

In re: The Precious Metals and Gem Dealer and Second Hand Dealer Licenses of:

Star Jewelry, LLC

Agent: Francisco SANDINO Jr. aka Francisco SANDINO-BADILLO

1212 W. Lincoln Ave.

Milwaukee, Wisconsin 53215

CITY OF MILWAUKEE
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RONALD D. LEONHARDT
CITY CLERK

SWORN CHARGES BY CHIEF OF POLICE FOR REVOCATION OF LICENSE

Pursuant to Wis. Stat. § 134.71(10), and § 92-10-6, Milwaukee Code of Ordinances, Chief of Police Edward FLYNN, by Captain Donald J. GAGLIONE, Commander of Police District Two, 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 Francisco nm SANDINO JR. (DOB 03-16-1985), [herein after referred to as "Licensee" or "SANDINO Jr.], is the holder of Second Hand Dealer License #867 for 2009, and a Precious Metals and Gem License, herein after referred to as PM & G, for the premises known as Star Jewelry located at 1212 W. Lincoln Ave. in the City and County of Milwaukee, WI. That SANDINO JR's PM & G license number for the 2009 year is #296, and for the 2010 year is #332;
2. Your affiant states that for the past three months, P.O. Jeffrey THIELE and his partner, P.O. Glenn PODLESNIK, who are police officers under your affiants command, have been assigned to a special burglary detail at District 2. During this period, P.O.'s THIELE and PODLESNIK learned through their investigations that jewelry taken from these numerous burglaries had been sold to jewelry shops throughout District 2 in violation of the requirements of Wisconsin Statute section 134.71 and City of Milwaukee Ordinance 92-10;
3. That your affiant knows through everyday dealings that the price of gold has substantially increased in recent months;
4. That your affiant knows that P.O.'s THIELE and PODLESNIK have arrested several burglars over this three month period and several of those burglars have confessed to their crimes. That these burglars told P.O.'s THIELE and PODLESNIK during Mirandized interviews that they sold the gold and jewelry they stole to jewelry shops in District 2 such as Star Jewelry, Cash N' Gold and Reflections. That your affiant knows through records kept in the every day course of Milwaukee Police Department/City of Milwaukee business that the owners of Cash N' Gold Jewelry and Star Jewelry are father and son;
5. That your affiant knows that according to City of Milwaukee ordinance 92-10-6 and its subsections, that PM & G dealers are required to obtain a picture identification card from

a member of the general public who wishes to sell gold or jewelry and other precious metals to a PM & G dealer. That in lieu of a picture identification card, the PM & G dealer may take another form of identification and then obtain a fingerprint. That PM & G dealers located within the City of Milwaukee are required by ordinance to properly complete a Milwaukee Police Department provided form, labeled a PP-16A, every time they purchase gold and jewelry or other precious metals from the general public. That PM & G dealers are required by ordinance to obtain a written declaration of ownership from the general public seller. That PM & G dealers are required by law to maintain a book or ledger and are to record legibly and in the English language every purchase of gold and jewelry and precious metals in said book, and that the book or ledger shall be kept for a period of one year. PM & G dealers are required by law to keep the jewelry purchased from the general public seller for a period of 15 days;

