

F I L E D  
Clark of the Superior Court

DEC 03 2003

BY: JEANNE SHELTON



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

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

CENTER STREET GANG, an unincorporated  
association; et al.,

Defendants.

No. GIN 032007

**JUDGMENT BY COURT AFTER  
DEFAULT FOR PERMANENT GANG  
INJUNCTION**

Date: December 3, 2003

Time: 9:00 a.m.

Dept: 1

Judge: Honorable K. Michael Kirkman

The application of Plaintiff, the People of the State of California, for a Permanent Injunction made herewith came on regularly for hearing by this Court on December 3, 2003. Plaintiff appeared by counsel Terri A. Perez, Deputy District Attorney. It appearing that defendants, the CENTER STREET GANG, an unincorporated association, and the seventeen (17) defendants, CHRISTIAN BALVERDE, aka "Weasel"; PEDRO CARMONA, aka "Bam Bam"; ISAAC CASTILLO, aka "Creepster"; HILARIO CESPEDES, aka "Youngster"; RICARDO CHAVEZ, aka "Droopy"; JOE CRUZ, Jr., aka "Soldier"; JOSE M. GARCIA, aka Miguel Garcia Armenta; GEORGE GARIBAY, aka "Scooby"; HUGO GONZALEZ, aka "Downer"; RAYMUNDO HERNANDEZ, aka "Huero"; DAVID LOAIZA, aka "Little One"; LAZARO PONCE, aka "Minor"; WILFREDO QUINTANAR, aka "Mad Dog"; ANGEL RODRIGUEZ, aka "Lil Boy"; JOSE RODRIGUEZ, aka

1 "Phantom"; VALENTINO VALLADERES, aka "El Gato"; FRANCISCO VILLA, aka "Pancho",  
2 having been regularly served with process, having failed to appear and answer the plaintiff's  
3 complaint filed on August 15, 2003, and the defaults of said defendants having been duly entered  
4 and evidence having been introduced in open session of this Court or having been considered by the  
5 Court:

6 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Permanent Gang  
7 Injunction shall be and hereby is granted and that plaintiff recover no monetary sum from the  
8 defendants.

9 **PERMANENT GANG INJUNCTION**

10 After due consideration of all papers filed in this action, including the moving papers and  
11 evidence submitted in support of plaintiff's motion for preliminary injunction, the deemed  
12 admissions of the defaulting defendants and the authorities presented by counsel, this Court makes  
13 the following finding of facts by clear and convincing evidence:

14 (1) The CENTER STREET gang is a criminal street gang as defined in Penal Code §186.22,  
15 having as one of its primary activities the commission of acts constituting a public nuisance; (2) the  
16 conduct of defendant CENTER STREET gang and its members constitutes a public nuisance in the  
17 Safety Zones; (3) each of the following named defendants: CHRISTIAN BALVERDE, aka  
18 "Weasel"; PEDRO CARMONA, aka "Bam Bam"; ISAAC CASTILLO, aka "Creeper"; HILARIO  
19 CESPEDES, aka "Youngster"; RICARDO CHAVEZ, aka "Droopy"; JOE CRUZ, Jr., aka  
20 "Soldier"; JOSE M. GARCIA, aka Miguel Garcia Armenta; GEORGE GARIBAY, aka "Scooby";  
21 HUGO GONZALEZ, aka "Downer"; RAYMUNDO HERNANDEZ, aka "Huero"; DAVID  
22 LOAIZA, aka "Little One"; LAZARO PONCE, aka "Minor"; WILFREDO QUINTANAR, aka  
23 "Mad Dog"; ANGEL RODRIGUEZ, aka "Lil Boy"; JOSE RODRIGUEZ, aka "Phantom";  
24 VALENTINO VALLADERES, aka "El Gato"; FRANCISCO VILLA, aka "Pancho" is a member  
25 of the CENTER STREET gang whose membership is more than passive, inactive or purely  
26 technical, and shall be referred to collectively at times hereafter as "CENTER STREET gang  
27 member"; (4) each named CENTER STREET gang member has been observed in the Safety Zones,  
28 and (5) each named CENTER STREET gang member is responsible in some manner for the  
nuisance complained of by the plaintiff.

