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Los Angeles Superior Court

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John A. Clark, Executive Officer/Clerk

By: R. ALVA

By: \_\_\_\_\_

**SUPERIOR COURT**  
**LONG BEACH**

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

LOS ANGELES COUNTY, SOUTH DISTRICT

PEOPLE OF THE STATE OF  
CALIFORNIA,

Plaintiff,

vs.

WEST SIDE LONGOS, an unincorporated  
association, and DOES 1 through 500,  
inclusive,

Defendants.

Case No. No. NC 035222

Assigned for all purposes to the Honorable  
Judge Di Loreto

**[PROPOSED] JUDGMENT BY COURT**

Complaint Filed: January 12, 2004  
Discovery Cut-Off: None  
Motion Cut-Off: None  
Trial Date: None

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1 This cause came before the Honorable Joseph Di Loreto, judge presiding in  
2 Department "H" of the above-entitled Court. The People of the State of California, acting by and  
3 through Thomas M. Reeves, City Prosecutor for the City of Long Beach, appearing as attorneys for  
4 plaintiff.

5 It appearing that defendant [REDACTED], sued under the fictitious name of DOE  
6 1, and defendant West Side Longos having been regularly served with process, and having failed to  
7 appear or answer plaintiff's complaint filed on January 12, 2004, and default of said defendants  
8 having been duly entered, and whereas plaintiff has dismissed without prejudice all remaining  
9 fictitious DOE defendants, plaintiff's request for entry of default judgment and supporting evidence  
10 having been considered in lieu of oral testimony pursuant to California Code of Civil Procedure,  
11 Section 585, the Court finds by clear and convincing evidence that (1) the West Side Longos (the  
12 "WSL") is a criminal street gang as defined in Penal Code, Section 186.22; (2) Defendant [REDACTED]  
13 [REDACTED] is a member of the WSL; (3) the conduct of the WSL and its members constitutes a public  
14 nuisance in the Target Area (a map of the Target area is attached as page 7 of this judgment); (3) the  
15 Target Area is adequately defined geographically and narrowly tailored to protect the community  
16 from the public nuisance created by defendant WSL and its members. The target area is bounded  
17 on the south by Pacific Coast Highway, on the north by Hill Street, on the east by the Long Beach  
18 Freeway, and on the west by the Terminal Island Freeway. The Target Area is located within the City  
19 of Long Beach in the County of Los Angeles.

20 **IT IS ORDERED, ADJUDGED, AND DECREED THAT :**

21 1. Defendant WSL, all members of the WSL, and all persons acting under, in concert  
22 with, for the benefit of, at the direction of, or in association with them or any of them, are presently  
23 and hereafter enjoined from engaging in or performing directly or indirectly, any of the following  
24 activities in the Target Area (a map of the Target area is attached as page 7 of this judgment):

25  
26 a. Standing, sitting, walking, driving, bicycling, or gathering or appearing anywhere  
27 in public view with any other known WSL gang member. This prohibition shall not apply when: (1)  
28 the association involves attending class or school business or (2) inside a church or religious service;

1 provided, however, that this prohibition against associating shall apply to all claims of travel to or  
2 from any of those locations;

3  
4 b. Drinking alcoholic beverages, or being within ten feet of an open alcohol  
5 container, in public view or anyplace accessible to the public;

6  
7 c. Without a prescription, (1) selling, possessing, being under the influence of, or  
8 using any controlled substance or related paraphernalia, including but not limited to rolling papers  
9 and pipes used for illegal drug use, (2) knowingly remaining in the presence of anyone selling,  
10 possessing, or using any controlled substance or such related paraphernalia, or (3) knowingly  
11 remaining in the presence of any controlled substance or such related paraphernalia;

12  
13 d. Anywhere in public view or anyplace accessible to the public, possessing any  
14 weapons, knives, clubs, concealed or loaded firearms, baseball bats, glass bottles, or any other  
15 instrument prohibited by Penal Code Section 12020; or, knowingly remaining in the presence of such  
16 instruments;

17  
18 e. Engaging in fighting in the public streets, alleys, and/or public and private  
19 property;

20  
21 f. Using or possessing marker pens, spray paint cans, knives, screwdrivers, razor  
22 blades, or nails for the purpose of applying graffiti or vandalizing property; or, spray painting or  
23 otherwise applying graffiti on any public or private property, including but not limited to: the streets,  
24 alleys, residences, block walls, vehicles, and/or, any other real or personal property;