6. That on November 11, 2009, at approximately 1:27 p.m., an undercover police officer entered Star Jewelry located at 1212 W. Lincoln Ave., and was able to sell jewelry to the owner of Star Jewelry, Francisco SANDINO JR., (DOB 03/16/1985), without the use of a picture identification card of any kind. SANDINO JR. purchased several pieces of gold jewelry and a watch for \$275.00. This transaction was captured on audio and video recordings. The money received by the under cover police officer was placed on MPD Inventory #496838, and the video placed on MPD Inventory #496838;
7. That based upon information obtained through the investigations of P.O.'s THIELE and PODLESNIK, and the undercover operation, P.O. THIELE authored a search warrant for Star Jewelry. The Honorable Barry C. SLAGLE, Milwaukee County Court Commissioner, signed the warrant. The warrant was for illegally obtained jewelry, the recovery of Milwaukee Police Department jewelry that had been purchased by SANDINO JR., and documents, utility bills and other papers that showed who was in control of the business;
8. That on Monday, November 23, 2009, at approximately 11:33am, P.O.'s THIELE and PODLESNIK, along with P.O.'s Chris CHU and David NOVAK, assisted by Sgt. Donald DINKLEMAN, executed that search warrant on Star Jewelry. The Licensee was the only employee in the business at the time of the warrant execution. That P.O. THIELE read the warrant to SANDINO JR. and provided him with a copy of said warrant. It should be noted that November 23, 2009, is a date that falls within the 15 day holding period from the sale of jewelry by the undercover officer in which licensed PM & G dealers are to hold onto gold and jewelry purchased from the general public as required by law;
9. That P.O.'s THIELE and PODLESNIK demanded to see all the gold that SANDINO JR. had purchased within the last 15 days and demanded to see his books or ledgers. That SANDINO JR. did claim to provide all the gold and jewelry that he had purchased in the last 15 days and that he had packaged this gold in individual clear plastic baggies and dated the baggies starting on November 8, 2009. That SANDINO JR. stated to P.O. THIELE that his books/ledgers were not on scene at 1212 W. Lincoln Ave., but that they were at his fathers business at Cash N' Gold Jewelry, located at 1214 S. Cesar Chavez. When asked why his books weren't with the business, SANDINO JR. stated he shares his books and ledgers regarding general public purchases with his father, which is a direct

violation of the ordinance. P.O. THIELE did retrieve all the books relevant to our investigation from Cash N' Gold Jewelry and returned them to Star Jewelry;

10. That SANDINO JR. stated to police that he follows the laws and does nothing wrong. That SANDINO JR. stated that he does not purchase gold and jewelry illegally. That SANDINO JR. denied any wrong doing until P.O. PODLESNIK showed SANDINO JR. a photograph of the jewelry that our undercover officer sold to him, and then was showed a photograph of SANDINO JR. himself at the window of his business conducting gold and jewelry transactions with the undercover officer while not following the law. That SANDINO JR. then admitted he conducted that transaction illegally;
11. That P.O.'s THIELE and PODLESNIK took the time to go through each individual plastic bag full of gold and compared that to what little information SANDINO JR. placed in his ledgers. SANDINO JR. was allowed to sort through this gold with P.O.'s THIELE and PODLESNIK and was allowed to keep all gold that he could prove was in his ledger;
12. That while P.O.'s THIELE and PODLESNIK sorted through the gold and jewelry, they demanded to see the PP-16A's for each transaction and for each piece of gold and jewelry, and also demanded to see any kind of written declaration of ownership that SANDINO JR. obtained from each general public seller. P.O.'s THIELE and PODLESNIK also demanded to see the jewelry that had been sold to SANDINO JR. by the undercover officer. SANDINO JR. did turn over those pieces and was wearing the watch that was sold by the undercover officer. SANDINO JR. could not provide P.O.'s THIELE and PODLESNIK with any PP-16A's for any of the gold and could not provide any kind of written declaration for any of the gold. All of the illegally purchased gold was confiscated by P.O.'s THIELE and PODLESNIK and photographs were taken at the scene. All of the gold confiscated was weighed in the presence of SANDINO JR. and weighed 2881 grams;
13. That all of the gold that was removed from Star Jewelry was placed on Milwaukee Police Department inventory numbers #496930 through #496944. Each individual plastic bag of gold that SANDINO JR. purchased illegally and packaged as such by documented date was placed on its own separate inventory. Papers and documents recovered during the search warrant were placed on MPD Inventory #496945;
14. That on Wednesday, December 2, 2009, P.O.'s THIELE and PODLESNIK, at your affiants direction, searched the confiscated gold from all of the search warrants that had been executed and began trying to identify the victim's of pieces of gold and jewelry that were different and that stood out. That P.O. PODLESNIK was able to identify a class ring from Franklin High School in Milwaukee County that belonged to one Carrie LAPOINTE (DOB 03-10-1977). That upon P.O. PODLESNIK contacting LAPOINTE, LAPOINTE stated that she had been the victim of a theft of jewelry from her home and that her class ring was among the items taken. That P.O. PODLESNIK found a Milwaukee Police Department Incident report (#093160195) for LAPOINTE. That LAPOINTE did come to District 2 police station and did positively identify the ring as

hers and the ring was returned to her, thus partially clearing a jewelry theft in the City of Milwaukee. The ring was originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There is no chance of identifying a suspect in the theft of LAPOINTE's jewelry because SANDINO JR. failed to follow the laws and ordinances governing the purchasing of gold and jewelry from the general public. SANDINO JR. failed to obtain a picture identification card and number, failed to file the PP-16A, failed to record the transaction in his ledger, and failed to obtain any written declaration of ownership from the subject (s) who sold this jewelry to SANDINO JR.;

