), FRANCISCO LAGUNA (Doe 6), and
17 ADAM SOTO (Doe 7);

18 1. **Service is Proper** This Court finds and orders that service of the complaint and
19 summons is proper on all defendants against whom this judgment is entered;

20 2. **Prohibited Activities** Defendants HARPYS, JAIRO ALBAYERO ("RAPIDO"/
21 "SPEEDY"), JESUS ANDRADE ("CHICO"/"NINO"/"YOUNGSTER"), EVER JUSTIN
22 AREVALO ("LEVER"/"INDIO"), DEANDRE BARNES ("BULLET"), JUAN CASTRO
23 ("SLEEPY"), FERNANDO CHAVEZ ("LIL SCRAPPY"), MARIO DUENAS ("BULLY"),
24 ARISTIDEZ FLORES ("PONY"/"NEGRO"), ISIDRO GARCIA ("TERMITE"), RODOLFO LEON
25 GARCIA ("SPANKY"), CONRADO GOMEZ ("NEGRO"), VICTOR HUGO GOMEZ
26 ("FROSTY"/"LIL SILENT"), DAMIAN LOPEZ ("BIG HEAD"/"D-LOC"), EDGAR LUNA ("LIL
27 LOONY"/"GANGSTER"), EDGAR MARES ("GUY"/"LIL GUY"), JOSE MANUEL MARQUEZ
28 ("SHORTY"/"CROOK"/"LUCKY"), FRANCISCO JAVIER MARTINEZ ("GORDO"), JOSE

1 MARTINEZ ("SPIDER"), NAHUM MEDINA ("BABY TRIGGS"/"BABY SILENT"), MARTIN
2 MELLAN ("GALLO"), JUAN MERIDA ("LIL D"/"D-BOY"), NATHANIEL NEWMAN
3 ("SINNER"), REFUGIO NUNGARAY ("KUKU"), LUIS JAVIER QUINONEZ ("STOMPER"/
4 "SINBAD"), JAIME ANGEL RAMIREZ ("LIL SNAPPER"), ROSAMBER REAL ("LONELY
5 BOY"/"TRIGGER"), MANUEL de JESUS REYES ("CHUEY"/"LOBO"), JAIME ROMERO
6 ("CISCO"), DANNY NATHAN SACKLEY ("LIL CASPER"/"BUGSY"), OSCAR ALFREDO
7 SANCHEZ ("SNEAKY"/"SNAPPER"), DANIEL SILVA ("ROOSTER"/"LIL SHY BOY"), RAUL
8 VEGA ("LIL CHUBBS"), DAVID CAMPOS (Doe 1), MARIO NOL (Doe 2), OSVALDO
9 PADILLA (Doe 3), ROBERTO DIAZ (Doe 4), JUAN SARAVIA (Doe 5), FRANCISCO LAGUNA
10 (Doe 6), ADAM SOTO (Doe 7), and each of them, and all members of the Harpys criminal street
11 gang, are enjoined and restrained from engaging in or performing directly or indirectly, any of the
12 following activities in a "Target Area" bounded by Washington Boulevard to the North, Figueroa
13 Street to the East, Jefferson Boulevard to the South, and Normandie Avenue to the West, in the City
14 of Los Angeles:

15 a. **"Do Not Associate"** Standing, sitting, walking, driving, gathering, or
16 appearing anywhere in public view with any individual defendant herein and/or any known member
17 of the Harpys criminal street gang, or any of its cliques or sets including Dead End or Wild Bunch
18 provided that:

19 (i) **Limited Exception Inside Certain Buildings**

20 This "do not associate" prohibition does not apply when the individual is located inside a
21 building, provided that the following locations shall remain subject to the "do not associate"
22 prohibition: (a) those parts of buildings accessible to the public for commercial purposes
23 such as stores, markets, movie theaters, and restaurants; (b) those parts of apartment
24 buildings accessible to the public; and (c) any building located in a park;

25 (ii) **YEP Work Crew Exception** This "do not associate" prohibition does not
26 apply when the individual is working on a Youth Empowerment Project ("YEP") or Martin
27 Luther King Legacy Association ("MLK") project in the Target Area, such as community
28 clean up events, beautification projects, mural paintings and alley clean ups, between the

