

If you, Varinder Singh, fail to appear in person before the Committee on September 6, 2016 at 3:15 p.m. in Room 301-B, of City Hall, as required by the summons, the Committee will proceed to consider the allegations of the complaint which shall be taken as true. If the Committee determines that the allegations are sufficient and the circumstances warrant, the law permits your licenses be revoked or suspended.

Dated as of the 29th day of August, 2016.



ALDERMAN T. ANTHONY ZIELINSKI
CHAIRMAN, LICENSES COMMITTEE



JAMES R. OWCZARSKI
CITY CLERK

Complaint; Wisconsin Statutes Section 125.12 and 134.65(6) to 134.65(8);
Milwaukee Code of Ordinances Sections 68-21, 84-43, 85-3 to 85-5, and 90-12.

In re the Class "A" Fermented Malt Beverage Retailer's license, Food Dealer Retail license and Cigarette and Tobacco License of:

JJ Food & Beer Inc.
Varinder Singh, Agent
as the Licensee for the licensed premises
known as All Star Food, located at
3100 N. 27th Street, Milwaukee, Wisconsin

SWORN CHARGES BY CHIEF OF POLICE FOR REVOCATION OF LICENSES

Pursuant to Wisconsin Statutes Section 125.12 and Sections 68-21, 84-43, 85-4 and 90-12 of the Milwaukee Code of Ordinances ("MCO"), Chief of Police Edward Flynn, a City of Milwaukee resident and interested party, by Captain Timothy Heier, Commander of Police District 5, City of Milwaukee resident and interested party, being first duly sworn and upon his oath, respectfully charges the following based upon review of official Milwaukee Police Department ("MPD") reports drafted in the ordinary course of business, including those attached as part of this Sworn Charges, review of documents received by MPD District 5 and communication with police, law enforcement, community members and municipal officials:

OWNERSHIP AND EMPLOYEES

1. JJ Food & Beer, Inc., by its agent Varinder Singh, (hereinafter, the "Licensee") is the holder of a Class "A" Fermented Malt Beverage Retailer's license, Food Dealer Retail license and Cigarette and Tobacco license for the licensed premises known as All Star Food (a/k/a All Star Foods) located at 3100 N. 27th Street, Milwaukee, Wisconsin. The licenses were issued on September 23, 2015.

2. Upon information and belief, the building or structure located at 3100 N. 27th Street has been owned by A & W Holding Group LLC, registered agent Wajeesh Shana'a, since

approximately May 11, 2015. Prior to A & Holding Group LLC, the building or structure located at 3100 N. 27th Street was owned by Ahmad H. Ahmad and Wajeeh Shana'a since approximately September 26, 2000.

3. Upon information and belief, the following licensees have been issued licenses at 3100 N. 27th Street since June 2008:

Issue Date	Expiration Date	Licensee	Agent of Licensee	Other Owner	Licenses
06/19/2008	6/9/2014	ALL STAR GROUP, LLC	Ibrahim M Amer	Ghalib M Amer; Thaer Alsaei	Cigarette and Tobacco, Class A, Food Dealer
07/23/2013	7/22/2016	All Star Food & Beer LLC	Maiada Ali	N/A	Cigarette and Tobacco, Class A, Food Dealer, Weights & Measures
09/23/2015	9/22/2016	JJ Food & Beer Inc	Varinder Singh	N/A	Cigarette and Tobacco, Class A, Food Dealer

(Note: The overlap in issue and expiration date is due to new licenses being issued before the previous licenses expired.)

4. Pursuant to MCO 90-5-1.5, MPD conducted a Crime Prevention Survey on August 20, 2015. Varinder Singh identified himself as the owner and Ali Aldarorah identified himself as the manager. However, Aldarorah answered MPD's questions, including questions about managing the business and public safety efforts. Upon information and belief, Ali Aldarorah has worked at All Star Food since at least 2013 and in a collusive manner. In different occasions, he has stated to MPD that he attended to the store in the owner's absence (*see* June 12, 2013 incidents below), was the manager (*see* above), and was the owner (*see* March 5, 2015 and March 19, 2015 incidents below). *The only City of Milwaukee license Aldarorah has been issued is a Class "D" Operator's license issued on November 25, 2014.*

TRAFFICKING AND SEXUAL ASSAULT OF A CHILD

5. On March 21, 2016, *during business hours* a 14 year old female “AH” was prostituted in the basement of All Star Food. Investigation revealed that AH met Angela Sweet for the first time that day. Sweet walked with AH from Sweet’s residence to nearby All Star Foods. When Sweet and AH entered All Star Food, they walked to the back of the store and talked to a guy known as “LA” (later identified as Layith Sadeq). LA asked AH if she wanted to make some money. After AH stated, “Sure,” LA grabbed her hand and escorted her to the basement. When they arrived in the basement, AH pulled her pants down and LA exposed his penis. AH then performed mouth to penis (oral sex) on LA, during which LA told AH she could “make an easy \$300 if he made a call to his uncle.” After 2-5 minutes, LA pulled his penis out of AH’s mouth and took out a Magnum gold package condom and opened it. After putting the condom on, LA inserted his penis into AH’s vagina while she was lying on her back on black crates. AH told MPD that both the condom wrapper and the condom were thrown on the ground by LA near the black crates. After performing penis to vagina sex, LA gave AH a bag of marijuana. A second male, later identified as Jovonta Martin, approached AH, unzipped his pants, pulled his penis out and put it in AH’s mouth. After performing penis to mouth sex, AH and LA walked up the stairs. AH observed LA give Sweet \$15. While walking back to Sweet’s residence, Sweet told AH, “see how easy it is to make money?” *Martin is a previous employee of All Star Food* (see March 12, 2015 incident referenced below).

6. AH later identified Angela Sweet, “LA” (Layith Sadeq) and Jovonta Martin via a photo array. Angela Sweet has been charged with Trafficking of a Child (2016CF001319). Layith Sadeq (a/k/a “LA”) has been charged with Trafficking of a Child, 2nd Degree Sexual Assault of a Child (2 counts) and Child Enticement-Sexual Contact (2016CF001318). Jovonta

Martin has been charged with 2nd Degree Sexual Assault of Child and Exposing Genitals/Public Area/Intimate Parts to a Child (2016CF001317).

7. On March 23, 2016, Sadeq messaged AH via Facebook stating, “Hey boo that’s L.A [sic] from the store 27th wyd love” and “Txt me boo.”

8. On March 25, 2016, MPD investigated the basement of All Star Food. There, MPD found a Magnum condom wrapper which was gold with black letters, a used condom and a small piece of condom wrapper consistent with statements made by AH.

9. On March 26, 2016, MPD interviewed Layith Sadeq. *Sadeq admitted that a family member of his used to own All Star Food.* He initially denied having sex with a girl, but admitted he did get “sucked off at the store.” He later admitted to paying \$14 for the sexual act, that the “other girl” (Sweet) asked for the money in order for him to have sex with the girl (AH) and that he used a yellow Magnum condom. He stated his nickname is LA. He also admitted that the girl who “sucked his penis sucked JoJo’s penis.” JoJo was identified as Jovonta Martin. In addition, Sadeq stated there was a guy named “Trell” who worked at the store that night. According to Sadeq, Trell kept telling Sadeq to “hurry up let’s go.” Sadeq responded by telling Trell to smoke some of his weed from his blunt.

ILLEGAL TOBACCO AND DRUG ACTIVITY

10. All Star Food has been the source of congregation for and engagement in illegal tobacco and drug activity in and around the premises. Despite the change in licensees, the same or related actors from All Star Food engaged in or permitted this activity since at least 2013.

11. On June 12, 2013, at 10:15 am, MPD and the State of Wisconsin Department of Revenue (“DOR”) conducted its *first business check* of All Star Food that day. Ali Aldarorah was the only person on premises and he did not have a valid Class “D” Operators License

although fermented malt beverages were sold at the location, which is in violation of the Milwaukee Code of Ordinances. He stated that he was only alone in the store for a short time while the owner went to obtain supplies. He was advised he cannot be alone in the store at any time if the agent/owner is not present because it was a Class "A" establishment. The agent, Ibrahim Amer eventually arrived on scene and indicated he was only away for a short time and that he would be leaving again. MPD advised that the store would need to be closed during that time since Ali Aldarorah did not have a Class "D" Operators License. Ibrahim Amer stated he would comply.

12. On June 12, 2013, at 9:55 pm, MPD and DOC conducted its *second business check* of All Star Food that day due to ongoing complaints that All Star Food had been selling single cigarettes. Ali Aldarorah was *again* the only person on premises. He *again* stated he was watching the store while the owner, Ibrahim Amer was gone. DOR checked invoices for tobacco products and confiscated several boxes of tobacco products that were not on any invoices. Ibrahim Amer was cited and convicted of responsible person on premises (MCO 90-8-1) (case #13066790).

13. On April 9, 2014, MPD, the State of Wisconsin Department of Health Services – Office of Inspector General, DOR and the City of Milwaukee Department of Neighborhood Services responded to All Star Food due to an ongoing investigation. That investigation involved several undercover operations involving the illegal purchasing and/or selling of WIC checks. Ali Aldarorah was taken into custody for WIC fraud. Belkasim Moftah, who works as the main clerk at the location, was also taken into custody for WIC fraud. DOR confiscated multiple boxes of undocumented tobacco products from within the store for not having proof of invoice or not having invoices specifically addressed to All Star Food. Officers also located a loaded firearm in

the cash register area. Both Ali Aldararah and Belkasim Moftah were convicted of WIC – Provide Cash for Drafts (felony) (2014CF001477 and 2014CF001476, respectively).

14. On March 5, 2015, MPD responded to All Star Food for a subject with gun complaint. Upon arrival, MPD spoke with Ali Aldararah, who stated he was the owner of All Star Food. He told MPD there were several subjects inside the store selling drugs and had guns on them. MPD reviewed the video surveillance of the subjects in question and located those subjects less than a block east of All Star Food. One of the subjects, Darius Dolenshek, had on his person 6 clear corner cut baggies and 1 large sandwich bag containing a green leafy plantlike substance believed to marijuana. That substance tested positive for the presence of THC and weighed 5.94 grams. Dolenshek was charged with Possession of THC (2015CM000788). As a condition of Dolenshek's bail, he was to have no contact with any store owner or employee at All Star Food. As part of a plea negotiation due a subsequent violation on March 25, 2015, as referenced below, this case was dismissed but read in.

15. On March 12, 2015, MPD responded to All Star Food for a complaint for drug dealing. According to the caller, Almntasser Abu-Naaj, he just bought the store and is the new owner of All Star Food. Upon information and belief, *Almntasser Abu-Naaj did not apply for any license affiliated with All Star Food until April 7, 2015 and no licenses were ever granted.* Mr. Abu-Naaj also stated he had just fired Jovonta Martin (who was later involved in the trafficking of a child discussed above) after he observed him sell drugs in the middle of All Star Food. Martin responded by telling Abu-Naaj, "I will come back and shoot you." After Abu-Naaj ran inside the front office by the cash register and locked the door due to its bullet proof windows. According to Abu-Naaj, Martin then said, "If the police come in here, I promise you on my son you are dead, we will come back every night until you are dead. We will come burn

down the store with you in it.” While Abu-Naaj did not see a gun on Martin during this altercation, he told MPD he has seen Martin with a gun in the past. Jovonta Martin is a felon and may not possess a firearm due to a previous possession with intent- THC (≤ 200 grams) conviction (2010CF004766). While on scene, Abu-Naaj approached MPD and identified Jovonta Martin starting to walk into the front office. MPD observed Martin place a small clear plastic baggie on the counter, which contained a green leafy substance. Martin admitted to MPD it was his marijuana and that he planned on smoking it. MPD confiscated the suspected marijuana, which tested positive for the presence of THC and weigh .57 grams. Jovonta Martin was convicted of both Possession of THC (2nd+ Offense) and Disorderly Conduct (2015CF001125).

16. On March 19, 2015, MPD responded to the intersection of 27th Street and Burleigh Street regarding a call for a shot spotter. MPD investigation revealed that a suspect discharged a firearm 6 times while running eastbound on the side walk south of All Star Food. Ali Aldarorah identified himself as the store owner. Aldarorah showed MPD the All Star Food video surveillance, which revealed several males subjects exit All Star Food at the time of the shots fired.

17. On March 25, 2015, MPD observed Darius Dolenshek within All Star Food. The MPD officer was aware as a result of the incident described above for March 5, 2015, one of the conditions of Dolenshek’s bail was that he had no contact with any All Star Food owner or employee. As a result, Dolenshek was arrested and charged with Bail Jumping-Misdemeanor as a result of the March 5, 2015 charge from the aforementioned incident and Possession of THC. As part of a plea negotiation, the bail jumping was dismissed but read in and he was found guilty of possession of THC (2015CM001373).

18. On April 16, 2015, MPD observed several subjects loitering in front of the “No

Loitering” sign at All Star Food. One of the subjects, Keiwaun Phillips, admitted to MPD that he had marijuana on his person and produced a sandwich-style clear plastic bag containing a green, leafy plant-like substance suspected to be marijuana. The green leafy substance tested positive for the presence of THC and weighed 5.139 grams.

19. On September 11, 2015, MPD arrested a subject for loitering in front of the All Star Food for nearly an hour. The subject, Travontae Scott, was found in possession of 15 clear plastic corner-cut baggies, which contained a green, leafy plant-like substance suspected to be marijuana. The green leafy substance tested positive for the presence of THC and weighed 6.12 grams. Scott was charged with possession of THC. He agreed to a deferred prosecution agreement, which includes completing community service (2015CV003705).

FOOD DEALER LICENSE VIOLATIONS

20. All Star Food, operated by its current licensee and past licensees, has a long history of food establishment and health code violations, including, but not limited to, violations related to food safety and storage, pest control, smoking cigarettes in the premises and general sanitation. The repeated nature of the violations, coupled with All Star Foods repeated failure to abate the violations, have necessitated numerous inspections. Because of the aforementioned nuisance activity, including violent and drug-related activity, attendant to All Star Food, the Health Department must employ the assistance of law enforcement in order to safely conduct inspections. This is a considerable drain on both the Health Department’s and MPD’s resources.

21. These repeated violations of the Milwaukee Code of Ordinances have resulted in multiple suspensions of the licensee’s food dealer license.

22. On November 10, 2008, the City of Milwaukee Health Department inspected All Star Food. It found five good retail practice violations related to chemicals being stored with

food products, raw meat stored in ice bags, food being stored on the floor, thermometers missing, a broken cooler and food debris on the meat slicer.

23. On June 9, 2009, the City of Milwaukee Health Department inspected All Star Food. It found one violation related to not having a food handler certification available to provide to the inspector. It also found ten good retail practice violations related to handling meat, food storage, not including a use-by date on food, having a filthy waste container, a broken faucet, not having soap, not protecting bulbs, a dead mouse, personal items where open food is handled and an improper restroom door.

24. On March 26, 2010 the City of Milwaukee Health Department inspected All Star Food. It found thirteen good retail practice violations related to food handling, a cigarette butt by the food prep area, improper food storage, sanitation methods, commingling food, not including a use-by date on food, personal medication stored by food, bird feathers by food, mouse droppings on the floor by chest freezer, missing or broken tiles throughout premises and no soap in the employee restroom.

25. On February 23, 2011, the City of Milwaukee Health Department inspected All Star Food. It found two risk code factor violations related to cross contamination and an improper hold. It also found two good retail practice violations related to an improperly installed sink and sanitation issues.

26. On February 29, 2012, the City of Milwaukee Health Department inspected All Star Food. It found two risk code factor violations related to cross contamination. It also found three good practice violations related to lighting, rodent droppings and dust and construction debris.

27. On April 16, 2013, the City of Milwaukee Health Department inspected All Star

Food. It found a risk code factor violation for an improper hood. It also found a good retail practice violation for chipping paint.

28. On June 11, 2013, the City of Milwaukee Health Department inspected All Star Food. It found two good retail practice violations related to not including a use-by date on food and chipping paint.

29. On December 4, 2013, the City of Milwaukee Health Department inspected All Star Food. It found eight good retail violations related to cooking equipment, sanitizer solution, a dirty prep sink, dirty coffee pot, no soap in handwashing dispenser, hand drying towels in the dispenser, a dirty mop sink and a dirty handwashing sink.

30. On December 19, 2013, the City of Milwaukee Health Department inspected All Star Food. It found a good retail violation for one or more owner or employee not attending a training course in robbery prevention.

31. On April 8, 2014, the City of Milwaukee Health Department inspected All Star Food. It found two good retail violations related to foods and chemical products intermingled and a dirty restroom.

32. On April 16, 2014, the City of Milwaukee Health Department inspected All Star Food. It found eight good retail violations related to an employee not being aware of the food code, freezer burn, cross-contamination, using a use-by date, unlabeled canned goods, not having thermometers, chlorine content, and debris on the slicer.

33. On April 16, 2015, the City of Milwaukee Health Department inspected All Star Food. It found five good retail practice violations related to the hand sink in the meat area, no thermometer in food coolers, structural issues, state certification and one or more owner or employee not attending a training course in robbery prevention.

34. On April 20, 2015, the City of Milwaukee Health Department inspected All Star Food. It found a good retail practice violation related the hand sink in the meat area.

35. On May 8, 2014, the City of Milwaukee Health Department inspected All Star Food. It found a good retail violation for a dirty restroom.

36. On August 3, 2015, the City of Milwaukee Health Department inspected All Star Food. It found three good retail violations related to one or more owner or employee not attending a training course in robbery prevention, not having a certified food manager and not having a hand wash sink in the meat area.

37. On November 3, 2015, the City of Milwaukee Health Department inspected All Star Food. It found eight risk code violations related to cross contamination, improper hold, personal hygiene and unsafe sources. It also found eight good retail practice violations related to thawing procedures, nonworking thermometer, meat cooler being too warm, no test kits for chlorine, structural issues, five dead mice and numerous flies, large amounts of clutter and no hand wash sink in the meat area.

38. On November 23, 2015, the City of Milwaukee Health Department inspected All Star Food. It found one good retail practice violation for not having a full time employee that is a certified food manager.

39. On December 17, 2015, the City of Milwaukee Health Department inspected All Star Food. It found one good retail practice violation for not having a hand wash sink in the meat area.

40. On April 8, 2016, the City of Milwaukee Health Department inspected All Star Food. It found over twenty good retail violations related to not posting the state certificate for the certified food manager, the employees' lack of knowledge regarding food safety, pest control

and general sanitation, lack of sanitation, cigarettes butts in the service area, dusty food shelves, meat on the floor freezer, dirty prep sink, dirty deli slicer, hazardous foods not stored in the proper temperate, food not being deli marked, the operation of the cooler, no hand soap, paper towels or handwashing sign and a dirty toilet in the basement bathroom, mouse droppings in the service area, hazardous materials by the deli slicer, an unlicensed scale and structural issues. Based on the lack of sanitation, many critical and health code violations and rodent droppings throughout the store, *the Health Department issued an Order to Suspend.*

41. On April 12, 2016, the City of Milwaukee Health Department permitted All Star Food to reopen. During the inspection, additional mouse droppings were located and the licensee was ordered to provide effective pest control methods to eliminate pests.

42. On April 27, 2016, the City of Milwaukee Health Department inspected All Star Food. It found eight good retail practice violations related to the employees' lack of knowledge regarding food safety, lack of sanitation, food safety and other violations present, cigarette butts throughout the store, a dirty prep sink and deli slicer, improper dish washing, cooking food without a hood, a condenser leak, violations in the basement bathroom and mouse droppings throughout the store. Based on the mouse droppings throughout the store, *the Health Department issued an Order to Suspend.*

43. On April 29, 2016, the City of Milwaukee Health Department permitted All Star Food to reopen.

44. On May 12, 2016, the City of Milwaukee Health Department inspected All Star Food. It found five good retail practice violations related to the employees' lack of knowledge regarding food safety, lack of sanitation, food safety and other violations present, a condenser leak, the basement bathroom and mouse droppings throughout the store.

45. On July 6, 2016, the City of Milwaukee Health Department inspected All Star Food. It found a good retail practice violation related to mouse droppings throughout the store. Based on the mouse droppings throughout the store, *the Health Department issued an Order to Suspend*.

46. On July 27, 2016, the City of Milwaukee Health Department inspected All Star Food. It found a good retail practice violation for mouse droppings throughout the store. As a result of the inspection, *the Health Department issued an Order to Suspend*.

47. On August 1, 2016, the City of Milwaukee Health Department permitted All Star Food to reopen.

CRIMINAL BEHAVIOR

48. All Star Food has received a disproportionate amount of responses for police services that have reduced the amount of resources that may be dedicated to other police-related activity in District #5. As of the filing of the complaint, MPD has responded to at least 359 calls for police service since January 1, 2014 at All Star Food, including 73 calls for service in 2014, 206 calls for service in 2015 and at least 80 calls for service in 2016 as of the date of this filing. These totals do not include traffic stops or calls for service pinned to addresses other than 3100 N. 27th Street even though MPD responded to the area for activity associated with All Star Food.

49. Of those 359 calls for police service since January 1, 2014, many of the calls are related to loitering and drug activity in and around All Star Food, as well as business checks with the Health Department.

50. On July 10, 2016, around 10:00 pm, MPD responded to the premises for a shots fired complaint.

51. On August 23, 2016, around 9:20 am, MPD responded to All Star Food for a

shooting inside All Star Food, in which an employee was shot. According to the employee/victim, two male suspects entered the store, looked around and proceeded to shoot at him multiple times striking him once in the hip. The employee/victim informed MPD that the suspects never made any demands. Investigation revealed the actors fired approximately 5 shots inside the store and another 5-6 shots while leaving the store. The employee/victim was armed at the time and returned fired prior to the suspects fleeing the scene. According to a co-worker, Haver Hickes, he and the employee/victim opened the store around 7:15 am that day. Hickes stated he and the employee/victim would check the store every morning for mouse droppings in response to the Health Department investigations. That morning, after checking the store, Hickes told MPD he went down the street *in order to purchase marijuana*, leaving the employee/victim alone in the store. While away, the shooting occurred.

52. All Star Food has been continuously used as a source of congregation for drug activity, loitering, fights, and shots fired necessitating an excessive amount of police resources.

MILWAUKEE CODE ORDINANCES VIOLATIONS

53. Since 2013, All Star Food has been the location of the following Milwaukee Code of Ordinances violations that have resulted in the following convictions:

Case Number	Defendant	Offense	Offense Date
13036733	PICKETT, GLENNIE L	200-51.7-7 Fail to Provide Access for Inspection	2/15/2013
13036732	PICKETT, GLENNIE L	200-51.7-4-a Registration Stmt Req'd - Vacant Building	3/8/2013
13040271	BUCHANAN, PATRICIA F	106-1-1 Disorderly Conduct	3/26/2013
13066790	AMER, IBRAHIM M	90-8-1 Responsible Person on Premises Req'd	6/12/2013
13074990	LENYARD, RANDALL A	80-63-1 Excessive Noise Prohibited	7/15/2013
13088376	THOMAS, KEVIN	110-10-1	9/2/2013

	DUANE	Trespassing Upon Buildings / Premises	
13088377	THOMAS, KEVIN DUANE	105-138-2 Resisting / Obstructing Police Officer	9/2/2013
13102751	ROBINSON, ZAKIYA L	106-23.1-2 Truancy or Habitual Truancy	10/25/2013
14003892	WALKER, LYNWOOD	295-603-1 Commercial Lot - Land Use Violation	12/11/2013
14006148	TAYLOR, BOBBY DANDRE	106-31-6 Loitering in Restaurant / Tavern	12/26/2013
14066436	HAMBERLIN, JOSHUA JAMES	106-1-1 Disorderly Conduct	9/12/2014
15006261	PHILLIPS, KEIWAUN WESLEY	105-138-2 Resisting / Obstructing Police Officer	1/18/2015
15053681	SCOTT, TRAVONTAE D	106-31-1 Loitering or Prowling	9/11/2015
15060465	SADEQ, LAYITH J	106-36-3-a Possession of Drug Paraphernalia	10/10/2015
15064041	EVANS, JONTE LAQUAN	105-2 Assault and Battery	10/12/2015
15066978	KIDD, CALVIN B	106-31-1 Loitering or Prowling	11/2/2015

54. All Star Food is a building or structure used to facilitate the delivery, distribution or manufacture of a controlled substance, via the Licensee and his agents, and is a location where those acts take place; therefore, it is a public nuisance.

55. All Star Food has had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood.

56. The ongoing nuisance activity has causally and substantially impacted the premises and immediate neighborhood surrounding All Star Food, and the premises; therefore, is an unfit location for a future Class "A" Fermented Malt Beverage Retailer's license and Food Dealer Retail license to be issued at the premise.

BASED UPON the March 21, 2016 trafficking and sexual assault of a child, repeated drug activity associated with All Star Food, repeated violations of the Milwaukee Code of Ordinances and Wisconsin Administrative Code regarding food license regulations and health provisions necessitating police support, firearm-related activity, excessive calls for service, repeated violations of the Milwaukee Code of Ordinances regarding nuisance activity at All Star Food and the collusive operation of All Star Food by Ali Aldararah and other individuals not licensed with the City of Milwaukee, which has cumulatively had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood;

THE CHIEF OF POLICE, by his designee, respectfully requests the immediate revocation of the Class "A" Fermented Malt Beverage Retailer's license, Food Dealer Retail license and Cigarette and Tobacco license relative to the above-referenced Licensee and licensed premise, All Star Food, because:

1. Pursuant to MCO 68-21-9-c, the Licensee or any employee of the food establishment has violated multiple ordinances and state code related to food operation premises as adopted by MCO 68-3;

2. Pursuant to MCO 68-21-9-g, MCO 68-21-9-k and MCO 85-4-4-c, MPD is an interested party that alleges the operation of All Star Food has contributed to and been the source of congregation of persons which have resulted in one of more of the following: disturbance of the peace, illegal drug activity, prostitution, loitering and lewd conduct;

3. Pursuant to MCO 69-21-11-b, this written complaint seeks revocation based on reasons unrelated to unsanitary conditions;

4. Pursuant to Wis. Stat. Sec. 125.12(2)(ag)1., the Licensee has violated Ch. 823,

Wis. Stats. and municipal regulations;

5. Pursuant to Wis. Stat. Sec. 125.12(2)(ag)2., the Licensee keeps or maintains a disorderly or riotous, indecent or improper house;

6. Pursuant to MCO 90-12-1-d, All Star Food is operated in violation of MCO Ch. 90, including but not limited to, MCO 90-9, for operating under a collusive agreement; and

7. Pursuant to MCO 90-12-1-f and 90-12-1-i, All Star Food is operated in such a manner that it constitutes a public or private nuisance and that conduct at All Star Food, including but not limited to human trafficking and/or prostitution inside All Star Food involving current or previous All Star Food employee(s) during business hours, excessive loitering, firearm-related activity, egregious and repeated violations of health codes related to the food operation necessitating police support and a lengthy history of drug activity inside and facilitated by All Star Food has had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood.

8. Pursuant to MCO 84-43-11 and Wis. Stat. Secs. 134.65(6)-(8), All Star Food is disorderly, riotous, indecent, or improper, the Licensee has knowingly permitted criminal behavior, including prostitution and loitering, to occur on the licensed premises, and the Licensee knowingly allows another person who is on the licensed premises to possess with intent to delivery, manufacture, distribute or deliver a controlled substance.

Dated at Milwaukee, Wisconsin this 24th day of August, 2016.

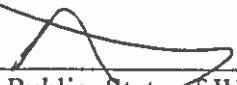
CHIEF OF POLICE EDWARD FLYNN, by



CAPTAIN TIMOTHY HEIER

Commander, Milwaukee Police District 5

The foregoing complaint seeking revocation of the Class "A" Fermented Malt Beverage Retailer's license, Food Dealer Retail license and Cigarette and Tobacco license was subscribed and sworn to and before me this 24th day of August, 2016.



Notary Public, State of Wisconsin
My commission is permanent

Drafted by:
NICHOLAS P. DESIATO
Assistant City Attorney
SBN: 1068916



Incident Report MILWAUKEE POLICE DEPT

150640122

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/05/2015
Nature of Call
DRUGSNARC
Officer
LORUM, NICHOLAS J

(414)935-7502

Administrative Information

Agency	MILWAUKEE POLICE DEPT	Incident No	150640122	Supplement No	ORIG	Reported Date	03/05/2015	Reported Time	18:06	CAD Call No	150642404							
Status	REPORT TO FOLLOW		Nature of Call DRUG/NARCOTIC VIOLATIONS															
Location	3100 N 27TH ST					City	MILWAUKEE	Rep Dist	2546	District	5	Squad	520					
From Date	03/05/2015	From Time	19:02	Officer	022624/LORUM, NICHOLAS J													
Assignment	FIFTH DISTRICT - EARLY			2nd Officer	GARLAND JR, KEITH D			Assignment	FIFTH DISTRICT - EARLY		Entered by	022624						
Assignment	FIFTH DISTRICT - EARLY			RMS Transfer	Successful	Prop Trans Stat	Pending	Property?	Yes	Approving Officer	003318							
Approval Date	03/16/2015		Approval Time	12:24:57														
CASE STATUS	CLEARED BY ARREST																	
ARREST PACKAGE	Yes	ARREST REPORT PA-45	Yes	CAD PRINTOUT	Yes	DA CRIM CASE SCHD CAL	Yes	DA COMPLAINT WRKSHT	Yes									
DA WITN SUB DATA FRM	Yes																	
# Offenses	1	Offense	961.41(1m)(h)1			Description	Poss w/Int-THC (<=00		Complaint Type	D	AC	C	Use	D	Bias	88	Loc	13
#Pr	MOE	Act	Weapon/Force	IBRS	No													
		P		35A	1													
Link	Involvement	Invl No	Name	Race	Sex	DOB												
RPR	ORO	1	LORUM, NICHOLAS	W	M													
Link	Involvement	Invl No	Name	Race	Sex	DOB												
VIC	VAB	1	MILW PD															
Link	Involvement	Invl No	Name	Race	Sex	DOB												
ARR	ARR	1	DOLENSHEK, DARIUS RODELL	B	M	12/17/1990												
Link	Involvement	Invl No	Name	Race	Sex	DOB												
OTH	INT	1	KIMBROGH, LANILE	B	M	10/09/1992												
Link	Involvement	Invl No	Name	Race	Sex	DOB												
OTH	INT	2	LONDON, ZURI	B	F	02/23/1993												

Person Summary

Invl	Invl No	Type	Name	MNI	Race	Sex	DOB
ARR	1	I	DOLENSHEK, DARIUS RODELL	2001380	B	M	12/17/1990
INT	1	I	KIMBROGH, LANILE	2945038	B	M	10/09/1992
INT	2	I	LONDON, ZURI	3277524	B	F	02/23/1993
ORO	1	P	LORUM, NICHOLAS	3304531	W	M	
VAB	1	S	MILW PD	1777777			

Property Summary

Involvement	SZD
Description	DRUG: 5.94 GM of MARIJUANA 5.94 grams of MARIJUANA MPD Inventory 15007546 recovered from arrestee

Narrative

Arrested person was in possession of a clear sandwich baggie and six small clear plastic baggies containing a green leafy substance which tested positive for marijuana with a total weight of 5.94 grams.

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150640122

Supplement No
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ARRESTEE 1: DOLENSHEK, DARIUS RODELL

Involvement ARRESTEE	Invl No 1	Type INDIVIDUAL	Name DOLENSHEK, DARIUS RODELL	MNI 2001380
Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 12/17/1990	Age 24	Ethnicity NOT HISPANIC/LATINO
Weight 145#	Hair Color BLACK	Eye Color BROWN	Res Status RESIDENT	OFN_INVL 1
Type HOME	Address 3278 N 21ST ST		City MILWAUKEE	State WISCONSIN
ZIP Code 53206				
Type DRIVERS LICENSE NUMBER	ID No D452-1769-0457-02	OLS WISCONSIN		
Type MPD ID#	ID No 000383966			
Type STATE IDENTIFICATION NUMBER	ID No 1098643			
Type SOCIAL SECURITY NUMBER	ID No 388-08-0745			
Phone Type CELL	Phone No (414) 839-3645			
Alias Name DOLENSHEK, DARIUS R	Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 12/17/1990	
Employer/School UNEMPLOYED	Position/Grade LABORER			
Involvement ARRESTED	Arrest Type ON-VIEW ARREST	Arrest Date 03/05/2015	Arrest Time 19:01:00	Booking No 1504300
Status BOOKED	Arrest Location 2602 W BURLEIGH ST	Book Date 03/05/2015	Book Time 20:12:00	City MILWAUKEE
Place of Birth WISCONSIN	City of Birth MILWAUKEE	Armed UNARMED	Multi-Clear NOT APPLICABLE	Squad 520
Charge 961.41(1m)(h)1[3562FI]	Level F	Charge Literal Poss w/Int-THC (<=00		
Charge 106-38-2	Level X	Charge Literal Possession of Mariju		
Warrant No 13038245	Warrant ORI WIMPD0000			
Charge 106-38-2	Level X	Charge Literal Possession of Mariju		
Warrant No 12100605	Warrant ORI WIMPD0000			
Charge 106-38-2	Level X	Charge Literal Possession of Mariju		
Warrant No 12046429	Warrant ORI WIMPD0000			

This report is typewritten by P.O. Nicholas LORUM assigned to district 5 early shift squad 5230. On Thursday March 5th, 2015, at about 6:10 PM my partner P.O. Keith GARLAND and I P.O. LORUM were dispatched to a subject with gun complaint at 3100 N. 27th St., which is located in the City and County of Milwaukee. Upon our arrival the caller identified as Ali Y. ALDARORAH I/M 02/26/67 met us. ALDARORAH who is also the owner of the store (All-Star Food Market) stated there were several subjects inside his store selling drugs and some had guns with them. We then viewed the video surveillance of the subjects in question. On the video ALDARORAH pointed out three subjects the first was a b/m wearing a gray sweat shirt and dark pants, the second subject was a b/m wearing a dark sweatshirt with white strings on it, and the third was a b/f wearing a black jacket and blue jeans. All three subjects appeared to be 20 to 30 years of age. Upon leaving the store, we observed three subjects matching the descriptions from the video walking eastbound on W. Burleigh St. from N. 27th St. P.O. GARLAND and I then conducted a subject stop at the address of 2602 W. Burleigh St. in the rear of the residence which is also located in the City and County of Milwaukee. Due to the nature of the call P.O. GARLAND conducted a pat down of the listed subject Darius R. DOLENSHEK b/m 12/17/90 B of I 383966. P.O. GARLAND said he could feel small crunchy baggies in the right front jacket pocket of DOLENSHEK and when asked what the items were, DOLENSHEK replied, "I'm a weed smoker." P.O. GARLAND retrieved the items from DOLENSHEK'S jacket pocket and it revealed 6 clear corner cut baggies and 1 large sandwich bag containing a green leafy plantlike substance believed to be marijuana. The manner in which the substance was packaged is consistent with street level distribution. DOLENSHEK was taken into custody on scene and conveyed to district 5

Report Officer 022624/LORUM, NICHOLAS J	Printed At 04/10/2016 13:17	Page 2 of 5
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Incident Report MILWAUKEE POLICE DEPT

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for processing. While at the district I P.O. LORUM subjected three samples to the Narc II 05 field test and all three tested positive for THC. The total weight for the THC was 5.94 grams. A wanted check revealed the listed warrants.