15. That P.O.'s THIELE and PODLESNIK know through investigation that suspects regularly commit crime in other jurisdictions outside the City of Milwaukee, and that those suspects regularly bring the stolen gold and jewelry into the City of Milwaukee to sell. That on Thursday, December 3, 2009, P.O. THIELE called every police jurisdiction in the County of Milwaukee and informed them of the jewelry investigation. That P.O. THIELE invited every police jurisdiction in the County of Milwaukee to send a representative to District 2 to view the gold and jewelry before the public could view it in an attempt to possibly clear outside jurisdiction burglaries or crimes in which gold and jewelry were taken. That on Thursday, December 3, 2009, at approximately 11:30am, your affiant held a media/press conference at the District 2 police station. That your affiant informed the media/press of the operation that had been conducted and that P.O.'s THIELE and PODLESNIK would hold a public viewing of the gold starting on Tuesday, December 7, 2009. That your affiant made it very clear to the public that in order to view the gold and jewelry, the citizen would have to have reported a valid crime prior to the operation and have that corresponding police report on hand, along with picture identification;
16. That on Thursday, December 3, 2009, after the media/press release, investigators from throughout Milwaukee County began to arrive at District 2. That Detectives from the City of St. Francis police department did locate 6 pieces of gold and jewelry that were taken in a burglary in their jurisdiction. That upon the instruction of P.O.'s THIELE and PODLESNIK, these Detectives then called their victim, identified as Filogonio MEDINA (DOB 12-17-1968) and instructed MEDINA to come to District 2 to view the jewelry. MEDINA did as instructed and positively identified 4 more pieces of jewelry that were hers. These items that had been picked out were previously documented on St. Francis police report number 09-012167. These items were then returned to MEDINA, thus partially clearing the St. Francis burglary. All of the items identified were originally recovered by P.O.'s THIELE and PODLESNIK at Star Jewelry during the search warrant. There is no chance for the Milwaukee Police Department to find a suspect in the St. Francis burglary because SANDINO JR. failed to properly follow the laws and ordinances governing gold and jewelry purchases from the general public. SANDINO JR. did not take an ID card, did not file the PP-16A, did not keep the transaction in his ledger, and did not obtain a written declaration from whomever he purchased the gold and jewelry from;
17. That starting on Tuesday, December 7, 2009, P.O.'s THIELE and PODLESNIK displayed the jewelry at the District 2 police station for the public to view. That over the next 3 days, (Tuesday, December 7, 2009 through Thursday, December 9, 2009), P.O.'s

THIELE and PODLESNIK had over 150 citizens come into District 2 and view the gold and jewelry. Citizens came from as far away as Green Bay, Sheboygan, Fond Du Lac, and Madison;

18. That over these 3 days, P.O.'s THIELE and PODLESNIK were able to partially clear 7 burglaries or thefts in the City of Milwaukee, and 8 burglaries or thefts from outside jurisdictions;
19. That Brenda D. CACHO-CARDENAS was the victim of a theft in the City of Milwaukee and that her Milwaukee Police Department Incident report number is #093420136. That CACHO-CARDENAS positively identified 5 pieces of gold and jewelry that had been taken in the theft on November 12, 2009. That CACHO-CARDENAS had photographs depicting the jewelry that she identified. These items were returned to CACHO-CARDENAS, thus partially clearing the theft. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
20. That Jose ROSAS was the victim of a burglary on February 19, 2009 and his Milwaukee Police Department Incident number is 090500097. That ROSAS had positively identified 6 pieces of jewelry that were very specific and different from the rest of the gold and jewelry recovered. That these pieces were documented descriptively in the police report. These items were returned to ROSAS, thus partially clearing a burglary. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
21. That Cheryl KASAL was the victim of a burglary and her Hales Corners Incident number is 09-007215. That KASAL positively identified 3 pieces of gold and jewelry that had been taken in her burglary on July 6, 2009. That these pieces were documented descriptively in her police report, and these items were returned to her, thus partially clearing a burglary. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
22. That LaShona BURKS was the victim of a theft on November 22, 2009, and her Milwaukee Police Department Incident report number is #093260012. That BURKS

