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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

LINDA VISTA 13, an unincorporated association;
EDWIN AGUILAR (a.k.a. "Shyboy"); EDWARD
AYALA (a.k.a. "Snoopy"); MAURICIO CRUZ
(a.k.a. "Gorilla" / "Marty"); JOSE JESUS
ENRIQUEZ (a.k.a. "Speedy" / "Lil Shorty");
ALEJANDRO FRIAZ (a.k.a. "Chubbs" / "Cubby");
JOSE GARCIA (a.k.a. "Tito"); CARLOS GARZA;
DAVID GOMEZ (a.k.a. "Droopy"); BALTAZAR
GONZALEZ (a.k.a. "Dopey"); MARCOS GRADY
(a.k.a. "Clown"); SEAN LANCASTER (a.k.a.
"Gizmo"); CARLOS LEYVA (a.k.a. "Downer" /
"Chucky"); CHRISTIAN LEYVA (a.k.a. "Chris");
OMAR NAVARRO (a.k.a. "Termite"); OSWALDO
NAVARRO (a.k.a. "Big O"); SALOMON
ORDONEZ (a.k.a. "Trigger"); ISAAC PAZ;
GIANCARLO RAMIREZ (a.k.a. "Taz"); JOHNNY
RAMIREZ (a.k.a. "Sneaky"); JOSE RODRIGUEZ;
MICHAEL SAMANIEGO (a.k.a. "Soldier");
JOSEPH TIJERINA; DAVID WATERBURY;
STEVEN WILLIAMSON (a.k.a. "Miklo"); and
DOES 1 Through 50,
Defendants.

No. GIC745162

**JUDGMENT BY DEFAULT BY COURT
&
PERMANENT GANG INJUNCTION**

Date: March 23, 2001
Time: 9:00 a.m.
Dept: 53
Judge: Hon. Thomas O. LaVoy

This cause of action came on to be heard before the Honorable Thomas O. LaVoy, on April 5, 2001, plaintiff appeared by counsel Susan K. Mazza, Deputy District Attorney, and Nancy Stagg, Esq., appearing on behalf of defendant Christain Leyva. It appearing that defendants, Linda Vista 13, an unincorporated association and the 24 defendants: Edwin Aguilar, Edward Ayala, Maricio

1 Cruz, Jose Jesus Enriquez, Alejandro Friaz, Jose Garcia, Carlos Garza, David Gomez, Baltazar
2 Gonzalez, Marcos Grady, Sean Lancaster, Carlos Leyva, Christian Leyva, Omar Navarro, Oswaldo
3 Navarro, Salomon Ordonez, Isaac Paz, Giancarlo Ramirez, Johnny Ramirez, Jose Rodriquez,
4 Michael Samaniego Joseph Tijerina, David Waterbury and Steven Williamson having been regularly
5 served with process, having failed to appear and answer the plaintiff's complaint filed on March 16,
6 2000, and the defaults of said defendants having been duly entered and evidence having been
7 introduced in open session of this Court or having been considered by the Court:

8 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the permanent gang
9 injunction shall be and hereby is granted and that plaintiff recover no monetary sum from the
10 defendants. It is also ordered that the Plaintiff will remove the name of Christian LEYVA from the
11 Permanent Injunction if he is free of gang contacts with any law enforcement agency for the next
12 consecutive fourteen (14) months.

12 **PERMANENT GANG INJUNCTION**

13 After due consideration of all papers filed in this action, including the moving papers and
14 evidence submitted in support of plaintiff's motion for preliminary injunction, the deemed
15 admissions of the defaulting defendants and the authorities presented by counsel including ex. rel
16 Gallo v Acuna, (1997) 14 Cal. 4th 1090, cert. denied, (1997) 521 U.S. 1121, this Court makes the
17 following finding of facts:

18 (1) Linda Vista 13 is a criminal street gang as defined in Penal Code §186.22; (2) the conduct
19 of defendant Linda Vista 13 and its members constitutes a public nuisance in the target Locations;
20 (3) each of the following named defendants: EDWIN AGUILAR (a.k.a. "Shyboy"); EDWARD
21 AYALA (a.k.a. "Snoopy"); MAURICIO CRUZ (a.k.a. "Gorilla"/ "Marty"); ALEJANDRO FRIAZ
22 (a.k.a. "Chubbs"/ "Cubby"); JOSE GARCIA (a.k.a. "Tito"); CARLOS GARZA; DAVID GOMEZ
23 (a.k.a. "Droopy"); BALTAZAR GONZALEZ (a.k.a. "Dopey"); MARCOS GRADY (a.k.a.
24 "Clown"); SEAN LANCASTER (a.k.a. "Gizmo"); CARLOS LEYVA (a.k.a. "Downer"/ "Chucky"
25); CHRISTIAN LEYVA (a.k.a. "Chris"); OMAR NAVARRO (a.k.a. "Termite"); OSWALDO
26 NAVARRO (a.k.a. "Big O"); SALOMON ORDONEZ (a.k.a. "Trigger"); ISAAC PAZ;
27 GIANCARLO RAMIREZ (a.k.a. "Taz"); JOHNNY RAMIREZ (a.k.a. "Sneaky"); JOSE
28 RODRIGUEZ; MICHAEL SAMANIEGO (a.k.a. "Soldier"); JOSEPH TIJERINA; DAVID
WATERBURY; and STEVEN WILLIAMSON (a.k.a. "Miklo") is a member of the Linda Vista 13

1 criminal street gang, and shall be referred to collectively at times hereafter as “Linda Vista 13 Gang
2 Member”; (4) each named Linda Vista 13 Gang Member has been observed in the Target Locations,
3 and (5) each named Linda Vista 13 Gang Member is responsible in some manner for the nuisance
4 complained of by the plaintiff.

5 Good cause appearing for entry of judgment,

6 **IT IS ORDERED, ADJUDGED AND DECREED** that:

7 LINDA VISTA 13, its members, agents, servants, and employees, and all persons acting
8 under, in concert with, or from any of them, including EDWIN AGUILAR (a.k.a. “Shyboy”);
9 EDWARD AYALA (a.k.a. “Snoopy”); MAURICIO CRUZ (a.k.a. “Gorilla”/ “Marty”);
10 ALEJANDRO FRIAZ (a.k.a. “Chubbs”/ “Cubby”); JOSE GARCIA (a.k.a. “Tito”); CARLOS
11 GARZA; DAVID GOMEZ (a.k.a. “Droopy”); BALTAZAR GONZALEZ (a.k.a. “Dopey”);
12 MARCOS GRADY (a.k.a. “Clown”); SEAN LANCASTER (a.k.a. “Gizmo”); CARLOS LEYVA
13 (a.k.a. “Downer”/ “Chucky”); CHRISTIAN LEYVA (a.k.a. “Chris”); OMAR NAVARRO (a.k.a.
14 “Termite”); OSWALDO NAVARRO (a.k.a. “Big O”); SALOMON ORDONEZ (a.k.a. “Trigger”);
15 ISAAC PAZ; GIANCARLO RAMIREZ (a.k.a. “Taz”); JOHNNY RAMIREZ (a.k.a. “Sneaky”);
16 JOSE RODRIGUEZ; MICHAEL SAMANIEGO (a.k.a. “Soldier”); JOSEPH TIJERINA; DAVID
17 WATERBURY; and STEVEN WILLIAMSON (a.k.a. “Miklo”), are hereby enjoined and restrained
18 from engaging in or performing directly, or indirectly, any of the following activities in the Target
19 Locations, as follows: (1) 6800-7200 Linda Vista Road; (2) 2100-2500 Ulric Street; (3) 2100-2200
20 Comstock Street; (4) 6500-6700 Kelly Street; (5) 2200-2400 Morley Street, including Morley Street
21 Park; (6) 6500-6800 Tait Street; (7) Kelly Street Park (Official address of 2170 Jacobs Way); (8) the
22 Linda Vista Community Park & Recreation Center (bounded by Levant St. to the east, an alley to the
23 south, an alley to the west, Osler St. to the northwest, and Genesee to the northeast); (9) 6900-7000
24 Fulton Street; (10) 2200-2300 Burroughs Street; (11) 6900-7000 Eastman Street; and (12) the Super
25 Bronco Taco Shop at 6625 Linda Vista Rd. (See Exhibit A, attached hereto.)