INTERVIEW 1: KIMBROGH, LANILE

Involvement INTERVIEW	Invl No 1	Type INDIVIDUAL	Name KIMBROGH, LANILE	MNI 2945038
Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 10/09/1992	Age 22	Juvenile? No
Type HOME	Address 4050 N 17TH ST	City MILWAUKEE	Weight 150#	Hair Color BLACK
ZIP Code 53209		State WISCONSIN		
Phone Type CELL	Phone No (414) 368-7086			

INTERVIEW 2: LONDON, ZURI

Involvement INTERVIEW	Invl No 2	Type INDIVIDUAL	Name LONDON, ZURI	MNI 3277524
Race BLACK/AFRICAN AMERICAN	Sex FEMALE	DOB 02/23/1993	Age 22	Juvenile? No
Type HOME	Address 3334 N 60TH ST	City MILWAUKEE	State WISCONSIN	
ZIP Code 53216				
Phone Type CELL	Phone No (715) 223-9808			

REPORTING OFFICER 1: LORUM, NICHOLAS

Involvement REPORTING OFFICER	Invl No 1	Type POLICE OFFICER	Name LORUM, NICHOLAS
MNI 3304531	Race WHITE	Sex MALE	
Type WORK/BUSINESS	Address 2920 N 4TH ST		City MILWAUKEE
State WISCONSIN	ZIP Code 53212		
Phone Type WORK	Phone No (414) 935-7252		
Employer/School MPD	Position/Grade OFFICER		

VICTIM (BUSINESS) 1: MILW PD

Involvement VICTIM (BUSINESS)	Invl No 1	Type SOCIETY/PUBLIC	Name MILW PD
MNI 1777777			
Type WORK/BUSINESS	Address 749 W STATE ST		City MILWAUKEE
State WISCONSIN	ZIP Code 53233		
Phone Type WORK	Phone No (414) 935-7252		
WILL VICTIM PROSECUTE YES	VICTIM GAVE CONSENT NO	VIC INFORMED CRM PRV SRV YES	VIC REQ ADDL CRM PRV SRV NO

IBRS Info

Victim Invl No 1	Offense Codes 35A					
Rel ST	Involvement ARR	Invl No 1	Name DOLENSHEK, DARIUS RODELL	Race B	Sex M	DOB 12/17/1990

Property

Item 1	Involvement SEIZED	Invl Date 03/05/2015	In Custody? Yes
Description 5.94 grams of MARIJUANA MPD Inventory 15007546 recovered from arrestee			
Type D	Drug Type MARIJUANA	Quantity 5.940	Measure GRAM
UCR Type DRUGS, NARCOTICS		# Pieces 7	
Report Officer 022624/LORUM, NICHOLAS J		Printed At 04/10/2016 13:17	

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Property						
Link	Involvement	Invl No	Name	Race	Sex	DOB
OTH	ORO	1	LORUM, NICHOLAS	W	M	
Link	Involvement	Invl No	Name	Race	Sex	DOB
OTH	VAB	1	MILW PD			
Link	Involvement	Invl No	Name	Race	Sex	DOB
ARR	ARR	1	DOLENSHEK, DARIUS RODELL	B	M	12/17/1990
Link	Involvement	Invl No	Name	Race	Sex	DOB
OTH	INT	1	KIMBROGH, LANILE	B	M	10/09/1992
Link	Involvement	Invl No	Name	Race	Sex	DOB
OTH	INT	2	LONDON, ZURI	B	F	02/23/1993

Modus Operandi			
Gang Act?	Gang Name	Person/Prop Attacked	Weapon Used
No	NONE	DRUGS, NARCOTICS	NONE
Victim's Action			
WORKING			
Suspect Action			
OTHER			
Crime Code(s)			
DRUG RELATED			

Supplement

This report is type written by P.O. Nicholas LORUM assigned to district 5 Early Shift Squad 5230 with my partner P.O. Keith GARLAND.

On Thursday March 5th, 2015, at about 6:10 PM we were sent to the All-Star Food Mart at 3100 N. 27th St. for a subject with gun complaint. Upon our arrival we were met by the store owner who stated the subjects involved were no longer in the store. The store owner was identified by a Wisconsin driver license as Ali Y. ALDARORAH i/m 02/26/67.

I asked ALDARORAH if he has ever seen the subjects in the store before and he stated yes. ALDARORAH said the subjects come in the store, stand around and sell drugs to other store customers. ALDARORAH said they have seen some subjects with pistols in their waistbands. ALDARORAH then said he had video of the subjects who were a problem and then he brought up the video for us to view.

The first subject was a b/m wearing a gray jacket and dark colored pants approximately 20 to 30 years of age. This subject was seen exiting the store upon our arrival. The second subject was a b/m thin build wearing a dark colored sweat shirt with white strings and dark colored pants. This subject was about 20 to 25 years of age. The third subject was a b/f wearing blue jeans with a black jacket and she was about 20 to 25 years of age as well.

P.O. GARLAND and I P.O. LORUM advised ALDARORAH to call immediately when and if he sees the subjects enter the store again. ALDARORAH said he wanted to remain anonymous because he did not want anyone coming back to the store and causing problems for him.

As P.O. GARLAND and I P.O. LORUM were exiting the store we observed three subjects matching the description from the video walking eastbound on W. Burleigh St. from N. 27th St. P.O. GARLAND and I then got into our marked Milwaukee Police Department squad car number 108 and drove towards the three subjects which were no northbound on N. 26th St. and we stopped them at the address of 2602 W. Burleigh St. in the rear of the residence. I then patted down one subject identified verbally as Lanile KIMBROGH b/m 10/09/92 due to the nature of the call (subject with gun). I asked KIMBROGH why he was at the All-Star Food Mart and he said he was getting some snacks. I then spoke with the female subject identified verbally as Zuri J. LONDON 12/23/93 who stated she was at the store buying some noodles. Neither KIMBROGH or LONDON had anything with them and were released.

P.O. GARLAND was patting down the last subject identified verbally as Darius R. DOLENSHEK b/m 12/17/90 when he felt small crunchy items in his right front jacket pocket which he believed to be narcotics. P.O. GARLAND asked DOLENSHEK what the item was in his pocket and DOLENSHEK said "I'm a weed smoker." P.O. GARLAND then retrieved the items from DOLENSHEK'S front right pocket and it revealed 6 small corner cut baggies containing a green leafy plantlike substance, and 1 large clear sandwich baggie also containing a green leafy plantlike substance which he believed to be marijuana. The manner in which the substance was packaged was consistent with street level distribution. DOLENSHEK was taken into custody at 7:02 PM and was conveyed

Incident Report
MILWAUKEE POLICE DEPT

150640122

Supplement No
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Supplement

to district 5 for processing. While being processed, DOLENSHEK stated "I'm guilty as charged" and did not wish to make a mirandized statement to officers at about 8:40 PM.

I P.O. LORUM then subjected three samples of the green leafy plantlike substance to a Narc II 05 field test and all three tested positive for the presence of THC. The total weight of the THC was 5.94 grams. The THC was then placed on MPD Inventory 15007716.

This case is pending D.A. Review

Incident Report MILWAUKEE POLICE DEPT

150640122

Supplement No
0001

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/06/2015
Nature of Call
DRUGSNARC
Officer
GARLAND JR, KEITH D

(414)935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 150640122		Supplement No 0001		Reported Date 03/06/2015		Reported Time 09:53		CAD Call No 150642404	
Status REPORT TO FOLLOW			Nature of Call DRUG/NARCOTIC VIOLATIONS								
Location 3100 N 27TH ST						City MILWAUKEE		ZIP Code 53206		Rep Dist 2546	
District 5	Squad 520	From Date 03/05/2015		From Time 19:02	Officer 019235/GARLAND JR, KEITH D						
Assignment FIFTH DISTRICT - EARLY			Entered by 019235		Assignment FIFTH DISTRICT - EARLY			RMS Transfer Successful		Property? None	
Approving Officer 002336			Approval Date 03/17/2015			Approval Time 13:28:01					

Narrative

See supplement.

Modus Operandi

Gang Act?	Gang Name
No	NONE

Supplement

This report was written by PO Keith GARLAND, assigned to District Five, Early Shift.

On Friday, March 06, 2015, at approximately 9:46AM, I, PO GARLAND presented the case of Darius R. DOLENSHEK (B/M, 12/17/90) to the District Attorney's office (#219) which was reviewed by ADA Danielle CHOJNACKI. ADA CHOJNACKI issued a Misdemeanor charge of Possession of THC for DOLENSHEK.

End of Report.

Incident Report MILWAUKEE POLICE DEPT

150640122

Supplement No
0002

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/10/2015
Nature of Call
DRUGSNARC
Officer
GARLAND JR, KEITH D

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 150640122	Supplement No 0002	Reported Date 03/10/2015	Reported Time 17:17	CAD Call No 150642404
Status REPORT TO FOLLOW	Nature of Call DRUG/NARCOTIC VIOLATIONS				
Location 2602 W BURLEIGH ST			City MILWAUKEE	ZIP Code 53206	Rep Dist 2546
District 5	Squad 520	From Date 03/05/2015	From Time 19:02	Officer 019235/GARLAND JR, KEITH D	
Assignment FIFTH DISTRICT - EARLY		2nd Officer LORUM, NICHOLAS J		Assignment FIFTH DISTRICT - EARLY	
Assignment FIFTH DISTRICT - EARLY		RMS Transfer Supplement Transfer Complete			Property? None
Approving Officer 002336		Approval Date 03/17/2015	Approval Time 13:28:56		

Narrative

See supplement.

WITNESS (WITH INFORMATION) 1: ALDARORAH, ALI Y

Involvement WITNESS (WITH INFORMATION)		Inv No 1	Type INDIVIDUAL	Name ALDARORAH, ALI Y		
MNI 3162485	Race WHITE	Sex MALE	DOB 02/26/1987	Age 28	Ethnicity NOT HISPANIC/LATINO	Juvenile? No
Hair Color BLACK	Eye Color BLACK	Res Status RESIDENT	RMS Transfer Successful			
Type HOME	Address 6418 S 35TH ST			City FRANKLIN	State WISCONSIN	
ZIP Code 53132						
Type WORK/BUSINESS	Address 3100 N 27TH ST			City MILWAUKEE	State WISCONSIN	
State WISCONSIN		ZIP Code 53206				
Phone Type CELL	Phone No (414) 334-9090					
Employer/School ALL STAR FOODS			Position/Grade OWNER			
Location 3100 N 27TH ST			City MILWAUKEE	State WISCONSIN		
ZIP Code 53206						

Modus Operandi

Gang Act? No	Gang Name NONE	Crime Code(s) DRUG RELATED
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Supplement

This report was written by PO Keith GARLAND, assigned to District Five, Early Shift.

On Tuesday, March 10, 2015, at approximately 4:27PM, PO Nicholas LORUM and I, PO GARLAND (Squad 5230) were dispatched to 3100 N. 27th St (All Star Foods) to conduct Follow Up. PO LORUM and I were instructed by ADA Danielle CHOJNACKI to attempt to recover video surveillance from All Star Foods, which would have placed Darius R. DOLENSHEK (B/M, 12/17/90) inside the business prior to his arrest.

Upon arrival, I spoke to the owner of the business, who was identified as Ali Y. ALDARORAH (W/M, 02/26/87). ALDARORAH stated he did not have video footage from the date that DOLENSHEK was observed inside the

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**Incident Report
MILWAUKEE POLICE DEPT**

150640122

Supplement No
0002

Supplement

business (03/05/15), because his surveillance system only stored video footage for one day during business hours.

End of report.

Incident Report MILWAUKEE POLICE DEPT

150710118

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/12/2015
Nature of Call
DRUGSNARC
Officer
ZIMMERMANN, KEVIN S

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 150710118		Supplement No ORIG		Reported Date 03/12/2015		Reported Time 17:35		CAD Call No 150712244			
Status REPORT TO FOLLOW			Nature of Call DRUG/NARCOTIC VIOLATIONS										
Location 3100 N 27TH ST						City MILWAUKEE		ZIP Code 53206		Rep Dist 2546			
District 5	Squad 520	From Date 03/12/2015	From Time 17:30	Officer 018679/ZIMMERMANN, KEVIN S									
Assignment FIFTH DISTRICT - EARLY			2nd Officer FLOCK, SAMANTHA L			Assignment FIFTH DISTRICT - EARLY			Entered by 018679				
Assignment FIFTH DISTRICT - EARLY			RMS Transfer Successful		Prop Trans Stat Pending		Property? Yes		Approving Officer 002336				
Approval Date 03/20/2015			Approval Time 13:04:17										
PROPERTY INSURED BY NONE			CASE STATUS CLEARED BY ARREST										
CRIME VICT RS FMPV-17 Yes			DA CRIM CASE SCHD CAL Yes			DA COMPLAINT WRKSHT Yes			DA WITN SUB DATA FRM Yes				
# Offenses 1	Offense 961.41(3g)(e)					Description Poss of THC:MarjPoss			Complaint Type D	AC C	Use D	Bias 88	Loc 07
#Pr 1	MOE P	Act P	Weapon/Force		IBRS 35A	No 1							
Link VIC	Involvement VAB	Invl No 1	Name MILW PD			Race	Sex	DOB					
Link RPR	Involvement ORO	Invl No 1	Name ZIMMERMANN, KEVIN			Race W	Sex M	DOB					
Link WIT	Involvement VIC	Invl No 1	Name ABU-NAAJ, ALMUNTASSER			Race W	Sex M	DOB 09/20/1990					
Link ARR	Involvement ARR	Invl No 1	Name MARTIN, JOVONTA L			Race B	Sex M	DOB 04/11/1993					
# Offenses 3	Offense 947.01					Description Disorderly Conduct:P			Complaint Type D	AC C	Use D	Bias 88	Loc 07
#Pr 1	MOE N	Act N	Weapon/Force		IBRS 13C	No 2							
Link OTH	Involvement VAB	Invl No 1	Name MILW PD			Race	Sex	DOB					
Link OTH	Involvement ORO	Invl No 1	Name ZIMMERMANN, KEVIN			Race W	Sex M	DOB					
Link VIC	Involvement VIC	Invl No 1	Name ABU-NAAJ, ALMUNTASSER			Race W	Sex M	DOB 09/20/1990					
Link ARR	Involvement ARR	Invl No 1	Name MARTIN, JOVONTA L			Race B	Sex M	DOB 04/11/1993					
Person Summary													
Invl ARR	Invl No 1	Type I	Name MARTIN, JOVONTA L			MNI 2583601	Race B	Sex M	DOB 04/11/1993				
Invl ORO	Invl No 1	Type I	Name ZIMMERMANN, KEVIN			MNI 2822440	Race W	Sex M	DOB				
Invl VAB	Invl No 1	Type S	Name MILW PD			MNI 1777777	Race	Sex	DOB				
Invl VIC	Invl No 1	Type I	Name ABU-NAAJ, ALMUNTASSER			MNI 2932852	Race W	Sex M	DOB 09/20/1990				
Property Summary													
Involvement SZD	Description DRUG: 0.57 GM of MARIJUANA MPD Inventory #15008604												
Narrative													

Report Officer
018679/ZIMMERMANN, KEVIN S

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Incident Report
MILWAUKEE POLICE DEPT

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Narrative

Known actor was found in possession of .57g of Marijuana, which tested positive for THC. Suspect has 1 prior felony THC conviction 2010CF004766. Subject threaten to shoot, kill, and burn All-Star's food down with victim inside causing him to fear for his safety.

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ARRESTEE 1: MARTIN, JOVONTA L

Involve ARRESTEE	Invl No 1	Type INDIVIDUAL	Name MARTIN, JOVONTA L	MNI 2583601
Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 04/11/1993	Age 21	Ethnicity NOT HISPANIC/LATINO
Weight 159#	Hair Color BLACK	Eye Color BROWN	Res Status RESIDENT	OFN_INVL 1
Type HOME	Address 3210 N 10TH ST	City MILWAUKEE	State WISCONSIN	
ZIP Code 53206				
Type DRIVERS LICENSE NUMBER	ID No M635-4329-3131-07	OLS WISCONSIN		
Type STATE IDENTIFICATION NUMBER	ID No 1145812			
Type SOCIAL SECURITY NUMBER	ID No 395-11-6753			
Phone Type CELL	Phone No (414) 551-2796			
Employer/School UNEMPLOYED	Position/Grade LABORER	Phone Type BUSINESS		
Involve ARRESTED	Arrest Type ON-VIEW ARREST	Arrest Date 03/12/2015	Arrest Time 17:52:00	Booking No 1504793
Status BOOKED	Arrest Location 3100 N 27TH ST	City MILWAUKEE	Book Date 03/12/2015	Book Time 18:57:00
Place of Birth WISCONSIN	City of Birth MILWAUKEE	Armed UNARMED	Multi-Clear NOT APPLICABLE	Squad 520
Charge 961.41 (3g) (e) [3562FI]	Level F	Charge Literal Poss of THC (2nd+) :M		
Charge 947.01 [5311MB]	Level M	Charge Literal Disorderly Conduct		

This report is written by PO Kevin ZIMMERMANN, assigned to District 5 early shift.

On Thursday, March 12th 2015, at 5:30pm squad 5231 (PO FLOCK and I) were dispatched to 3100 N 27th St All-Star food's which is in the city and county of Milwaukee for a subject with gun complaint. Upon our arrival on scene we were met by the caller Almontasser A ABU-NAAJ (W/M 09-20-1990) who stated that he called on Jovonta L MARTIN (B/M 04-11-1993) who he just fired from the store.

Interview of ABU-NAAJ

ABU-NAAJ stated that he just bought the store and is the new owner of All Star foods. ABU-NAAJ stated that today at around 5:15pm he observed the employee MARTIN standing in the middle of the store to what he said looked like he was selling drugs. ABU-NAAJ stated that he observe MARTIN make a hand-to-hand sale to another b/m inside the store. ABU-NAAJ stated that he was not having that so he told MARTIN to leave the store, that he was fired. ABU-NAAJ stated that MARTIN became mad and started to threaten him. ABU-NAAJ stated MARTIN said "I will come back and shoot you." ABU-NAAJ stated that MARTIN then when by his left waistband and was holding on to it and stated "you know I carry that .22." ABU-NAAJ stated that he then got scared and ran inside the front office by the cash register and locked the door, due to it has bullet proof windows. ABU-NAAJ stated MARTIN said " if the police come in here, I promise you on my son you are dead, we will come back every night until you are dead." ABU-NAAJ then stated that MARTIN said " We will come burn down the store with you in it." ABU-NAAJ stated that MARTIN made him fear for his safety and he is afraid that he will come back and shoot him, and kill him. ABU-NAAJ stated that while he was locked in the office he called police. ABU-NAAJ stated that he didn't a gun, but has seen MARTIN with a gun in the past.

As we arrived on scene we entered the front door to the store and ABU-NAAJ approached us saying that was him, he was the one I called on as he pointed at MARTIN. MARTIN was starting to walk into the front office when I observed him place a small clear plastic baggie on the counter, which inside was a green plant leafy substance, though my training and experience I suspected it to be marijuana onto the countertop. MARTIN stated that it was his weed and was just going to smoke it.

PO CHERONE who is Narco trained tested the suspected marijuana. PO CHERONE tested the suspect marijuana with the Nark II 05 test which it tested positive for THC with a weight of .57g. The marijuana was placed on MPD inventory #15008604. A look at CCAP revealed that MARTIN had a prior THC conviction

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2010CF004766. MARTIN was convicted of Possess w/intent THC. MARTIN was conveyed to District 5 for processing.

REPORTING OFFICER 1: ZIMMERMANN, KEVIN

Involvement REPORTING OFFICER		Invl No 1	Type INDIVIDUAL	Name ZIMMERMANN, KEVIN	MNI 2822440
Race WHITE	Sex MALE				
Type WORK/BUSINESS	Address 2920 N 4TH ST			City MILWAUKEE	
State WISCONSIN	ZIP Code 53212				
Phone Type WORK	Phone No (414) 935-7252				

VICTIM (BUSINESS) 1: MILW PD

Involvement VICTIM (BUSINESS)		Invl No 1	Type SOCIETY/PUBLIC	Name MILW PD	MNI 1777777
Type WORK/BUSINESS	Address 2920 N 4TH ST			City MILWAUKEE	
State WISCONSIN	ZIP Code 53212				
Phone Type WORK	Phone No (414) 935-7252				
CONVEYED TO NONE	CONVEYED BY NONE	VICTIM ORDERED IN TO DA NO	ORDER IN TO VIEW PHOTOS YES	WILL VICTIM PROSECUTE NO	
VICTIM GAVE CONSENT YES	VIC INFORMED CRM PRV SRV NO				

IBRS Info

Victim Invl No 1	Offense Codes 35A					
Rel ST	Involvement ARR	Invl No 1	Name MARTIN, JOVONTA L	Race B	Sex M	DOB 04/11/1993

VICTIM (PERSON) 1: ABU-NAAJ, ALMUNTASSER

Involvement VICTIM (PERSON)		Invl No 1	Type INDIVIDUAL	Name ABU-NAAJ, ALMUNTASSER	MNI 2932852	
Race WHITE	Sex MALE	DOB 09/20/1990	Age 24	Ethnicity NOT HISPANIC/LATINO	Juvenile? No	Res Status RESIDENT
Type HOME	Address 4957 S MEADOW PARK LN APT 203			City MILWAUKEE	State WISCONSIN	
ZIP Code 53220						
Type WORK/BUSINESS	Address 3100 N 27TH ST			City MILWAUKEE		
State WISCONSIN	ZIP Code 53206					
Phone Type CELL	Phone No (414) 578-9004					
CONVEYED TO NONE	CONVEYED BY NONE	VICTIM ORDERED IN TO DA NO	ORDER IN TO VIEW PHOTOS NO	WILL VICTIM PROSECUTE YES		
VICTIM GAVE CONSENT NO	VIC INFORMED CRM PRV SRV YES					

IBRS Info

Victim Invl No 1	Offense Codes 13C					
Rel ST	Involvement ARR	Invl No 1	Name MARTIN, JOVONTA L	Race B	Sex M	DOB 04/11/1993

Incident Report MILWAUKEE POLICE DEPT

150710118

Supplement No
ORIG

Property						
Item	Involvement	Invl Date	In Custody?			
1	SEIZED	03/12/2015	Yes			
Description						
MPD Inventory #15008604						
Type	Drug Type	Quantity	Measure	UCR Type		
D	MARIJUANA	0.570	GRAM	DRUGS, NARCOTICS		
Link	Involvement	Invl No	Name	Race	Sex	DOB
OTH	VAB	1	MILW PD			
Link	Involvement	Invl No	Name	Race	Sex	DOB
FPR	ORO	1	ZIMMERMANN, KEVIN	W	M	
Link	Involvement	Invl No	Name	Race	Sex	DOB
OTH	VIC	1	ABU-NAAJ, ALMUNTASSER	W	M	09/20/1990
Link	Involvement	Invl No	Name	Race	Sex	DOB
ARR	ARR	1	MARTIN, JOVONTA L	B	M	04/11/1993
Modus Operandi						
Gang Act?	Gang Name	Person/Prop Attacked		Weapon Used		
No	NONE	DRUGS, NARCOTICS/OTHER		NONE		
Premise Type						
CONVENIENCE STORE						
Suspect Action						
ACTED ALONE/THREATENED RETALIATION						
Crime Code(s)						
DRUG RELATED						
Supplement						

This report is written by PO Kevin ZIMMERMANN, assigned to District 5 early shift.

On Thursday, March 12th 2015, at 5:30pm squad 5231 (PO FLOCK and I) were dispatched to 3100 N 27th St All-Star food's for a subject with gun complaint. Upon our arrival on scene we were met by the caller Almontasser A ABU-NAAJ (W/M 09-20-1990) who stated that he called on Jovonta L MARTIN (B/M 04-11-1993) who he just fired from the store.

Interview of ABU-NAAJ

ABU-NAAJ stated that he just bought the store and is the new owner of All Star foods. ABU-NAAJ stated that today at around 5:15pm he observed the employee MARTIN standing in the middle of the store to what he said looked like he was selling drugs. ABU-NAAJ stated that he observe MARTIN make a hand-to-hand sale to another b/m inside the store. ABU-NAAJ stated that he was not having that so he told MARTIN to leave the store, that he was fired. ABU-NAAJ stated that MARTIN became mad and started to threaten him. ABU-NAAJ stated MARTIN said "I will come back and shoot you." ABU-NAAJ stated that MARTIN then when by his left waistband and was holding on to it and stated "you know I carry that .22." ABU-NAAJ stated that he then got scared and ran inside the front office by the cash register and locked the door, due to it has bullet proof windows. ABU-NAAJ stated MARTIN said "if the police come in here, I promise you on my son you are dead, we will come back every night until you are dead." ABU-NAAJ then stated that MARTIN said "We will come burn down the store with you in it." ABU-NAAJ stated that MARTIN made him fear for his safety and he is afraid that he will come back and shoot him, and kill him. ABU-NAAJ stated that while he was locked in the office he called police. ABU-NAAJ stated that he didn't a gun, but has seen MARTIN with a gun in the past.

As we arrived on scene we entered the front door to the store and ABU-NAAJ approached us saying that was him, he was the one I called on as he pointed at MARTIN. MARTIN was starting to walk into the front office when I observed him place a small clear plastic baggie on the counter, which inside was a green plant leafy substance, though my training and experience I suspected it to be marijuana onto the countertop. I placed MARTIN into handcuffs. I started to search MARTIN and was unable to find anymore marijuana. MARTIN stated while on scene that it was his marijuana and was just going to go smoke it.

PO CHERONE who is Narco trained tested the suspected marijuana. PO CHERONE tested the suspect marijuana with the Nark II 05 test which it tested positive for THC with a weight of .57g. The marijuana was placed on MPD inventory #15008604.

A look at CCAP revealed that MARTIN had a prior THC conviction 2010CF004766. MARTIN was convicted of Possess w/intent THC.

Report Officer 018679/ZIMMERMANN, KEVIN S	Printed At 04/10/2016 13:18	Page 5 of 6
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**Incident Report
MILWAUKEE POLICE DEPT**

150710118

Supplement No
ORIG

Supplement

This case will be reviewed by the Milwaukee County District Attorney's office on Friday, March 13th 2015, at 8:30am.

Cleared by arrest.

Incident Report MILWAUKEE POLICE DEPT

150710118

Supplement No
0001

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/12/2015
Nature of Call
DRUGSNARC
Officer
ZIMMERMANN, KEVIN S

(414)935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 150710118	Supplement No 0001	Reported Date 03/12/2015	Reported Time 17:35	CAD Call No 150712244
Status REPORT TO FOLLOW		Nature of Call DRUG/NARCOTIC VIOLATIONS				
Location 3100 N 27TH ST				City MILWAUKEE	ZIP Code 53206	Rep Dist 2546
District 5	Squad 520	From Date 03/12/2015	From Time 17:30	Officer 018679/ZIMMERMANN, KEVIN S		
Assignment FIFTH DISTRICT - EARLY		2nd Officer FLOCK, SAMANTHA L	Assignment FIFTH DISTRICT - EARLY		Entered by 018633	
Assignment FIFTH DISTRICT - EARLY		RMS Transfer Successful	Property? None	Approving Officer 011316	Approval Date 03/29/2015	
Approval Time 17:37:20						

Modus Operandi

Crime Code(s)
DRUG RELATED

Supplement

This Supplemental Report is written by P.O. Samantha FLOCK, assigned to District #5, Early Shift.

On Friday 03-13-15 at 8:30 a.m., I presented this case to A.D.A. WITTCHOW, who charged Jovana L MARTIN with possession of marijuana (2nd) and disorderly conduct.

Incident Report MILWAUKEE POLICE DEPT

150780105

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/19/2015
Nature of Call
WEAPLAWS
Officer
NARLOCK, CASEY M

(414) 935-7502

Administrative Information												
Agency MILWAUKEE POLICE DEPT			Incident No 150780105		Supplement No ORIG		Reported Date 03/19/2015		Reported Time 16:27		CAD Call No 150781874	
Status REPORT TO FOLLOW			Nature of Call WEAPON LAW/CCW//FELON IN POSS/TRANSPORT									
Location 3100 N 27TH ST							City MILWAUKEE		ZIP Code 53206		Rep Dist 2546	
District 5	Squad 520	From Date 03/19/2015		From Time 16:25	Officer 022629/NARLOCK, CASEY M							
Assignment FIFTH DISTRICT - EARLY				Entered by 022629		Assignment FIFTH DISTRICT - EARLY			RMS Transfer Successful		Prop Trans Stat Pending	
Property? None	Approving Officer 005145			Approval Date 04/28/2015		Approval Time 08:45:59						
PROPERTY INSURED BY NONE		CASE STATUS PENDING										
CRIME VICT RS FM PV-17 Yes		PHOTOGRAPHS Yes			VIDEO EVIDENCE ORDERED Yes							
# Offenses 1	Offense 941.20(1)(d)				Description Disc.Firearm w/in 10			Complaint Type D	AC C	Use N	Bias 88	Loc 13
#Pr #	MOE O	Act O	Weapon/Force 11/12		IBRS 520	No 1						
Link VIC	Involvement VAB	Invl No 1	Name MILW PD			Race	Sex	DOB				
Link SUS	Involvement SUS	Invl No 1	Name UNKNOWN			Race B	Sex M	DOB				
Link RPR	Involvement ORO	Invl No 1	Name NARLOCK, CASEY			Race W	Sex M	DOB				
Link WIT	Involvement WIT	Invl No 1	Name ALDARORAH, ALI Y			Race W	Sex M	DOB 02/26/1987				
Person Summary												
Invl ORO	Invl No 1	Type I	Name NARLOCK, CASEY			MNI 3281556	Race W	Sex M	DOB			
Invl SUS	Invl No 1	Type I	Name UNKNOWN			MNI	Race B	Sex M	DOB			
Invl VAB	Invl No 1	Type S	Name MILW PD			MNI 1777777	Race	Sex	DOB			
Invl WIT	Invl No 1	Type I	Name ALDARORAH, ALI Y			MNI 3162485	Race W	Sex M	DOB 02/26/1987			
Property Summary												
Involvement EVD												
Description ARTICLE: FIREARM ACCESSORIES CASING one spent .45auto tulammo casing gray in color inv#15009575 Item 1												
Narrative												
Unknown actor intentionally and without consent discharge a handgun into the air within 10 feet of an occupied building, showing disregard for the safety of others in the area.												

Incident Report MILWAUKEE POLICE DEPT

150780105

Supplement No
ORIG

REPORTING OFFICER 1: NARLOCK, CASEY

Involvement	Invl No	Type	Name	MNI
REPORTING OFFICER	1	INDIVIDUAL	NARLOCK, CASEY	3281556
Race	Sex			
WHITE	MALE			
Type	Address	City		
WORK/BUSINESS	725 W STATE ST	MILWAUKEE		
State	ZIP Code			
WISCONSIN	53211			
Phone Type	Phone No			
WORK	(414) 933-4444			

SUSPECT 1: UNKNOWN

Involvement	Invl No	Type	Name					
SUSPECT	1	INDIVIDUAL	UNKNOWN					
Race	Sex	Age	Ethnicity	Juvenile?	Means of Attack	Extent of Injury	D.V.	
BLACK/AFRICAN AMERICAN	MALE	00	UNKNOWN	Yes	FIREARM	NONE	NO	
Body Clothing	Weapon Type			Res Status				
SHIRT/HOOD/PANTS	HANDGUN/SEMI AUTOMATIC			UNKNOWN				
OFN_INVL								
1								
COAT	PANTS	MSC INFO						
BLACK HOODED SWEATSHIRT	BLACK PANTS	ARMED WITH SEMI AUTO HAND GUN						

VICTIM (BUSINESS) 1: MILW PD

Involvement	Invl No	Type	Name				
VICTIM (BUSINESS)	1	SOCIETY/PUBLIC	MILW PD				
MNI	Res Status						
1777777	RESIDENT						
Type	Address	City					
WORK/BUSINESS	725 W STATE ST	MILWAUKEE					
State	ZIP Code						
WISCONSIN	53211						
Phone Type	Phone No						
WORK	(414) 933-4444						
WILL VICTIM PROSECUTE	VICTIM GAVE CONSENT	VIC INFORMED CRM PRV SRV	VIC REQ ADDL CRM PRV SRV				
YES	NO	YES	NO				

IBRS Info

Victim Invl No	Offense Codes						
1	13A						
Rel	Involvement	Invl No	Name	Race	Sex	DOB	
RU	SUS	1	UNKNOWN	B	M		

WITNESS (WITHOUT INFORMATION) 1: ALDARORAH, ALI Y

Involvement	Invl No	Type						
WITNESS (WITHOUT INFORMATION)	1	INDIVIDUAL						
Name	MNI	Race	Sex	DOB	Age			
ALDARORAH, ALI Y	3162485	WHITE	MALE	02/26/1987	28			
Ethnicity	Juvenile?	Height	Weight	Hair Color	Eye Color	Skin	D.V.	Res Status
NOT HISPANIC/LATINO	No	5'05"	145#	BLACK	BROWN	MEDIUM	NO	RESIDENT
Type	Address	City						
WORK/BUSINESS	3100 N 27TH ST	MILWAUKEE						
State	ZIP Code							
WISCONSIN	53206							
Phone Type	Phone No							
CELL	(414) 334-9090							

Property

Item	Involvement	Invl Date	In Custody?	Serial No				
1	EVIDENCE	03/19/2015	Yes	15009575-1				
Description								
one spent .45auto tulammo casing gray in color inv#15009575 Item 1								
Type	Cat	Article	UCR Type	# Pieces				
A	FIREARM ACCESSORIES	CASING	FIREARM ACCESSORIES	1				
Link	Involvement	Invl No	Name	Race	Sex	DOB		
OTH	VAB	1	MILW PD					
Link	Involvement	Invl No	Name	Race	Sex	DOB		
OWN	SUS	1	UNKNOWN	B	M			

Incident Report MILWAUKEE POLICE DEPT

150780105

Supplement No
ORIG

Property						
Link FPR	Involvement ORO	Invl No 1	Name NARLOCK, CASEY	Race W	Sex M	DOB
Link OTH	Involvement WIT	Invl No 1	Name ALDARORAH, ALI Y	Race W	Sex M	DOB 02/26/1987
Modus Operandi						
Gang Act? No	Gang Name NONE	Person/Prop Attacked PERSON	Physical Evidence PHOTOS	Weapon Used HANDGUN		
Suspect Action SHOTS FIRED/ACTED ALONE						
Crime Code(s) WEAPONS VIOLATIONS						
Supplement						

This report is written by P.O. Casey NARLOCK, assigned to District Five, Early Shift, Squad 5240.