25  
26 g. Being present on or in any property not open to the general public, except (1)  
27 with the prior written consent of the owner, owner's agent, or the person in lawful possession of the  
28 property, or (2) in the presence of and with the voluntary consent of the owner, owner's agent, or the

1 person in lawful possession of the property;

2  
3 h. Placing bicycles, or motorized vehicles in a manner to obstruct the free passage  
4 of any person or vehicle on: any street, walking way, sidewalk, driveway, alleyway, or, other area  
5 of public passage;

6  
7 i. Approaching vehicles, or otherwise communicating with the occupants of any  
8 vehicle, for the purpose of obstructing or delaying the free flow of vehicular traffic as described in  
9 Vehicle Code § 22500;

10  
11 j. Discharging any firearms;

12  
13 k. In any manner confronting, intimidating, annoying, harassing, threatening,  
14 challenging, provoking, assaulting and/or battering any residents or patrons or visitors to the Target  
15 Area or any persons who are known to be a witness to, or victims of, crime, or any person known  
16 to have complained about gang activities of the WSL;

17  
18 l. Being present in a vehicle found to have any contraband, narcotics, or illegal or  
19 deadly weapons with knowledge of contraband, narcotics, or illegal weapons;

20  
21 m. Possessing instruments commonly used for breaking into locked vehicles, with  
22 the intent to do so, including but not limited to: picks, wire cutters, dent pullers, sling shots, steel  
23 shots, spark plugs; "slim jims";

24  
25 n. Knowingly hiding people who are evading a law enforcement officer;

26  
27 o. Signaling to, or whistling, to warn of the approach of police officers;

1 p. Urinating or defecating in any public place open to public view;

2  
3 q. Using words, phrases, physical gestures, or symbols commonly known as hand  
4 signs which describe or refer to the gang known as the WSL;

5  
6 r. Making loud noise of any kind, including, but not limited to yelling and loud music  
7 at any time of the day or night consistent with Long Beach Municipal Code §§ 8.80.010 et seq;

8  
9 s. If under the age of eighteen (18), being in a "public place", as defined in Section  
10 9.02.090 of the Long Beach Municipal Code, between the hours of 10:00 p.m. on any day, and six  
11 a.m. of the immediately following day, unless (1) accompanied by a parent or legal guardian, or  
12 other adult person having the care and custody of the minor, or (2) performing an errand directed  
13 by a parent or legal guardian, or by a spouse eighteen (18) years or older, without any detour or stop,  
14 or (3) returning directly home from a public meeting, or a place of public entertainment, such as a  
15 movie, play, sporting event, dance or school, or (4) actively engaged in some business, trade,  
16 profession, or occupation which requires such presence, or (5) in a motor vehicle involved in  
17 interstate travel or, (6) engaged in an employment activity, or going to or returning home from an  
18 employment activity, without any detour or stop, or (7) involved in an emergency requiring  
19 immediate action to prevent serious bodily injury or loss of life, or (8) attending an official school,  
20 religious, or other recreational activity supervised by adults and sponsored by the City, a civic  
21 organization, or another similar entity that takes responsibility for the minor, or (9) going to or  
22 returning home from, without any detour or stop, an official school, religious, or other recreational  
23 activity supervised by adults and sponsored by the City, a civic organization, or another similar entity  
24 that takes responsibility for the minor, or (10) emancipated pursuant to law, or (11) exercising First  
25 Amendment rights protected by the United States Constitution; and,

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1 t. Failing to obey all laws (1) which prohibit violence and threatened violence  
2 including murder, rape, robbery by force or fear, assault and battery, (2) which prohibit interference  
3 with the property rights of others including trespass, theft, driving or taking a vehicle without the  
4 owner's consent, and vandalism, or (3) which prohibit the commission of acts which create a  
5 nuisance including the illegal sale of controlled substances and blocking the sidewalk.

6  
7 2. Each party to bear their own costs and fees in this action.

8  
9 Dated DEC 02 2004

10  
11 *Joseph E. DiLoreto*

12 Judge of the Superior Court

13  
14 Submitted on November 5, 2004

15 THOMAS M. REEVES SBN 80575  
16 LONG BEACH CITY PROSECUTOR  
17 333 West Ocean Boulevard, 2<sup>nd</sup> Floor  
Long Beach, California 90802  
Tel (562) 570-5600; Fax (562) 570-7140

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19   
20 By: DANIEL S. MURPHY  
21 Attorneys for Plaintiff,  
22 People of the State of California  
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