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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SAN FRANCISCO  
12 UNLIMITED JURISDICTION

13 THE PEOPLE OF THE STATE OF  
CALIFORNIA, by and through DENNIS J.  
14 HERRERA, City Attorney for the City and  
County of San Francisco,

15 Plaintiff,

16  
17 vs.

18  
19 OAKDALE MOB, a criminal street gang  
sued as an unincorporated association; and  
20 DOES 1—100,

21  
22 Defendants.  
23

24 ///

25 ///

Case No. CGC 06 456517

**ORDER GRANTING PLAINTIFF'S  
MOTION TO MODIFY PERMANENT  
INJUNCTION TO ADD SIX  
ADDITIONAL GANG MEMBERS FOR  
ENFORCEMENT AND TO REMOVE  
THREE DECEASED MEMBERS  
California Civil Code §3424, California  
Code of Civil Procedure §533**

Hearing Date: February 18, 2009  
Hearing Judge: Busch  
Time: 9:30 a.m.  
Place: Department 301

**COPY**

**ENDORSED  
FILED**  
San Francisco County Superior Court

FEB 18 2009

GORDON PARK-LI, Clerk  
BY MARJORIE SCHWARTZ-SCOTT  
Deputy Clerk

1 Plaintiff People of the State of California's Motion To Modify Permanent Injunction To Add  
2 Six Additional Gang Members For Enforcement And To Remove Three Deceased Members came  
3 on regularly for hearing at 9:30 a.m. on February 18, 2009 in Courtroom 301 of the above captioned  
4 Court. Plaintiff appeared through its counsel of record, Deputy City Attorneys Jennifer Choi and  
5 Jill Cannon. Defendant Oakdale Mob criminal street gang failed to appear despite receiving proper  
6 notice of the Motion. The Honorable Peter F. Busch presiding.

7 Having read and considered the moving papers and evidence filed herein, and no Opposition  
8 papers having been filed, Plaintiff's Motion to Modify Permanent Injunction is **GRANTED**.

9 On March 15, 2007, the San Francisco Superior Court granted the Permanent Injunction in  
10 the present case after finding by clear and convincing evidence that: (1) Defendant Oakdale Mob is a  
11 criminal street gang as defined by California Penal Code §186.22 and *People v. Englebrecht* (2001)  
12 88 Cal.App.4<sup>th</sup> 1236, 1258, (2) a public nuisance exists in the Safety Zone<sup>1</sup>, and (3) the conduct and  
13 activities of Oakdale Mob and its members is a cause of the public nuisance in the Safety Zone. The  
14 Court authorized future modifications by noticed motion of any party.

15 To enforce a civil gang injunction against a new individual, plaintiff must show that the  
16 individual is an "active" member of the enjoined gang. *People v. Englebrecht* (2001) 88 Cal.App.4<sup>th</sup>  
17 1236, 1261; *see also People ex rel Gregory D. Totten v. Colonia Chiques* (2007) 156 Cal.App.4<sup>th</sup> 31,  
18 43. This Court finds by clear and convincing evidence that Plaintiff has met this burden, and the  
19 following six individuals are currently "active" members of Defendant Oakdale Mob criminal street  
20 gang as defined by *People v. Englebrecht, supra*, 88 Cal.App.4<sup>th</sup> at 1261 and *People ex rel Gregory*  
21 *D. Totten v. Colonia Chiques, supra*, 156 Cal.App.4<sup>th</sup> at 43:

- 22 1. Gerardo Canon (DOB 2/22/90)
- 23 2. Eric Jones (DOB 11/8/87)
- 24 3. Keimareea Lake (DOB 6/18/89)

25  
26 <sup>1</sup> The Safety Zone is bound by Griffiths Street to the East, Palou Avenue to the South, Ingalls  
27 Street to the West, and Navy Road to the North, continuing straight beyond the end of Navy Road to  
28 where it would intersect with Ingalls Street, and including both side of those four boundary streets.

1 4. Kenyon McDowell (DOB 11/25/88)

2 5. Dymarea McGhee (also known as Dimaryea McGhee and Dimarea McGhee) (DOB  
3 12/27/88)

4 6. Mario Woods (DOB 7/22/89)

5 Pursuant to California Civil Code §3424 and California Code of Civil Procedure §533, therefore, the  
6 Court finds that the "the ends of justice would be served" by modifying the March 15, 2007  
7 Permanent Injunction to now include these six additional gang members for enforcement under the  
8 Injunction.

9 The Court also finds that Plaintiff has shown by clear and convincing evidence that Gregory  
10 Bennett, Daniel Dennard and Charles Rollins, presently bound by the March 15, 2007 Permanent  
11 Injunction, are deceased. These three individuals, therefore, shall be removed from the list of gang  
12 members bound by the Injunction.

13 The March 15, 2007 Permanent Injunction remains in full force and effect. This Order in no  
14 way alters the March 15, 2007 Permanent Injunction except to add the aforementioned six gang  
15 members for enforcement and to remove the three deceased gang members. Therefore, the gang  
16 members named and listed for enforcement in the March 15, 2007 Permanent Injunction need not be  
17 served with this Order and are still bound by the terms of the March 15, 2007 Permanent Injunction.

18 **AS OF TODAY'S DATE, THE GANG MEMBERS NOW BOUND BY THE MARCH**  
19 **15, 2007 PERMANENT INJUNCTION ARE THE FOLLOWING:**

20 1. Laurice Barrett (DOB 5/17/77)

21 2. Larry Benjamin (DOB 2/02/83)

22 3. Deonte Bennett (DOB 11/16/84)

23 4. Shaun Britton (DOB 5/07/77)

24 5. Geary Brown (DOB 9/12/78)

25 6. Gerardo Canon (DOB 2/22/90)

26 7. Kerry Dawson (DOB 5/28/86)

27 8. Namone Green (DOB 7/28/78)

- 1 9. Darren Harrell (DOB 1/08/78)
- 2 10. Shanteak Harris (also known as Kinkaid) (DOB 5/18/81)
- 3 11. Antonio Johnson (7/13/80)
- 4 12. Curtis Jones (1/02/81)
- 5 13. Eric Jones (DOB 11/8/87)
- 6 14. Keimareea Lake (DOB 6/18/89)
- 7 15. Kenyon McDowell (DOB 11/25/88)
- 8 16. Dymarea McGhee (also known as Dimaryea McGhee and Dimarea McGhee)
- 9 (DOB 12/27/88)
- 10 17. Ellis McGhee (DOB 5/06/86)
- 11 18. Michael Metcalf (DOB 1/30/88)
- 12 19. Demauriae Nolan (DOB 11/20/77)
- 13 20. James Powell (DOB 11/09/87)
- 14 21. Deshawn Range (DOB 11/13/80)
- 15 22. Sean Robinson (DOB 12/15/86)
- 16 23. Joseph Willis (DOB 5/05/78 & 4/10/77)
- 17 24. Mario Woods (DOB 7/22/89)
- 18 25. Daven Woolfolk (DOB 11/19/85)

19 The six gang members added to the Permanent Injunction for enforcement by this Order must  
 20 be personally served with this Order and the March 15, 2007 Permanent Injunction before the  
 21 Injunction can be enforced against them.

22 **IT IS SO ORDERED.**

23 **PETER J. BUSCH**

24 Dated:

**FEB 18 2009**

24 \_\_\_\_\_  
 25 PETER J. BUSCH  
 26 JUDGE OF THE SUPERIOR COURT