On Thursday, March 19th, 2015, at 4:29pm I was dispatched to 2707 W. Burleigh Street, located in the City and County of Milwaukee, regarding a call for a shot spotter.

Upon arrival I was contacted by the pole cam operator P.O. Ronald HANDELAND, regarding the shots fired at the location. The P.O. HANDELAND stated the pole cam located at N. 27th Street and W. Burleigh St. recorded (SUSPECT 1) a black male subject wearing a black hooded sweat shirt and black pants, armed with a black semi auto handgun. P.O. HANDELAND stated SUSPECT 1 discharged the fire arm several times in the air while running eastbound on the side walk south of 3100 N. 27th Street. P.O. HANDELAND stated SUSPECT 1 came out of the store 3100 N. 27th Street just prior to discharging the firearm.

SCENE:

There is a gas station located on the Southwest corner of N. 27th Street and W. Burleigh Street. There is a phone store located on the Northwest corner of N. 27th Street and W. Burleigh St. All Star Foods is located on the Northeast corner of N. 27th Street and W. Burleigh Street at 3100 E. Burleigh Street. One .45auto tulammo casing was located approximately 2 feet south of the sidewalk, which runs along the souther walk of 3100 N. 27th St.

EVIDENCE:

The casing was placed on inventory with Milwaukee Police Department INV#15009575 Item#1. Acting Lt. Sgt. GRANT placed the inventory in the evidence closet at District Five.

PHOTOS:

Crime Scene Technician P.O. Scott MCGRURY (Squad 5261) responded and took photos of the incident.

VIDEO:

I ordered video from the Pole Camera located at N. 27th Street and W. Burleigh Street.

FOLLOW UP REQUEST:

I place a request for video recovery of surveillance video from 3100 E. Burleigh Street.

CANVASS:

-3100 N 27TH ST, store owner Ali Y. ALDARORAH (W/M, 2-26-87) stated he heard the gunshots, but did not have surveillance cameras on the southern end of the building. I asked ALDARORAH to show me the video from the time during the incident. ALDARORAH played the video for me an I noted the time mark on the video was 17:17 when the incident occurred, and could observed several male subjects exiting the location at that time. I indicated to ALDARORAH that I would possibly return for video later, when I was able to determine a more accurate description of the subject and the time they left the location.

The shot spotter # related to this incident was #103288 and was for 6 shots fired. An email was sent to IFC and P.O. Jennifer FEATHER regarding this shot spotter.

This case is pending.

Incident Report MILWAUKEE POLICE DEPT

150780105

Supplement No
0001

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/19/2015
Nature of Call
RECKLESUSE
Officer
MCGRURY, SCOTT C

(414) 935-7502

Administrative Information							
Agency	MILWAUKEE POLICE DEPT		Incident No	150780105		Supplement No	0001
		Reported Date	03/19/2015		Reported Time	19:03	
		CAD Call No	150781874				
Status	REPORT TO FOLLOW		Nature of Call	RECKLESS USE/SHOOTING/ENDANGERING SAFETY			
Location	3100 N 27TH ST			City	MILWAUKEE		Rep Dist
		ZIP Code	53206		2546		
District	Squad	From Date	From Time	Officer			
5	520	03/19/2015	16:25	014768/MCGRURY, SCOTT C			
Assignment	FIFTH DISTRICT - EARLY		Entered by	014768		Assignment	FIFTH DISTRICT - EARLY
		RMS Transfer	Successful		Property?		
		None					
Approving Officer	017961		Approval Date	03/24/2015		Approval Time	15:52:23
Modus Operandi							
Gang Act?	Gang Name	Crime Code(s)					
No	NONE	ASSAULTS					
Supplement							

This incident supplement was written by Police Officer Scott Mc GRURY, assigned to District Five, Early Shift, Squad 5261.

On Thursday, 03-19-2015, at 5:03PM, I was dispatched to 3100 N. 27th St., to photograph an ESBUDW scene.

Upon arrival, I was met by Police Officer Casey NARLOCK, who advised me of the circumstances regarding this incident.

I took 3 digital photographs using camera 57058 at 5:30PM. Refer to PP-45CD-R for detailed information.

Incident Report MILWAUKEE POLICE DEPT

150780105

Supplement No
0002

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
04/27/2015
Nature of Call
WEAPLAWS
Officer
WALTON, MARK

(414)935-7502

Administrative Information											
Agency	MILWAUKEE POLICE DEPT	Incident No	150780105	Supplement No	0002	Reported Date	04/27/2015	Reported Time	10:08	CAD Call No	150781874
Status	REPORT TO FOLLOW	Nature of Call	WEAPON LAW/CCW//FELON IN POSS/TRANSPORT								
Location	3100 N 27TH ST			City	MILWAUKEE	ZIP Code	53206	Rep Dist	2546		
District	Squad	From Date	From Time	Officer							
5	520	03/19/2015	16:25	003576/WALTON, MARK							
Assignment	INTELLIGENCE FUSION CENTER - DAYS			Entered by	003576	Assignment	INTELLIGENCE FUSION CENTER - DAYS				
RMS Transfer	Property?	Approving Officer	Approval Date	Approval Time							
Successful	None	019162	04/28/2015	10:44:34							
Modus Operandi											
Gang Act?	Gang Name	Crime Code(s)									
No	NONE	WEAPONS VIOLATIONS									
Supplement											

This report is written by Det. Mark E. WALTON, assigned to the Intelligence/Fusion Center, Gun Unit, Day Shift.

On 04-23-2015, I viewed one casing under the stereo microscope and determined item #1 was the most suitable for IBIS entry. The casing was retrieved from the Property Control Section (PCS) under Inventory #15009575, item #1.

I processed item #1, which is a gray finished Tulammo 45 caliber casing with a brass finished primer. The casing had a circular firing pin shape with drag markings, and displayed cross hatch breech face markings with ejector and extractor markings.

I prepared item #1 for IBIS entry by cleaning the head stamp and primer of the casing with a nylon bristle brush to remove debris. I entered item #1 from inventory #15009575 into IBIS. This casing was assigned MPD IBIS Lab Number F15-0898, exhibit 1, and there appears to be no matches at this time. After the entry the evidence was returned to PCS.

I am a Forensic Technology Certified IBIS Technician. I was certified by the ATF as an IBIS Technician on 11-08-2013. IBIS stands for the Integrated Ballistics Identifications System, which is part of the National Integrated Ballistics Information Network (NIBIN). The PCC is based on IBIS/NIBIN training and the findings are highly probable. MPD IBIS/NIBIN technicians are not Tool Mark Specialist and all conformations are to be directed to the WSCL.

Report by Det. Mark E. WALTON, PS #003576, Loc. 57

Incident Report MILWAUKEE POLICE DEPT

150780105

Supplement No
00032333 N. 49TH ST
Milwaukee, WI 53210Reported Date
07/23/2015
Nature of Call
WEAPLAWS
Officer
WALTON, MARK

(414) 935-7502

Administrative Information

Agency	MILWAUKEE POLICE DEPT	Incident No	150780105	Supplement No	0003	Reported Date	07/23/2015	Reported Time	13:50	CAD Call No	150781874
Status	REPORT TO FOLLOW	Nature of Call	WEAPON LAW/CCW//FELON IN POSS/TRANSPORT								
Location	3100 N 27TH ST				City	MILWAUKEE	ZIP Code	53206	Rep-Dist	2546	
District	Squad	From Date	From Time	Officer							
5	520	03/19/2015	16:25	003576/WALTON, MARK							
Assignment	INTELLIGENCE FUSION CENTER - DAYS				Entered by	003576	Assignment				
INTELLIGENCE FUSION CENTER - DAYS											
RMS Transfer	Property?	Approving Officer	Approval Date		Approval Time						
Successful	None	010261	09/03/2015		15:11:56						

Modus Operandi

Gang Act?	Gang Name	Crime Code(s)
No	NONE	WEAPONS VIOLATIONS

Supplement

This report is written by Det. Mark E. WALTON, assigned to the Intelligence/Fusion Center, Gun Unit, Day Shift.

On 07-23-2015, I viewed the correlations of possible matches related to the entry of item F15-1570, exhibits #1-2, and there appears to me matches for both exhibits.

F15-1570, EXHIBIT #2 (45 CALIBER CASING)

I determined there was (1) Potential Candidate for Comparison (PCC) developed at this time for F15-1570 exhibit #2. The potential match is MPD IBIS entry of F15-0898, exhibit #1.

Laboratory number F15-1570, exhibit #2 is regarding ESBUDW (15-113-0117) occurring on 04/23/2015, at 2516 W. Auer Street.

Laboratory number F15-0898, exhibit #1, is regarding ESBUDW (15-078-0105) occurring on 03/19/2015, at 3100 N. 27th Street.

The 45 caliber casing was assigned Case Number 783 in the NIBIN Master Index.

I am a Forensic Technology Certified IBIS Technician. I was certified by the ATF as an IBIS Technician on 11-08-2013. IBIS stands for the Integrated Ballistics Identifications System, which is part of the National Integrated Ballistics Information Network (NIBIN). The PCC is based on IBIS/NIBIN training and the findings are highly probable. MPD IBIS/NIBIN technicians are not Tool Mark Specialist and all conformations are to be directed to the WSLC.

Report by Det. Mark E. WALTON, PS #003576, Loc. 57

Incident Report MILWAUKEE POLICE DEPT

150840138

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/25/2015
Nature of Call
VIOL/HARAS
Officer
KROPP, NICHOLAS M

(414) 935-7502

Administrative Information													
Agency MILWAUKEE POLICE DEPT			Incident No 150840138		Supplement No ORIG		Reported Date 03/25/2015		Reported Time 19:47		CAD Call No 150842537		
Status REPORT TO FOLLOW			Nature of Call VIOL RESTRAIN ORDER/HARASSMENT										
Location 3100 N 27TH ST							City MILWAUKEE		ZIP Code 53206		Rep Dist 2546		
District 5	Squad 520	From Date 03/25/2015		From Time 19:50	Officer 022617/KROPP, NICHOLAS M								
Assignment FIFTH DISTRICT - DAYS			2nd Officer BRANDT, ERIC D			Assignment FIFTH DISTRICT - EARLY			Entered by 022617				
Assignment FIFTH DISTRICT - EARLY			RMS Transfer Successful		Property? None	Approving Officer 005145			Approval Date 03/28/2015				
Approval Time 05:36:16													
CASE STATUS CLEARED BY ARREST													
ARREST PACKAGE Yes			ARREST REPORT PA-45 Yes			CAD PRINTOUT Yes			CRIME VICT RS FM PV-17 Yes		DA CRIM CASE SCHED CAL Yes		
DA COMPLAINT WRKSHT Yes			DA WITN SUB DATA FRM Yes										
# Offenses 1	Offense 946.49 (1) (a)				Description Bail Jumping-Misdeme				Complaint Type O	AC C	Use N	Bias 88	Loc 07
#Pr 90Z	MOE 2	Act	Weapon/Force		IBRS 90Z	No 2							
Link VIC	Involvement VAB	Invl No 1	Name MILW PD				Race	Sex	DOB				
Link RPR	Involvement ORO	Invl No 1	Name KROPP, NICHOLAS				Race W	Sex M	DOB				
Link ARR	Involvement ARR	Invl No 1	Name DOLENSHEK, DARIUS RODELL				Race B	Sex M	DOB 12/17/1990				
Person Summary													
Invl ARR	Invl No 1	Type I	Name DOLENSHEK, DARIUS RODELL				MNI 2001380	Race B	Sex M	DOB 12/17/1990			
Invl ORO	Invl No 1	Type I	Name KROPP, NICHOLAS				MNI 3278240	Race W	Sex M	DOB			
Invl VAB	Invl No 1	Type S	Name MILW PD				MNI 1777777	Race	Sex	DOB			
Narrative													
Subject with open Misdemeanor case (15CM0788) with no contact provision for store located at 3100 N. 27th St. did knowing enter store in violation of a condition of bail and no contact order.													

Incident Report MILWAUKEE POLICE DEPT

150840138

Supplement No
ORIG

ARRESTEE 1: DOLENSHEK, DARIUS RODELL

Involvement ARRESTEE	Invl No 1	Type INDIVIDUAL	Name DOLENSHEK, DARIUS RODELL			MNI 2001380	
Race BLACK/AFRICAN AMERICAN		Sex MALE	DOB 12/17/1990	Age 24	Ethnicity NOT HISPANIC/LATINO	Juvenile? No	Height 5'06"
Weight 160#	Hair Color BLACK	Eye Color BROWN	Res Status RESIDENT	OFN_INVL 1			
Type HOME	Address 3274 N 21ST ST			City MILWAUKEE	State WISCONSIN		
ZIP Code 53206							
Type DRIVERS LICENSE NUMBER		ID No D452-1769-0457-02	OLS WISCONSIN				
Type MPD ID#	ID No 000383966						
Type STATE IDENTIFICATION NUMBER			ID No 1098643				
Type SOCIAL SECURITY NUMBER		ID No 388-08-0745					
Phone Type HOME	Phone No (414) 699-6359						
Alias Name BEN LADEN		Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 12/17/1990			
Alias Name BIN LADEN		Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 12/17/1990			
Alias Name DOLENSHEK, DARIUS R		Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 12/17/1990			
Employer/School UNEMPLOYED		Position/Grade LABORER	Phone Type BUSINESS				
Involvement ARRESTED	Arrest Type ON-VIEW ARREST	Arrest Date 03/25/2015	Arrest Time 19:54:00	Booking No 1505719	Book Date 03/25/2015	Book Time 20:44:00	
Status BOOKED	Arrest Location 3100 N 27TH ST			City MILWAUKEE	Place of Birth WISCONSIN		
City of Birth MILWAUKEE		Armed UNARMED	Multi-Clear NOT APPLICABLE				
Charge 946.49 (1) (a) [5002MA]		Level M	Charge Literal Bail Jump-Misdemeanor				

This report is written by PO Nicholas KROPP, District 5, Early Shift.

On Wednesday, March 25, 2015, at approximately 7:45 pm, Squad 5233 (PO BRANDT and I) was on routine patrol in the area on N. 27th St. and W. Burleigh St. in the City and County of Milwaukee. While in full Milwaukee Police Uniform, with badge affixed to the outermost layer, I was operating vehicle 155, which is a fully marked black-and-white Milwaukee Police vehicle with blue and red lights affixed to the exterior of the vehicle. This vehicle is also equipped with MDVR video and audio recording system which recorded evidence in this incident.

While in the area, I parked and exited the squad and I observed a subject, whom I recognized as Darius R. DOLENSHEK (b/m, 12-17-1990) within Allstar Foods, located at 3100 N. 27th St., in the City and County of Milwaukee.

Prior to observing DOLENSHEK within the business, I was aware of a recent arrest of DOLENSHEK on March 5, 2015. During this investigation Squad 5230 (PO LORUM and GARLAND) arrested DOLENSHEK, while he was in possession of an amount of marijuana. DOLENSHEK was subsequently charged with misdemeanor possession of THC (15CM0788), which is still an open case as of today's date (3-25-15). One of the conditions of DOLENSHEK'S bail in regard to this case is that he has no contact with Allstar Foods (3100 N. 27th St), any owner, or any employee thereof.

DOLENSHEK was placed in handcuffs and into the rear of our squad. I informed DOLENSHEK that he was being arrested for violating a no contact order as a condition of his bail regarding his previous arrest. DOLENSHEK stated, without being questioned, that he knows he is not supposed to be at this location, but "Ali" called him to come pick up his last paycheck. DOLENSHEK added that he didn't want to be there, but he came after speaking with "Ali" who DOLENSHEK stated is an owner of this business.

DOLENSHEK was conveyed to District 5 for processing.

Report Officer 022617/KROPP, NICHOLAS M	Printed At 04/10/2016 13:18	Page 2 of 4
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Incident Report MILWAUKEE POLICE DEPT

150840138

Supplement No
ORIG

REPORTING OFFICER 1: KROPP, NICHOLAS

Involvement REPORTING OFFICER		Invl No 1	Type INDIVIDUAL	Name KROPP, NICHOLAS	MNI 3278240
Race WHITE	Sex MALE				
Type WORK/BUSINESS	Address 749 W STATE ST			City MILWAUKEE	
State WISCONSIN	ZIP Code 53233				
Phone Type WORK	Phone No (414) 933-4444				

VICTIM (BUSINESS) 1: MILW PD

Involvement VICTIM (BUSINESS)		Invl No 1	Type SOCIETY/PUBLIC	Name MILW PD	MNI 1777777
Type WORK/BUSINESS	Address 749 W STATE ST			City MILWAUKEE	
State WISCONSIN	ZIP Code 53233				
Phone Type WORK	Phone No (414) 933-4444				
WILL VICTIM PROSECUTE YES	VICTIM GAVE CONSENT NO	VIC INFORMED CRM PRV SRV YES	VIC REQ ADDL CRM PRV SRV NO		

IBRS Info

Victim invl No 2	Offense Codes 90Z					
Rel ST	Involvement ARR	Invl No 1	Name DOLENSHEK, DARIUS RODELL	Race B	Sex M	DOB 12/17/1990

Modus Operandi

Gang Act? No	Gang Name NONE	Person/Prop Attacked OTHER	Weapon Used NONE
Suspect Action ACTED ALONE/OTHER			
Crime Code(s) ALL OTHERS			

Supplement

This report is written by PO Nicholas KROPP, District 5, Early Shift.

On Wednesday, March 25, 2015, at approximately 7:45 pm, Squad 5233 (PO BRANDT and I) was on routine patrol in the area on N. 27th St. and W. Burleigh St. in the City and County of Milwaukee. While in full Milwaukee Police Uniform, with badge affixed to the outermost layer, I was operating vehicle 155, which is a fully marked black-and-white Milwaukee Police vehicle with blue and red lights affixed to the exterior of the vehicle. This vehicle is also equipped with MDVR video and audio recording system which recorded evidence in this incident.

While in the area, I parked and exited the squad and I observed a subject, whom I recognized as Darius R. DOLENSHEK (b/m, 12-17-1990) within Allstar Foods, located at 3100 N. 27th St., in the City and County of Milwaukee.

Prior to observing DOLENSHEK within the business, I was aware of a recent arrest of DOLENSHEK on March 5, 2015. During this investigation Squad 5230 (PO LORUM and GARLAND) arrested DOLENSHEK, while he was in possession of an amount of marijuana. DOLENSHEK was subsequently charged with misdemeanor possession of THC (15CM0788) signature bond set 3-6-15, which is still an open case as of today's date (3-25-15). One of the conditions of DOLENSHEK'S bail in regard to this case is that he has no contact with Allstar Foods (3100 N. 27th St), any owner, or any employee thereof.

DOLENSHEK was placed in handcuffs and into the rear of our squad. I informed DOLENSHEK that he was being arrested for violating a no contact order as a condition of his bail regarding his previous arrest. DOLENSHEK stated, without being questioned, that he knows he is not supposed to be at this location, but "Ali" called him to come pick up his last paycheck. DOLENSHEK added that he didn't want to be there, but he came after speaking with "Ali" who DOLENSHEK stated is an owner of this business.

Report Officer 022617/KROPP, NICHOLAS M	Printed At 04/10/2016 13:18	Page 3 of 4
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**Incident Report
MILWAUKEE POLICE DEPT**

150840138

Supplement No
ORIG

Supplement

A PV-10 video request was submitted for the squad video regarding DOLENSHEK'S statements in the squad. DOLENSHEK was conveyed to District 5 for processing.

Incident Report MILWAUKEE POLICE DEPT

150840138

Supplement No
0001

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/26/2015
Nature of Call
VIOL/HARAS
Officer
PEPLINSKI, JUDY

(414)935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT	Incident No 150840138	Supplement No 0001	Reported Date 03/26/2015	Reported Time 10:24	CAD Call No 150842537
Status REPORT TO FOLLOW	Nature of Call VIOL RESTRAIN ORDER/HARASSMENT				
Location 3100 N 27TH ST			City MILWAUKEE	ZIP Code 53206	Rep Dist 2546
District 5	Squad 520	From Date 03/25/2015	From Time 19:50	Officer 001242/PEPLINSKI, JUDY	
Assignment OPEN RECORDS	Entered by 001242	Assignment OPEN RECORDS	RMS Transfer Supplement Transfer Complete		Prop Trans Stat Pending
Approving Officer 019162		Approval Date 05/14/2015	Approval Time 15:31:20		
Property					
Item 1	Involvement EVIDENCE	Invt Date 03/26/2015	In Custody? Yes		
Description Violation Restraining Order - Inventory #15010501					
Type A	Cat RECORDINGS - AUDIO/VISUAL	Article DVD	UCR Type RECORDINGS - AUDIO, VISUAL	RMS Transfer Successful	

Property

Item 1	Involvement EVIDENCE	Invt Date 03/26/2015	In Custody? Yes		
Description Violation Restraining Order - Inventory #15010501					
Type A	Cat RECORDINGS - AUDIO/VISUAL	Article DVD	UCR Type RECORDINGS - AUDIO, VISUAL	RMS Transfer Successful	

Modus Operandi

Crime Code(s)
ALL OTHERS

Supplement

On March 26, 2015, Office Assistant IV Judy Peplinski, Open Records Section Day Shift, placed on inventory a DVD of an event (Violation Restraining Order) captured by Milwaukee Police Car #155. The evidence inventory number is #15010501. Two copies of this event (one for the DA's Office and one for Discovery) were sent to Pam Bredeson, Safety Building Room 605C to be placed in the DA file.

Incident Report MILWAUKEE POLICE DEPT

150840138

Supplement No
0002

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
03/26/2015
Nature of Call
BAILJUMP
Officer
KROPP, NICHOLAS M

(414)935-7502

Administrative Information						
Agency MILWAUKEE POLICE DEPT	Incident No 150840138	Supplement No 0002	Reported Date 03/26/2015	Reported Time 14:22	CAD Call No 150842537	
Status REPORT TO FOLLOW	Nature of Call BAIL JUMPING	Location 3100 N 27TH ST				
City MILWAUKEE	ZIP Code 53206	Rep Dist 2546	District 5	Squad 520	From Date 03/25/2015	From Time 19:50
Officer 022617/KROPP, NICHOLAS M			Assignment FIFTH DISTRICT - EARLY		Entered by 022617	
Assignment FIFTH DISTRICT - EARLY		RMS Transfer Successful	Property? None	Approving Officer 019104	Approval Date 03/31/2015	
Approval Time 08:25:59						
Modus Operandi						
Gang Act? No	Gang Name NONE	Crime Code(s) ALL OTHERS				
Supplement						

This report is written by PO Nicholas KROPP, District 5, Early Shift.

On Thursday, March 26th, 2015, at approximately 1:45pm, I presented this case in the District Attorney's Office. ADA Alyssa SCHALLER did not issue charges on this case but related that it could POSSIBLY be added into DOLENSHEK'S open case as a read-in charge.

End of supplemental report.

Incident Report MILWAUKEE POLICE DEPT

151060102

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
04/16/2015
Nature of Call
DRUGSNARC
Officer
KROPP, NICHOLAS M

(414) 935-7502

Administrative Information

Agency MILWAUKEE POLICE DEPT		Incident No 151060102		Supplement No ORIG		Reported Date 04/16/2015		Reported Time 16:52		CAD Call No 151062052			
Status REPORT TO FOLLOW			Nature of Call DRUG/NARCOTIC VIOLATIONS										
Location 3100 N 27TH ST						City MILWAUKEE		ZIP Code 53206		Rep Dist 2546			
District 5	Squad 520	From Date 04/16/2015	From Time 16:50	Officer 022617/KROPP, NICHOLAS M									
Assignment FIFTH DISTRICT - EARLY			2nd Officer REBRO, DANA M			Assignment FIFTH DISTRICT - EARLY			Entered by 022617				
Assignment FIFTH DISTRICT - EARLY			RMS Transfer Successful		Prop Trans Stat Pending		Property? Yes		Approving Officer 010991				
Approval Date 05/08/2015		Approval Time 08:21:44											
CASE STATUS CLEARED BY ARREST													
ARREST PACKAGE Yes			ARREST REPORT PA-45 Yes			CAD PRINTOUT Yes			CRIME VICT RS FM PV-17 Yes			DA CRIM CASE SCHD CAL Yes	
DA COMPLAINT WRKSHT Yes			DA WITN SUB DATA FRM Yes										
# Offenses 1	Offense 961.41(3g)(e)				Description Poss of THC:MarjPoss				Complaint Type 0	AC C	Use N	Bias 88	Loc 13
#Pr	MOE	Act	Weapon/Force		IBRS	No							
Link ARR	Involvement ARR	Invl No 1	Name PHILLIPS, KEIWAUN				Race B	Sex M	DOB 08/26/1994				
Link VIC	Involvement VAB	Invl No 1	Name MILW PD				Race	Sex	DOB				
Link RPR	Involvement ORO	Invl No 1	Name KROPP, NICHOLAS				Race W	Sex M	DOB				
# Offenses 2	Offense 961.48(1)				Description MOD-Second/Subsequen				Complaint Type	AC	Use	Bias	Loc
#Pr	MOE	Act	Weapon/Force		IBRS	No							
Link ARR	Involvement ARR	Invl No 1	Name PHILLIPS, KEIWAUN				Race B	Sex M	DOB 08/26/1994				
Link VIC	Involvement VAB	Invl No 1	Name MILW PD				Race	Sex	DOB				
Link RPR	Involvement ORO	Invl No 1	Name KROPP, NICHOLAS				Race W	Sex M	DOB				

Person Summary

Invl ARR	Invl No 1	Type I	Name PHILLIPS, KEIWAUN	MNI 2783042	Race B	Sex M	DOB 08/26/1994
Invl ORO	Invl No 1	Type P	Name KROPP, NICHOLAS	MNI 3278240	Race W	Sex M	DOB
Invl VAB	Invl No 1	Type S	Name MILW PD	MNI 1777777	Race	Sex	DOB

Property Summary

Involvement SZD
Description DRUG: 5.139 GM of MARIJUANA green leafy substance, positive for THC, MPD Inv#15013072

Narrative

Subject was found to be in possession of green-leafy substance, which tested positive for THC, the active

**Incident Report
MILWAUKEE POLICE DEPT**

151060102

Supplement No
ORIG

Narrative

ingredient in marijuana, with a total weight of 5.139 g. Subject has a prior misdemeanor conviction (13CM0024) for possession of THC.

Incident Report MILWAUKEE POLICE DEPT

151060102

Supplement No
ORIG

ARRESTEE 1: PHILLIPS, KEIWAUN

Involvement ARRESTEE	Invl No 1	Type INDIVIDUAL	Name PHILLIPS, KEIWAUN		MNI 2783042
Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 08/26/1994	Age 20	Ethnicity NOT HISPANIC/LATINO	Juvenile? No Height 5'10"
Weight 140#	Hair Color BLACK	Eye Color BROWN	Res Status RESIDENT	OFN_INVL 1	
Type HOME	Address 2231 N 44TH ST		City MILWAUKEE	State WISCONSIN	
Type DRIVERS LICENSE NUMBER	ID No P412-5199-4306-00	OLS WISCONSIN			
Type MPD ID#	ID No 000402132				
Type STATE IDENTIFICATION NUMBER	ID No 1212254				
Type SOCIAL SECURITY NUMBER	ID No 393-13-2777				
Phone Type HOME	Phone No (414) 519-8064				
Alias Name PHILLIPS, KEIWAUN W		Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 08/26/1994	
Employer/School UNEMPLOYED					
Involvement ARRESTED	Arrest Type ON-VIEW ARREST	Arrest Date 04/16/2015	Arrest Time 16:55:00	Booking No 1507052	Book Date 04/16/2015 Book Time 17:24:00
Status BOOKED	Arrest Location 3100 N 27TH ST		City MILWAUKEE	Place of Birth WISCONSIN	
City of Birth MILWAUKEE	Armed UNARMED	Multi-Clear NOT APPLICABLE			
Charge 961.41(3g)(e)[3562FI]	Level F	Charge Literal Poss of THC (2nd+):M			
Charge 961.48(1)	Level F	Charge Literal MOD-SECOND/SUBSEQUEN			
Charge 110-15	Level N	Charge Literal Vandalism			
Warrant No 11126824	Warrant ORI WIMPD0000				
Charge 106-31-1	Level N	Charge Literal Loitering or Prowlin			
Warrant No 14071325	Warrant ORI WIMPD0000				
Charge 105-138	Level N	Charge Literal Resist/Obstruct Poli			
Warrant No 15006261	Warrant ORI WIMPD0000				

This report is written by PO Nicholas KROPP, District 5, Early shift.

On Thursday, April 16, 2015, at approximately 4:50pm, Squad 5223 (PO REBRO and I were on routine patrol in the area of N. 27th St. and W. Burleigh St. in the City and County of Milwaukee. We were operating fully-marked black-and-white Milwaukee Police Vehicle #158, with red and blue lights affixed to the exterior of the vehicle. Vehicle #158 is additionally equipped with an MDVR video and audio recording system that recorded evidence of this incident. Both PO REBRO and I were in full Milwaukee Police uniform with badge affixed to the outermost uniform layer.

While on patrol in the area, which is known to be a high-crime area, and where frequent drug transactions are conducted, PO REBRO and I observed several subjects standing in front of All-Star Foods located at 3100 N. 27th St., which has several clearly visible no loitering signs in the front windows.

I activated the emergency lights (and subsequently the MDVR system) and PO REBRO and I exited the vehicle to speak with the subjects, two females and two males. During this stop one subject identified as Keiwaun PHILLIPS (b/m, 8-26-94) indicated that he had in his possession a quantity of "weed," a street name for marijuana. PHILLIPS then removed a sandwich-style, clear plastic bag containing suspected marijuana, from his left front sweatshirt pocket and handed the bag to me. I later asked PHILLIPS if he had ever been arrested for drugs in the past and he indicated he had.

Report Officer 022617/KROPP, NICHOLAS M	Printed At 04/10/2016 13:19	Page 3 of 5
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Incident Report MILWAUKEE POLICE DEPT

151060102

Supplement No
ORIG

A check of the Wisconsin Circuit Court Access System indicated PHILLIPS does have a previous conviction for possession of THC (13CM0024). A wanted check revealed the additional listed warrants. PHILLIPS was arrested and conveyed to District 5 for processing.

I later subjected the suspected marijuana to a NarkII -05 Field test kit. The solution turned purple indicating the presence of THC, the active ingredient in marijuana. The marijuana had a total weight of 5.139g.

REPORTING OFFICER 1: KROPP, NICHOLAS									
Involvement		Invl No		Type		Name			
REPORTING OFFICER		1		POLICE OFFICER		KROPP, NICHOLAS			
MNI	Race	Sex							
3278240	WHITE	MALE							
Type		Address					City		
WORK/BUSINESS		749 W STATE ST					MILWAUKEE		
State		ZIP Code							
WISCONSIN		53233							
Phone Type	Phone No								
WORK	(414) 933-4444								
VICTIM (BUSINESS) 1: MILW PD									
Involvement		Invl No		Type		Name			
VICTIM (BUSINESS)		1		SOCIETY/PUBLIC		MILW PD			
MNI									
1777777									
Type	Address					City	State		
HOME	749 W STATE ST					MILWAUKEE	WISCONSIN		
ZIP Code									
53233									
Phone Type	Phone No								
WORK	(414) 933-4444								
WILL VICTIM PROSECUTE		VICTIM GAVE CONSENT		VIC INFORMED CRM PRV SRV		VIC REQ ADDL CRM PRV SRV			
YES		NO		YES		NO			
IBRS Info									
Victim Invl No	Offense Codes								
1	35A								
Rel	Involvement	Invl No	Name				Race	Sex	DOB
RU	ARR	1	PHILLIPS, KEIWAUN				B	M	08/26/1994
Property									
Item	Involvement	Invl Date	In Custody?						
1	SEIZED	04/16/2015	Yes						
Description									
green leafy substance, positive for THC, MPD Inv#15013072									
Type	Drug Type	Quantity		Measure	UCR Type				
D	MARIJUANA	5.139		GRAM	DRUGS, NARCOTICS				
Link	Involvement	Invl No	Name				Race	Sex	DOB
ARR	ARR	1	PHILLIPS, KEIWAUN				B	M	08/26/1994
Link	Involvement	Invl No	Name				Race	Sex	DOB
OTH	VAB	1	MILW PD						
Link	Involvement	Invl No	Name				Race	Sex	DOB
OTH	ORO	1	KROPP, NICHOLAS				W	M	
Modus Operandi									
Gang Act?	Gang Name		Person/Prop Attacked		Weapon Used				
No	NONE		DRUGS, NARCOTICS		NONE				
Suspect Action									
OTHER									
Crime Code(s)									
DRUG RELATED									
Supplement									
This report is written by PO Nicholas KROPP, District 5, Early shift.									
On Thursday, April 16, 2015, at approximately 4:50pm, Squad 5223 (PO REBRO and I were on routine patrol in the area of N. 27th St. and W. Burleigh St. in the City and County of Milwaukee. We were operating fully marked black-and-white Milwaukee Police Vehicle #158, with red and blue lights affixed to the exterior of the vehicle.									

