

In re the Class "B" Tavern license and Public Entertainment Premises license of:

HORACIO M. SANCHEZ
for the licensed premises
known as El Rodeo, located at
1586 South Pearl Street, Milwaukee, Wisconsin

SWORN CHARGES BY CHIEF OF POLICE FOR REVOCATION OF LICENSES

Pursuant to Wisconsin Statutes Section 125.12 and Sections 90-12 and 108-11, Milwaukee Code of Ordinances, Chief of Police Edward Flynn, by Captain Alfonso Morales, Commander of Police District 2 being first duly sworn and upon his oath, respectfully charges the following based upon review of official Milwaukee Police Department reports drafted in the ordinary course of business, review of documents received by Milwaukee Police Department District 2, and communication with other police and municipal officials:

1. That Horacio M Sanchez (DOB 08/25/1972) (hereinafter, the "Licensee") is the holder of a Class "B" tavern license and a Public Entertainment Premises license for the licensed premises known as El Rodeo Bar located at 1586 South Pearl Street, Milwaukee, Wisconsin. Upon information and belief, Estella J Hernandez (DOB 08/28/56) is the Licensee's significant other and co-manages the El Rodeo Bar and co-owns the building with the Licensee. She is an authorized representative to pick up licenses associated with El Rodeo Bar.

2. According to its Class "B" tavern license, the hours of operation for El Rodeo Bar on Fridays are 2:00 pm to 2:00 am.

3. On Friday, July 20, 2013, at approximately 2:30 am, as the tavern emptied at closing a subject with a bicycle stood outside El Rodeo Bar. The subject pointed a handgun in

the direction where a large group of patrons from the tavern was standing on the west side of El Rodeo Bar. An individual fired 5-6 gunshots and then fled around the north side of El Rodeo Bar and hid behind it for 2-3 minutes before walking back around to the west side of the tavern. Approximately two more gunshots were fired and a patron, Wilbert Enriquez-Montes, was struck with a bullet around his chest area. An individual suspected of being the shooter, Geronimo Medina, was then beaten up by members of the large group of patrons.

4. On August 9, 2013, an officer met with the Licensee to discuss the shooting on July 20, 2013. The Licensee stated the victim and his friends were regular patrons. He further stated he was home when the shooting occurred and that he has not seen the victim or his friends since the day of the shooting. The officer advised the Licensee that his license only allows him to be open until 2:00 am and that if further investigation revealed he was open after that time he would be issued a citation.

5. On October 27, 2013, at approximately 2:49 a.m., officers responded to El Rodeo Bar for a possible tavern violation. Upon arrival at the location, officers were unable to open the door to the tavern. After continuously knocking for 3 to 5 minutes, someone turned the music off and yelled through the door, "Who is it?" Upon identifying themselves as uniformed officers, the officers were permitted to gain access and observed approximately 6 to 8 people inside the tavern, an assortment of Halloween decorations around the tavern and all of the subjects in the tavern dressed in Halloween costumes. Officers spoke with the Licensee and Estella Hernandez. Ms. Hernandez stated that the listed date was daylight savings and showed officers her cell phone to show it was approximately 1:30 a.m. An officer informed Ms. Hernandez that daylight savings was not until November 3rd. Ms. Hernandez agreed to shut everything down and close the tavern for the night.

6. Upon information and belief, on or around January 14, 2014, Alderman Perez spoke via telephone with Estella Hernandez. During the conversation, Alderman Perez indicated that he was aware of recent erotic dancers performing at El Rodeo Bar that were in violation of the Adult Entertainment/Strippers/Erotic Dance regulations because she did not have the appropriate license. According to Alderman Perez, Ms. Hernandez admitted to hosting the events. However, Ms. Hernandez stated that the events were “too gross” and that she “will never have them here again.”

7. Upon information and belief, AllStar Talent Management is a promoter of adult entertainment and has promoted events at El Rodeo Bar featuring Adult Entertainment/Strippers/Erotic Dance on December 19, 2013, December 20, 2013, December 21, 2013, February 7, 2014 and February 8, 2014.

8. On January 29, 2014, Milwaukee Police Department District 2 received an Aldermanic complaint from the office of Alderman Jose Perez regarding El Rodeo Bar. According to the complaint, the Licensee was selling cocaine at El Rodeo Bar and he was offering female patrons to sell for him. In addition, Ms. Hernandez was telling people that she works for the Sheriff’s department so she has access to all police records and complaints so that she can see who “snitches” on her and have them “taken care of or deported.” Upon information and belief, Ms. Hernandez does not currently work for the Sheriff’s department.