1           **IT IS ORDERED, ADJUDGED AND DECREED** that defendants: CHRISTIAN  
2 BALVERDE, aka "Weasel"; PEDRO CARMONA, aka "Bam Bam"; ISAAC CASTILLO, aka  
3 "Creeper"; HILARIO CESPEDES, aka "Youngster"; RICARDO CHAVEZ, aka "Droopy"; JOE  
4 CRUZ, Jr., aka "Soldier"; JOSE M. GARCIA, aka Miguel Garcia Armenta; GEORGE GARIBAY,  
5 aka "Scooby"; HUGO GONZALEZ, aka "Downer"; RAYMUNDO HERNANDEZ, aka "Huero";  
6 DAVID LOAIZA, aka "Little One"; LAZARO PONCE, aka ""Minor"; WILFREDO  
7 QUINTANAR, aka "Mad Dog"; ANGEL RODRIGUEZ, aka "Lil Boy"; JOSE RODRIGUEZ, aka  
8 "Phantom"; VALENTINO VALLADERES, aka "El Gato"; FRANCISCO VILLA, aka "Pancho"  
9 and the CENTER STREET gang, its members, agents, servants, and employees, and all persons  
10 acting under, in concert with, or for any of them, are hereby enjoined and restrained from engaging  
11 in or performing directly, or indirectly, any of the following activity in the Safety Zone. The  
12 "CENTER STREET SAFETY ZONE" is as follows: The territory bounded to the north by Mission  
13 Avenue from Horne Street to Interstate 5; to the south by Missouri Avenue; to the east by Interstate  
14 5; to the west by Horne Street, and extending 100 yards to the outside of each of those boundary  
15 streets. The "CENTER STREET SAFETY ZONE" includes both sides of the streets listed above, as  
16 well as any alleys, blocks, driveways, parking lots, structures, and businesses located thereon. Also,  
17 any canyons within these boundaries are included in the "CENTER STREET SAFETY ZONE."  
(See Exhibit A attached hereto.)

18           a.     **No Association:** Standing, sitting, walking, driving, bicycling, gathering or appearing  
19 anywhere in public view with any other defendant herein, or with any other known CENTER  
20 STREET gang member;

21           b.     **Stay Away From Drugs:** Using illegal drugs in public, being under the influence of  
22 drugs;

23           c.     **No Drug Possession or Sales:** (1) Participating in the possession and/or sale of  
24 narcotics/drugs, including but not limited to heroin, methamphetamine, cocaine, marijuana; (2)  
25 possession of related drug paraphernalia, including but not limited to, rolling papers or pipes used  
26 for illegal drug use;

27           d.     **Stay Away From Alcohol In Public:** (1) Drinking or possessing alcoholic beverages  
28 in public; (2) being under the influence of alcohol in public; (3) knowingly remaining in the presence  
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1 of anyone possessing an open container of an alcoholic beverage in public; (4) knowingly remaining  
2 in the presence of an open container of an alcoholic beverage in public;

3 e **No Guns or Dangerous Weapons:** (1) Possessing any weapons: firearms including  
4 BB guns, pellet guns and replica guns, ammunition, knives, rocks, bottles, sharpened screwdrivers,  
5 sticks, or any other instrument prohibited by Penal Code section 12020; (2) no possession of baseball  
6 bats or golf clubs without a legitimate purpose; (3) knowingly remaining in the presence of anyone  
7 who is in possession of such dangerous weapons; (4) knowingly remaining in the presence of such  
8 dangerous weapons;

9 f. **No Fighting:** Engaging in fighting in public streets, alleys, and/or public and private  
10 property;

11 g. **No Graffiti/Vandalism Tools:** Possessing marker pens, spray paint cans, nails, razor  
12 blades, or other sharp objects capable of defacing private or public property;

13 h. **No Graffiti/Vandalism:** Spray painting, marking with marker pens, scratching,  
14 applying stickers or otherwise applying graffiti on any public or private property, including but  
15 not limited to the street, alley, residences, block walls, vehicles and/or any other real or personal  
16 property;