Incident Report MILWAUKEE POLICE DEPT

151060102

Supplement No
ORIG

Supplement

Vehicle #158 is additionally equipped with an MDVR video and audio recording system that recorded evidence of this incident. Both PO REBRO and I were in full Milwaukee Police uniform with badge affixed to the outermost uniform layer.

While on patrol in the area, which is known to be a high-crime area, and where frequent drug transactions occur, PO REBRO and I observed several subjects standing in front of All-Star Foods located at 3100 N. 27th St., which has several clearly visible no loitering signs in the front windows.

I activated the emergency lights (and subsequently the MDVR system) and PO REBRO and I exited the vehicle to speak with the subjects, two females and two males. As I approached the group I asked, "what's going on?" and one of the females replied that she was waiting on the bus. A male subject later identified as Keiwaun PHILLIPS (B/M, 8-26-94) stated he just walked up. I observed this male subject appeared to be eating something with both hands as we approached and once we approached the group he dropped his left hand in a type of shielding motion around his left front sweatshirt pocket. This action alerted my suspicion, as this is an unconscious move by many people in possession of contraband or weapons, in an attempt to prevent others from noticing them.

I then asked this subject if he had anything on him and he stated, "Some weed," and reached into his left front sweatshirt pocket producing a sandwich-style clear plastic bag containing a green leafy substance I suspected to be marijuana, which was knotted off to keep the contents in. PHILLIPS then handed me the bag of suspected marijuana and I had him step away from the other members of the group. PHILLIPS stated that he did not have any ID on him but informed me I could run his name. At this point I conducted a pat-down of the subject and placed him in the rear of our squad to be detained during the continuation of this investigation including verifying his identity. He was not placed in handcuffs at this point. I queried PHILLIPS name in the Milwaukee Police booking records where I viewed his most recent booking photo to confirm his identity.

I asked PHILLIPS while he was seated in the back of our squad if he had even been arrested for drugs before and he stated that he had. A check of the Wisconsin Circuit Court Access System confirmed that PHILLIPS had a prior conviction (13CM0024) for possession of THC.

PHILLIPS, while seated in the rear of the squad stated that he was not waiting for the bus as one of the other subject's had stated. He also indicated that he had been at the location for about five minutes, which contradicted an earlier statement he made stating he just walked up.

After confirming PHILLIPS'S prior conviction, I exited the squad and opened the door where PHILLIPS was seated. I had PHILLIPS step out and placed him in handcuffs at this time. PHILLIPS was then conveyed to District 5 for processing.

At District 5, I subjected the suspected marijuana to a NarkII -05 Field test kit. The solution turned purple indicating the presence of THC, the active ingredient in marijuana. The marijuana had a total weight of 5.139g.

The marijuana was placed on MPD Inventory #15013072.

PHILLIPS refused to make any Mirandized statements regarding the incident. PHILLIPS was issued a property receipt via his personal property, which he refused to sign.

This case is pending DA Review.

Incident Report MILWAUKEE POLICE DEPT

151060102

Supplement No
0001

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
04/19/2015
Nature of Call
DRUGSNARC
Officer
KROPP, NICHOLAS M

(414)935-7502

Administrative Information

Agency	MILWAUKEE POLICE DEPT	Incident No	151060102	Supplement No	0001	Reported Date	04/19/2015	Reported Time	08:57	CAD Call No	151062052
Status	REPORT TO FOLLOW	Nature of Call	DRUG/NARCOTIC VIOLATIONS								
Location	3100 N 27TH ST					City	MILWAUKEE	ZIP Code	53206	Rep Dist	2546
District	Squad	From Date	From Time	Officer							
5	520	04/16/2015	16:50	022617/KROPP, NICHOLAS M							
Assignment	FIFTH DISTRICT - EARLY		Entered by	022617	Assignment		FIFTH DISTRICT - EARLY		RMS Transfer	Successful	
Property?	None										
Approving Officer	002336		Approval Date	04/21/2015		Approval Time	12:16:35				

Modus Operandi

Gang Act?	Gang Name	Crime Code(s)
No	NONE	DRUG RELATED

Supplement

This report is written by PO Nicholas KROPP, District 5, Early Shift.

On Sunday, April 19, 2015 at 8:30 am I presented this case in the District Attorney's office.

ADA Grant HUEBNER issued one count of Misdemeanor POCS-THC.

Case track filed.

End of Supplemental report.

Incident Report MILWAUKEE POLICE DEPT

151060102

Supplement No
0002

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
04/28/2015
Nature of Call
DRUGSNARC
Officer
PEPLINSKI, JUDY

(414) 935-7502

Administrative Information									
Agency MILWAUKEE POLICE DEPT		Incident No 151060102		Supplement No 0002		Reported Date 04/28/2015		Reported Time 13:59	CAD Call No 151062052
Status REPORT TO FOLLOW			Nature of Call DRUG/NARCOTIC VIOLATIONS						
Location 3100 N 27TH ST					City MILWAUKEE		ZIP Code 53206		Rep Dist 2546
District 5	Squad 520	From Date 04/16/2015		From Time 16:50	Officer 001242/PEPLINSKI, JUDY				
Assignment OPEN RECORDS		Entered by 001242	Assignment OPEN RECORDS		RMS Transfer Supplement Transfer Complete			Prop Trans Stat Pending	Property? Yes
Approving Officer 003318			Approval Date 04/29/2015		Approval Time 15:31:40				
Property									
Item 1	Involvement EVIDENCE	Invl Date 04/28/2015		In Custody? Yes					
Description Drug/Narcotic Violation - Inventory #15014636									
Typ A	Cat RECORDINGS - AUDIO/VISUAL			Article DVD	UCR Type RECORDINGS - AUDIO, VISUAL			RMS Transfer Successful	
Modus Operandi									
Crime Code(s) DRUG RELATED									
Supplement									

On April 28, 2015, Office Assistant IV Judy Peplinski, Open Records Section Day Shift, placed on inventory a DVD of an event (Drug/Narcotic Violation) captured by Milwaukee Police Car #158. The evidence inventory number is #15014636. Two copies of this event (one for the DA's Office and one for Discovery) were sent to Det. Ron Linzmeyer, Violent Crimes Unit, DA's Office.

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
ORIG

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
09/11/2015
Nature of Call
DRUGSNARC
Officer
ORLANDO, PROCOPIO G

(414) 935-7502

Administrative Information													
Agency MILWAUKEE POLICE DEPT			Incident No 152540163		Supplement No ORIG		Reported Date 09/11/2015		Reported Time 18:52		CAD Call No 152542697		
Status REPORT TO FOLLOW				Nature of Call DRUG/NARCOTIC VIOLATIONS									
Location 3100 N 27TH ST							City MILWAUKEE		ZIP Code 53206		Rep Dist 2546		
District 5	Squad 520	From Date 09/11/2015	From Time 18:50	Officer 018013/ORLANDO, PROCOPIO G									
Assignment TACTICAL ENFORCEMENT UNIT				2nd Officer SCHEURING, JOSEPH A				Assignment TACTICAL ENFORCEMENT UNIT					
Entered by 018013		Assignment TACTICAL ENFORCEMENT UNIT			RMS Transfer Successful		Property? None	Approving Officer 002336					
Approval Date 10/06/2015			Approval Time 15:29:23										
CASE STATUS CLEARED BY ADULT ARREST.													
ARREST REPORT PA-45 Yes			CAD PRINTOUT Yes			DA CRIM CASE SCHD CAL Yes		DA COMPLAINT WRKSHT Yes		DA WITHN SUB DATA FRM Yes			
# Offenses 1	Offense 961.41(3g)(e)				Description Poss of THC:MarjPoss			Complaint Type O	AC C	Use N	Bias 88	Loc 13	
#Pr 1	MOE D	Act D	Weapon/Force		IBRS 35A	No 1							
Link ARR	Involvement ARR	Invl No 1	Name SCOTT, TRAVONTAE DOMINQUE				Race B	Sex M	DOB 10/06/1994				
Link VIC	Involvement VAB	Invl No 1	Name MILW PD				Race	Sex	DOB				
Link RPR	Involvement ORO	Invl No 1	Name ORLANDO, PROCOPIO				Race W	Sex M	DOB				
Person Summary													
Invl ARR	Invl No 1	Type I	Name SCOTT, TRAVONTAE DOMINQUE				MNI 3553864	Race B	Sex M	DOB 10/06/1994			
Invl ORO	Invl No 1	Type I	Name ORLANDO, PROCOPIO				MNI 3379708	Race W	Sex M	DOB			
Invl VAB	Invl No 1	Type S	Name MILW PD				MNI 1777777	Race	Sex	DOB			
Narrative													
A known subject was in possession of a green, leafy, plant-like substance suspected to be marijuana. This offense occurred in the City and County of Milwaukee.													

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
ORIG

ARRESTEE 1: SCOTT, TRAVONTAE DOMINQUE

Involvement ARRESTEE	Invl No 1	Type INDIVIDUAL	Name SCOTT, TRAVONTAE DOMINQUE			MNI 3553864	
Race BLACK/AFRICAN AMERICAN		Sex MALE	DOB 10/06/1994	Age 20	Ethnicity NOT HISPANIC/LATINO	Juvenile? No	Height 5'09"
Weight 160#	Hair Color BLACK	Eye Color BROWN	D.V. NO	Res Status RESIDENT			
Type HOME	Address 2515 W AUER AV			City MILWAUKEE	State WISCONSIN		
ZIP Code 53206							
Type DRIVERS LICENSE NUMBER			ID No S3008049436609	OLS WISCONSIN			
Type MPD ID#	ID No 000534217						
Type SOCIAL SECURITY NUMBER			ID No 394-13-3959				
Alias Name SCOTT, TRAVONTAE D			Race BLACK/AFRICAN AMERICAN	Sex MALE	DOB 10/06/1994		
Employer/School NONE			Position/Grade LABORER	Phone Type BUSINESS			
Involvement ARRESTED	Arrest Type ON-VIEW ARREST	Arrest Date 09/11/2015	Arrest Time 18:52:00	Booking No 1516715	Book Date 09/11/2015	Book Time 19:20:00	
Status BOOKED	Arrest Location 3100 N 27TH ST			City MILWAUKEE	Place of Birth WISCONSIN		
City of Birth MILWAUKEE	Armed UNARMED	Multi-Clear NOT APPLICABLE					
Charge 961.41 (3g) (e) [3562MU]	Level F	Charge Literal Poss of THC:MarjPoss					
Charge 106-38-2	Level N	Charge Literal Possession of Mariju					
Warrant No 13110201	Warrant ORI WIMPD0000						

This report is written by P.O. Procopio ORLANDO, assigned to the Neighborhood Task Force, Tactical Enforcement Unit.

On Friday, September 11, 2015, at 6:50pm, P.O. Joseph SCHEURING and I conducted an FI-Stop at 3100 N. 27th Street, which is located in the City and County of Milwaukee. The suspect, later identified as Travontae D. SCOTT, (B/M, 10/06/94) had been observed standing in front of the location for over 50 minutes, and was stopped for loitering. During the stop, SCOTT refused to speak and would not provide a reasonable explanation for his presence, at which time SCOTT was placed under arrest for loitering. A search of SCOTT revealed an orange pill bottle that contained 15 clear plastic corner cut baggies. Each baggy contained a green, leafy, plant-like substance suspected to be marijuana. The suspected marijuana later tested positive for THC, the active ingredient in marijuana and weighed 6.12 grams.

Travontae D. SCOTT was conveyed to District Five for processing. While at District Five, P.O. Joseph SCHEURING conducted a recorded and Mirandized interview of SCOTT. During the interview, SCOTT stated that the marijuana belonged to him and that it was for his own recreational use.

A wanted check of SCOTT revealed City of Milwaukee Municipal Warrant for Possession of Marijuana. There is no further information at this time.

REPORTING OFFICER 1: ORLANDO, PROCOPIO

Involvement REPORTING OFFICER	Invl No 1	Type INDIVIDUAL	Name ORLANDO, PROCOPIO			MNI 3379708
Race WHITE	Sex MALE	D.V. NO	Res Status RESIDENT			

VICTIM (BUSINESS) 1: MILW PD

Involvement VICTIM (BUSINESS)	Invl No 1	Type SOCIETY/PUBLIC	Name MILW PD			
MNI 1777777						
CONVEYED TO NONE	CONVEYED BY NONE	VICTIM ORDERED IN TO DA NO	ORDER IN TO VIEW PHOTOS NO	WILL VICTIM PROSECUTE YES		
VICTIM GAVE CONSENT NO	VIC INFORMED CRM PRV SRV YES	VIC REQ ADDL CRM PRV SRV NO				

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
ORIG

IBRS Info

Victim Invl No	Offense Codes
1	35A

Modus Operandi

Gang Act?	Gang Name	Person/Prop Attacked	Weapon Used
No	NONE	DRUGS, NARCOTICS	NONE

Suspect Action
ACTED ALONE/OTHER

Crime Code(s)
DRUG RELATED

Supplement

This report is written by P.O. Procopio ORLANDO, assigned to the Neighborhood Task Force, Tactical Enforcement Unit.

On Friday, September 11, 2015, at 5:58pm, P.O. Joseph SCHEURING and I were driving N/B on N. 27th Street, approaching W. Burleigh Street. As we approached the corner store at 3100 N. 27th Street, I observed a B/M wearing a bright blue full zip sweatshirt and Khaki shorts standing in front of the location, and noted that the time was 5:58pm.

At approximately 6:50pm, P.O. SCHEURING and I were parked in the alley next to 2707 W. Burleigh Street when we observed the same subject still standing in front of 3100 N. 27th Street. P.O. SCHEURING and I were about to initiate an FI-Stop of the subject for loitering. Just before our approach, we observed the subject complete what appeared to be a hand-to-hand transaction with an unknown B/F. At 6:52pm, P.O. SCHEURING and I initiated an FI-Stop of the subject at 3100 N. 27th Street, which is located in the City and County of Milwaukee.

Upon initiating the stop, I advised the subject, later identified as Travontae D. SCOTT, that he had been stopped for loitering, and that he had been observed standing at the location for nearly an hour. It should be noted that SCOTT refused to look at either P.O. SCHEURING or I, and exhibited a, "thousand yard stare." SCOTT also appeared tense, which was demonstrated by his rigid posture and clenched fists. I then asked SCOTT to provide his name. SCOTT would not speak and refused to provide identification. I then asked SCOTT why he had been standing in front of the location for a lengthy period of time. SCOTT, again, refused to speak and did not provide a reasonable explanation for his presence. P.O. SCHEURING and I then placed SCOTT under arrest for loitering. P.O. SCHEURING then conducted a search of SCOTT. During the search, P.O. SCHEURING located a pill bottle in SCOTT's front waistband. The pill bottle contained 15 clear plastic corner-cut baggies, which contained a green, leafy, plant-like substance, suspected to be marijuana. P.O. SCHEURING maintained custody of the suspected marijuana and will right a supplemental report regarding the test and quantity.

A wanted check of SCOTT revealed City of Milwaukee Municipal Warrant for Possession of Marijuana.

SCOTT was then conveyed to District Five for processing.

This case is cleared by adult arrest.

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
0001

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
09/11/2015
Nature of Call
DRUGSNARC
Officer
SCHEURING, JOSEPH A

(414) 935-7502

Administrative Information											
Agency	MILWAUKEE POLICE DEPT	Incident No	152540163	Supplement No	0001	Reported Date	09/11/2015	Reported Time	21:06	CAD Call No	152542697
Status	REPORT TO FOLLOW		Nature of Call DRUG/NARCOTIC VIOLATIONS								
Location	3100 N 27TH ST			City	MILWAUKEE	ZIP Code	53206	Rep Dist	2546		
District	Squad	From Date	From Time	Officer							
5	520	09/11/2015	18:50	018570/SCHEURING, JOSEPH A							
Assignment	TACTICAL ENFORCEMENT UNIT			Entered by	018570	Assignment					
RMS Transfer	Supplement Transfer Complete			Prop Trans Stat	Pending	Property?	Yes	Approving Officer			
Approval Date	10/02/2015		Approval Time								
			10:11:38								

INTERVIEW 1: SCOTT, TRAVONTAE DOMINQUE																		
Involvement	INT	Invl No	1	Type	INDIVIDUAL	Name				MNI								
						SCOTT, TRAVONTAE DOMINQUE				3553864								
Race	BLACK/AFRICAN AMERICAN		Sex	MALE	DOB	10/06/1994	Age	20	Juvenile?	No	Height	5'09"	Weight	160#	Hair Color	BLACK	Eye Color	BROWN
RMS Transfer	Successful																	

Property																
Item	1	Involvement	SEIZED	Invl Date	09/11/2015	In Custody?										
						Yes										
Description	prescription bottle inv 15032593															
Type	A	Cat	DRUGS/NARCOTICS		Article	BOTTLE	UCR Type	DRUGS, NARCOTICS		# Pieces	1	RMS Transfer	Successful			
Link	OWN	Involvement	INT	Invl No	1	Name					Race	B	Sex	M	DOB	10/06/1994
						SCOTT, TRAVONTAE DOMINQUE										
Item	2	Involvement	SEIZED	Invl Date	09/11/2015	In Custody?										
						Yes										
Description	grn leafy plantlike material, in paperfold w/ plastic corner cuts inv 15032594															
Type	D	Drug Type	MARIJUANA		Quantity	6.120	Measure	GRAM	UCR Type	DRUGS, NARCOTICS		# Pieces	15	RMS Transfer	Successful	
Link	OWN	Involvement	INT	Invl No	1	Name					Race	B	Sex	M	DOB	10/06/1994
						SCOTT, TRAVONTAE DOMINQUE										

Modus Operandi		
Gang Act?	No	Crime Code(s)
Gang Name	NONE	DRUG RELATED

Supplement
This supplement report was written by P.O. Joseph Scheuring, assigned to Neighborhood Task Force, Tactical Enforcement Unit.

ASSIGNMENT

On Monday, Sept. 7, 2015, between the hours of 5:00 pm to 1:00 am, I was assigned to squad 770 and my partner was P.O. Procopio Orlando. We were in full police uniform and I was driving a marked Milwaukee Police Squad. I was operating vehicle number 103. This vehicle was equipped with a MDVR system.

Some of the duties of the Neighborhood Task Force are to provide high police present in the high violent crime

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
0001

Supplement

areas throughout the City of Milwaukee. These areas are put together by using criminal statistics and mapping out the areas where there are high volume of violent crimes i.e. shootings, shots fired, robberies and drug complaints. During roll call we are given briefs, updates, deployment areas and times to be in certain areas. We are also assigned to a team. Each team is responsible for certain areas in a particular District. We were assigned to Team 2, District 5. During this stop, we were assigned in the area of N. 25th St. to N. 30th St. and W. Townsend Ave. to W. Locust Ave. in the City and County of Milwaukee.

FIELD INTERVIEW OF SCOTT

At around 6:50pm, P.O. Orlando and I conducted a F/I stop on a black male subject, later on identified as Travontae D. Scott (M/B, 10-6-94) for loitering by the corner store of 3100 N 27th Street. P.O. Orlando was the contact officer and I was the cover officer. As P.O. Orlando was talking with Scott, I observed that Scott had a thousand yard stare and his body was in a tense position. Scott was then placed in handcuffs.

SEARCH OF SCOTT

I then conducted a search on Scott and noticed a hard object about the size of my palm by his waistband. In fear that it was a weapon, I lifted up his sweatshirt and observed a prescription bottle held in place by his waistband. I then removed the prescription bottle and observed that there were several plastic corner cut baggies that had green leafy plant like material in it, suspected to be marijuana. The suspected marijuana was later on conveyed to District 5 for processing. Squad 763 conveyed Scott to District 5 for processing.

INTERVIEW OF SCOTT

At District 5, I assisted with the booking process. I asked Scott if he would be willing to answer any questions regarding his arrest, he replied "yes." Scott was placed in the interview room at District 5.

This interview was audio/video recorded by the MediaSolv system. Before the interview began, I asked Scott if he was under any influence of alcohol/drugs. Scott stated he smoked marijuana two hours ago. Scott did not need any medical attention. I asked Scott if he believes he could answer questions intelligently, Scott replied "yes." I asked Scott if he was given any threats or promises to talk to me, Scott replied "no." Scott completed 11th grade in high school.

I gave Scott a copy of his Miranda rights and requested that he read them as I read them out loud. Scott stated he understood his rights and was willing to answer questions without a lawyer present. This report is just a summary of the interview. The following is a synopsis of his statement:

Scott first answer the questions form the PA-45A form. Scott was walking around the corner store at 3100 N 27th Street. Scott would hang out in front of the store and then walking around. Before the police stopped Scott, a black female came up to him requesting for a lighter. Scott was then stopped by the police for loitering. Scott knew that he was loitering and decided not to talk to the police. Scott just stood there and stands still because that is the way he always stands. The police found weed in a prescription bottle that Scott found earlier today. The bottle was in his drawers, which was sticking outside his shorts, above his belly button area. Scott purchased that weed for 80 dollars by the W. Vliet Ave. and N. 25th Street. Scott planned on smoking the marijuana and had 11 dollars left. He was going to purchase 2 bus tickets and some blunts with the rest of his money, then go home and smoke the rest of the day. Scott is a recreational marijuana smoker and smoke about an ounce a week and about 4 marijuana blunts a day. Scott was arrested for marijuana when he was 19 but did not get any charges for it. This concluded the interview. Scott was then returned to his cell.

TEST OF MARIJUANA/INVENTORY

I then tested the suspected marijuana. I submitted a sample of the suspected marijuana to the Nark II 05 field test. The result was positive for THC, which is the active ingredient for marijuana. There were 15 bags of marijuana in the prescription bottle for a total weight of 6.12g. This was inventoried with MPD, inv# 15032594, item 1. The prescription bottle was inventoried with MPD, inv# 15032595, item 1. I am a certified instructor of the Nark II field tests.

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
0002

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
09/12/2015
Nature of Call
DRUGSNARC
Officer
KOPEL, MICHAEL J

(414) 935-7502

Administrative Information						
Agency	Incident No	Supplement No	Reported Date	Reported Time	CAD Call No	
MILWAUKEE POLICE DEPT	152540163	0002	09/12/2015	09:35	152542697	
Status	Nature of Call					
REPORT TO FOLLOW	DRUG/NARCOTIC VIOLATIONS					
Location				City	ZIP Code	Rep Dist
3100 N 27TH ST				MILWAUKEE	53206	2546
District	Squad	From Date	From Time	Officer		
5	520	09/11/2015	18:50	007382/KOPEL, MICHAEL J		
Assignment			Entered by	Assignment		
CENTRAL BOOKING & COURT ADMIN			007382	CENTRAL BOOKING & COURT ADMIN		
RMS Transfer	Property?	Approving Officer	Approval Date	Approval Time		
Successful	None	018174	09/15/2015	13:45:03		

Supplement

This supplement written by P.O. MICHAEL KOPEL, Court Administration.

On Saturday, September 12th, 2015 this incident was reviewed by ADA CHAD WOZNAK who pended this case for diversion. Defendant was released and ordered into the D.A.'s office for Tuesday, September 15th, @ 1:30pm.

Incident Report MILWAUKEE POLICE DEPT

152540163

Supplement No
0003

2333 N. 49TH ST
Milwaukee, WI 53210

Reported Date
10/23/2015
Nature of Call
DRUGSNARC
Officer
GOZET, DAWN M

(414) 935-7502

Administrative Information							
Agency MILWAUKEE POLICE DEPT		Incident No 152540163		Supplement No 0003	Reported Date 10/23/2015	Reported Time 11:58	CAD Call No 152542697
Status REPORT TO FOLLOW		Nature of Call DRUG/NARCOTIC VIOLATIONS					
Location 3100 N 27TH ST				City MILWAUKEE		ZIP Code 53206	Rep Dist 2546
District 5	Squad 520	From Date 09/11/2015	From Time 18:50	Officer 007344/GOZET, DAWN M			
Assignment CENTRAL BOOKING & COURT ADMIN			Entered by 007344	Assignment CENTRAL BOOKING & COURT ADMIN			
RMS Transfer Successful	Property? None	Approving Officer 006717		Approval Date 10/26/2015	Approval Time 12:26:50		
Modus Operandi							
Crime Code(s) DRUG RELATED							
Supplement							

This report is written by CLO Dawn Gozet who is assigned to COurt Administration Section. On 10-23-15 ADA Anthony White charged this case with possession of Tetrahydrocannabinols. This is set for a deferred prosecution case on 11-02-15.

MILWAUKEE POLICE DEPARTMENT
REPORT OF INCIDENTS INVOLVING LICENSED PERSONS OR PREMISES

TO: Aaron M. RAAP

Business Name: All Star Food & Beer
Address of Licensed Premises: 3100 N 27th St.
Business Phone: 414-949-0744

District: 5

Type of License: Class A

[X] Violation / [] Incident #

Date of Incident: 06/12/13

Licensee or Manager on premises at time of violation / Incident? [X] Yes [] No

Licensee cooperative? [X] Yes [] No (If no, explain in narrative section)

Licensee Notified by Officer: PO Penny BROWN

Date: 06/20/13

Time: 10:15A

Licensee or Agent's Name: Ibrahim M. AMER
Home Address: 5622 W Cleveland 53219

Date of Birth: 09/20/61
Home Phone: 414-737-0247

Co-Licensee Name:
Home Address:
Class S License Number:

Date of Birth:
Home Phone:

Bartender Name:
Home Address:
Class D License Number:

Date of Birth:
Home Phone:

Licensed Person / Public Pass. Vehicle, etc.:
Home Address:
Class D License Number:

Date of Birth:
Home Phone:

VIOLATION/INCIDENT - DESCRIBE FACTS AND CIRCUMSTANCES IN NARRATIVE SECTION

Name of Person Cited: Ibrahim M. AMER
Citation Number: 4897351103-3

Violation & Ord. / Statue No.: 90-8-1 Resp Person

Date of Birth: 09/20/61
Court Date: 08/16/13

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Investigating Officer: PO Penny BROWN

District / Bureau: L.I.U.

Date: 06/20/13

[Signature]
Commanding Officer

6-21-13
Date

DISPOSITION - FOR LICENSING ONLY

Table with 5 columns: Citation No., Case Number, Disposition, Judge, Date. Includes rows for License Investigation Unit, Received, and Referred/By.

PA-33E Narrative

This report is written by PO Penny BROWN assigned to the License Investigation Unit. On Wednesday, 06/12/13 at approximately 10:15a.m., I conducted a License Premise check at All Star Food & Beer, located at 3100 N. 27th St., along with Wisconsin Department of Revenue Alcohol & Tobacco Division, Agent Georgeanne KING.

On arrival the sole employee on scene was identified as Ali Yousef ALDARORAH W/M 02/26/87. This being a Class A establishment, Agent KING requested to see ALDARORAH's bartenders license, to which he stated he did not have one. ALDARORAH stated he was only alone in the store for a short time while the owner went to obtain supplies. ALDARORAH was advised that he cannot be alone in the store at any time if the agent/owner is not present since it is a Class A establishment.

The agent, Ibrahim M. AMER, then arrived on scene and also stated he was only gone for a short time while he went to get supplies. AMER then advised officers he would be leaving again for a doctor's appointment. I advised AMER the store would need to be closed during that time since ALDARORAH did not have a Class D Operators License. AMER stated he would comply.

MILWAUKEE POLICE DEPARTMENT

REPORT OF INCIDENTS INVOLVING LICENSED PERSONS OR PREMISES

TO: Captain Terrence GRDON

Business Name: All Star Foods
Address of Licensed Premises: 3100 N 27th Street
Business Phone: 414-442-0707

Type of License: Convenience/Class A Ferme

District: 5

Violation / Incident #

Date of Incident: 06/13/

Licensee or Manager on premises at time of violation / incident? Yes No

Licensee cooperative? Yes No (If no, explain in narrative section)

Licensee Notified by Officer: PO Joseph SZCYUBIALKA

Date: 6-12-13 Time: 10:30am

Licensee or Agent's Name: Ibrahim M AMER
Home Address: 5622 W Cleveland Ave

Date of Birth: 10/26/91
Home Phone: 326-6846

Co-Licensee Name:
Home Address:
Class S License Number:

Date of Birth:
Home Phone:

Bartender Name:
Home Address:
Class D License Number:

Date of Birth:
Home Phone:

Licensed Person / Public Pass. Vehicle, etc.:
Home Address:
Class D License Number:

Date of Birth:
Home Phone:

VIOLATION/INCIDENT - DESCRIBE FACTS AND CIRCUMSTANCES IN NARRATIVE SECTION

Name of Person Cited: AMER, Ibrahim M
Citation Number: 676511055

Violation & Ord. / Status No.: 90-8-1

Date of Birth: 09-20-61
Court Date: 08/08/13

Name of Person Cited:
Citation Number:

Violation & Ord. / Status No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Status No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Status No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Status No.:

Date of Birth:
Court Date:

Investigating Officer: PO SZCYUBIALKA

District / Bureau: 52

Date: 06-13-13

Sgt. J. Stoyas
Commanding Officer

6-20-2013

Date

DISPOSITION - FOR LICENSING ONLY

Citation No.	Case Number	Disposition	Judge	Date
		LICENSE INVESTIGATION UNIT		
		Received <i>7-7-13</i>		
		Referred <i>UN</i>		
		By <i>[Signature]</i>		

PA-33E Narrative

This report is submitted by P.O. Joseph SZCYUBIALKA assigned to District 5 Early Shift.

On Wednesday, June 12th, 2013, at approximately 9:55pm, P.O. Robert WELCH, P.O. Paul GOSSETT and I along with Wisconsin Department of Revenue Special Agent Georgeann KING conducted a business check at 3100 N 27th Street (All Star Foods).

Special Agent KING as informed me that she has been getting ongoing complaints that All Star Foods has been selling single cigarettes.

Upon arrival, the business was open and I spoke with Ali ALDARORAH (W/M 02-26-87). ALDARORAH was the only person on the premises. A check of ALDARORAH revealed he did not have a Class D Bartenders License and fermented malt beverages are sold at the location. ALDARORAH stated he was watching the store while the owner, Ibrahim M AMER (W/M 09-20-61) was gone.

ALDARORAH contacted AMER by phone and approximately 30 minutes later AMER showed up on site. ALDARORAH stated he did not know AMER did not have his Class D Bartenders License.

Special Agent KING checked invoices for tobacco products and confiscated several boxes of tobacco products that were not on any invoices. See Special Agent King's attached reports.

While on scene I also handed AMER a packet of Milwaukee Code Ordinances Chapter 92 along with Northeastern Wisconsin Property Reporting System Users Manual. AMER signed attached document stating he received both.

P.O. Joseph SZCYUBIALKA



District 5, Early Shift
017602

FIELD REPORT

Wisconsin Department of Revenue
 Alcohol & Tobacco Enforcement
 Post Office Box 8933
 Madison, Wisconsin 53708-8933
 (608) 266-2776

Date	06/12/13	County	MILWAUKEE
Licensee			
ALL STAR GROUP LLC			
Corporation agent	IRBAHIA M. AMER	Municipality	C. MIKE
Address of premises			
3100 W. 27TH CREEK 53216			
Class of license(s)		Date of issuance	
A-BEER ONLY / CIG		06/09/2013	
Trade name			
ALL STAR FOOD & BEER			

Seller's permit number
 456-000309833-03

Seller's permit to
 SAME

- Weapons on Premises**
- Yes No
 1. Any firearms or other dangerous weapons?
 (Note type, make, location, serial # in Comments area)
2. Weapon secured by agent during inspection?

- Licensing - Alcohol Beverages**
- Yes No
 3. Licenses properly issued?
4. Licenses issued to actual operator of premises?
5. Operator's license checked? (if applicable)
6. Name of operator None
7. Licenses displayed as required by law?
8. Premises also licensed as a restaurant?

- Compliance**
- Yes No
 9. Underage/intoxicated patrons on premise?
10. ID's checked?
11. Alcohol beverage storage available for inspection?
12. Uninvoiced alcohol found?
13. Was any alcohol confiscated?
14. Was hold-order placed on alcohol?
15. Liquor labels defaced on empty bottles?
16. Empty liquor bottles broken/recycled?
17. Was refill test conducted?
18. Did refill test show any irregularity?
19. Was any contaminated liquor found?
20. Was it destroyed by person in charge of the premises?
21. Tied-house violations?

- Draught Beer**
- Yes No
 22. Multiple brands?
23. Do brands and taps agree?

- Cigarettes / Tobacco Products**
- Yes No
 24. Cigarette/tobacco products license issued in exact name of licensee?
25. Cigarette machine(s)?
26. Owner _____
27. Cigarette vending machine number (if applicable) _____

28. Machine serviced by _____
29. Is tax indicia visible?
30. Color of indicia VARIOUS
31. Indicia number(s) VARIOUS
32. Cigarette stamper _____
33. Cigarette/tobacco products supplier CITY DEPOT
34. Verify stamp authenticity?
35. Were any cigarettes/tobacco products seized?