positively identified diamond earrings that were documented descriptively in her police report. These items were returned to her, thus partially clearing a theft. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;

23. That Douglas EVANS was the victim of a theft on October 2, 2009, and his Milwaukee Police Department Incident number is #092760010. That EVANS positively identified a ring and diamond earrings. That EVANS' ring was a specific piece that was descriptively documented in his police report. That these items were returned to EVANS, thus partially clearing a burglary. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
24. That Fauzi SWEI was the victim of a burglary on August 19, 2009, and her Milwaukee Police Department Incident number is #092310176. That SWEI positively identified 2 pieces of jewelry that were documented in her police report. That these items were returned to SWEI, thus partially clearing a burglary. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrants at Star Jewelry and Reflections Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. and CHANDANI both failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. and CHANDANI both failed to obtain identification, failed to file the PP-16A, failed to record the transaction in their ledger and failed to obtain any kind of written declaration of ownership from the seller (s);
25. That Elida MARTINEZ was the victim of a burglary on November 11, 2009, and her Greenfield Police Department Incident number is #09-004268. That MARTINEZ positively identified 3 items that had been taken in her burglary. These items were descriptively documented in her police report. These items were returned to her, thus partially clearing her burglary. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrants at Star Jewelry and Cash N' Gold Jewelry. There will be no chance of identifying a suspect in this offense because both SANDINO JR. Jr. and SANDINO Sr. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. Both SANDINO JR. and SANDINO Sr. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in their ledger and failed to obtain any kind of written declaration of ownership from the seller;

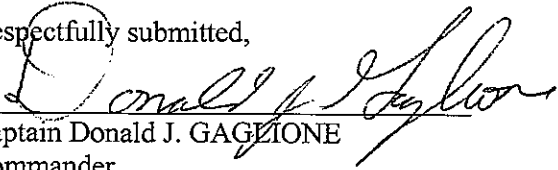
26. That Lupe HERNANDEZ was the victim of a burglary on March 4, 2009 and her Racine Sheriff's Department Incident number is 09-11912. HERNANDEZ positively identified 3 pieces of gold and jewelry. These items were descriptively documented in her police report. These items were returned to her, thus partially clearing a burglary from Racine. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrants at Star Jewelry and Cash N' Gold Jewelry. There will be no chance of identifying a suspect in this offense because both SANDINO Jr. and SANDINO Sr. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. Both SANDINO Jr. and SANDINO Sr. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in their ledger and failed to obtain any kind of written declaration of ownership from the seller;
27. That Cathy JACOBS was the victim of a burglary that occurred on July 30, 2009. That JACOBS positively identified 2 items that were descriptively identified in her police report, including the fact the necklace was kinked and damaged. These items were returned to her, thus partially clearing another burglary from Racine. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
28. That Kathi HERRENBRUCK was the victim of a burglary on October 19, 2009. That HERRENBRUCK positively identified a distinct ring that was descriptively documented in her Salem police report. This ring was returned to her, thus partially clearing a burglary from Kenosha. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
29. That Gary GOTAY was the victim of a burglary on February 20, 2008. GOTAY positively identified 2 pieces of jewelry that were descriptively documented in his Cudahy police report. These items were returned to GOTAY, thus partially clearing a burglary from Cudahy. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;