17 i. **No Trespassing:** Being present on any property not open to the general public, except  
18 with (1) the prior written consent of the owner, owner's agent, or the person in lawful  
19 possession of the property or (2) in the presence of and with the voluntary consent of the owner,  
20 owner's agent, or the person in lawful possession of the property;

21 j. **No Blocking Free Passage:** Blocking the free passage of any person or vehicle on  
22 any street, walkway, sidewalk, driveway, alleyway, or other area of public passage;

23 k. **No Shooting of Guns:** Discharging any firearm, including BB guns;

24 l. **No Intimidation:** In any manner confronting, intimidating, annoying, harassing,  
25 threatening, challenging, provoking, assaulting and/or battering any residents or patrons or visitors to  
26 the Safety Zone, or any other persons who are known to have complained about gang activities;

27 m. **No Contraband in Cars:** Driving or possessing a vehicle found to have any  
28 contraband, drugs, or illegal or deadly weapons;

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- 1 n. **No Burglary Tools:** Possessing burglar tools with no legitimate purpose, including  
2 rocks, slim jims, spark plugs, or any part of the spark plug including the porcelain casing, or other  
3 devices capable of being used to break into locked vehicles;
- 4 o. **No Acting as Lookouts:** Signaling to, whistling, or acting as a lookout for other  
5 persons to warn of the approach of police officers;
- 6 p. **No Littering:** Littering in any public place or place open to public view;
- 7 q. **No Urinating in public:** Urinating on any public or private property open to public  
8 view;
- 9 r. **No Gang Hand Signs:** Using physical gestures, or symbols, commonly known as  
10 hand signs or engaging in other forms of communication which describe or refer to the gang known  
11 as CENTER STREET, including, but not limited to: using the fingers, hands, or arms to form letters  
12 corresponding to the gang's initials; forming the letter "V", standing for "Varrio", by separating the  
13 index and middle fingers; forming the letter "C", standing for "Center", by forming a half circle with  
14 the thumb and index finger; forming the letter "S", standing for "Street", by either crossing the  
15 middle finger over the index finger or using two hands, forming a half circle with the thumb and  
16 index fingers and touching the thumbs together with the palms facing in opposite directions;
- 17 s. **No Gang Clothes.** Wearing clothing, or accessories, including necklaces, which bear  
18 the name, initials, letters, numbers or other symbols of the gang known as CENTER STREET,  
19 including, but not the limited to: "Varrio Center Street"; "Oceanside Center Street"; "Oceanside  
20 Center Street #1"; "O'side Center Street"; "Center Street"; "Center St."; "Center Str"; "Central  
21 Gang"; "Central 1"; "Center Street Locotes Gang Trucha"; "Center Street Town"; "Center Street  
22 Controlanno"; "Centraliero"; "CST Boys 1"; "Central Zone"; "C"; "CST"; "VCST"; "CST X3";  
23 "CST Zone"; "SNLS"; "CST X3"; "CST LS X3"; "V CST X3"; "Calle Centrals X 111"; "Calle  
24 Centrals X3"; "319"; "3 19 20"; "III XIX XX"; "III XIX XX X3"; "13"; "SUR 13"; a small "k"  
25 inside of the letter "P" indicating "Posole killer";
- 26 t. **No Loud Noise:** Making, or causing loud noise of any kind, including, but not  
27 limited to, yelling and loud music at any time of the day or night, in violation of Oceanside  
28 Municipal Code §§ 38 et seq.;
- u. **Juvenile Curfew:** If under the age of eighteen (18), being in a public place between  
the hours of 10:00 p.m. on any day, and 6:00 a.m. of the following day, unless (1) accompanied by a

1 parent or legal guardian, or by a spouse eighteen (18) years of age or older, or (2) performing an  
2 errand directed by a parent or legal guardian, or by a spouse eighteen (18) years of age or older, or  
3 (3) returning directly home from a public meeting, or a place of public entertainment, such as a  
4 movie, play, sporting event, dance or school activity, or (4) actively engaged in some business, trade,  
5 profession, or occupation which requires such presence;

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8 DATED: DEC 03 2003

9 /s/ K. Michael Kirkman, Judge  
10 Judge of the Superior Court  
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# EXHIBIT A

CENTER STREET SAFETY ZONE