- invoices**
- Yes No
 36. Is alcohol transfer form available? (New Licensees)
37. Invoices on premises? SEP 2012
38. If not, where? _____
39. Invoices properly prepared?
40. Invoices retained in sequence for:
- > Liquor?
- > Beer? Filed Monthly.
- > Cigarettes?
- > Tobacco Products? NO TRANSFERRING OF CIGS, TOBACCO OR BEER TO NEW OWNER.
- Miscellaneous**
- Yes No
 41. Video gambling devices present? NEW OWNER.
42. Number of machines _____
43. Owner of machines _____
44. Date owner referred to Audit _____
45. Signs of other criminal activity?
46. Do coolers and licensed area, including restrooms and storage area, appear sanitary?

Referrals (weapons & other):

950AM

NO OPERATOR'S LICENSE STORE CLOSED.

PRESENT

ALI YOUSEF ALDARORAH

10418 S. 5TH Franklin 53132

Comments: 414-334-9090

AGENT: IOISAM

IRBAHIA M. AMER - 091201961

5622 W. CLEVELAND AVE

MILWAUKEE WI 53219

5 - NO CIGARETTE LICENSE

7 - CURRENT LICENSES MUST BE POSTED FOR PUBLIC VIEW.

35 - 4 INVOICES W/ OTP PURCHASES - UNAUTHORIZED & UNTAXED. ILLEGAL.

PUBLICATION 302 TO AVA

Agent	Badge Number
KING	AT 5
Signature of person in charge of licensed premises	
<u>[Signature]</u>	



BE A FORCE

Milwaukee Police Department
Police Administration Building
749 West State Street
Milwaukee, Wisconsin 53233
<http://www.milwaukee.gov/police>

Edward A. Flynn
Chief of Police

(414) 935-7200

Date: 6-12-13

Licensee Name: Ibrahim M. Amer

Company Name: All Star Food

Address: 3100 N. 27th Street, Milwaukee, Wisconsin

**Re: Notice of Change to Milwaukee Code of Ordinances ("MCO")
§ Chapter 92 pertaining to Second Hand Dealers.**

The Milwaukee Police Department is attempting to personally identify and officially notify the Second Hand Dealers located within the City of Milwaukee. During this operation, the Milwaukee Police Department is providing the individual listed above, identified as the licensee, with official notice that pursuant to the listed Milwaukee Code of Ordinances, all persons and/or businesses participating as second hand dealers are now required to make an application for license, and abide by requirement 92-13, to make the necessary Website Record Entry Reporting / Computerized Transaction Description Records. During this notification, the Milwaukee Police Department is providing the listed licensee with copies of:

1.) Milwaukee Code of Ordinances (MCO) Chapter 92:

I.A.

2.) Northeastern Wisconsin Property Reporting System (NEWPRS) Users Manual:

I.A.

The licensee understands that this notification is not a pro-facial license to participate in the purchase or sale of second hand merchandise. The licensee understands that the licensee / business must abide by all Milwaukee Code of Ordinances. That henceforth the licensee understands that in order to partake in the purchase or sale of second hand merchandise within the City of Milwaukee, a Second Hand Dealers License is now required. That henceforth the licensee understands that in order to partake in the purchase or sale of secondhand merchandise within the City of Milwaukee, the licensee and all employees of the company must abide by the provisions of requirement # 92-13 Website Record Entry Reporting / Computerized Transaction Description Records.

I have received a copy of Milwaukee City Ordinance # 92 and NEWPRS Users Manual on:

6/12/13
Date

[Signature]
Business / Business Owner

Best regards,

EDWARD A. FLYNN
CHIEF OF POLICE

CAPTAIN TERRENCE T. GORDON
COMMANDING OFFICER, DISTRICT FIVE

May. 3. 2014 1:42PM

No. 7516 P. 2

PA-33E (Rev. 1/14)

COPY

MILWAUKEE POLICE DEPARTMENT
REPORT OF INCIDENTS INVOLVING LICENSED PERSONS OR PREMISES

TO: Captain Thomas Stigler

Business Name: All Star Food & Beer
Address of Licensed Premises: 3100 N 27th St
Business Phone: 414-442-0707

C/OSS A

Type of License: FOOD3521 Food Dealer

District: 5

[X] Violation / [] Incident # CAD 140991232

Date of Incident: 04/09/2014

Licensee or Manager on premises at time of violation / incident? [X] Yes [] No

Licensee cooperative? [X] Yes [] No (If no, explain in narrative section)

Licensee Notified by Officer: P.O. Cory Lopez

Date: 04/09/14

Time: 12:10pm

Licensee or Agent's Name: Ali Yousef ALDARORAH ALI MATABA
Home Address: 6418 S. 35th St, Apt #5 Franklin, WI 53132

Date of Birth: 02/26/87

Home Phone: 414-334-9090

Co-Licensee Name: Malada Hamda ALI
Home Address: 6418 S. 36th St, Franklin, WI 53132
Class S License Number: amalt 0198276

Date of Birth: 02/08/87

Home Phone:

Bartender Name: Belkasim Abdeljalil MOFTAH
Home Address: 1413 W. Iona Terrace, Milwaukee, WI 53221
Class D License Number: BART0208367

Date of Birth: 11/17/52

Home Phone: 414-688-2407

Licensed Person / Public Pass. Vehicle, etc.:
Home Address:
Class D License Number:

Date of Birth:

Home Phone:

VIOLATION/INCIDENT - DESCRIBE FACTS AND CIRCUMSTANCES IN NARRATIVE SECTION

Name of Person Cited: Ali Yousef ALDARORAH

Date of Birth: 02/26/87

Citation Number:

Violation & Ord. / Statue No.: 253.06(4)(a)2 - 2 counts

Court Date: 04/30/14

Name of Person Cited: Belkasim Abdeljalil MOFTAH

Date of Birth: 11/17/52

Citation Number:

Violation & Ord. / Statue No.: 253.08(4)(a)2 - 4 counts

Court Date: 04/30/14

Name of Person Cited:

Date of Birth:

Citation Number:

Violation & Ord. / Statue No.:

Court Date:

Name of Person Cited:

Date of Birth:

Citation Number:

Violation & Ord. / Statue No.:

Court Date:

Name of Person Cited:

Date of Birth:

Citation Number:

Violation & Ord. / Statue No.:

Court Date:

Investigating Officer:

District / Bureau:

Date:

Commanding Officer

Date

DISPOSITION - FOR LICENSING ONLY

Table with 5 columns: Citation No., Case Number, Disposition, Judge, Date. Includes rows for License Investigation Unit and Received/Referred status.

Referred

By [Signature]

PA-33E Narrative

On Wednesday, April 9th, 2014, officers from the Milwaukee Police Department's Fifth District, license investigation unit, agent Alan Sheil from the State of Wisconsin Department of Health Services – Office of Inspector General, agents from the WI Department of Revenue Alcohol & Tobacco Enforcement unit, Department of Neighborhood Services and the Milwaukee County District Attorney's office conducted a multi agency operation within the City of Milwaukee, Police District Five boundaries.

Prior to today's operation, The Department of Health Services-Office of Inspector General, which monitors the WIC program in Wisconsin, conducted several undercover operations at two businesses, All Star Foods; which is located at 3100 N. 27th St., and Chuck's Mini Mart; which is located at 3416 N. Teutonia Ave. During the undercover operations, it was found that owners at both of the listed businesses have been purchasing and/or selling WIC checks illegally.

Alan Sheil is the Compliance Manager for DHS-OIG and had worked with Milwaukee ADA David Feiss to obtain search and arrest warrants for Chuck's Mini Mart, as well as two arrest warrants for persons associated with All Star Foods.

The Alcohol & Tobacco Enforcement Unit had previously investigated each business at least once in the past two years and each time tobacco products have been confiscated because they were purchased from an untaxed/unauthorized source.

Officers and agents responding to All Star Foods, 3100 N. 27th St. did locate and arrest two persons upon arrival to the location. Ali Y. Aldararah W/M 02/26/87 was taken into custody for two felony counts of WIC – provide cash for drafts. Aldararah is the main operator of the store at that location. Belkasim Moftah, who works as the main clerk at the location, was also taken into custody. He is charged with four felony counts of WIC - provide cash for drafts. Agents Erin Dorn and Mario Altuzar from the WI Department of Revenue Alcohol & Tobacco Enforcement unit confiscated multiple boxes of undocumented tobacco products from within the store. These items were confiscated for either not having proof of invoice or not having invoices specifically addressed to the store, All Star Food & Beer LLC. It should also be noted that officers at the location did locate a loaded firearm in the cash register area, which is blocked off to customers.

Department of Neighborhood Services Special Enforcement unit agents Jason Rusnak and Kim Lyons responded to both listed locations and wrote their respective interior and exterior orders for the locations.

As a result of this operation, persons at each respective business that were licensed to accept WIC products have been removed from the program until each case can be reviewed.

ATTACHMENTS:

Field Report from the Wisconsin Department of Revenue, Alcohol & Tobacco Enforcement
Property Receipts for products seized by the Wisconsin Department of Revenue, Alcohol & Tobacco Enforcement

MILWAUKEE POLICE DEPARTMENT

REPORT OF INCIDENTS INVOLVING LICENSED PERSONS OR PREMISES

TO: Captain Aimee Obregon

Business Name: All Star Liquor
Address of Licensed Premises: 3100 N. 27th Street
Business Phone: 414-444-4943

Type of License: A-Malt

District: 5

Violation / Incident # 160830137

Date of Incident: 03/20/2016

Licensee or Manager on premises at time of violation / Incident? Yes No

Licensee cooperative? Yes No (If no, explain in narrative section)

Licensee Notified by Officer:

Date:

Time:

Licensee or Agent's Name: SINGH, Varinder
Home Address: 4601 S. 1st Street #223, Milwaukee, WI 53207

Date of Birth: 01/28/1989
Home Phone: 414-334-3140

Co-Licensee Name:
Home Address:
Class S License Number:

Date of Birth:
Home Phone:

Bartender Name:
Home Address:
Class D License Number:

Date of Birth:
Home Phone:

Licensed Person / Public Pass. Vehicle, etc.:
Home Address:
Class D License Number:

Date of Birth:
Home Phone:

VIOLATION/INCIDENT - DESCRIBE FACTS AND CIRCUMSTANCES IN NARRATIVE SECTION

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Name of Person Cited:
Citation Number:

Violation & Ord. / Statue No.:

Date of Birth:
Court Date:

Investigating Officer:

District / Bureau: 500-37

Date: 06/02/16

Commanding Officer

06-02-2016
Date

DISPOSITION - FOR LICENSING ONLY

Citation No.	Case Number	Disposition	Judge	Date

LICENSE INVESTIGATION UNIT

Received 6-8-16

Referred

By:

PA-33E Narrative

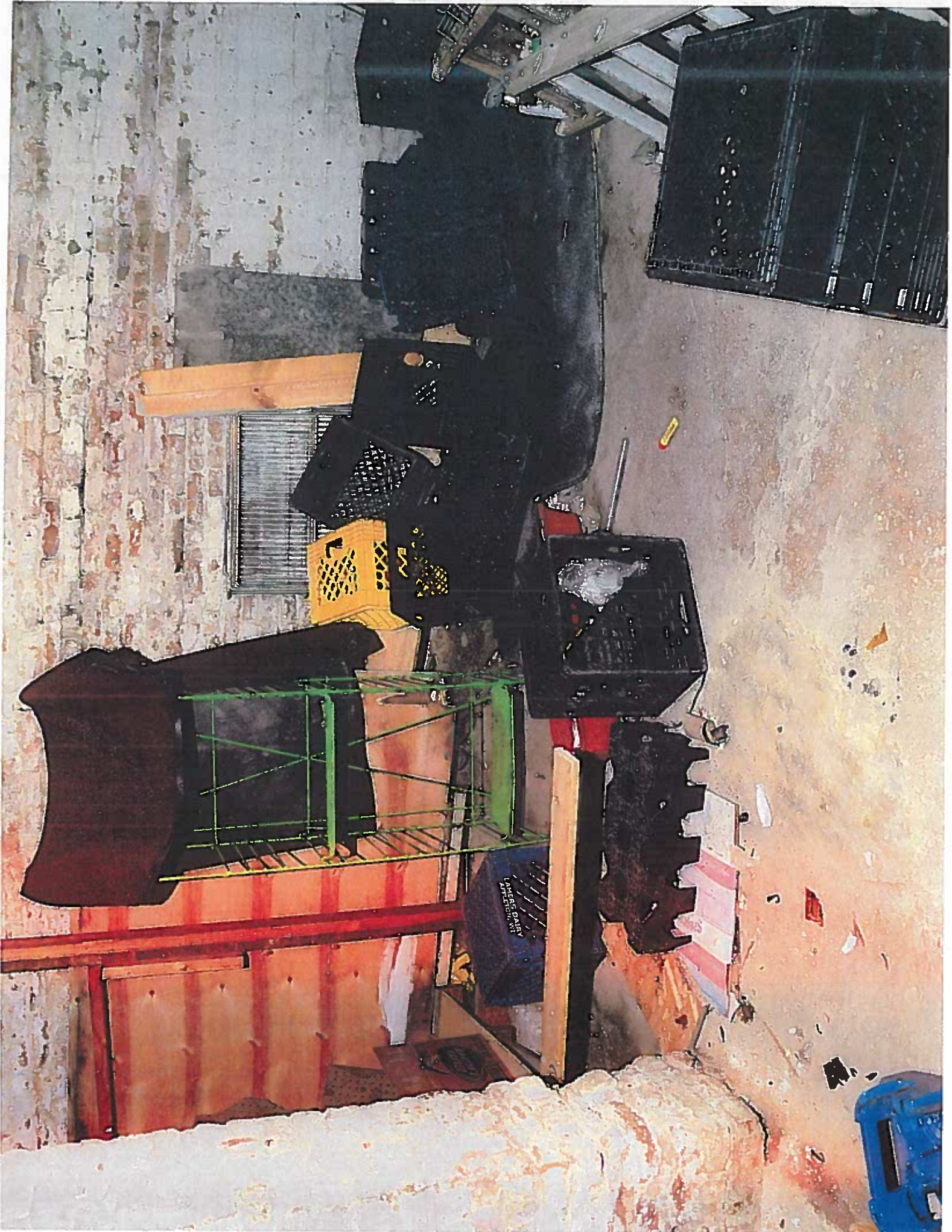
This report is being written by ***** assigned to Sensitive Crimes Division, Early Shift.

On Friday, March 25, 2016, at 7:30pm, Detective Steve Wells met Police Officer Christina Rutherford at the address of 3100 N. 27th Street regarding this incident. This address was the scene of a second degree sexual assault and trafficking of a child incident. One of the workers of the store was party to a crime of trafficking of a child and committed two counts of 2nd degree sexual assault of a child.

Detective Steve Wells processed this scene for any potential evidence. Once there Detective Steve Wells spoke to the store clerk, Kuldeeb Singh I/M 02-08-77. Detective Steve Wells explained to Kuldeeb that police were investigating an incident which occurred in the basement of this business. Detective Steve Wells told him that he wanted to search the basement of this business with his permission. He granted Detective Steve Wells permission and signed Consent to Search Form.

The scene of this incident 3100 N. 27th Street is a corner store with the name All Star Liquor. The building sits on the corner of 27th and Auer Ave. The entrance door to this store sits on an angle on the south east side of the store. After entering the store there is a cashier counter on the left. This cashier counter is enclosed in glass. In the rear of the store is a deli counter. Behind this deli counter in the back south east corner is a wooden stairwell leading to the basement.

The basement is where the victim states she was assaulted. This basement is very unkempt with dirt and trash everywhere. As you walk through the basement there is an open area at the opposite end. In the open area Detective Steve Wells found evidence consistent with the trafficking of a child and sexual assault investigation. These items were placed on Milwaukee Police Department inventory number 16010286.



Milwaukee Police Department
PROPERTY CONTROL SECTION

IN#
0160830137

AC#
16010286

*16010286

OFFICER DROP RECEIPT

INV

Lab #

Drop Off Time
03/25/2016 10:13:20 PM

RESPONSIBLE WORK
[38] - SENSITIVE CRIMES EARLY

Other#

PAGE
1

RESPONSIBLE OFFICER
[018113] - PO CHRISTINE RUTHERFORD

TYPE
EVID

SUBMITTING OFFICER
[011349] - DET STEVE WELLS

CIRCUMSTANCES

Items found at the scene of this Incident 3100 N. 27th Street on 03-25-16.

PEOPLE

1	name	address	Relationship(s): Victim
	phone	date of birth /2001	

ITEMS

itm no	qty	ACE generated description	d r	i d	flags	user description
1	1	Y - Used condom *16010286 1			F	Used condom
2	1	Y - Magnum condom wrapper gold with black *16010286 2			F	Magnum condom wrapper gold with black letters
3	1	Y - small piece of condom wrappre *16010286 3			F	small piece of condom wrappre

Approval Copy

TOTAL ITEMS
3

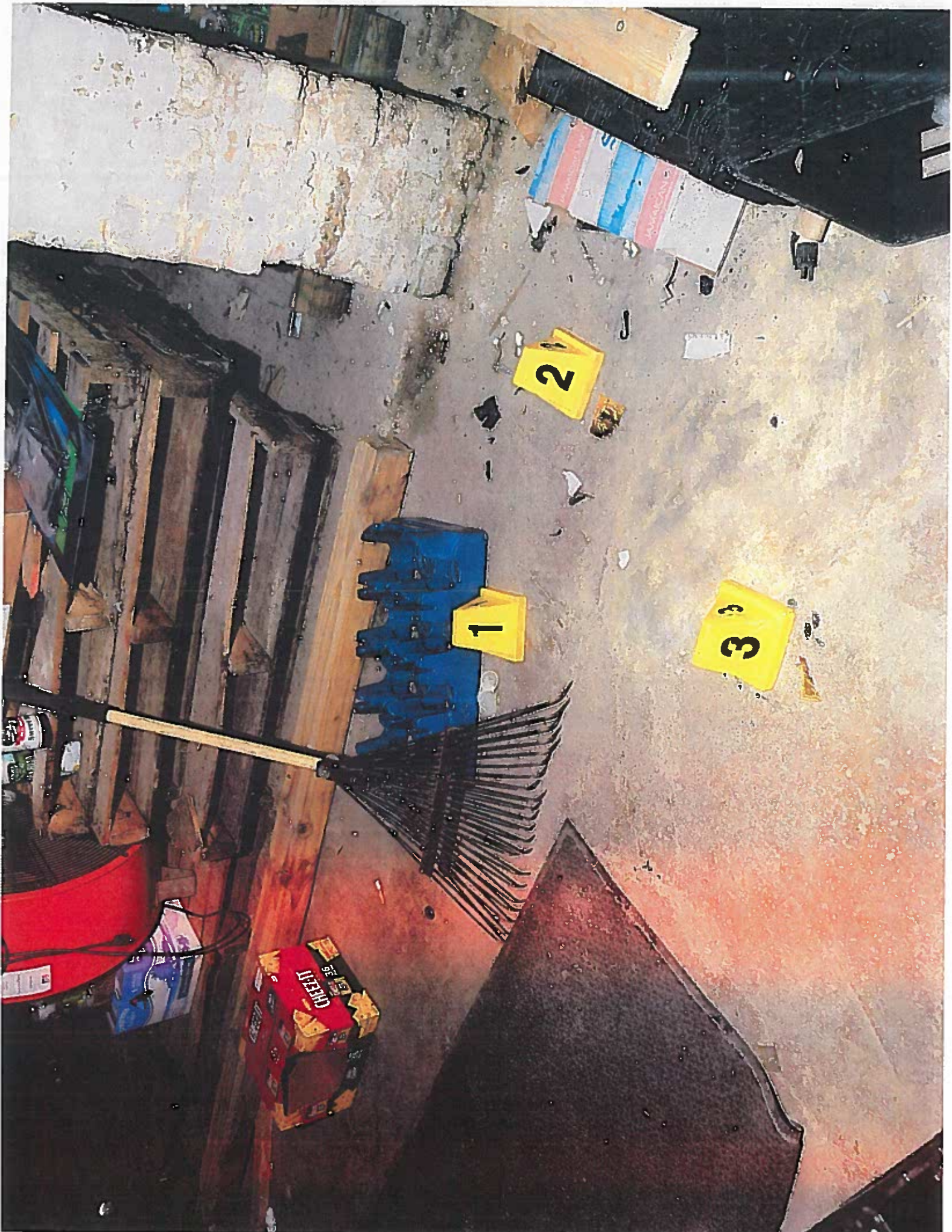
DROP APPROVAL REQUIRES SIGNATURE OF SENSITIVE CRIMES DAYS WORK LOCATION SUPERVISING OFFICER

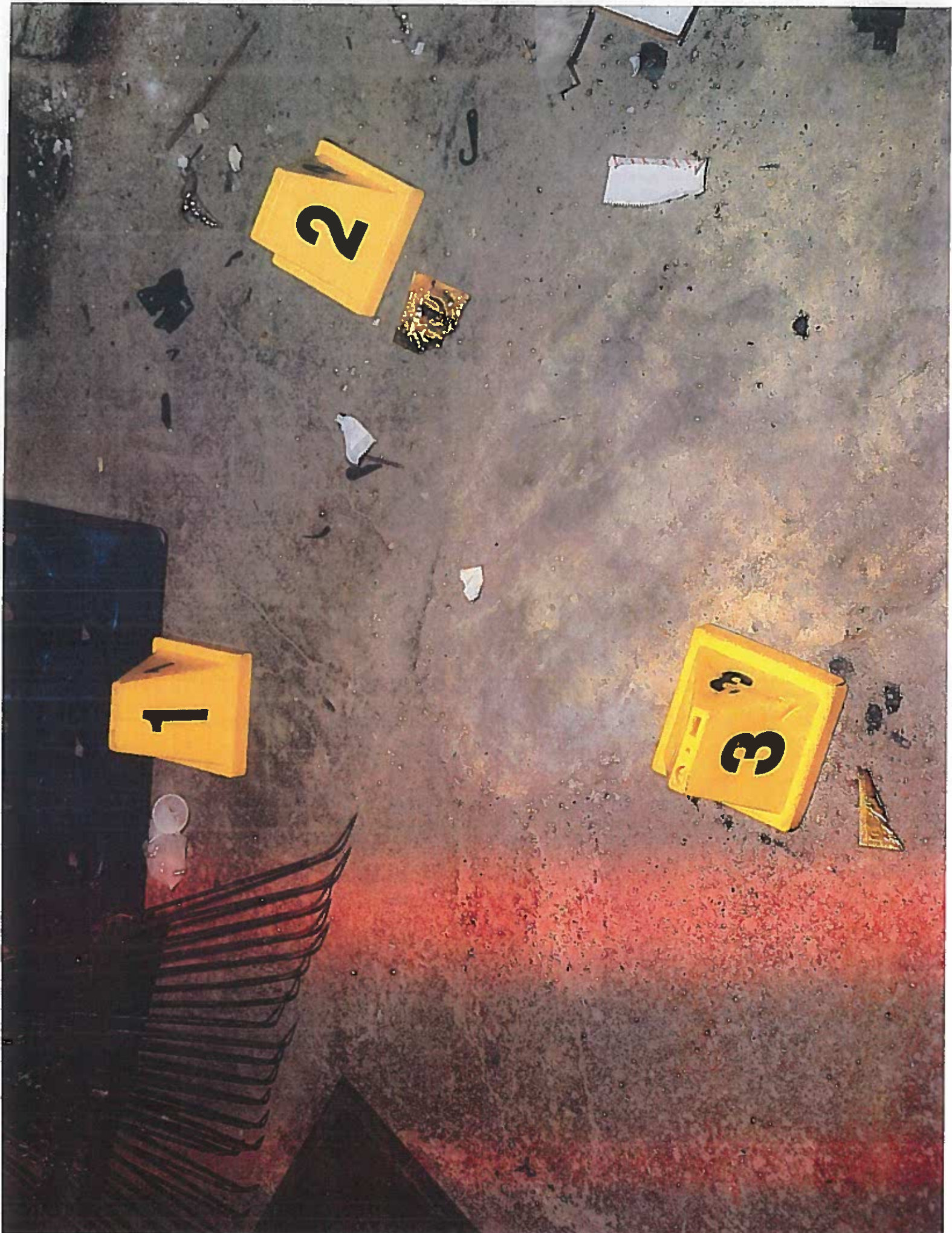
Supervisor sign here: _____
Print name here SGT DAVID LIGAS

PS#
MP70600

Wrk Loc
37

Approved







[Home](#) [Profile](#) [Messages](#) [Notifications](#) [Chat\(305\)](#) [Friends\(5\)](#) [Menu](#)

Layith Sadeq

Layith Sadeq

Hey boo that's L.A from the store 27th wyd love
Mar 23 at 9:32pm · Sent from Messenger

Layith Sadeq

Txt me boo
Mar 23 at 10:43pm · Sent from Messenger

You cannot reply to this conversation.

CHAT OPTIONS

- Mark Unread
- Delete
- Delete Selected
- Archive
- Block Messages
- Report Spam or Abuse



- | | |
|--|--------------------------------------|
| Help | Report a Problem |
| Settings & Privacy | Terms & Policies |
| Create Page | Logout (Mke Arii) |

Detailed History for Police Call #161922894 As of 8/23/2016 13:20:31

Output for:

Priority:1 Type:1357 - SHOTS FIRED
 Location:3100 N 27TH ST,MKE
 LocCross:btwn W BURLEIGH ST and W AUER AV

Created:	07/10/2016 21:59:30	PD10	006782
Entered:	07/10/2016 21:59:30	PD10	006782
Dispatch:	07/10/2016 21:59:30	PD10	006782
Enroute:	07/10/2016 21:59:30	PD10	006782
Onscene:	07/10/2016 21:59:30	PD10	006782
Closed:	07/10/2016 22:10:13	PD10	006782

IC: PrimeUnit:5481 Dispo:C15 Type:1357 - SHOTS FIRED
 Agency:MWPD DAREA:D5 Squad Area:520 RptDist:2546 Detail

21:59:30 CREATE Location:3100 N 27TH ST,MKE Type:1357 DAREA:D5 RptDist:2546 TypeDesc:SHOTS FIRED
 LocCross:btwn W BURLEIGH ST and W AUER AV Priority:1 Response:IPO Agency:MWPD
 SquadArea:520 LocType:S

21:59:30 ENTRY Comment:B/M WHT SHIRT, SHOTS

21:59:30 DISPOS 5481 Location:3100 N 27TH ST,MKE Operator:024620 018566 OperNames:ROMEO,
 NICHOLAS J RIVERA III, JOSE R

21:59:30 -PRIU 5481

21:59:30 -PREMIS Comment:PPR

21:59:47 BACKER 755 UnitID:5481 Location:3100 N 27TH ST,MKE Operator:016625 017149
 OperNames:LEPIANKA, JEFFREY P SMOKOVICH, DANIEL J

22:00:10 MISC 5481 Comment:LOST SITE OF SUBJ , SUBJ FLED E/B IN AREA OF LOC

22:00:37 BACKOS 5241 UnitID:5481 Location:3100 N 27TH ST,MKE Operator:024603 024281
 OperNames:GARCIA, EDUARDO JACKSON, MATHEW R

22:01:47 BACKOS 5212 UnitID:5481 Location:3100 N 27TH ST,MKE Operator:018141 OperNames:WEBER,
 TODD D

22:02:27 BACKOS 5260 UnitID:5212 Location:3100 N 27TH ST,MKE Operator:019235 024594 024601
 OperNames:GARLAND JR, KEITH D COOK, STEPHEN J FLESSERT JR, MARK A

22:02:34 CLOS 5212 Location:N 26TH ST / W BURLEIGH ST,MKE

22:02:44 BACKOS 5240 UnitID:5212 Location:N 26TH ST / W BURLEIGH ST,MKE Operator:017478 026331
 OperNames:VYTLACIL, JANEL M GRAF,KYLE J

22:02:51 BACKOS 5220 UnitID:5481 Location:3100 N 27TH ST,MKE Operator:016616 022566
 OperNames:GLORIA, JESUS N REAGAN, RYAN M

22:03:02 *ONSCN 5260

22:03:05 CLOS 5260 Location:N 27TH ST / W BURLEIGH ST,MKE

22:03:28 MISC 5481 Comment:WHT T SHIRT, BLU JN SHORTS

22:03:33 *ONSCN 5260

22:04:52 BACKOS 5436 UnitID:5481 Location:3100 N 27TH ST,MKE Operator:022616 017468
 OperNames:KENNEDY, JEFFREY M MILLER, BRYAN K

22:04:58 *ONSCN 755

22:09:18 BACKOS 5483 UnitID:5481 Location:3100 N 27TH ST,MKE Operator:022622 022645 022619
 OperNames:KWIATKOWSKI,ZACHARY J SUTYAK, DANIEL J KULENOVIC, ISMAR

22:09:37 CLEAR 5241

22:10:08 MISC 5481 Comment:SUBJ BROKE CONTAINMENT

22:10:09 *CLEAR 755 Dispo:C18 DispoLevel:0

22:10:13 CLEAR 5481 5212 5220 5240 5260 5436 5483 Dispo:C15 DispoLevel:0

22:10:13 -CLEAR

22:10:13 CLOSE

Detailed History for Police Call #162360741 As of 8/23/2016 13:29:52

Output for:

Priority:1 Type:1356 - SHOOTING
 Location:3102 N 27TH ST,MKE
 LocCross:btwn W BURLEIGH ST and W AUER AV

Created:	08/23/2016 09:17:20	PT07	013529
Entered:	08/23/2016 09:17:58	PT07	013529
Dispatch:	08/23/2016 09:19:24	PD10	006782
Enroute:	08/23/2016 09:19:24	PD10	006782
Onscene:	08/23/2016 09:20:42	M489	010260

IC:5112 PrimeUnit:5133 Dispo:C8 Type:1356 - SHOOTING
 Agency:MWPD DAREA:D5 Squad Area:520 RptDist:2546
 Case #:IR162360043  Detail

09:17:20 CREATE Location:N 27TH ST / W BURLEIGH ST,MKE Type:1356 Name:SPRINT RAddr:2876 N 32ND ST - E,MKE Phone:(414) 839-7288 Source:WPH2 DAREA:D5 RptDist:2686 TypeDesc:SHOOTING LocDesc: <3000/ 2698> Priority:1 Response:1PO Agency:MWPD LocType:H Contact?:EITHER Call/InPerson

09:17:20 ALI E911Phne:414/839-7288 E911Pilot:414/511-7570 E911Add:2876 N 32ND ST - E,MKE E911Subs:SPRINT E911Srce:WPH2 AliLong:-87.946930 AliLatitude:43.075569

09:17:20 ALIGEO GeoLong:-87.946930 GeoLat:43.075569

09:17:20 ALIGEO GeoLong:-87.946930 GeoLat:43.075569 ClosestAdd:3118 N 27TH ST AddDesc:80 ft E ClosestInt:N 27TH ST / W BURLEIGH ST InterDesc:157 ft NE

09:17:58 ENTRY Comment:ALL STOP FOODS,EMPLOYEE SHOT,UKN SUBJS,
 09:18:03 INFO Priority:1 Comment:MED SENT,
 09:18:07 SELECT
 09:17:58 -PREMIS Comment:PPR
 09:18:12 INFO Priority:1 Comment:ALL STAR FOODS
 09:18:43 INFO Priority:1 Language?:English Comment:STORE WAS ROBBED AND EMPLOYEE WAS SHOT IN THE SIDE,
 09:19:01 INFO Priority:1 Comment:SUBJS RAN
 09:19:24 DISPER 5133 Operator:010260 008205 OperNames:MISCICHOSKI, BRENT A TORRES, JOSEPH J
 09:19:24 DISPER 5112 Operator:007098 OperNames:DREZEK, KURT J
 09:19:24 -PRIU 5133
 09:19:24 -HOLD
 09:20:15 INFO RAddr:27TH/BURLEIGH Priority:1
 09:20:15 SUBJ S#:1 Sex:M Misc:RED HOODY
 09:20:15 SUBJ S#:2 Sex:M Misc:BLK HOODY
 09:20:19 BACKER 5143 UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:008011 008388 OperNames:GONZALEZ, MARTIN VILLAGOMEZ, RONALD A
 09:20:26 INFO Priority:1 Comment:RAN N/B ON 27TH ST,UKN WHAT WAS OBTAINED
 09:20:42 *ONSCN 5133
 09:20:55 INFO Location:N 27TH ST / W BURLEIGH ST,MKE Name:FEMALE CLLR Phone:(414) 265-9522 LocDesc: <3000/ 2698> Priority:1 Contact?:EITHER Call/InPerson Language?:English Comment:911 ABANDON CALL.. CB CLLR STS SHE HEARD 6 SHOTS FIRED.. CLR STS THAT SUBJS WERE RUNNING.. CLLR DID NOT SEE WHO FIRED SHOTS.. CLLR SAW 8 BLK MALES.. NFI
 09:20:55 ALI E911Phne:414/265-9522 E911Pilot:414/511-7500 E911Add:2876 N 32ND ST - N,MKE E911Subs:SPRINT E911Srce:WPH2 AliLong:-87.948024 AliLatitude:43.079120
 09:20:55 ALIGEO GeoLong:-87.948024 GeoLat:43.079120 ClosestAdd:2765 W CONCORDIA AV AddDesc:7 ft NW ClosestInt:W CONCORDIA AV / N 28TH ST InterDesc:117 ft E

09:21:04 INFO Name:RALPH POWELL Priority:1 Contact?:EITHER Call/InPerson Language?:English
Comment:CLER WORKS AT STORE ACROSS ST FROM ALL STAR FOODS,NFI