9. On February 8, 2014, at approximately 11:52 p.m., police officers responded to El Rodeo Bar regarding an Aldermanic complaint from the office of Alderman Jose Perez regarding El Rodeo Bar. According to the complaint, the Licensee posted advertisements pertaining to erotic dancers performing inside the establishment without obtaining the appropriate license. Officers observed two females, Lakeyda Perkins and Amanda Enea, dancing on top of the

tavern's countertop wearing only an undergarment along with a pair of fishnet lace style stockings. This activity requires Adult Entertainment/Strippers/Erotic Dance as part of a Public Entertainment Premises license. The Licensee was issued a citation for Premise Entertainment Premises license required, citation # 48969611137.

10. The Public Entertainment Premises license for El Rodeo Bar active at the time of the February 8, 2014 incident did not include Adult Entertainment/Strippers/Erotic Dance.

11. The area surrounding El Rodeo Bar is known for prostitution activity.

12. On February 8, 2014, after discussing the Public Entertainment Premises license violation with the Licensee, officers informed the Licensee they would be conducting a tavern check for further violations. When asked if there was anything illegal inside the establishment, the Licensee stated no and to check. Upon checking the premises, an officer discovered in a garbage container in the tavern, located approximately four feet from the bar countertop, two corner cut plastic baggies containing a white powder substance, suspected of being cocaine. A test of the substance later tested positive for cocaine with a total weigh of 1.29 grams. A verbal consent search of the Licensee revealed a folded \$1.00 US currency bill, containing a white powder substance suspected of being cocaine wrapped inside, in the Licensee's inner left coat pocket. The Licensee stated the cocaine was for personal use. The substance tested positive for cocaine with a total weight of .40 grams. Officers also obtained three corner cut baggies of cocaine in the pocket of an unclaimed jacket inside the El Rodeo Bar. The total weight of the cocaine was .75 grams.

13. The Licensee was arrested and conveyed to Milwaukee Police Department District 2 for processing. On February 11, 2014, the Licensee was criminally charged with Possession of Cocaine (2014CM000462). As of the date of these Sworn Charges, the case was

adjourned by the Milwaukee County Circuit Court for a projected guilty plea and sentencing on May 6, 2014.

14. On February 12, 2014, the Milwaukee Police Department District 2 sent the Licensee a “known drug house” letter, notifying the Licensee that the El Rodeo Bar was a public nuisance pursuant to Wis. Stat. § 823.113.

15. On February 27, 2014, Estella Hernandez met with Captain Alfonso Morales to discuss the known drug house letter. At the meeting, she identified herself as the owner of the building. Ms. Hernandez asked Captain Morales what she needed to do to “soften the blow” of the known drug house letter. She repeated several times that she wanted to be a positive influence to the neighborhood. Captain Morales asked Ms. Hernandez if drugs were recovered from the tavern how could this be a positive image for the neighborhood and told her he could not help her with her request to “soften the blow.”

12. El Rodeo Bar is operated in such a manner that it constitutes a public nuisance and the conduct associated with the licensed premise has had a substantial adverse effect on the health, safety and/or convenience and prosperity of the neighborhood.

BASED UPON the July 20, 2013 shooting, keeping the tavern open after hours, repeated violations of the Public Entertainment Premises license requirements, the Licensee’s (via Ms. Hernandez) admission of violations of the Public Entertainment Premises license requirements and statement to Aldermen Perez that the activity would cease, the additional Public Entertainment Premises license violation on February 8, 2014, and the cocaine found in both the premise and on the Licensee’s person on February 8, 2014;

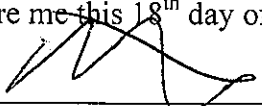
THE CHIEF OF POLICE, by his designee, respectfully requests the immediate revocation of the Class "B" Tavern license and Public Entertainment Premises license relative to the above-referenced Licensee and licensed premise because the Licensee has kept a disorderly and riotous house contrary to Wis. Stat. Sec. 125.12(2)(ag)2, pending charges for possession of cocaine against the Licensee, the licensed premises is being operated in such a manner that it is the source of congregation of persons which has resulted in illegal drug activity and that it constitutes a public nuisance, and that the misuse of the licensed premises unreasonably interferes with the best interests and good order of the City contrary to sections 85-4-4, 90-12 and 108-11, Milwaukee Code of Ordinances.

Dated at Milwaukee, Wisconsin this 18th day of March, 2014.

CHIEF OF POLICE EDWARD FLYNN, by


CAPTAIN ALFONSO MORALES
Commander, Milwaukee Police District 2

The foregoing complaint seeking revocation of the Class "B" Tavern license and Public Entertainment Premises license was subscribed and sworn to before me this 18th day of March, 2014.



Notary Public, State of Wisconsin
My commission is permanent

Drafted by:
NICHOLAS P. DESIATO
Assistant City Attorney
SBN: 1068916
1032-2014-375:200969

