

In re the Tavern License of:

The Last Chance
3235 West Scott Street
Milwaukee, Wisconsin

SWORN CHARGES BY CHIEF OF POLICE FOR REVOCATION OF LICENSE

Pursuant to Section 90-12 Milwaukee Code of Ordinances, Chief of Police Edward A. Flynn, by Captain Donald J. Gaglione, Commander of Police District Six, being first duly sworn and upon his oath, respectfully charges the following based upon review of official Milwaukee Police Department investigative reports and communication with police and city officials.

1. That Vickey L. MENDEZ ("Licensee") is the holder of Class "B" Tavern, Tavern Dance, Amusement Machine Premise, Billiard Hall, Cigarette and Tobacco, Pool Table, and Phonograph/Jukebox Premise licenses for the premises known as The Last Chance tavern, located at 3235 West Scott Street, Milwaukee, Wisconsin. Upon information and belief, this premise has a posted occupancy of 80 persons.
2. That The Last Chance tavern is the scene of chronic nuisance activity such as shootings, delivery of controlled substances, possession of controlled substances, and fights among patrons at the tavern. The Last Chance tavern has also had a substantially adverse effect upon the surrounding neighborhood due to the loud music coming from the tavern. This activity has led, in part, to the Common Council renewing the Class "B" Tavern, Tavern Dance, Amusement Machine Premise, Billiard Hall, Cigarette and Tobacco, Pool Table, and Phonograph/Jukebox

premise licenses of The Last Chance with a warning letter on February 5, 2008, that required the licensee, Vickey Mendez, to ensure that incidents addressed did not reoccur.

3. That according to a Milwaukee Police Department Licensed Premises report dated April 18, 2008, Milwaukee police officers were dispatched to complaints of Loud Music at The Last Chance tavern at 3235 West Scott Street. Officers could hear music approximately one block away from the tavern, and they spoke to the licensee, Vickey Mendez. Mendez stated the music was not loud despite being told the music level was unacceptable by the police officers, and she was advised to keep the music level down so it did not disturb the neighborhood. Officers were again dispatched to 3235 West Scott Street for another Loud Music complaint the same night. Officers could hear music from over fifty feet again as they approached The Last Chance tavern. Officers again spoke to the licensee, Vickey Mendez, and she was cited for Noise Nuisances Where Sound Level Measurements Not Practical.

4. That according to Milwaukee Police Department Incident Report 081050243, Milwaukee Police Officers conducted an undercover investigation into drug sales being conducted inside The Last Chance tavern. Between March 8, 2008, and March 14, 2008, an undercover Milwaukee police officer was able to purchase a total of 0.90 grams of cocaine at The Last Chance tavern from a bartender later identified as Joseph Mendez, who is the son of Vickey Mendez. The undercover Milwaukee police officer purchased the cocaine at The Last Chance tavern three times during this time period from Joseph Mendez while he was acting as the bartender. An undercover Milwaukee Police officer was also able to purchase an additional 12.08 grams of cocaine from another bartender, later identified as Santiago Valdez-Gomez, on

April 4, 2008, at The Last Chance tavern. Surveillance was done on the tavern during the late afternoon and evening hours during the months of March and April 2008, and Milwaukee police officers observed several known gang members entering and exiting the tavern on a daily basis. The gang members were identified as members of the Latin Kings and C-14 street gangs. Officers have arrested Valdez-Gomez for Manufacturing/Delivery of Cocaine, and they have made several attempts to locate and arrest Joseph Mendez. Officers have also attempted to notify Vickey Mendez about this case several times, but they have found the bar to be closed each time.

5. That according to Milwaukee Police Department Incident Report 080610153, on March 1, 2008, at 9:37 P.M., multiple Milwaukee Police squads conducted a tavern investigation at 3235 W. Scott St. Officers from the Anti-Gang Unit received information from a confidential informant and information from the Intelligence Division that The Last Chance tavern was known to have a high volume of gang members from the C-14 street gang conducting gang activity at the tavern. During the investigation, a patron, later identified as Santiago Valdez-Gomez, was arrested for Possession of Cocaine, and another patron of the tavern was cited for Disorderly Conduct after he became disorderly and started to yell profanities. Police officers also found twenty-six bottles of liquor that were contaminated and one bottle of Crown Royal that was refilled during the investigation.