09:21:05 NOMORE

09:21:22 NOTIFY Notified:7472 ADVISED OF ASSIGNMENT Comment:SGT JF

09:21:33 *ONSCN 5143

09:21:43 MISC 5133 Comment:CONFIRMED SHOOTING, W/M 45, GSW TO LEFT SIDE, C/B

09:21:46 NOTIFY Notified:7472 ADVISED OF CONFIRMED SHOOTING Comment:SGT JF

09:22:07 IC 5133

09:22:11 MISC Comment:NOTIFIED 7472 SGT BA

09:22:18 INFO Location:N 27TH ST / W BURLEIGH ST,MKE Name:FEMALE CLLR Phone:(414) 366-4838
LocDesc: <3000/ 2698> Priority:1 Contact?:EITHER Call/InPerson Language?:English
Comment:911 ABANDON CALL... 1ST CB GOT V/MAIL.. 2ND CB CLLR STS THAT SHE
HEARD SHOTS FIRED.. CLLR DID NOT SEE ANYTHING.. NFI

09:22:18 ALI E911Phne:414/366-4838 E911Pilot:414/511-7390 E911Add:4050 N 35TH SE,XX E911Subs:AT
& T MOBILITY E911Src:WRLS AliLong:-87.956629 AliLatitude:43.090900

09:22:32 MISC Comment:MFD NOTIFIED

09:22:36 MISC 5133 Comment:***CP AT 27TH/BURLEIGH***S/E ANY DIRECTION

09:23:25 MISC Comment:7472 SGT JF, MFD NOTIFIED TO COME IN

09:23:28 INFO Location:N 27TH ST / W BURLEIGH ST,MKE Name:FEMALE CLR Phone:(414) 499-4497
LocDesc: <3000/ 2698> Priority:1 Contact?:HANG-UP/Abandoned Comment:911 HANG UP /
CALLBACKSTS SHE HEARD A SHOT FROM THE STORE //DID NOT SEE ANYONE /
STS POLICE ON SCENE / CLR HAD NFI

09:23:28 ALI E911Phne:414/499-4497 E911Pilot:414/511-7581 E911Add:2876 N 32ND ST - N,MKE
E911Subs:SPRINT E911Src:WPH2 AliLong:-87.947681 AliLatitude:43.075225

09:23:28 ALIGEO GeoLong:-87.947681 GeoLat:43.075225 ClosestAdd:2731 W BURLEIGH ST AddDesc:14 ft N
ClosestInt:W BURLEIGH ST / N 27TH ST InterDesc:105 ft W

09:24:11 *ONSCN 5112

09:25:40 BACKER 5255 UnitID:5112 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:015955 026331
OperNames:RESNICK, DANIEL A GRAF,KYLE J

09:27:13 CASE 5133 Incident#:IR162360043 Comment:008205

09:28:19 MISC Comment:FI RQ #0767

09:30:04 BACKER 1724 UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:008177
OperNames:HINKEL, JOHN W

09:30:06 COMBIN Service:P Call:#162360767 Type:PH Agency:MWPD

09:33:08 CHANGE 5112 Location:N 27TH ST / W BURLEIGH ST,MKE-->3102 N 27TH ST,MKE RptDist:2686--
>2546

09:33:17 ICX 5133

09:33:17 IC 5112

09:33:08 -PREMIS Comment:PPR

09:56:58 BACKOS 5133W UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE

09:57:06 CHGLOC 5133W Location:FROEDTERT MEMORIAL LUTHERAN HOSPITAL,MKE

09:57:18 BACKER 9317 UnitID:5133W Location:FROEDTERT MEMORIAL LUTHERAN HOSPITAL,MKE
Operator:006452 OperNames:CENTENO, VICTOR L

09:57:37 BACKER 9202 UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:010014
OperNames:HERRMANN, STEVEN

09:57:37 BACKER 9269 UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE

09:57:37 BACKER 9339 UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:007129
OperNames:GROCE, JOE A

09:57:37 BACKER 9311 UnitID:5133 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:007023
OperNames:MC CLENDON, GEOFFREY L

09:59:21 ONSCN 5255

10:02:16 *RFT 5143 Comment:INQUIRY QPER,POWELL,RALPH,T,M,B,10091963,,,,

10:02:50 *RFT 5143 Comment:INQUIRY QPER,NANCE,GEORGE,S,M,B,02061958,,,,

10:12:04 ONSCN 1724

10:20:13 ONSCN 9202

10:20:16 ONSCN 9269

10:20:19 ONSCN 9311
 10:20:22 ONSCN 9339
 10:25:52 CONTACT 5112 5133 1724 5133W 5143 5255 9202 9269 9311 9317 ContactTime:120
 10:25:52 CONTACT 9339 ContactTime:120
 10:33:02 *RFT 5143 Comment:INQUIRY QPER,SMALLEY,ANTHONY,J,M,B,11031986,,,,
 11:09:42 BACKOS 1736 UnitID:1724 Location:N 27TH ST / W BURLEIGH ST,MKE Operator:011334
 OperNames:MAYS, SHAUNKU E
 11:29:19 CLEAR 5255
 11:50:55 CHGLOC 5112 5143 Location:D5 #RE,MKE
 11:51:02 *ONSCN 5112
 11:54:09 *CHGLOC 5133 Location:D5 Comment:FOLLOW UP WITH WITNESS
 11:54:57 CHGLOC 5133 Location:D5 #RE,MKE
 11:59:10 ONSCN 5133W
 11:59:43 CLEAR 5133W
 11:59:48 SCDOFF 5133
 12:00:09 BACKER 5190 UnitID:5133 Location:D5 #RE,MKE Operator:014751 009370 OperNames:HOLMBLAD,
 STEVEN W WHITELEY, JERRY R
 12:00:41 CLEAR 5190
 12:01:11 CLEAR 1724
 12:01:46 CLOS 9311 Location:CIB #C8,MKE
 12:03:37 *ONSCN 5143
 12:39:47 CLEAR 1736
 13:02:52 CLEAR 5143 Dispo: C18 DispoLevel:0
 13:04:15 ONSCN 5133
 13:04:23 CLEAR 5133 Dispo: C8 DispoLevel:0
 13:05:40 CLEAR 5112
 13:05:40 -ICX 5112

CONTACT INFO:

Name	Phone	RPaddr	Contact?	Language?	Resolved?	Satisfied?
SPRINT	(414) 839-7288	2876 N 32ND ST - E,MKE	EITHER Call/InPerson			
				English		
		27TH/BURLEIGH				
FEMALE CLLR	(414) 265-9522		EITHER Call/InPerson	English		
RALPH POWELL			EITHER Call/InPerson	English		
FEMALE CLLR	(414) 366-4838		EITHER Call/InPerson	English		
FEMALE CLR	(414) 499-4497		HANG-UP/Abandoned			

Date: 08/20/15
Officer: PO Penny BROWN

City of Milwaukee Police Department
90-5-1.5 Crime Prevention Survey
Convenience Store/Liquor Store Inspection

Name of Premise: All Star Foods
Address: 3100 N. 27th
Phone: 414-444-4953

Owner: Varinder SINGH
Owner address: 4601 S. 1st St.
City State Zip: Milwaukee, WI 53207
Owner Phone: 414-334-3140
Owner email: John.Singh96@yahoo.com

Manager: Ali Yousef ALDARORAH
Home Address: 6418 S. 35th St. #5
City State Zip: Franklin, WI 53132
Phone: 414-334-9090
Email: maiada87@hotmail.com

Preferred contact: Store Phone

Location currently open: YES NO

Projected open date: 09/08/15

Day's open: S M T W Th F SA ALL

Hours of Operation: Sun: 8am-9pm 24 hours Y N
Mon: 8am-9pm
Tue: 8am-9pm
Wed: 8am-9pm
Thu: 8am-9pm
Fri: 8am-9pm
Sat: 8am-9pm

Premise Type: Liquor Store
Convenience Store
Other:

Licenses currently held:

- Alcohol: Yes No Class: A #: 214567
Tobacco: Yes No #: 214600
Food: Yes No #: 214587
Extended Hours: Yes No #:
Secondhand Dealer: Yes No Type: #:
Other: Yes No Type: #:
Other: Yes No Type: #:

Exterior Survey:

1. Is the area around the location clean? Yes No
2. What surrounds the location? (Check all the apply)
 - a. Park
 - b. School
 - c. Youth Center
 - d. Church
 - e. Tavern(s) If so, how many
 - f. Residential
 - g. Other businesses
 - h. Other:
3. Can you see from the outside of the location into the interior Yes No
4. Can you see the employees inside of the location from the outside Yes No
5. Are exterior windows free of signage Yes No
6. Is there a parking lot Yes No
7. Is the parking lot clean? Yes No
8. Is the parking lot well lit? Yes No
9. Are there areas where a person could conceal themselves Yes No
10. Is there exterior lighting? Yes No. Does it appears to be adequate Yes No
11. Exterior Payphone? Yes No
12. Are there No Loitering Signs posted? Yes No
13. Are there exterior security cameras Yes No How Many:
14. Are the address numbers prominently displayed and easy to see Yes No

Camera Survey:

15. Does this location have security cameras? Yes No
16. Are they in working order? Yes No
17. What format are the cameras?
 - a. Color Yes No
 - b. Digital Yes No
 - c. VCR Yes No
 - d. Recorded Yes No
18. How long is footage stored for later viewing: 1 week
19. Are there exterior cameras Yes No How many: 4
20. Are there interior cameras Yes No How many: 8
21. Do all employees know how to retrieve recorded digital images/footage? Yes No

Interior Survey:

22. Is the storeowner willing to be a standing complainant regarding loitering? Yes No
a. If yes have them fill out the standing complaint form and give them two of the commercial signs Yes No
23. Is the interior of the location neat and clean? Yes No
24. Does an interior camera face the entrance/exit? Yes No
25. Is there a lockable area that separates employees from customers? Yes No
26. Does the store sell single chore boy? Yes No
27. Does the store sell blunt wraps? Yes No
28. Does the store sell scales? Yes No
29. Does the store sell items that may be used as crack pipes? Yes No
a. Glass Rose pipes and Air pencil tire gauge
30. Does the store have an over abundance of sandwich baggies? Yes No
31. Does the owner understand that these items are often used for drug use? Yes No
32. Do the products in the store appear to be new and rotated often? Yes No
33. Are emergency and non-emergency numbers posted near the phone? Yes No
34. Does the owner know how to contact their police district directly? Yes No
a. Did you provide a district contact guide to the owner? Yes No

Complete this section if alcohol establishment is a convenience store:

(** Read full ordinance for all details "68-55 Convenience Food Stores")

All convenience food stores not exempted under sub. 3 shall:

1. Is the cash register located in a manner so that at the time of a sales transaction, the employee and customer are both visible from the sidewalk? Yes No **
2. Are the glass entrance and exit doors clear of any signs or advertisements with the exception of a sign which states that the cash register contains \$50 or less and that the safe is no accessible to employees? Yes No
3. Does the store maintain one of the following on the licensed premise:
 - a. A safe that was in use at the convenience food store on August 17, 1994? Yes No
 - b. A drop-safe or time release safe that weighs at least 500 pounds or which is attached to or set into the floor in a manner approved by the police department? Yes No
4. Is lighting provided for the store's parking area during all hours of darkness when employees or customers are on the premises at a minimum average of 2-foot candles per square foot, unless the store is not open for business after sunset and before sunrise? Yes No N/A
5. Are at least two high-resolution surveillance security cameras installed? Yes No
6. Are the security cameras in working order? Yes No
7. Does one camera show an overall view of the counter and register area? Yes No
8. Does one camera show a clear, identifiable, full frame image of the face of each person entering and leaving the store? Yes No
9. Are the camera views obstructed by fixtures or displays? Yes No
10. Is the recorded footage stored for at least 30 days? Yes No

11. Do all store employees know how to record footage from the camera system to media capable of being transferred to police custody? Yes No
12. Are customer entrances/exits made of glass or other transparent material? Yes No
- a. Exception: A store that does not have such doors on August 17, 1994 shall not be required to install such doors until the holder of the store's food dealer license changes.
13. Has the owner and their employees attended the Robbery Prevention Training within 120 days of ownership or employment? Yes No
- a. Contact Community Outreach and Education at 935-7836 for schedule.

Sub 3. Exemptions. The requirements of this section do not apply to a convenience food store that conforms to either of the following descriptions:

- a-1. The store is located in an enclosed shopping structure, enclosed commercial building or hospital. A convenience food store is not in an enclosed structure or building if a customer can enter it directly from the outside.
Does store conform to a-1 Yes No
- a-2. The store physically separates employees from customers with a solid partition that bars a person from entering the employee area from the customer area, has a secure lock on the employee side of any door between the employee area and the customer, and conducts all transaction through a service window or similar arrangement.
Does store conform to a-2 Yes No
- a. At the commissioner's discretion, a convenience store may be exempted from any or all of the regulations specified in sub 2.
Does this location hold an exemption from the commissioner regarding any of the requirements of Sub 2? Yes No

ADDITIONAL COMMENTS/RECOMMENDATIONS:

- In reference to the security cameras the store owner plans on installing new cameras. There will be 4 on the exterior of the store and 12 on the interior.
- The store owner indicated the new security cameras will store footage for 30 days
- The store owner was advised of the need to pick up debris on the exterior of the premise. I observed empty beer and soda cans lying around. He stated he will be cleaning multiple times a day
- The owner was advised of the need for the building address to be posted and prominently displayed, as there was no address currently.
- The store owner was advised to dispose of used dirty rags laying on the floor in kitchen area and to change the dirty mop water.



Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

Health Department

www.milwaukee.gov/health

Frank P. Zeldler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

Order To Suspend

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/8/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s):	0	

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
2-102.11	Lack of sanitation, food safety and rodents present. See Routine Inspection report. Make sure the person in charge is able to demonstrate knowledge of the appropriate requirements of the Food Code	4/8/2016
2-103.11	Many critical and health code violations present. See Routine Inspection. The Person In Charge must make sure the requirements of the Food Code are followed	4/8/2016
6-501.111	Rodent droppings throughout the store on shelves, food products, service counter and deli. Remove droppings, clean food products and shelves and maintain clean. It is recommended that an exterminator be consulted. Provide effective pest control methods to eliminate pests	4/8/2016

Good Practice Violation(s): 3

Total Violations: 3

Notes:

All critical violations on the suspension and on the Routine Inspection need to be corrected prior to the Suspension being lifted.

On 4/8/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with



**City
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Tom Barrett
Mayor

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Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

Health Department

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Frank P. Zeidler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

On 4/8/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID: 84)

EST # 074576

Operator Signature



Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

www.milwaukee.gov/health

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Special Food

JJ Food & Beer Inc
A8 Star Food
3100 N 27th St
Milwaukee, WI

4/8/2016

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CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
12-201 11(C)	Post the State certificate for your certified food manager	7/8/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:

On 4/8/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

DATE: 4/8/2016

Operator Signature

PAGE 1 OF 1



Tom Barrett
Mayor
Bevan K. Baker, FACHE
Commissioner of Health
Sandra J. Rotar
Health Operations Administrator

Health Department

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Frank P. Zeldner Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

Convenience Store

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/8/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
Good Practice Violation(s): 0		

Total Violations: 0

Notes:

On 4/8/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

K. Crede

Est # 974576

Operator Signature

[Signature]



Tom Barren
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

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Frank P. Zeidler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3693 phone (414) 286-3521 fax (414) 286-5990

Order To Suspend Reinspection #1

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/12/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
Good Practice Violation(s): 0		

Total Violations: 0

Notes:



**City
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Tom Barrett
Mayor

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Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

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Ok to reopen. Mouse droppings have been cleaned up throughout the store. Continue to clean up new droppings and monitor with your exterminator and in the few hard to reach corners.

Install a extended drain line for the condenser into the bottom hole so that water drains.

Cooler is running at appropriate temperature.

Provide taco meat invoices in the future for nachos.

Clean out the ice cube freezer.

Supervisor Montejano consulted.

On 4/12/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

K. Anode

CSL # 9/42/0

Operator Signature

[Handwritten Signature]

Page 2 of 2



**City
of
Milwaukee**

Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

Health Department

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Frank P. Zeldler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5900

Intent To Suspend

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/12/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 88, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violation(s)

Code Number	Description of Violation	Correct By
6-501.111	Mouse droppings in the corners and in some chip trays. Inspector will do spot checks to monitor. Continue pest control. Provide effective pest control methods to eliminate pests.	4/12/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:

On 4/12/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Est. # 9/45/06

Operator Signature

Page 1 of 1



Tom Barrett
Mayor
Bevan K. Baker, M.D.
Commissioner of Health
Sandra J. Rotar
Health Operations Administrator

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Frank P. Zeldler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5890

Order To Suspend

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/27/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s):	0	

Good Retail Practice Violation(s)

Code Number	Description of Violation	Correct By
6-501.111	Rodent droppings in the service area, deli, chip racks, along walls, chewed products, deli slicer table and throughout. Clean up all droppings and seal all openings and follow exterminator directions. Provide effective pest control methods to eliminate pests.	4/27/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:

On 4/27/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Est # 974576

Operator Signature



Tom Barrett
Mayor
Bevan K. Baker, FACHE
Commissioner of Health
Sandra J. Rotar
Health Operations Administrator

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Frank P. Zedler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

Routine Food Reinspection #1

JJ Food & Beer inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/27/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

Fee Amount:
\$213.00

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s):	0	

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
2-102.11	Employees were not knowledgeable regarding food safety, pest control and general sanitation. Critical and non critical violations present. Make sure the person in charge is able to demonstrate knowledge of the appropriate requirements of the Food Code	5/4/2016
2-103.11	Lack of sanitations, food safety and other violations present. The Person In Charge must make sure the requirements of the Food Code are followed	5-4/2016
2-401.11	Cigarette butts in the service area, basement, deli floor, deli prep table, customer area and on the prep sink. No smoking allowed in the premise. A smoking referral will be completed. Employees may only eat in designated areas not in the food preparation area.	5/4/2016



City of Milwaukee

Tom Barratt
Mayor

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Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

Health Department

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Frank P. Zeldner Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 288-3521 fax (414) 288-5980

3-304.11	1. The prep sink was soiled with food and grime. Clean sink and maintain clean. 2. The deli slicer was soiled with old food debris. Clean deli slicer as required every 4 hours and disassemble. Clean as required. 3. The new deli employee was washing the dishes in the incorrect order and in the wrong sinks. 1st sink is the hand sink. See hand sink accessible order. 2nd sink is for soapy water, 3rd sink is for rinsing in clear water and the 4th sink is for sanitizing. Air dry on sanitizer drainboard after. Discontinue drying dishes in the sanitizer sink and washing in the incorrect order. Food equipment must be clean and sanitized before used with food.	5/4/2016
4-301.14	An employee admitted to cooking raw beef for nachos in the store. You do not have a hood so there is no grease production allowed. You are restricted to only precooked taco meat. Remove electric skillet from the premise and in the future provide current meat invoices for the taco meat. Provide an approved ventilation hood for all required cooking equipment.	5/4/2016
4-501.11	The deli cooler has water pooling in the bottom of it from the condenser and contains food debris. Repair condenser leak and clean out the cooler.	5/4/2016
6-301.12	The basement bathroom hand sink did not contain any paper towels. Provide paper toweling at the bathroom hand sink at all times. Provide single service toweling for all hand sinks.	5/4/2016
6-501.111	Mouse droppings in the service area on the floor, shelves and in the candy boxes, on the floor and lower prep shelf in the deli, in and under the chip trays, on the food cans and products, and on the food aisle shelving. Provide effective pest control methods to eliminate pests.	5/4/2016

Good Practice Violation(s): 8

Total Violations: 8

Notes:

No scale license, dismissed and referred to supervisor and weights and measures.

On 4/27/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Est # 974576

Operator Signature



Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

Health Department

www.milwaukee.gov/health

Frank P. Zelder Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3853 phone (414) 288-3521 fax (414) 288-5990

Intent To Suspend Reinspection #1

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/27/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s):	0	

Good Retail Practice Violation(s)

Code Number	Description of Violation	Correct By
6-501.111	Mouse droppings in the corners and in some chip trays. Inspector will do spot checks to monitor Continue pest control Provide effective pest control methods to eliminate pests.	4/27/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:

Mouse droppings in the deli, service counter, shelves and product eaten into. Suspended per Health Director Claire Evers.

On 4/27/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Est # V/42/16

Operator Signature



Tom Barrett
Mayor
Bevan K. Baker, FACHE
Commissioner of Health
Sandra J. Rotar
Health Operations Administrator

www.milwaukee.gov/health

Frank P. Zeldler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

**Order To Suspend
Reinspection #1**

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

4/29/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
Good Practice Violation(s): 0		
Total Violations: 0		

Notes:

Mice are being caught and droppings are cleaned up. Ok to reopen and suspension lifted. Other existing orders are still open. kg

On 4/29/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Operator Signature



Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

www.milwaukee.gov/health

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**Intent To Suspend
Reinspection #2**

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

7/6/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
6-501.111	Mouse droppings in the corners and in some chip trays. Inspector will do spot checks to monitor Continue pest control Provide effective pest control methods to eliminate pests	7/13/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:

Mouse droppings present.

On 7/6/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID: 84)

K. Arosale

Est # 974576

Operator Signature

James Scott



**City
of
Milwaukee**
Health Department

Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

www.milwaukee.gov/health

Frank P. Zeldner Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

**Routine Food
Reinspection #3
License Suspension**

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee, WI

7/6/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

Fee Amount:
\$500.00

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s): 0		

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
6-501.111	Mouse droppings in the service area on the floor, shelves and in the candy boxes, on the floor and lower prep shelf in the deli, in and under the chip trays, on the food cans and products, and on the food aisle shelving. Provide effective pest control methods to eliminate pests.	7/13/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:



City
of
Milwaukee

Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotar
Health Operations Administrator

Health Department

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Sanitation orders closed. No longer processing deli.

Mouse droppings present. Continue pest control.
Keep doors closed.

Expired food on the shelves.

Fee assessed.

On 7/8/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Est. # 974576

Operator Signature

Page 2 of 2



Tom Barrett
Mayor

Bevan K. Baker, FACHE
Commissioner of Health

Sandra J. Rotz
Health Operations Administrator

Health Department

www.milwaukee.gov/health

Frank P. Zetler Municipal Building, 841 North Broadway, 3rd Floor, Milwaukee, WI 53202-3653 phone (414) 286-3521 fax (414) 286-5990

Order To Suspend

JJ Food & Beer Inc
All Star Food
3100 N 27th St
Milwaukee WI

7/27/2016

The following list of violations of the Wisconsin Administrative Code as adopted by reference in the Milwaukee Code of Ordinances Chapter 68, and/or other City ordinance(s) must be corrected as soon as possible but not later than the date specified. A re-inspection fee may be assessed if the violation is not corrected by that date. An inspection fee may be charged for any repeat violations.

CDC Risk Code Factor Violation(s)

Code Number	Description of Violation	Correct By
CDC Risk Violation(s):	0	

Good Retail Practice Violations(s)

Code Number	Description of Violation	Correct By
6-501.111	Evidence of mice in chip racks and the rear soda storage area. Clean DAILY and monitor. Provide effective pest control methods to eliminate pests.	7/27/2016

Good Practice Violation(s): 1

Total Violations: 1

Notes:

Due to a computer Chll error this is the #4 Reinspection and the Suspension. \$500 fee assessed. kg

On 7/27/2016, I served these orders upon JJ Food & Beer Inc by leaving this report with

Inspector Signature (Inspector ID:84)

Est # 974575

Operator Signature

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(7) **MUNICIPALITY PROVIDING IDENTIFICATION SCANNERS.** No municipality may provide, to any retail licensee under this chapter, any device capable of scanning an official identification card, as defined in s. 125.085 (1) (a) and (b).

History: 1981 c. 79, 158; 1983 a. 74; 1985 a. 218; 1995 a. 77; 2009 a. 302, 395; 2013 a. 106, 215.

This section does not prohibit the consumption of alcohol beverages by bed and breakfast proprietors, their friends, or their personal guests in areas that are off-limits to the public or to renters. 80 Atty. Gen. 218.

125.10 Municipal regulation. (1) AUTHORIZATION. Any municipality may enact regulations incorporating any part of this chapter and may prescribe additional regulations for the sale of alcohol beverages, not in conflict with this chapter. The municipality may prescribe forfeitures or license suspension or revocation for violations of any such regulations. Regulations providing forfeitures or license suspension or revocation must be adopted by ordinance. Any municipality may, by ordinance, regulate contests, competitions, or other events for the exhibition, demonstration, judging, tasting, or sampling of homemade wine or fermented malt beverages.

(2) **REGULATION OF UNDERAGE PERSONS.** A municipality or a county may enact an ordinance regulating conduct regulated by s. 125.07 (1) or (4) (a), (b) or (bm), 125.085 (3) (b) or 125.09 (2) only if it strictly conforms to the statutory subsection. A county ordinance enacted under this subsection does not apply within any municipality that has enacted or enacts an ordinance under this subsection.

(3) **ZONING.** Except as provided in s. 125.68, this chapter does not affect the power of municipalities to enact or enforce zoning regulations.

(4) **REGULATION OF CLOSED RETAIL PREMISES.** A municipality may not prohibit the permittee, licensee, employees, salespersons, employees of wholesalers issued a permit under s. 125.28 (1) or 125.54 (1); employees of permittees under s. 125.295 with respect to the permittee's own retail premises; or service personnel from being present on premises operated under a Class "A", "Class A" or "Class C" license or under a Class "B" or "Class B" license or permit during hours when the premises are not open for business if those persons are performing job-related activities.

(5) **FERMENTED MALT BEVERAGES ON COMMERCIAL QUADRICYCLES.** (a) A municipality may, by ordinance, prohibit the consumption of fermented malt beverages by passengers on a commercial quadricycle within the municipality.

(b) Notwithstanding sub. (1), an ordinance enacted before January 1, 2014, regulating the possession or consumption of open containers of alcohol beverages in public places may not prohibit the possession or consumption of alcohol beverages by passengers on a commercial quadricycle. An ordinance that is inconsistent with this paragraph may not be enforced.

History: 1981 c. 79, 202; 1983 a. 74 ss. 19, 32; 1985 a. 28 ss. 5, 9; 1987 a. 168; 1989 a. 31, 253; 1991 a. 39; 1993 a. 208; 2007 a. 20; 2011 a. 32, 200; 2013 a. 106; 2015 a. 372.

Chapter 125 contemplates and expressly directs that regulation is to supersede competition in the retail sale of alcohol beverages. The regulatory scheme indicates a legislative intent to make state antitrust law not applicable by authorizing contrary or inconsistent conduct by granting municipalities broad statutory authority to prescribe or orchestrate anticompetitive regulation in the sale and consumption of alcohol if that regulation serves an important public interest. Private parties are eligible for antitrust immunity when they act in concert, in an anticompetitive manner, in direct response to pressure bordering on compulsion from a municipality. *Eichenseer v. Madison-Dane County Tavern League, Inc.* 2008 WI 38, 308 Wis. 2d 684, 748 N.W.2d 154, 05–1063.

A town must renew a license, if the proper application is made and the fees are paid, unless it revokes, suspends, or non-renews the license, following the procedures outlined in s. 125.12. This section does not give towns the authority to unilaterally modify the described premises in an individual license upon renewal of that license. A town must either pass a regulation or an ordinance under this section or it must find grounds for revocation or nonrenewal under s. 125.12. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76, 342 Wis. 2d 350, 815 N.W.2d 690, 10–2900.

125.105 Impersonating an officer. (1) No person may impersonate an inspector, agent or other employee of the department or of the department of justice.

(2) (a) Whoever violates sub. (1) with the intent to mislead another may be fined not more than \$10,000 or imprisoned for not more than 9 months or both.

(b) Whoever violates sub. (1) to commit, or abet the commission of, a crime is guilty of a Class H felony.

History: 1989 a. 253; 1997 a. 283; 2001 a. 109.

125.11 Penalties. (1) GENERAL PENALTY. Any person who violates any provision of this chapter for which a specific penalty is not provided, shall be fined not more than \$1,000 or imprisoned for not more than 90 days or both. Any license or permit issued to the person under this chapter may be revoked by the court.

(2) **FELONY.** If a person is convicted of a felony under this chapter, in addition to the penalties provided for the felony, the court shall revoke any license or permit issued to the person under this chapter.

History: 1981 c. 79; 1985 a. 120, 302; 1989 a. 253.

125.115 Responsibility for commission of a crime. (1) A person may be convicted of the commission of a crime under this chapter only if the criteria specified in s. 939.05 exist.

(2) This section does not apply to civil forfeiture actions for violation of any provision of this chapter or any local ordinance in conformity with any provision of this chapter.

History: 1985 a. 47.

125.12 Revocations, suspensions, refusals to issue or renew. (1) REVOCATION, SUSPENSION, NONISSUANCE OR NONRENEWAL OF LICENSE. (a) Except as provided in this subsection, any municipality or the department may revoke, suspend or refuse to renew any license or permit under this chapter, as provided in this section.

(b) 1. In this paragraph, "violation" means a violation of s. 125.07 (1) (a), or a local ordinance that strictly conforms to s. 125.07 (1) (a).

2. No violation may be considered under this section or s. 125.04 (5) (a) 1. unless the licensee or permittee has committed another violation within one year preceding the violation. If a licensee or permittee has committed 2 or more violations within one year, all violations committed within one year of a previous violation may be considered under this section or s. 125.04 (5) (a) 1.

(c) Neither a municipality nor the department may consider an arrest or conviction for a violation punishable under s. 101.123 (8) (d), 945.03 (2m), 945.04 (2m), or 945.05 (1m) in any action to revoke, suspend, or refuse to renew a Class "B" or "Class B" license or permit.

(2) **REVOCATION OR SUSPENSION OF LICENSES BY LOCAL AUTHORITIES. (ag) Complaint.** Any resident of a municipality issuing licenses under this chapter may file a sworn written complaint with the clerk of the municipality alleging one or more of the following about a person holding a license issued under this chapter by the municipality:

1. The person has violated this chapter or municipal regulations adopted under s. 125.10.

2. The person keeps or maintains a disorderly or riotous, indecent or improper house.

3. The person has sold or given away alcohol beverages to known habitual drunkards.

4. The person does not possess the qualifications required under this chapter to hold the license.

5. The person has been convicted of manufacturing, distributing or delivering a controlled substance or controlled substance analog under s. 961.41 (1); of possessing, with intent to manufacture, distribute or deliver, a controlled substance or controlled substance analog under s. 961.41 (1m); or of possessing, with intent to manufacture, distribute or deliver, or of manufacturing, distributing or delivering a controlled substance or controlled substance

analog under a substantially similar federal law or a substantially similar law of another state.

5m. The person has been convicted of possessing any of the materials listed in s. 961.65 with intent to manufacture methamphetamine under that subsection or under a federal law or a law of another state that is substantially similar to s. 961.65.

6. The person knowingly allows another person, who is on the premises for which the license under this chapter is issued, to possess, with the intent to manufacture, distribute or deliver, or to manufacture, distribute or deliver a controlled substance or controlled substance analog.

6m. The person knowingly allows another person, who is on the premises for which the license under this chapter is issued, to possess any of the materials listed in s. 961.65 with the intent to manufacture methamphetamine.

7. The person received the benefit from an act prohibited under s. 125.33 (11).

(ar) *Summons.* Upon the filing of the complaint, the municipal governing body or a duly authorized committee of a city council shall issue a summons, signed by the clerk and directed to any peace officer in the municipality. The summons shall command the licensee complained of to appear before the municipal governing body or the committee on a day and place named in the summons, not less than 3 days and not more than 10 days from the date of issuance, and show cause why his or her license should not be revoked or suspended. The summons and a copy of the complaint shall be served on the licensee at least 3 days before the time at which the licensee is commanded to appear. Service shall be in the manner provided under ch. 801 for service in civil actions in circuit court.

(b) *Procedure on hearing.* 1. If the licensee does not appear as required by the summons, the allegations of the complaint shall be taken as true and if the municipal governing body or the committee finds the allegations sufficient, the license shall be revoked. The clerk shall give notice of the revocation to the person whose license is revoked.

2. If the licensee appears as required by the summons and denies the complaint, both the complainant and the licensee may produce witnesses, cross-examine witnesses and be represented by counsel. The licensee shall be provided a written transcript of the hearing at his or her expense. If the hearing is held before the municipal governing body and the complaint is found to be true, the license shall either be suspended for not less than 10 days nor more than 90 days or revoked, except that, if a complaint under par. (ag) 4. is found to be true with respect to a license issued under s. 125.51 (4) (v), the license shall be revoked.

3. If the hearing is held before a committee of a city council, the committee shall submit a report to the city council, including findings of fact, conclusions of law and a recommendation as to what action, if any, the city council should take with respect to the license. The committee shall provide the complainant and the licensee with a copy of the report. Either the complainant or the licensee may file an objection to the report and shall have the opportunity to present arguments supporting the objection to the city council. The city council shall determine whether the arguments shall be presented orally or in writing or both. If the city council, after considering the committee's report and any arguments presented by the complainant or the licensee, finds the complaint to be true, or if there is no objection to a report recommending suspension or revocation, the license shall be suspended or revoked as provided under subd. 2.

4. The municipal clerk shall give notice of each suspension or revocation to the person whose license is suspended or revoked.

5. If the municipal governing body finds the complaint untrue, the proceeding shall be dismissed without cost to the accused. If the municipal governing body finds the complaint to be malicious and without probable cause, the costs shall be paid by the complainant. The municipal governing body or the com-

mittee may require the complainant to provide security for such costs before issuing the summons under par. (ar).

(c) *Effect of revocation.* When a license is revoked under this subsection, the revocation shall be recorded by the clerk and no other license issued under this chapter may be granted within 12 months of the date of revocation to the person whose license was revoked. No part of the fee paid for any license so revoked may be refunded.

(d) *Judicial review.* The action of any municipal governing body in granting or failing to grant, suspending or revoking any license, or the failure of any municipal governing body to revoke or suspend any license for good cause, may be reviewed by the circuit court for the county in which the application for the license was issued, upon application by any applicant, licensee or resident of the municipality. The procedure on review shall be the same as in civil actions instituted in the circuit court. The person desiring review shall file pleadings, which shall be served on the municipal governing body in the manner provided in ch. 801 for service in civil actions and a copy of the pleadings shall be served on the applicant or licensee. The municipal governing body, applicant or licensee shall have 20 days to file an answer to the complaint. Following filing of the answer, the matter shall be deemed at issue and hearing may be had within 5 days, upon due notice served upon the opposing party. The hearing shall be before the court without a jury. Subpoenas for witnesses may be issued and their attendance compelled. The decision of the court shall be filed within 10 days after the hearing and a copy of the decision shall be transmitted to each of the parties. The decision shall be binding unless it is appealed to the court of appeals.