30. That Melissa MCGUIRE was the victim of a burglary on November 18, 2009. MCGUIRE positively identified 11 pieces of jewelry that had been taken in her burglary. These items were descriptively documented in her police report. These items were returned to her, thus partially clearing a burglary from Greenfield. These items were originally recovered by P.O.'s THIELE and PODLESNIK during the search warrant at Star Jewelry. There will be no chance of identifying a suspect in this offense because SANDINO JR. failed to follow the laws and ordinances that govern PM & G dealers when purchasing from the general public. SANDINO JR. failed to obtain identification, failed to file the PP-16A, failed to record the transaction in his ledger and failed to obtain any kind of written declaration of ownership from the seller;
31. That after the jewelry display to the public was over and this operation was coming to an end, P.O.'s THIELE and PODLESNIK went to all 4 jewelry stores involved in this operation and did spot check all 4 businesses. P.O.'s THIELE and PODLESNIK noted that it took an undercover operation, 85 citations with fines over \$40,000, and over 50 PA-33's, along with the confiscation of approximately \$75,000 worth of illegally purchased gold, for these businesses to start complying with the laws of the State of Wisconsin and the ordinances of the City of Milwaukee. That after this spot check, two more incidents had occurred at Star Jewelry and Cash N' Gold;
32. That Maria ECHEVERRIA who is the owner of Maria's Jewelry on 17th and Lincoln Ave., City and County of Milwaukee, is the victim of a theft and her Milwaukee Police Department Incident # is 093160195. ECHEVERRIA stated that on December 5, 2009, an unknown black male subject entered her store and stole a 14-karat gold 8" ID bracelet, and that this subject ran straight to Star Jewelry to sell it. That this subject entered Star Jewelry and began negotiations with an employee at Star Jewelry, identified as Joseph D. ARNEZEDER (DOB 09-16-1987) and ARNEZEDER had agreed to purchase the bracelet from this 16-year-old subject. That when ARNEZEDER asked the juvenile for ID, the juvenile told him that he was going to get "one of his boys" to provide ID since he did have one. That this juvenile then went and got his friend Alonzo D. ARMISTEAD (DOB 02-02-1988) who then entered Star Jewelry and provided his ID card for the sale. ARNEZEDER completed the sale by taking an ID, completing the PP-16A which included a declaration of ownership, putting the transaction in his ledger and holding the jewelry within the required 15 day period. ARNEZEDER did, however, knowingly and intentionally purchase this stolen gold bracelet from ARMISTEAD who was not the original juvenile sellers parent, thus violating the laws and ordinances yet again. ECHEVERRIA went into the store and positively identified her bracelet and it was recovered by P.O. VODICKA from District 2 Early shift;
33. That the above-described conduct by the Licensee on the licensed premises amounts to the purposeful frustration of burglary and theft investigations, and other crimes that involve stolen jewelry in connection to the licensed premises. That the Licensee failed to abide by the laws of the State of Wisconsin and the ordinances of the City of Milwaukee by failing to obtain a picture identification card, failing to complete a PP-16A, failing to record any transaction in his ledger, failing to keep that ledger for at least one year,

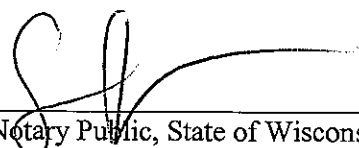
failing to obtain any written declaration of ownership and failing to keep jewelry purchased from the public for the 15 day holding period;

34. That the premises was operated in such a manner that it constitutes a public nuisance. That the conduct of the Licensee has had a substantial adverse effect upon the well being of the citizens and neighbors. That the continued operation of the Licensee on this licensed premise is not in the best interests and good order of the city as set forth in the Milwaukee Code of Ordinances. Therefore, the Chief of Police, by his designee, respectfully requests that the Second Hand Dealer License and the PM & G License of Francisco SANDINO Jr. for the premises known as Star Jewelry, located at 1212 W. Lincoln Ave., City and County of Milwaukee, Wisconsin, be immediately revoked.

Respectfully submitted,


Captain Donald J. GAGLIONE
Commander
Milwaukee Police District Two

The foregoing complaint seeking revocation of the Second Hand Dealer License and the PM & G License was subscribed and sworn to before me this 22nd day of December, 2009.


Notary Public, State of Wisconsin
My Commission is permanent/expires: 1-1-2012

Approved as to form and content:
Jarely Ruiz, Assistant City Attorney
Adam Stephens, Assistant City Attorney