1 hours of 7:00 a.m. and 7:00 p.m. weekdays and 7:00 a.m. and 4:00 p.m. weekends, when that
2 individual has in his possession a writing issued weekly by YEP or MLK naming that
3 individual, the project's dates, times and location, and containing the signature with legible
4 name and phone number of the person at YEP or MLK approving the assignment; and

5 (iii) **Additional Exemption** In addition to the exemption of certain buildings in
6 part (i) above, this "do not associate" prohibition does not apply when all individuals are
7 within the fenced lots or structures of Temple-Baptist Church and its properties at 2114, 2120
8 and 2136 Estrella Avenue, and 669 West 23d Street;

9 provided however that this "do not associate" prohibition shall apply to all claims of travel to or
10 from any of those locations or organizations other than travel while performing a YEP/MLK project;

11 b. **No Witness Intimidation** Confronting, intimidating, annoying, harassing,
12 threatening, challenging, provoking, assaulting and/or battering any person known to be a witness to
13 or victim of crime, any person known to have complained about the Harpys' gang activities, and any
14 civilian who has submitted a declaration in this action; and

15 c. **Obey All Laws** Failing to obey all laws (i) which prohibit violence and
16 threatened violence including murder, rape, robbery by force or fear, assault and battery, (ii) which
17 prohibit interference with the property rights of others including theft, vandalism and driving without
18 the owner's consent, and (iii) which prohibit the commission of acts which create a nuisance
19 including the Los Angeles Municipal Code prohibition against blocking the sidewalk;

20 3. **Renunciation/Dismissal Provision** Any individual defendant in this action,
21 including a defendant against whom default has been entered, may move the Court under this
22 provision to be dismissed from this action. This judgment or any judgment entered in this action
23 shall not be enforceable against a defendant who is dismissed under this provision, and may not be
24 modified to include any defendant who is dismissed under this provision.

25 a. **Requirements** Plaintiff agrees not to object to a defendant's motion to be
26 dismissed under this provision, so long as the dismissal is to be without prejudice and with each side
27 to bear its own costs and fees, and so long as the motion satisfies the following requirements:

28 i. **Proper Notice** A motion under this provision shall be made on proper

1 notice properly served on plaintiff's counsel, and shall not be made on shortened time.

2 ii. **Public Renunciation** Defendant must declare that he is a reformed,
3 former Harpys gang member, that he is not active with the Harpys gang, and that he has renounced
4 gang life. Renunciation of the street gang Harpys is an essential part of this provision.

5 iii. **Proof of Renunciation** Defendant must declare that he has not been
6 arrested for the past three years, not including any time spent incarcerated, which must be true.

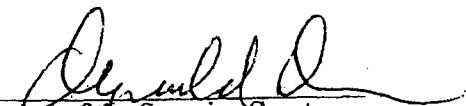
7 b. **No Third-Party Beneficiaries.** It shall not be a defense to any civil or
8 criminal contempt charge that defendant was eligible to apply for dismissal under this provision.

9 c. **No Effect in Other Proceedings** Plaintiff shall not be bound by the criteria
10 of this special provision (a public sworn renunciation and three arrest-free years), in any action, civil
11 or criminal, other than in a motion brought under this provision in this action. Moreover, a dismissal
12 under this provision shall be without prejudice and shall not operate as a retraxit in any other action.

13 4. **No Effect in Other Proceedings** This judgment shall not be admissible in any civil
14 or criminal action, and cannot be used against a defendant for any purpose whatsoever, other than in
15 a civil or criminal contempt proceeding brought for violation of this judgment.

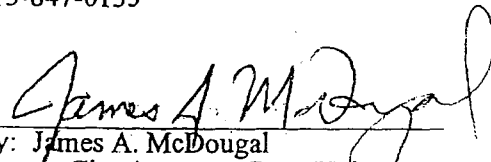
16 5. **No Costs** Each party shall bear its own costs in this action.