(3) REFUSALS BY LOCAL AUTHORITIES TO RENEW LICENSES. A municipality issuing licenses under this chapter may refuse to renew a license for the causes provided in sub. (2) (ag). Prior to the time for the renewal of the license, the municipal governing body or a duly authorized committee of a city council shall notify the licensee in writing of the municipality's intention not to renew the license and provide the licensee with an opportunity for a hearing. The notice shall state the reasons for the intended action. The hearing shall be conducted as provided in sub. (2) (b) and judicial review shall be as provided in sub. (2) (d). If the hearing is held before a committee of a city council, the committee shall make a report and recommendation as provided under sub. (2) (b) 3. and the city council shall follow the procedure specified under that subdivision in making its determination.

(3m) REFUSALS BY LOCAL AUTHORITIES TO ISSUE LICENSES. If a municipal governing body or duly authorized committee of a city council decides not to issue a new license under this chapter, it shall notify the applicant for the new license of the decision not to issue the license. The notice shall be in writing and state the reasons for the decision.

(4) SUSPENSION OR REVOCATION OF LICENSES ON COMPLAINT OF THE DEPARTMENT. (ag) *Complaint.* A duly authorized employee of the department may file a complaint with the clerk of circuit court for the jurisdiction in which the premises of a person holding a license issued under this chapter is situated, alleging one or more of the following about a licensee:

1. That the licensee has violated this chapter.
2. That the licensee keeps or maintains a disorderly or riotous, indecent or improper house.
3. That the licensee has sold alcohol beverages to known habitual drunkards.
4. That the licensee has failed to maintain the premises in accordance with the standards of sanitation prescribed by the department of health services.
5. That the licensee has permitted known criminals or prostitutes to loiter on the licensed premises.
6. That the licensee does not possess the qualifications required under this chapter to hold the license.

7. That the licensee has been convicted of manufacturing, distributing or delivering a controlled substance or controlled substance analog under s. 961.41 (1); of possessing, with intent to manufacture, distribute or deliver, a controlled substance or controlled substance analog under s. 961.41 (1m); or of possessing, with intent to manufacture, distribute or deliver, or of manufacturing, distributing or delivering a controlled substance or controlled substance analog under a substantially similar federal law or a substantially similar law of another state.

7m. That the licensee has been convicted of possessing any of the materials listed in s. 961.65 with intent to manufacture methamphetamine under that section or under a federal law or a law of another state that is substantially similar to s. 961.65.

8. That the licensee knowingly allows another person, who is on the premises for which the license under this chapter is issued, to possess, with the intent to manufacture, distribute or deliver, or to manufacture, distribute or deliver a controlled substance or controlled substance analog.

8m. That the licensee knowingly allows another person, who is on the premises for which the license under this chapter is issued, to possess any of the materials listed in s. 961.65 with the intent to manufacture methamphetamine.

(ar) *Summons.* Upon the filing of the complaint, the clerk of the court shall issue a summons commanding the licensee to appear before the court not less than 20 days from its date of issuance and show cause why his or her license should not be revoked or suspended. The summons and a copy of the complaint shall be served at least 20 days before the date on which the person is commanded to appear. Service shall be in the manner provided in ch. 801 for civil actions in circuit court.

(b) *Procedure on hearing.* If the licensee does not appear as required by the summons, the allegations of the complaint shall be taken as true and if the court finds the allegations sufficient, it shall order the license either suspended for not more than 90 days or revoked, except that, for allegations under par. (ag) 6. with respect to a license issued under s. 125.51 (4) (v), it shall order the license revoked. The clerk of the court shall give notice of the suspension or revocation to the person whose license is suspended or revoked. If the licensee appears and answers the complaint, the court shall fix a date for the hearing not more than 30 days after the return date of the summons. The hearing shall be had before the court without a jury. If upon the hearing the court finds the allegations of the complaint to be true, it shall order the license either suspended for not more than 90 days or revoked, except that, if upon the hearing the court finds allegations under par. (ag) 6. to be true with respect to a license issued under s. 125.51 (4) (v), the court shall order that license revoked. If the court finds the allegations of the complaint to be untrue, the complaint shall be dismissed.

(c) *Effect of revocation or suspension.* When a license is revoked or suspended under this subsection, the clerk of court shall notify the authority which issued the license. If the license is revoked, no other license may be issued under this chapter to the person whose license was revoked or to any person related to him or her as owner, lessor, bailor or lender, within the 12 months after the date of revocation and no other license may be granted for the premises covered by the revoked license within 60 days of the date of revocation. The findings and order of the court shall be filed within 10 days after the hearing and the order shall be final unless appeal is taken to the court of appeals. If an appeal is taken from a revocation, any period during which the order is stayed shall be added to the 12 months and 60 days, respectively. No part of the fee paid for any license which is revoked may be refunded. Whenever any court has revoked or suspended any license under this subsection, no further proceedings shall be commenced under this subsection except upon grounds arising after the original revocation or suspension.

(5) **REVOCATIONS OR SUSPENSIONS OF, OR REFUSALS TO RENEW, PERMITS BY THE DEPARTMENT.** The department may, after notice and an opportunity for hearing, revoke, suspend or refuse to renew

any retail permit issued by it for the causes provided in sub. (4) and any other permit issued by it under this chapter for any violation of this chapter or ch. 139, except that, for a violation of sub. (4) (ag) 6. with respect to a license issued under s. 125.51 (4) (v) or a violation of s. 125.535 or 139.035, the department shall revoke the license or permit. A revocation, suspension or refusal to renew is a contested case under ch. 227.

(6) **REVOCATION OR SUSPENSION OF INTOXICATING LIQUOR WHOLESALERS' PERMITS FOR CERTAIN VIOLATIONS.** (a) Any person may file a sworn written complaint with the department alleging that an intoxicating liquor wholesaler has violated s. 125.54 (7) (a). The complaint shall identify the specific legal basis for the complaint and sufficient facts for the department to determine whether there is cause to find that a violation has occurred. The department shall provide a copy of the complaint to any wholesaler against whom allegations are made, along with notice of the time period under par. (b) to show cause why the wholesaler's permit should not be revoked or suspended or to request a hearing.

(b) Within 30 days of receiving a copy of the complaint under par. (a), any wholesaler against whom allegations are made may file a sworn written response or a written request for an evidentiary hearing before the department under s. 227.44.

(c) Subject to pars. (d) 1. and (dm), if no request for an evidentiary hearing is made under par. (b), within 60 days of receiving any response under par. (b) or, if no response is made, within 60 days of the date on which a response or request for hearing is due under par. (b), the department shall make a written decision as to whether a violation has occurred and either dismiss the complaint or take action under par. (e). Any decision under this paragraph shall include findings of fact and conclusions of law and shall state all reasons for the decision. The department shall provide a copy of the decision to the complainant and to any wholesaler against whom allegations are made.

(cm) Subject to pars. (d) 2. and (dm), if a request for an evidentiary hearing is made under par. (b), the hearing shall be conducted in the manner specified for a contested case under ss. 227.44 to 227.50, except that the hearing shall be conducted within 45 days of receiving the request for hearing under par. (b) and the department shall make its written decision, including whether a violation has occurred and whether the complaint is dismissed or action is taken under par. (e), within 15 days after the hearing. In addition to service of the decision as provided under s. 227.48, the department shall provide a copy of the decision to the complainant.

(d) 1. If no request for an evidentiary hearing is made under par. (b), within 60 days of receiving any response under par. (b) or, if no response is made, within 60 days of the date on which a response or request for hearing is due under par. (b), the department may extend the time period for making a decision under par. (c) by an additional 60 days if the department provides notice within the time period specified in par. (c) that an additional 60 days is necessary for investigation.

2. If a request for an evidentiary hearing is made under par. (b), within 45 days of receiving the request for hearing under par. (b), the department may extend the time period for conducting the hearing by an additional 45 days if the department provides notice within 45 days of receiving the request for hearing under par. (b) that an additional 45 days is necessary for investigation.

(dm) Within 45 days of receiving any response or request for hearing under par. (b) or, if no response or request for hearing is made, within 45 days of the date on which a response or request for hearing is due under par. (b), the department may elect to file a complaint in circuit court under sub. (4) that includes all allegations of the complaint under par. (a) for which the department determines there is cause to find that a violation of s. 125.54 (7) (a) has occurred. If the department files a complaint in circuit court as provided under this paragraph, the department shall not conduct a hearing under par. (cm) or make a written decision

under par. (c), but shall proceed with the matter as provided under sub. (4).

(e) If the department finds the allegations under par. (a) true and sufficient, the department shall either suspend for not less than 10 days nor more than 90 days or revoke the wholesaler's permit, and give notice of the suspension or revocation to the wholesaler.

(f) A revocation or suspension proceeding under this subsection is a contested case under ch. 227, except that ss. 227.44 to 227.50 apply to a proceeding under this subsection only if a request for an evidentiary hearing is made under par. (b).

History: 1981 c. 79; 1983 a. 516; 1987 a. 93; 1993 a. 98; 1995 a. 27 s. 9126 (19); 1995 a. 417, 448; 1997 a. 27, 35, 166, 187; 1999 a. 9; 2005 a. 14, 25, 442, 2007 a. 20 s. 9121 (6) (a); 2007 a. 85; 2009 a. 12.

Due process and equal protection rights of licensees are discussed. *Tavern League of Wisconsin v. City of Madison*, 131 Wis. 2d 477, 389 N.W.2d 54 (Cl. App. 1986).

A license never should have been issued when a notice of application had not been published as required under s. 125.04 (3) (g), and a license issued without publication is void under s. 125.04 (2). Selling liquor under a void license constitutes a violation of s. 125.66 (1). Under s. 125.12, a renewal licensee, if refused, is guaranteed a right to be heard by the municipality, and the municipality must show cause for refusal, but a new licensee, if refused, has no such guarantee. When an original license is void, the applicant is a new licensee. *Williams v. City of Lake Geneva*, 2002 WI App 95, 253 Wis. 2d 618, 643 N.W.2d 864, 01-1733.

Notices sent by the city did not violate the requirement in sub. (3) that the "council shall notify the licensee in writing of the municipality's intention not to renew the license" because they stated that "there is a possibility that your application may be denied." As the matter cannot be affirmatively decided before the hearing, it is of course only a possibility that the applicant's license will not be renewed at the time the notice is sent. *Questions, Inc. v. City of Milwaukee*, 2011 WI App 126, 336 Wis. 2d 654, 807 N.W.2d 131, 10-0707.

A town must renew a license, if the proper application is made and the fees are paid, unless it revokes, suspends, or non-renews the license, following the procedures outlined in this section. Section 125.10 (1) does not give towns the authority to unilaterally modify the described premises in an individual license upon renewal of that license. A town must either pass a regulation or an ordinance under s. 125.10 or it must find grounds for revocation or nonrenewal under this section. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76, 342 Wis. 2d 350, 815 N.W.2d 690, 10-2900.

Acting upon a citizen complaint to revoke a liquor license that was not sworn, as required under sub. (2) (ag), constituted a fundamental error that deprived the licensing committee of jurisdiction over the matter. *Park 6 LLC v. City of Racine*, 2012 WI App 123, 344 Wis. 2d 661, 824 N.W.2d 903, 11-2282.

Certiorari is the correct standard of review for a court to apply when, pursuant to sub. (2) (d), it reviews a municipal decision not to renew an alcohol license. *Nowell v. City of Wausau*, 2013 WI 88, 351 Wis. 2d 1, 838 N.W.2d 852, 11-1045.

Sub. (2) (a) 2.'s prohibition of operating a disorderly house was not unconstitutionally vague as applied in this case. The statute's legislative purpose concerns the health and safety of the public and its enforcement is aimed at public health. There was no doubt that the conduct cited in this case was disorderly, riotous, indecent, or improper. Such behavior falls squarely within the ambit of the statute, particularly given the public health and safety concerns involved. *Scott Hegwood v. City of Eau Claire*, 679 F.3d 600 (2012).

125.13 Report of suspension, revocation or imposition of penalty. Whenever a municipal governing body or court revokes or suspends a license or permit or imposes a penalty on a licensee or permittee for the violation of this chapter, the clerk of the municipality or court revoking or suspending the license or imposing the penalty shall, within 10 days after the revocation, suspension or imposition of penalty, mail a report to the department at Madison, Wisconsin, giving the name of the licensee, the address of the licensed premises and a full description of the penalty imposed.

History: 1981 c. 79.

125.14 Enforcement provisions. (1) ARREST. Subject to s. 175.38, any peace officer may arrest without warrant any person committing in his or her presence a violation of this chapter or ch. 139 and may, without a search warrant, seize any personal property used in connection with the violation.

(2) CONFISCATION; DISPOSAL. (a) *Contraband.* All alcohol beverages owned, possessed, kept, stored, manufactured, sold, distributed or transported in violation of this chapter or ch. 139 and all personal property used in connection therewith is unlawful property and may be seized by any peace officer. Any peace officer confiscating personal property under this section may proceed under this section.

(c) *Identification.* Any person seizing alcohol beverages or personal property and electing to dispose of it under this subsection shall exercise reasonable diligence to ascertain the name and

address of the owner of the alcohol beverages or property and of all persons holding a security interest in the property seized. The person shall report his or her findings in writing to the department.

(d) *Order.* Upon conviction of any person for owning, possessing, keeping, storing, manufacturing, selling, distributing or transporting alcohol beverages in violation of this chapter or ch. 139, the court shall order part or all of the alcohol beverages or personal property seized to be destroyed if it is unfit for sale. Alcohol beverages and other personal property fit for sale shall be turned over to the department for disposition. Upon receipt of the confiscated property, the department shall exercise reasonable diligence to ascertain the names and addresses of all owners of the property and of all persons holding a security interest in the property. If a motor vehicle is confiscated, the department shall obtain the written advice of the department of transportation as to the ownership of the motor vehicle and shall make a reasonable search for perfected security interests in the vehicle.

(e) *Disposal.* The department shall dispose of the alcohol beverages turned over to it by the court by either giving it to law enforcement agencies free of charge for use in criminal investigations, selling it to the highest bidder if the bidder is a person holding a license or permit issued under this chapter, or destroying it, at the discretion of the department. If the department elects to sell the alcohol beverages, it shall publish a class 2 notice under ch. 985 asking for sealed bids from qualified bidders. Any items or groups of items in the inventory subject to a security interest, the existence of which was established in the proceedings for conviction as being bona fide and as having been created without the secured party having notice that the items were being used or were to be used in connection with the violation, shall be sold separately. The net proceeds from the sale, less all costs of seizure, storage, and sale, shall be turned over to the secretary of administration and credited to the common school fund.

(f) *Sale.* Any personal property, other than alcohol beverages, seized under par. (a) and fit for sale, shall be turned over by the department to the department of administration for disposal at public auction to the highest bidder, at a time and place stated in a notice of sale which describes the property to be sold. The sale shall be held in a conveniently accessible place in the county where the property was confiscated. A copy of the notice shall be published as a class 2 notice under ch. 985. The last insertion shall be at least 10 days before the sale. The department of revenue shall serve a copy of the notice of sale at least 2 weeks before the date thereof on all persons who are or may be owners or holders of security interests in the property. Any confiscated property worth more than \$100 shall be sold separately, and the balance of the confiscated property shall be sold in bulk or separately at the discretion of the department of administration. The net proceeds from the sale, less all costs of seizure, storage, and sale, shall be turned over to the secretary of administration. No motor vehicle or motorboat confiscated under this section may be sold within 30 days after the date of seizure.

(3) RECOVERY OF CONFISCATED PROPERTY. (a) *Application.* Prior to sale under sub. (2) (f), the owner of confiscated property may apply to a court of record in the county where the property was seized for an order restoring the property to the owner. After the sale, the owner may apply to the court for a refund of the amount realized on the sale. After the sale, any holder of a security interest in the property may apply to the court for a refund of the sum realized on the sale of property subject to the security interest, but not more than the amount due under the security agreement.

(b) *Deadline.* The application shall be made within one year after the sale of the property. A copy of the application and the order setting a hearing on it shall be served on the department at least 20 days before the date set for hearing.

(c) *Grounds.* Relief shall be granted only after a showing by the applicant that he or she is the true owner or holder of a bona fide security interest in the property seized; that the violation which led to the confiscation was not with his or her knowledge,

tridges may not be sold to persons under the age of 21. Do not inhale the contents of this cartridge. Misuse of nitrous oxide can be dangerous to your health.”

(b) Except as provided in sub. (5), no person may deliver a cartridge of nitrous oxide to another unless the packaging in which the cartridge is enclosed is marked with a label or other device that indicates the name and business address of the person delivering the cartridge of nitrous oxide.

(5) Subsections (3) and (4) do not apply to a retail food establishment, as defined in s. 97.30 (1) (c).

History: 1997 a. 336, 2007 a. 164.

134.65 Cigarette and tobacco products retailer license. (1) No person shall in any manner, or upon any pretense, or by any device, directly or indirectly sell, expose for sale, possess with intent to sell, exchange, barter, dispose of or give away any cigarettes or tobacco products to any person not holding a license as herein provided or a permit under ss. 139.30 to 139.41 or 139.79 without first obtaining a license from the clerk of the city, village or town wherein such privilege is sought to be exercised.

(1m) A city, village, or town clerk may not issue a license under sub. (1) unless the applicant specifies in the license application whether the applicant will sell, exchange, barter, dispose of, or give away the cigarette or tobacco products over the counter or in a vending machine, or both.

(2) (a) Except as provided in par. (b), upon filing of a proper written application a license shall be issued on July 1 of each year or when applied for and continue in force until the following June 30 unless sooner revoked. The city, village or town may charge a fee for the license of not less than \$5 nor more than \$100 per year which shall be paid to the city, village or town treasurer before the license is issued.

(b) In any municipality electing to come under this paragraph, upon filing of a proper written application a license shall be issued and continue in force for one year from the date of issuance unless sooner revoked. The city, village or town may charge a fee for the license of not less than \$5 nor more than \$100 per year which shall be paid to the city, village or town treasurer before the license is issued.

(3) Each such license shall name the licensee and specifically describe the premises where such business is to be conducted. Such licenses shall not be transferable from one person to another nor from one premises to another.

(4) Every licensed retailer shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. Such records shall be preserved on the licensed premises for 2 years in such a manner as to insure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

(5) Any person violating this section shall be fined not more than \$100 nor less than \$25 for the first offense and not more than \$200 nor less than \$25 for the 2nd or subsequent offense. If upon such 2nd or subsequent violation, the person so violating this section was personally guilty of a failure to exercise due care to prevent violation thereof, the person shall be fined not more than \$300 nor less than \$25 or imprisoned not exceeding 60 days or both. Conviction shall immediately terminate the license of the person convicted of being personally guilty of such failure to exercise due care and the person shall not be entitled to another license hereunder for a period of 5 years thereafter, nor shall the person in that period act as the servant or agent of a person licensed hereunder for the performance of the acts authorized by such license.

(6) Any 1st class city may revoke, suspend, or refuse to renew any license issued under this section, as provided in sub. (7).

(7) (a) Any duly authorized employee of a 1st class city issuing licenses under this section may file a sworn written complaint, supported by reports from a law enforcement agency, with the

clerk of the city alleging at least 2 separate instances of one or more of the following about a person holding a license issued under this section by the city:

1. The person has violated s. 134.66 (2) (a), (am), (cm), or (e), or a municipal ordinance adopted under s. 134.66 (5).

2. The person's premises are disorderly, riotous, indecent, or improper.

3. The person has knowingly permitted criminal behavior, including prostitution and loitering, to occur on the licensed premises.

4. The person has been convicted of any of the following:

a. Manufacturing, distributing, or delivering a controlled substance or controlled substance analog under s. 961.41 (1).

b. Possessing with intent to manufacture, distribute, or deliver, a controlled substance or controlled substance analog under s. 961.41 (1m).

c. Possessing with intent to manufacture, distribute, or deliver, or manufacturing, distributing, or delivering a controlled substance or controlled substance analog under a substantially similar federal law or a substantially similar law of another state.

d. Possessing any of the materials listed in s. 961.65 with intent to manufacture methamphetamine under that section or under a federal law or a law of another state that is substantially similar to s. 961.65.

5. The person knowingly allows another person who is on the licensed premises to do any of the actions described in subd. 4.

(b) Upon the filing of the complaint, the city governing body shall issue a summons, signed by the clerk and directed to any peace officer in the city. The summons shall command the person complained of to appear before the city governing body on a day and place named in the summons, not less than 3 days and not more than 10 days from the date of issuance, and show cause why his or her license should not be revoked, suspended, or not renewed. The summons and a copy of the complaint shall be served on the person complained of at least 3 days before the date on which the person is commanded to appear. Service shall be in the manner provided in ch. 801 for service in civil actions in circuit court.

(c) 1. If the person does not appear as required by the summons, the allegations of the complaint shall be taken as true, and if the city governing body finds the allegations to be sufficient grounds for revocation or nonrenewal, the license shall be revoked or not renewed. The city clerk shall give notice of the revocation or nonrenewal to the person whose license is revoked or not renewed.

2. If the person appears as required by the summons and answers the complaint, both the complainant and the person complained of may produce witnesses, cross-examine witnesses, and be represented by counsel. The person complained of shall be provided a written transcript of the hearing at his or her expense. If upon the hearing the city governing body finds the allegations of the complaint to be true, and if the city governing body finds the allegations to be sufficient grounds for suspension, revocation, or nonrenewal, the license shall be suspended for not less than 10 days nor more than 90 days, revoked, or not renewed.

3. The city clerk shall give notice of each suspension, revocation, or nonrenewal to the person whose license is suspended, revoked, or not renewed.

4. If the city governing body finds the allegations of the complaint to be untrue, the complaint shall be dismissed without cost to the person complained of.

(d) When a license is revoked under this subsection, the revocation shall be recorded by the city clerk and no other license may be issued under this section to the person whose license was revoked within the 12 months after the date of revocation. No part of the fee paid for any license that is revoked under this subsection may be refunded.

(e) The action of any city governing body in suspending, revoking, or not renewing any license under this subsection, or the failure of any city governing body to suspend, revoke, or not renew any license under this subsection for good cause, may be reviewed by the circuit court for the county in which the license was issued, upon the request of any applicant or licensee. The procedure on review shall be the same as in civil actions instituted in the circuit court. The person desiring review shall file pleadings, which shall be served on the city governing body in the manner provided in ch. 801 for service in civil actions and a copy of the pleadings shall be served on the applicant or licensee. The city governing body, applicant, or licensee shall have 20 days to file an answer to the complaint. Following filing of the answer, the matter shall be deemed at issue and hearing may be had within 5 days, upon due notice served upon the opposing party. The hearing shall be before the court without a jury. Subpoenas for witnesses may be issued and their attendance compelled. The findings and order of the court shall be filed within 10 days after the hearing and a copy of the findings and order shall be transmitted to each of the parties. The order shall be final unless appeal is taken to the court of appeals.

(8) The uniform licensing of cigarette and tobacco products retailers is a matter of statewide concern. A city, village, or town may adopt an ordinance regulating the issuance, suspension, revocation, or renewal of a license under this section only if the ordinance strictly conforms to this section. If a city, village, or town has in effect on May 1, 2016, an ordinance that does not strictly conform to this section, the ordinance does not apply and may not be enforced.

History: 1983 a. 27; 1987 a. 67; 1993 a. 462; 1997 a. 214; 2001 a. 75; 2015 a. 275.

134.66 Restrictions on sale or gift of cigarettes or nicotine or tobacco products. (1) DEFINITIONS. In this section:

- (a) "Cigarette" has the meaning given in s. 139.30 (1m).
 (am) "Direct marketer" has the meaning given in s. 139.30 (2n).
 (b) "Distributor" means any of the following:
 1. A person specified under s. 139.30 (3).
 2. A person specified under s. 139.75 (4).
 (c) "Identification card" means any of the following:
 1. A license containing a photograph issued under ch. 343.
 2. An identification card issued under s. 343.50.
 3. An identification card issued under s. 125.08, 1987 stats.
 (d) "Jobber" has the meaning given in s. 139.30 (6).
 (e) "Manufacturer" means any of the following:
 1. A person specified under s. 139.30 (7).
 2. A person specified under s. 139.75 (5).
 (f) "Nicotine product" means a product that contains nicotine and is not any of the following:
 1. A tobacco product.
 2. A cigarette.
 3. A product that has been approved by the U.S. food and drug administration for sale as a smoking cessation product or for another medical purpose and is being marketed and sold solely for such an approved purpose.
 (g) "Retailer" means any person licensed under s. 134.65 (1).
 (h) "School" has the meaning given in s. 118.257 (1) (d).
 (hm) "Stamp" has the meaning given in s. 139.30 (13).
 (i) "Subjobber" has the meaning given in s. 139.75 (11).
 (j) "Tobacco products" has the meaning given in s. 139.75 (12).
 (k) "Vending machine" has the meaning given in s. 139.30 (14).
 (L) "Vending machine operator" has the meaning given in s. 139.30 (15).

(2) RESTRICTIONS. (a) No retailer, direct marketer, manufacturer, distributor, jobber or subjobber, no agent, employee or inde-

pendent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may sell or provide for nominal or no consideration cigarettes, nicotine products, or tobacco products to any person under the age of 18, except as provided in s. 254.92 (2) (a). A vending machine operator is not liable under this paragraph for the purchase of cigarettes, nicotine products, or tobacco products from his or her vending machine by a person under the age of 18 if the vending machine operator was unaware of the purchase.

(am) No retailer, direct marketer, manufacturer, distributor, jobber, subjobber, no agent, employee or independent contractor of a retailer, direct marketer, manufacturer, distributor, jobber or subjobber and no agent or employee of an independent contractor may provide for nominal or no consideration cigarettes, nicotine products, or tobacco products to any person except in a place where no person younger than 18 years of age is present or permitted to enter unless the person who is younger than 18 years of age is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

(b) 1. A retailer shall post a sign in areas within his or her premises where cigarettes or tobacco products are sold to consumers stating that the sale of any cigarette or tobacco product to a person under the age of 18 is unlawful under this section and s. 254.92.

2. A vending machine operator shall attach a notice in a conspicuous place on the front of his or her vending machines stating that the purchase of any cigarette or tobacco product by a person under the age of 18 is unlawful under s. 254.92 and that the purchaser is subject to a forfeiture of not to exceed \$50.

(cm) 1m. A retailer or vending machine operator may not sell cigarettes or tobacco products from a vending machine unless the vending machine is located in a place where the retailer or vending machine operator ensures that no person younger than 18 years of age is present or permitted to enter unless he or she is accompanied by his or her parent or guardian or by his or her spouse who has attained the age of 18 years.

2. Notwithstanding subd. 1m., no retailer may place a vending machine within 500 feet of a school.

(e) No retailer or direct marketer may sell cigarettes in a form other than as a package or container on which a stamp is affixed under s. 139.32 (1).

(2m) TRAINING. (a) Except as provided in par. (b), at the time that a retailer hires or contracts with an agent, employee, or independent contractor whose duties will include the sale of cigarettes or tobacco products, the retailer shall provide the agent, employee, or independent contractor with training on compliance with sub. (2) (a) and (am), including training on the penalties under sub. (4) (a) 2. for a violation of sub. (2) (a) or (am). The department of health services shall make available to any retailer on request a training program developed or approved by that department that provides the training required under this paragraph. A retailer may comply with this paragraph by providing the training program developed or approved by the department of health services or by providing a comparable training program approved by that department. At the completion of the training, the retailer and the agent, employee, or independent contractor shall sign a form provided by the department of health services verifying that the agent, employee, or independent contractor has received the training, which the retailer shall retain in the personnel file of the agent, employee, or independent contractor.

(b) Paragraph (a) does not apply to an agent, employee, or independent contractor who has received the training described in par. (a) as part of a responsible beverage server training course or a comparable training course, as described in s. 125.04 (5) (a) 5., that was successfully completed by the agent, employee, or independent contractor. The department of health services shall make the training program developed or approved by that department under par. (a) available to the technical college system board, and that board shall include that training program or a comparable

SUBCHAPTER 2
FOOD DEALER LICENSE

68-21. Food Dealer License. 1. REQUIRED.

a. No person, partnership, association or corporation may establish a food operation, manufacture, offer for sale, store, distribute or sell food within the city without first having obtained a food dealer license or license with conditions allowing temporary or seasonal operation of a food establishment. The license shall be required of any person selling or distributing food, with the exception that a license shall not be required of a person holding a food peddler license or temporary or seasonal food license issued by the commissioner.

b. Only a person, association or corporation in compliance with the applicable requirements of this section shall be eligible to receive and retain a food dealer license.

c. A food dealer license may not be transferred from one person or entity to another or from one premise to another except an individual may transfer a license to an immediate family member, as defined in s. 254.64(4)(1)2, Wis. Stats., if the individual is transferring operation of the restaurant. See s. 85-19 for additional provisions relating to the transfer of licenses.

d. The commissioner or an authorized agent may grant a license with conditions for the temporary operation of a food establishment prior to the completion of orders and the issuance of a regular food dealer license, provided that the business is in substantial compliance with this section and the operation of the food establishment will not jeopardize the life, health and safety of the public and property, and the department of neighborhood services has approved an occupancy permit. The issuance of a license with conditions shall be revoked after 30 days, and the operation shall cease unless all conditions are met and a regular license issued. The regular license application shall be granted or denied before the license with conditions expires. The issuance of a license with conditions shall not apply to renewals.

e. No person may sell food door-to-door, except for occasional sales by representatives of a religious, fraternal, youth, civic or patriotic organization, service club or church. In this paragraph, "occasional sales" means that food is offered for sale for not more than 3 days in any 12-month period.

2. LICENSE NOT REQUIRED. A food dealer license shall not be required for the following:

a. A person selling only bottled or canned non-alcohol drinks that do not require refrigeration and no other food items.

b. A stand, not connected with any temporary event as defined in s. 68-1-58, located on private property in a residential area operated by a child under the age of 14 who sells homemade beverages or food items not requiring heating or refrigeration.

c. A community food program, provided all of the following conditions are met:

c-1 All food is provided free of cost to persons in need or organizations serving persons in need.

c-2. The community food program registers bi-annually with the department and pays the registration and inspection fees specified in s. 81-55.5.

c-3. Upon initial registration with the department, a community food program submits plans in compliance with s. 68-11 for review and approval, and undergoes pre-inspection prior to operating.

c-4. A community food program undergoes an annual inspection. Inspections or investigations where significant noncompliance is found shall be subject to additional fees as specified in s. 60-70.

d. Any public or private primary and secondary school meal program, provided all of the following conditions are met:

d-1. Food service is limited to students who attend the school or to children as part of a free summer meal program.

d-2. All food preparation and service is performed by staff directly employed by the school.

d-3. The school registers annually with the department at least 10 days prior to operating or prior to the first day of the school year and pays the registration and inspection fees specified in s. 81-55.5.

d-4. Prior to initial operation, a school meal program submits plans in compliance with s. 68-11 for review and approval, and undergoes pre-inspection.

d-5. A school meal program undergoes 2 inspections administered by the department per school year. Inspections or investigations where significant noncompliance is found shall be subject to additional fees as specified in s. 60-70.

e. A food manufacturer that derives 25% or more of its gross sales from wholesale trade, has obtained a food processing plant license from the state, and does not serve meals to the public.

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f. A food distributor that derives 25% or more of its gross sales from wholesale trade, has obtained a food warehouse license from the state, and does not serve meals to the public.

3. APPLICATION. Applications for a food dealer license shall be made in writing to the office of the city clerk on forms provided by the city clerk and shall contain the following information:

a. The name, address and date of birth of the applicant.

b. The trade name and address of the food service establishment.

c. Whether the applicant is a person, corporation or partnership.

c-1. If the applicant is a corporation, the application shall contain the registered agent's name, address and date of birth, and verification that the corporation has been registered with the secretary of state as provided in ch. 180, Wis. Stats.

c-2. If the applicant is a partnership, the application shall include the names and addresses of the partners.

d. Such other reasonable or pertinent information the city clerk, commissioner or chief of police may require.

3.5. FINGERPRINTING. All applicants for food dealer licenses shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

4. PROCEDURE FOR ISSUING NEW OR RENEWAL LICENSE. a. The commissioner shall issue a license to each applicant for a new or renewal license who meets all the requirements of this section and has paid to the city treasurer the fee specified in s. 81-55 unless there is an objection by the commissioner, the department of neighborhood services, the common council member in whose district the food establishment is located, or any person affected by the operation or proposed operation of the applicant.

b. If either the common council member or the commissioner objects to an application, no license shall be issued unless the applicant requests in writing an appeal before the licensing committee. An appeal shall be requested no more than 10 working days after the date on which the applicant was notified of the recommendation of the commissioner and the common council member. Appeals shall be forwarded to the licensing committee for its recommendation as to whether a license should be granted or renewed. The procedure for considering an appeal shall be as provided in sub 8.

c. If there is an objection to the renewal of a license, the procedure for considering the renewal license application shall be as specified in sub. 7.

d. The late renewal fee for a license issued under this chapter may not be waived unless definite proof exists that the delay is the fault of the health department or the city clerk.

5. POSTING. Each licensee shall post his or her license in a conspicuous place on the food establishment premises.

6. CHANGES TO BE REPORTED. a. A licensee shall notify the city clerk whenever there is a change in any information that is reported in the application form or renewal application form. The licensee shall make this notification in writing within 10 days after the change occurs. Changes in the food facility or operational plan submitted as part of a supplemental application shall be submitted in accordance with s. 68-11.

b. The owner of any premises for which a license has been granted shall promptly notify the city clerk in writing of his or her intention to cease operations.

c. An individual applicant or licensee who resides outside Wisconsin or who leaves the state for more than 30 days shall provide the commissioner or the commissioner's authorized agent with the name, address and telephone number of a responsible person or agent within the state of Wisconsin upon whom any process, notice or demand required or permitted under this section to be served upon the licensee may be served, and the commissioner shall notify the city clerk. Violation of this subsection may result in suspension or revocation of the license.