26 a. **Non-Association.** Standing, sitting, walking, driving, bicycling, gathering or
27 appearing anywhere in public view with any other defendant herein, or with any other known
28 LINDA VISTA 13 gang member, except that CARLOS LEYVA (a.k.a. “Downer”/ “Chucky”) and
CHRISTIAN LEYVA (a.k.a. “Chris”) may drive together through the Target Areas while going to
and from employment;

- 1 b. **Using Alcohol or Drugs in Public.** Drinking or having open containers of alcohol;
2 or, possessing alcoholic beverages if under twenty one-years of age; using drugs in public; being
3 under the influence of alcohol or drugs, in public;
- 4 c. **Weapons.** Possessing any weapons: knives, rocks, bottles, sticks, firearms, or any
5 other instrument prohibited by Penal Code section 12020.
- 6 d. **Fighting.** Engaging in fighting in public streets, alleys, and/or public and private
7 property;
- 8 e. **Graffiti tools.** Using or possessing marker pens, spray paint cans, nails, razor blades,
9 or other sharp objects capable of defacing private or public property for the purpose of applying
10 graffiti or vandalizing property;
- 11 f. **Vandalism** Spray painting or otherwise applying graffiti on any public or private
12 property, including but not limited to the street, alley, residences, block walls, vehicles and/or any
13 other real or personal property;
- 14 g. **Trespassing.** Trespassing on any private property;
- 15 h. **Blocking free passage.** Blocking the free passage of any person or vehicle on any
16 street, walkway, sidewalk, driveway, alleyway, or other area of public passage;
- 17 i. **Guns.** Discharging any firearm;
- 18 j. **Intimidation.** In any manner confronting, intimidating, annoying, harassing,
19 threatening, challenging, provoking, assaulting and/or battering any residents or patrons or visitors to
20 the Target Locations, or any other persons who are known to have complained about gang activities;
- 21 k. **Drugs.** Participating in the use, possession and/or sale of narcotics/drugs, including
22 marijuana, or related paraphernalia, including but not limited to, rolling papers or pipes used for
23 illegal drug use;
- 24 l. **Contraband.** Knowingly being present in a vehicle found to have any contraband,
25 drugs, or illegal or deadly weapons;
- 26 m. **Burglar tools.** Possessing burglar tools with no legitimate purpose, including rocks,
27 slim jims, spark plugs or other devices capable of being used to break into locked vehicles;
- 28 n. **Lookout.** Signaling to, whistling, or acting as a lookout for other persons to warn of
the approach of police officers;
- o. **Littering.** Littering in any public place or place open to public view;

1 p. **Urinating in public.** Urinating on any public or private property open to public
2 view;

3 q. **Hand signs.** Using words, phrases, physical gestures, or symbols, commonly known
4 as hand signs or engaging in other forms of communication which describe or refer to the gang
5 known as LINDA VISTA 13 (LV13), such as: extending the index finger and thumb to form an
6 “L”; separating two fingers to form a “V”; or placing elbows together to form a “V”;

7 r. **Gang Clothes.** Wearing clothing, or accessories, which bear the name, initials,
8 letters, numbers or other symbols of the gang known as LINDA VISTA 13 (LV13), including the
9 letters “L”; “V”; “LV”; “LV13”; “13”; “12/22”; “PWS”;

10 s. **Noise.** Making, or causing loud noise of any kind, including, but not limited to,
11 yelling and loud music at any time of the day or night, in violation of San Diego Municipal Code
12 Chapter 5, Article 9.5, §59.5.0101;

13 t. **Juvenile Curfew.** If under the age of eighteen (18), being in a public place between
14 the hours of 10:00 p.m. on any day, and 6:00 a.m. of the following day, unless (1) accompanied by a
15 parent or legal guarding, or by a spouse eighteen (18) years of age or older, or (2) performing an
16 errand directed by a parent or legal guarding, or by a spouse eighteen (18) years of age or older, or
17 (3) returning directly home from a public meeting, or a place of public entertainment, such as a
18 movie, play, sporting event, dance or school activity, or (4) actively engaged in some business, trade,
19 professionalism, or occupation which requires such presence;

20 DATED: April ____, 2001
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23 _____
24 Judge of the Superior Court
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