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18 DATED: JUL 17 2000

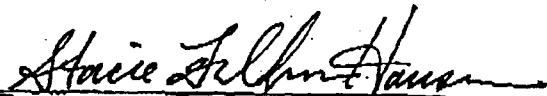

Judge of the Superior Court
REGINALD A. DUNN
JUL 17 2000

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20 Submitted on June 26, 2000 by:

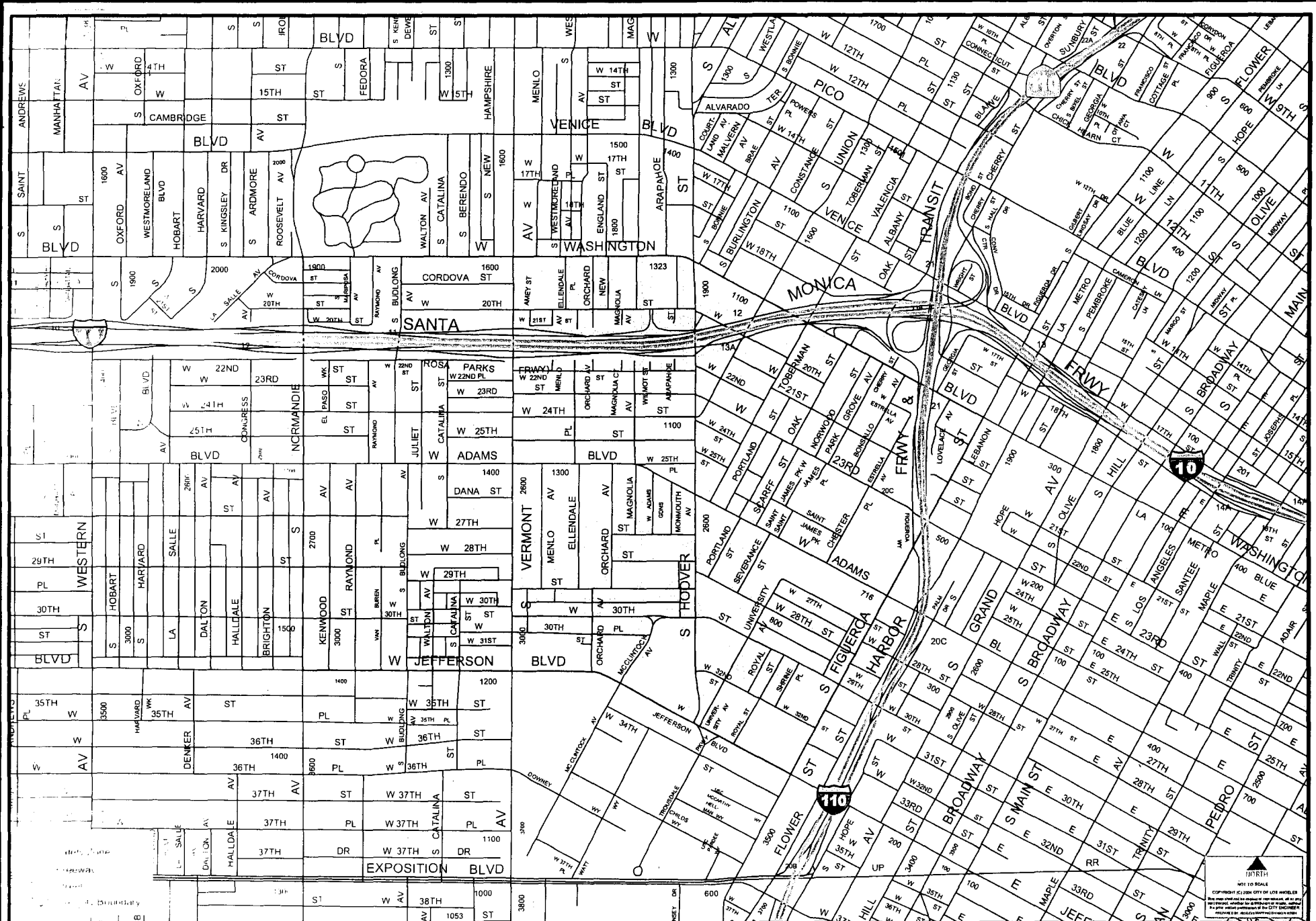
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By: James A. McDougal
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Harpys Safety Zone

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City of Los Angeles

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GARY LEE MOORE, P.E.
CITY ENGINEER