7. SUSPENSION FOR NONRENEWAL. The city clerk shall notify the appropriate city officials, and the commissioner shall order the immediate enforcement of this section in cases involving failure to renew a food dealer's license. The licensee shall be prohibited from manufacturing, offering for sale, distributing or selling food until a valid license has been applied for and obtained under this section.

8. PROCEDURE FOR DENIAL OR NONRENEWAL OF LICENSE. If there is an objection to an application for a new or renewal license, the application shall be subject to common council review and approval in accordance with the provisions of ss. 85-2.7 to 85-5.

9. CAUSES FOR COUNCIL DENIAL, REVOCATION OR SUSPENSION OF LICENSE. An application for a new or renewal food dealer license may be denied, or any license issued

under this section may be suspended or revoked, by the common council for any of the following causes:

a. Failure of the applicant or licensee to meet the statutory and municipal license qualifications, except for failure to meet sanitary or other health-related qualifications or other circumstances specified in s. 68-69 as grounds for license revocation or suspension by the commissioner of health.

b. A false or materially incorrect statement made by the applicant in his or her application.

c. Violation of any provision of this section by the applicant, licensee or any employee of the food establishment.

d. The conviction of the applicant or licensee, his or her agent, manager, operator or any other employee for sale or possession with intent to sell any controlled substance or for any felony related to the licensed operation which, in the judgment of the common council, is pertinent to the license being applied for or renewed.

e. A showing that the applicant or licensee has violated any state law or city ordinance prohibiting the sale of tobacco products to underage persons.

f. The violation of any of the excise laws of the state.

g. A showing that the licensed premises has been the source of congregations of persons which have resulted in one or more of the following:

- g-1. Disturbance of the peace.
- g-2. Illegal drug activity.
- g-3. Public drunkenness.
- g-4. Drinking in public.
- g-5. Harassment of passers-by.
- g-6. Gambling.
- g-7. Prostitution.
- g-8. Sale of stolen goods.
- g-9. Public urination.
- g-10. Theft.
- g-11. Assaults.
- g-12. Battery.
- g-13. Acts of vandalism, including graffiti.
- g-14. Excessive littering.
- g-15. Loitering.
- g-16. Illegal parking.
- g-17. Loud noise at times when the licensed operation is open for business.
- g-18. Traffic violations.
- g-19. Curfew violations.
- g-20. Lewd conduct.
- g-21. Display of materials harmful to minors, pursuant to s. 106-9.6.

h. A showing that the premises proposed for licensing will be a convenience store as defined in s. 68-1-12, whether or not exempt as provided in s. 68-55-2, and that the proposed operation of the premises will tend to contribute to neighborhood incidents and conditions identified in par. g as the result of an over-concentration of food dealers licensed under s. 68-21 to offer for sale, sell or distribute food in the neighborhood. Evidence that a neighborhood is adequately served by existing retail food establishments may be considered in reaching a determination about whether granting a new license will result in over-concentration.

i. The city clerk shall promptly inform the commissioner, the police department and commissioner of neighborhood services upon receipt of an application for a new food dealer license. The city clerk shall also promptly advise the common council member in whose district a new food dealer licensee proposes to operate licensed premises. The city clerk shall establish a written procedure for informing persons and parties neighboring the premises of a proposed new food dealer licensee intending to operate a convenience store within the definition of s. 68-1-12, whether or not the convenience store may be exempt under s. 68-55-2, and the persons and parties neighboring the premises of a licensed convenience store proposed for renewal if written objections to renewal have been received by the city clerk as provided in s. 85-3-3, and not considered in previous licensing proceedings.

j. Any person has the right to object to a new or renewal food dealer license based upon any matter specified in par. g and, upon receipt of a written objection, the city clerk shall request that the licensing committee schedule a hearing upon the application. The procedures of ch. 85 shall apply to the conduct of the hearing and to common council consideration of the recommendations of the licensing committee, except that the applicant shall not have the right to be heard orally before the common council.

k. A proceeding for revocation of a food dealer license may be commenced upon a sworn complaint to the city clerk by any interested party alleging that the operation of the licensed premises contributes to any of the conditions specified in par. g. If the common council finds that the licensed food dealer has contributed to any of the conditions or circumstances described in par. g, it may revoke the food dealer license or suspend the food dealer license for a period of not less than 10 days nor more than 90 days.

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L. Nothing in this section shall affect the authority or responsibility of the commissioner of health to suspend or revoke a food dealer license whenever the commissioner finds unsanitary or other conditions in the operation of a food service establishment as provided in s. 68-69.

10. DISQUALIFICATION FOR LICENSE. Whenever any application is withdrawn, denied, or license not renewed, revoked or surrendered, the procedures for disqualification for license and change of circumstances provided in ss. 85-13 and 85-15 shall apply.

11. PROCEEDINGS TO SUSPEND OR REVOKE LICENSE. a. Reasons Relating to Unsanitary Conditions. Proceedings to suspend or revoke a food dealer's license for reasons relating to unsanitary or other health-related conditions or for serious or repeated violations of any of the requirements of this chapter shall be conducted in accordance with the provisions of s. 68-69.

b. Reasons Unrelated to Unsanitary Conditions. Proceedings to suspend or revoke a food dealer's license for reasons other than the grounds for suspension or revocation provided in s. 68-69 may be initiated by the licensing committee upon its own motion, upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any city resident.

12. PROCEDURE FOR REVOCATION OR SUSPENSION. a. Notice and Service. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a licensee relating to any of the causes for revocation or suspension of a license set forth in sub. 9, the procedures for notice and service of notice provided in s. 85-3 shall apply.

b. Committee Hearing. The licensing committee shall convene and hear the matter upon the complaint for revocation or suspension filed and noticed under par. a in the manner provided in s. 85-4-1 and 2 and shall prepare and submit a report as required by ss. 85-4-5 and 85-5-1. Grounds for revocation and suspension shall be those provided in sub. 9.

c. Council Action. Written statements in response to the findings and recommendations of the licensing committee shall be filed with the city clerk in the manner provided in s. 85-5-2, and copies shall be provided to common council members in the manner provided in s. 85-5-3. The procedures provided in s. 85-5-4 shall

govern the conduct of the meeting of the common council.

68-23. Shared Kitchens. 1. REVIEW AND APPROVAL. a. Anytime one or more food establishments proposes to operate out of the same commercial kitchen, the primary license holder shall notify the department of his or her intent to share kitchen space.

b. If not previously approved by the department, the addition of other users sharing commercial kitchen space shall be considered a significant operational change requiring plan review and approval as specified in s. 68-11.

c. The commissioner may place an operational restriction on a food establishment based on either size of the kitchen or the compliance history of the establishment prohibiting use as a shared kitchen.

d. Unless operated by the same licensee, each shared kitchen user shall obtain his or her own food dealer license.

2. OPERATOR DUTIES. The primary license holder shall be referred to as a shared kitchen operator and shall:

a. Ensure the physical facilities and all equipment provided by the operator in the shared kitchen are in compliance with all local, state and federal regulations, including compliance with all health and sanitation requirements.

b. Ensure that any person engaged in food preparation or storage within his or her facility is properly licensed. Allowing an unlicensed operator to prepare food for sale shall be considered a violation and grounds for progressive enforcement including revocation of the food dealer license.

c. Maintain records on site regarding the use of the shared kitchen for a period of 24 months from the date of entry and shall make the records immediately available upon request by the department at the time of inspection or investigation. Failure to maintain records or to provide required records to the department shall be grounds for the department to rescind approval to permit shared use of the kitchen. Each of the following records shall be maintained and made available by the shared kitchen operator:

c-1. A list of all shared kitchen users and current contact information.

c-2. For each such shared kitchen user, a copy of the following documents:

c-2-a. Menu approved by the department for use by a shared kitchen user.

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b. Posting of Ordinance. The owner or operator of every parking lot shall post or cause to be posted a copy of this section, or a summary thereof, in a conspicuous place within said parking lot.

c. Penalty. Any person violating par. a shall be punished by a fine of not less than \$50 nor more than \$500 and in default of payment thereof shall be imprisoned in the county jail or house of correction for a period not to exceed 60 days.

d. Exception. The provisions of pars. a and c shall not apply if the operators of the parking lot have not met the provisions of sub. 13-b.

84-43. Cigarette and Tobacco License.

1. DEFINITIONS. In this section:

a. "Cigarette" means any roll of tobacco wrapped in paper or any substance other than tobacco.

b. "Tobacco products" means cigars; cheroots; stogies; periques; granulated, plug cut, crimp cut, ready-rubbed and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco prepared in such manner as to be suitable for chewing or smoking in a pipe or otherwise, or both for chewing and smoking; but "tobacco products" does not include cigarettes.

2. LICENSE REQUIRED. It shall be unlawful for any person, firm or corporation in any manner, or upon any pretense, or by any device, directly or indirectly, to sell, exchange, barter, dispose of or give away, any cigarettes or tobacco products without first obtaining a license therefor.

3. APPLICATION. License application forms shall be obtained from the city clerk and require the information specified in s. 85-12.

4. PLAN OF OPERATION. An application for a cigarette and tobacco license shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk. The plan of operation shall include:

a. The planned hours of operation for the premises.

b. The number of customers expected on a daily basis at the premises.

c. The legal occupancy limit of the premises.

d. The number of off-street parking spaces available at the premises.

e. Plans the applicant has to provide security for the premises.

f. Plans the applicant has to ensure the orderly appearance and operation of the premises with respect to litter and noise.

g. Any other licenses held by the applicant or attached to the premises.

h. A description of any provisions made for clean-up of the premises.

i. A site plan showing:

i-1. The locations of all entrances and exits. This shall include a description of how customers will enter and leave the premises.

i-2. The locations and dimensions of any off-street parking and loading areas for customers.

j. Such other reasonable and pertinent information the common council or the licensing committee may from time to time require.

5. CHANGES TO BE REPORTED.

a. Application. A licensee shall notify the city clerk whenever there is a change in any information that is reported on the application form or renewal application form. The licensee shall make this notification in writing within 10 days after the change occurs.

b. Plan of Operation. If, after the license has been issued, the licensee wishes to deviate from the plan of operation that was submitted with the original application, the licensee shall file a written request with the city clerk which states the nature of the change. No change shall take place until the request is approved through issuance of a new license.

6. LICENSE FEE. See ch. 81 for the required license fee.

7. AGE QUALIFICATION. No license shall be issued to any person or any agent of a corporation or limited liability corporation who is not 18 years of age or older.

8. ISSUANCE. See s. 85-12.5 for provisions relating to the issuance of a license.

9. TRANSFER OF LICENSE OR CHANGE OF NAME. No cigarette and tobacco license may be transferred from one licensee to another or from one premises to another. The city clerk may, however, change the name of a licensee as provided in s. 85-19 upon receiving information that the name of the licensee has been lawfully changed by marriage, order of a court or administrative determination by the Wisconsin department of financial institutions.

10. RECORDS TO BE KEPT. Every retailer licensed under this section shall keep complete and accurate records of all purchases and receipts of cigarettes and tobacco products. The records shall be preserved on the licensed premises for 2 years in a manner to ensure permanency and accessibility for inspection and shall be subject to inspection at all reasonable hours by authorized state and local law enforcement officials.

11. SUSPENSION, NONRENEWAL AND REVOCATION. The city adopts s.134.65 (6), (7) and (8), Wis. Stats.

12. PENALTIES. a. Any person violating this section shall be fined not less than \$25 nor more than \$100 for the first offense or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law; and for a second or subsequent offense not less than \$25 nor more than \$200 or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law.

b. If upon conviction of a 2nd or subsequent violation, the person violating this section is found personally guilty of a failure to exercise due care to prevent the violation, the person shall be fined not less than \$25 nor more than \$300 or, in lieu of nonpayment or default of such fine, costs and disbursements, may be imprisoned as provided by law. Conviction under this paragraph shall result in immediate termination of the license of the person convicted of being personally guilty of failure to exercise due care and the person shall not be entitled to another license under this section for a period of 5 years after conviction, nor shall the person in that period act as the servant or agent of a person licensed under this section in the performance of acts authorized by the license.

84-45. Filling Stations. 1. PURPOSE. In order to protect the health, safety and general welfare of the community and environment and prevent potential harm and nuisance that could result from the location and operation of filling stations, the common council enacts the following regulations.

2. DEFINITION. In this section, "filling station" (gas station) means a place, building, pump or device maintained and used on private premises for the purpose of dispensing to the public gasoline or other fuels for use in motor vehicles of any kind.

3. LICENSE REQUIRED. a. No person, firm or corporation shall operate a filling station unless the person, firm or corporation possesses a valid license issued pursuant to this section. See s. 81-51.6 for the required fee.

b. An additional weighing and measuring license fee specified in ch. 81 shall be paid for each pump or device used to establish charges for gasoline or other fuels.

3.5. SECURITY CAMERA REQUIRED. All filling stations open to customers on a 24-hour basis shall:

a. Install, maintain in proper working order and operate during all hours the store is open to customers a security camera which can produce reproducible digital color images.

b. The camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face, either entering, exiting or at the cash register. Hanging displays shall not obstruct views of the individual's face.

c. If a time-lapse digital video camera is operated, recorded images shall not be recorded at a slower speed than 24 hours.

d. Recorded digital image files shall be kept for a minimum of 72 hours.

4. APPLICATION. License application forms shall be obtained from the city clerk and require the information specified in s. 85-12.

5. PLAN OF OPERATION. An application for a filling station license shall be accompanied by a completed plan of operation on a form provided therefor by the city clerk. The plan of operation shall include:

a. The planned hours of operation for the premises.

b. The number of customers expected on a daily basis at the premises.

c. The legal occupancy limit of the premises.

d. The number of off-street parking spaces available at the premises.

e. Plans the applicant has to provide security for the premises.

f. Plans the applicant has to ensure the orderly appearance and operation of the premises with respect to litter and noise.

g. Any other licenses held by the applicant or attached to the premises.

h. A description of any provisions made for clean-up of the premises.

permitted to present the applicant's own witnesses, subject to cross-examination.

e. Committee members may ask questions of witnesses.

f. The applicant shall be permitted a brief summary statement.

4. **RECOMMENDATION.** The recommendation of the committee regarding the applicant shall be based on evidence presented at the hearing. Probative evidence concerning whether or not the license should be granted may be presented on the following subjects:

a. Whether or not the applicant meets the municipal requirements.

b. The appropriateness of the location and premises where the licensed premises is to be located and whether use of the premises for the purposes or activities permitted by the license would tend to facilitate a public or private nuisance or create undesirable neighborhood problems such as disorderly patrons, unreasonably loud noise, litter, and excessive traffic and parking congestion. Probative evidence relating to these matters may be taken from the plan of operation submitted with the license application.

c. The fitness of the location of the premises to be maintained as the principal place of business, including but not limited to whether there is an overconcentration of businesses of the type for which the license is sought, whether the proposal is consistent with any pertinent neighborhood business or development plans, or proximity to areas where children are typically present.

d. The applicant's record in operating similarly licensed premises.

e. Whether or not the applicant has been charged with or convicted of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the activity to be permitted by the license being applied for.

f. Any other factors which reasonably relate to the public health, safety and welfare.

5. **FACTORS NOT CONSIDERED FOR RECOMMENDATION.** The recommendations of the committee regarding the applicant shall not be based on evidence presented at the hearing related to the type or content of any music, or the actual or likely financial or non-financial effects on actual or potential competitors.

6. **Committee Decision.** The committee may make a recommendation immediately following the hearing or at a later

date. Written notice of the committee's decision will be provided if the decision is made at a later date or if the applicant was not present or represented. The committee shall forward its recommendation in writing to the common council for vote at the next meeting at which such matter will be considered.

7. **DOCUMENT.** If the common council grants the application for a license, the city clerk, or other city official or department authorized by the code to issue licenses, shall issue an appropriate document to the applicant confirming that fact. The document shall also contain any restrictions or conditions which the common council may place on approval.

85-3. Notice and Service. 1. NOTICE OF POSSIBLE NON-RENEWAL, SUSPENSION OR REVOCATION.

a. Unless otherwise provided, the city clerk, or other city official or department authorized by the code to receive applications for licenses or permits, shall provide written notice of the possibility of non-renewal, or of suspension or revocation of a license or permit to the applicant addressed to the person or agent at the address most recently provided by the applicant.

b. Written notice of possible non-renewal, suspension or revocation shall include:

b-1. The date, time and place of a hearing to be held by the committee.

b-2. A statement of the common council's intent to revoke, suspend or not renew the license or permit if objections, charges or allegations are found to be true.

b-3. A statement of the specific reasons for revocation, suspension or non-renewal.

b-4. A statement that an opportunity will be provided to respond to and challenge the reasons for revocation, suspension or non-renewal, and to present witnesses under oath and to confront and cross-examine witnesses under oath.

b-5. A statement that the applicant may be represented by an attorney of the applicant's choice at the expense of the applicant.

b-6. A statement that, if the applicant requires the assistance of an interpreter, the applicant may employ an interpreter at the expense of the applicant.

b-7. A statement that, upon conclusion of a hearing before the committee, the committee will prepare a written report and recommendation to the common council, and shall provide a copy of the report and recommendation to the applicant.

85-4 License and Permit Procedures

2. SERVICE OF DOCUMENTS. Service of notices of meetings and service of other documents including committee reports and recommendations shall be made upon any party entitled to such notice and service by placing the same in the United States first class mail, postage prepaid.

3. OBJECTIONS. a. How Made. Notice of an objection to the renewal of a license or in support of suspension of a license or permit by an interested party shall not be included in the notice of hearing if the objection has not been received by the city clerk within 45 days of the expiration of the license. Failure to timely submit an objection shall not be a bar to testimony or other evidence that relates to any matter actually identified in the notice of hearing as a basis for nonrenewal or suspension. An objection shall include information that could form the basis of a license nonrenewal or suspension and may be transmitted in writing or by electronic means. Any city official, or the official's delegate, shall forward an objection from an interested party, or from a resident as provided in s. 90-1-19, to the city clerk. The information provided by an official or the official's delegate to the city clerk shall include the name of the objector, contact information for the objector, and information known to the objector that may form a basis for nonrenewal or suspension. The submission by a city official or the official's delegate of a written summary of the objection to the city clerk shall be treated in the same manner as other objections. The city clerk is authorized to establish forms for the purpose of assisting persons wishing to submit an objection.

b. Exception. If application for renewal is filed with the city clerk after the deadline for renewal application established by the city clerk and prior to the expiration of the license, an objection may be submitted in fewer than 45 days prior to the expiration of the license and may be considered at a regularly scheduled meeting of the licensing committee provided sufficient and timely notice is given.

85-4. Hearing Procedure; Non-Renewal, Suspension or Revocation. 1. AUTHORITY OF COMMITTEE. The committee shall conduct hearings with respect to the non-renewal, suspension or revocation of a license or permit pursuant to this section. The chair of the committee shall be the presiding officer.

1.5. MULTIPLE LICENSE TYPES. When the committee conducts a hearing relating to the possible denial, non-renewal, suspension

or revocation of a business type license and the licensee holds one or more other types of licenses or permits issued by the city clerk for the same premises, the committee shall also consider possible non-renewal, suspension or revocation of the other licenses or permits at the same hearing. Notice of possible denial, non-renewal, suspension or revocation of the non-alcohol beverage licenses or permits shall be provided in accordance with s. 85-3.

2. COMMITTEE HEARING PROCEDURE. a. The chair shall advise the applicant of the right to proceed to a due process hearing represented by counsel with all testimony, both direct and cross examination, under oath or that the applicant may simply make a statement to the committee.

b. The chair shall direct that oaths be administered and subpoenas issued upon request of any party.

c. The chair shall ensure that an orderly hearing is conducted in accordance with the requirements of this section. The chair shall open the hearing with a statement that a notice was sent to the applicant, and, if the applicant appears, shall further inquire whether the notice was received. Unless expressly provided elsewhere in this code, the chair shall advise the licensee and parties seeking nonrenewal, suspension or revocation of the license that each side will be limited to 30 minutes for testimony and oral argument. This time may be extended by the chair, subject to approval by the committee, if additional time is necessary for a full and fair presentation of the facts and arguments. When permitted by the chair, questioning by committee members and relevant responses shall not count against the time limitation. In the event that the applicant does not admit receipt of the notice and also denies knowledge of the contents of the notice, the chair shall ascertain whether the applicant wishes to immediately proceed to a full hearing or whether the applicant wishes the matter to be held to the call of the chair or to a time certain. The decision to proceed or to hold the matter shall be made by the committee.

d. The chair shall rule on objections to the admissibility of evidence. Any ruling of the chair shall be final unless appealed to the committee, and the committee shall reverse such ruling only upon the vote of a majority of its members.

3. RECORD. An electronic or stenographic record shall be made of all licensing proceedings before the licensing committee and the common council. An

electronic record shall audibly, accurately and completely reflect the testimony and statements made by participants in the proceedings. Recordings shall be maintained in a manner prescribed by the city clerk. An electronic record shall be made available for stenographic transcription or for transcription by other means at the expense of the person or party seeking the transcription of all or any portion of the record.

4. GROUNDS FOR NON-RENEWAL, SUSPENSION OR REVOCATION. The recommendations of the committee regarding the applicant shall be based on evidence presented at the hearing. Unless otherwise specified in the code, probative evidence concerning non-renewal, suspension or revocation may include evidence of:

- a. Failure of the applicant to meet municipal qualifications.
- b. Pending charges against or the conviction of any felony, misdemeanor, municipal offense or other offense, the circumstances of which substantially relate to the circumstances of the particular licensed or permitted activity, by the applicant or by any employe or other agent of the applicant.
- c. If the activities of the applicant involve a licensed premises, whether the premises tends to facilitate a public or private nuisance or has been the source of congregations of persons which have resulted in any of the following:

- c-1. Disturbance of the peace.
- c-2. Illegal drug activity.
- c-3. Public drunkenness.
- c-4. Drinking in public.
- c-5. Harassment of passers-by.
- c-6. Gambling.
- c-7. Prostitution.
- c-8. Sale of stolen goods.
- c-9. Public urination.
- c-10. Theft.
- c-11. Assaults.
- c-12. Battery.
- c-13. Acts of vandalism including graffiti.
- c-14. Excessive littering.
- c-15. Loitering.
- c-16. Illegal parking.
- c-17. Loud noise at times when the licensed premise is open for business.
- c-18. Traffic violations.

- c-19. Curfew violations.
- c-20. Lewd conduct.
- c-21. Display of materials harmful to minors, pursuant to s. 106-9.6.
- c-22. Any other factor which reasonably relates to the public health, safety and welfare.
- c-23. Failure to comply with the approved plan of operation.

5. HEARING OFFICER. Where it is impractical for the committee to hold an evidentiary hearing, the committee may employ a hearing officer for the purposes of taking testimony and rendering recommended findings of fact and conclusions of law to the committee. When such hearing officer is employed, he or she shall prepare written findings of fact and conclusions of law which shall be simultaneously transmitted to the committee as well as to the applicant, the applicant's agent, manager, operator or any other employe of the applicant, and to the person bringing the complainant or objector. The chair of the committee shall schedule a hearing on the receipt of the report of the hearing officer in not more than 30 days from receipt of the report. Notice of the committee hearing on the report shall be given to all parties. The committee may take and reserve additional evidence at the time of said hearing. The committee may accept or reject the report of the hearing officer or make any changes to the report which are warranted by the circumstances, the evidence presented and any arguments of the parties who appeared before the hearing officer and the committee. The committee shall transmit its recommendation to the common council for action as provided in sub. 6.

6. COMMITTEE REPORT. The committee may make a report and recommendations immediately following the hearing or at a later date. The committee may recommend that the license or permit be renewed, not renewed, suspended or revoked. In addition, if the committee determines that circumstances warrant, the committee may recommend that the license or permit be renewed conditioned upon a suspension of the license or permit for a defined period of time. When the committee elects to recommend that a license or permit be renewed with a period of suspension, the license or permit may be suspended for a period of not less than 10 days and no more than 90 days.

85-5 License and Permit Procedures

85-5. Council Action. 1. REPORT TO BE PROVIDED. Within 10 working days after it reaches a decision, the committee shall prepare and serve a report and recommendation upon the applicant and upon the complainant or objector, if any. The report and recommendations shall include specific findings of fact and conclusions of law made by the committee. A copy of the report shall be distributed to each member of the common council.

2. FILING WRITTEN STATEMENTS OR RESPONSES. Following a recommendation by the committee that the license or permit not be renewed, or that the license or permit be revoked or suspended, the applicant may submit a written statement including objections, exceptions and arguments of law and fact. When the proceedings have been commenced upon the complaint or objection of an interested party who has appeared and offered evidence, the complainant or objector may also submit a written statement in response. Written statements shall be filed with the city clerk before the close of business on a day that is at least 3 working days prior to the date set for hearing by the common council.

3. COPIES TO BE PROVIDED TO COMMON COUNCIL MEMBERS. A copy of any statement in response to the report and recommendations of the committee that is timely filed shall be provided to each member of the common council at least 24 hours before any vote on the question is scheduled before the common council.

4. PROCEDURE AT MEETING OF THE COMMON COUNCIL. a. At a meeting of the common council following the receipt of the report and recommendations of the committee, the common council shall consider the report and recommendations. The city clerk shall notify the applicant, and the complainant or objector, if any, by United States first class mail, postage prepaid, 5 working days prior to the hearing before the common council, and shall also notify the city attorney, that the council will convene to act upon the report and recommendations.

b. Each member of the common council shall be asked to affirm that he or she has read the report and recommendations of the committee. When a written statement has been timely filed by the applicant, or by a complainant or objector, each member of the common council shall be asked to affirm that he or she has read the statement. If members of the council have not read the recommendation and report of the committee and any statement in

response that has been timely filed, the chair shall allocate time for the members to do so.

c. Oral argument on behalf of the applicant, and oral argument by the complainant or objector, if any, shall be permitted only to those parties having timely filed a written statement. Oral argument shall be limited to 5 minutes. The city attorney shall also be permitted to make an oral presentation of not more than 5 minutes.

d. Applicants shall appear only in person or by counsel. Corporate applicants shall appear only by designated agents or counsel. Partnerships shall be represented only by a partner or counsel. Limited liability companies shall be represented only by designated agents or counsel. Complainants and objectors shall appear only in person or counsel. Any person making an appearance before the council who requires the services of an interpreter shall obtain one at his or her own expense.

e. The common council shall determine by a majority roll call vote of those in attendance and voting whether to adopt the recommendation of the committee. The city clerk shall provide written notice of the decision to the applicant, and to the complainant or objector, if any, including a written statement or summary of the reasons for the decision.

f. Unless otherwise expressly provided, the revocation of a license or permit shall be effective upon service of the notice of decision upon the applicant or upon any person having charge or control of a licensed premises. Suspension of a license or permit in proceedings for revocation shall be effective upon service of the notice of decision upon the applicant or upon any person having charge or control of a licensed premises. Suspension of a license or permit in proceedings for renewal shall be effective on the date the common council takes action to suspend the license or permit, or on the date of the expiration of the license or permit, whichever is later. A license or permit may be suspended for not less than 10 days and no longer than 90 days.

g. If a retail alcohol beverage license for a premises is suspended and the licensee also holds a public entertainment premises license for the premises, the public entertainment premises license shall be suspended for the same time period as the alcohol beverage license.

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d-2. At the meeting of the common council, the chair shall allow oral argument by an applicant or complainant who has timely submitted a written statement in response to the recommendations of the licensing committee. The city attorney shall also be permitted a statement. Oral arguments shall not exceed 5 minutes on behalf of any party. Applicants shall appear only in person or by counsel. Corporate applicants shall appear only by the agent or by counsel. Partnerships shall be represented only by a partner or by counsel. Limited liability companies shall be represented only by the agent or by counsel. Complainants shall appear only in person or by counsel. Any person making an appearance before the council pursuant to this subsection and who requires the services of an interpreter shall obtain one at his or her own expense.

d-3. Prior to voting on the committee's recommendation, all members of the council who are present shall signify that they have read the recommendation and report of the licensing committee and any written statements in response that have been filed thereto. If they have not, the chair shall allocate time for the members to do so. If they have read the report and recommendation, then a roll call vote shall be taken as to whether or not the recommendation of the committee shall be accepted. The applicant shall be provided with written notice of the results of the vote taken by the common council.

3. REQUEST TO SURRENDER A LICENSE. See s. 85-17 for provisions relating to the surrender of licenses and the return of surrendered licenses.

90-12. Revocation or Suspension of Licenses. 1. CAUSES. Any license issued under this chapter may be suspended or revoked for cause by the common council after notice to the licensee and a hearing. Such licenses shall be suspended or revoked for the following causes:

a. The making of any material false statement in any application for a license.

b. The conviction of the licensee, his agent, manager, operator or any other employe for keeping a gambling house or a house of prostitution or any felony related to the licensed operation.

c. A showing that such licensee has violated any state law or city ordinance prohibiting the sale of intoxicating liquors or fermented malt beverages to underage persons, or to any person intoxicated or bordering on the state of intoxication.

d. The violation of the provisions in ss. 90-7 through 90-10 and 90-13 through 90-31.

e. The violation of any of the excise laws of this state.

f. The licensed premises is operated in such a manner that it constitutes a public or private nuisance or that conduct on the licensed premises, including but not limited to loud and raucous noise, has had a substantial adverse effect upon the health, safety or convenience and prosperity of the immediate neighborhood; or

g. If the licensee is a corporation or licensed limited partnership, the conviction of the corporate agent, officers, directors, members or any shareholder holding 20% or more of the corporation's total or voting stock, or proxies for that amount of stock, of any of the offenses enumerated in s. 125.12(2)(ag), Wis. Stats., as amended.

h. Failure of the licensee to operate the premise in accordance with the floor plan and plan of operation submitted pursuant to s. 90-5-1-c.

i. For any other reasonable cause which shall be in the best interests and good order of the city.

3. STATE LAW APPLICABLE. Except as hereinafter provided, the provisions of ss. 125.12(2)(ag) to (c), Wis. Stats., shall be applicable to proceedings for the suspension and revocation of all licenses granted under this chapter.

4. COMMENCEMENT OF PROCEEDINGS. Suspension or revocation proceedings may be instituted by the licensing committee of the common council upon its own motion, or upon sworn written charges made and filed with the city clerk by the chief of police or upon a sworn written complaint filed with the city clerk by any city resident.

5. PROCEDURES FOR REVOCATION OR SUSPENSION. a. Complaint; Summons; Report.

a-1. Whenever either sworn written charges or a sworn written complaint are filed with the city clerk setting forth specific charges against a licensee involving conduct which would violate statutes or ordinances that are grounds for revocation or suspension of a license, the city clerk shall issue a summons, as authorized by Wisconsin statutes, demanding that the licensee appear before the licensing committee, not less than 3 days nor more than 10 days from the date of issuance, to show cause why the license should not be revoked or suspended.

a-2. A police officer shall serve the summons upon a licensee in accordance with Wisconsin statutes, and shall also serve a copy of the complaint with a copy of this subsection upon the licensee.

a-3. The chief of police shall prepare a report with information relating to the allegations contained in the written charges or complaint. The report shall first state whether the chief of police has information relating to the allegations contained in the written charges or complaint. The report may be offered and made part of the permanent record of the hearing without motion. Information contained in the report shall be admissible and may be considered by the committee as a public record to the extent that the information in the report sets forth the activities of department personnel, or provides information about matters observed by police personnel under a duty imposed by law, or contains factual findings resulting from an investigation made under authority of law, unless the sources of information or other circumstances indicate lack of trustworthiness. A copy of the report shall be provided to the licensee at least 3 days prior to the time scheduled for appearance upon the summons and complaint.

b. Committee Hearing. b-1. Upon receipt of evidence that the summons has been served, the licensing committee shall convene at the date and time designated in the summons for the purpose of taking evidence and making findings of fact and conclusions of law and a recommendation to the full common council in connection with the proposed revocation or suspension.

b-2. If the licensee appears before the committee at the time designated in the summons and denies the charges contained in the complaint, an evidentiary hearing in connection with the revocation or suspension

shall be conducted by the committee at that time. If the licensee does not appear, or appears but does not deny the charges contained in the complaint, the complaint shall be taken as true and the committee shall hear the arguments of the city attorney and the licensee in connection with the revocation or suspension.

b-3. The procedure at evidentiary hearing shall be as follows:

b-3-a. The chief of police or complainant shall first present evidence in support of the complaint. The chief of police or complainant may offer the report prepared under par. a-3.

b-3-b. After the chief of police or complainant rests, the licensee may present evidence in opposition to the written charges or complaint.

b-3-c. The chief of police or complainant and the licensee may subpoena and present witnesses. All witnesses shall testify under oath and shall be subject to cross-examination.

b-3-d. The chief of police or complainant and the licensee shall each be limited to 30 minutes for testimony and oral presentation unless the chair, subject to approval of the committee, extends the time to assure a full and fair presentation.

b-3-e. Questions by committee members and responses to members' questions shall not be counted against the time limitations.

b-3-f. At the close of the testimony, the chief of police or complainant and the licensee shall be given a reasonable time to make arguments upon the evidence produced at the hearing.

b-4. The chair of the licensing committee shall be the presiding officer. The chair shall direct that oaths be administered and subpoenas issued upon request of either side. The chair shall ensure that an orderly hearing is conducted in accordance with the requirements of this subsection. The chair shall rule on objections to the admissibility of evidence. Any ruling of the chair shall be final unless appealed to the committee, and the committee shall reverse such ruling only upon the vote of a majority of its members present and voting.

b-5. At all stages of the proceedings before the committee or before the common council, the licensee shall be entitled to appear both in person and by an attorney.

b-6. A record shall be made of all licensing proceedings before the committee and before the common council as provided in s. 85-4-3.