6. That according to a Milwaukee Police Department Incident Report 022793037 dated on October 6, 2002, multiple Milwaukee Police squads were dispatched to a Shooting at 3235 W. Scott St., The Last Chance tavern, on October 5, 2002. Police officers found a male who had

been shot in the back at the tavern, and the male stated he did not know who shot him.

7. That according to a Milwaukee Police Department Licensed Premises Report dated November 5, 1994, two Milwaukee Police Officers were dispatched to the complaint of loud music coming from the tavern. Upon arriving, officers observed the rear door of the tavern open and could hear loud music coming from the tavern. The door was then closed before the officers could enter. Officers found approximately 200 persons on the premises, which had a capacity of 80 persons. There was no placard posted regarding occupancy. Underage persons were observed on the premises consuming alcoholic beverages during this investigation.

8. That Milwaukee Police Department Licensed Premises, Incident Reports, and CAD Reports document the following multiple instances of dangerous, violent, and nuisance activity involving this premises: Fights between patrons on 03/13/2007 and 01/31/2008; Graffiti to the tavern on 01/12/2007, 04/06/2007, 03/14/2008, and 04/04/2008; a Burglary to the tavern on 04/06/2008; Presence of Underage Persons in the tavern on 02/03/2006; Sale of Alcohol to Underage Person on 04/05/2003; and Noise Nuisances on 12/17/2001 and 07/28/2008.

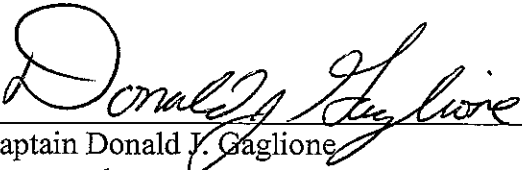
9. On May 12, 2008, Manuel Mendez spoke to District Six Captain Donald J. Gaglione, and he stated he is the husband of licensee, Vickey Mendez. Manuel Mendez stated he has found what he suspected to be cocaine on two separate occasions inside of The Last Chance tavern since 2007. He stated he found eight individual bags he suspected to be cocaine inside of a dollar bill inside of the tavern within the last year, and he washed it down his sink drain.

10. On information and belief the complainant is aware that the alderman of the district in which The Last Chance tavern resides has received frequent complaints about shootings, drug activity, fights, public drinking, loud noise, littering, public urination, and graffiti about The Last Chance tavern located at 3235 West Scott Street. On further information and belief the alderman has also corresponded with the licensee, Vickey L. Mendez, of The Last Chance tavern.

11. That the licensed premise is operated in such a manner that it constitutes a public nuisance and that the above described conduct on the licensed premises has a substantially adverse effect upon the health, safety, convenience and prosperity of the immediate neighborhood.

Therefore, the Chief of Police, by and through Captain Donald J. Gaglione, Commander of Police District Six, respectfully requests that the Class "B" Tavern, Tavern Dance, Amusement Machine Premise, Billiard Hall, Cigarette and Tobacco, Pool Table, and Phonograph/Jukebox Premise licenses of Vickey L. Mendez for the premises known as The Last Chance tavern, located at 3235 West Scott Street, Milwaukee, Wisconsin, be immediately revoked.

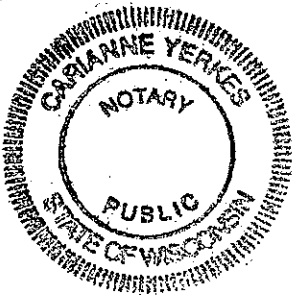
Signed and dated at Milwaukee, Wisconsin this 13th day of August 2008.



Captain Donald J. Gaglione
Commander
Milwaukee Police District Six

The foregoing complaint seeking revocation of the Class "B" Tavern, Tavern Dance, Amusement Machine Premise, Billiard Hall, Cigarette and Tobacco, Pool Table, and Phonograph/Jukebox Premise license was subscribed and sworn to before me this 19th day of August 2008.

Carianne Yerkas
Notary Public, State of Wisconsin
My Commission expires: 03/11/12



CITY OF MILWAUKEE
LICENSE DIVISION
2008 AUG 22 PM 1:30