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DENNIS J. HERRERA, State Bar #139669
City Attorney

PETER J. KEITH, State Bar #206482
Chief Attorney

Neighborhood and Resident Safety Division

JENNIFER E. CHOI, State Bar #184058

MARC PRICE WOLF, State Bar #254495
Deputy City Attorneys

Fox Plaza

1390 Market Street, Sixth Floor

San Francisco, California 94102-5408

Telephone: (415) 554-3887

Facsimile: (415) 437-4644

E-Mail: jennifer.choi@sfcityatty.org

E-Mail: marc.price.wolf@sfcityatty.org

Attorneys for Plaintiff

PEOPLE OF THE STATE OF CALIFORNIA

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN FRANCISCO

UNLIMITED JURISDICTION

PEOPLE OF THE STATE OF CALIFORNIA,
by and through DENNIS J. HERRERA, City
Attorney for the CITY AND COUNTY OF
SAN FRANCISCO,

Plaintiff,

vs.

CHOPPER CITY, a criminal street gang, sued
as an unincorporated association; EDDY
ROCK, a criminal street gang, sued as an
unincorporated association; KNOCK OUT
POSSE, a criminal street gang, sued as an
unincorporated association; and DOES 1
through 500,

Defendants.

Case No. CGC-07-464493

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~~PROPOSE~~ ORDER GRANTING PLAINTIFF'S
MOTION TO MODIFY PERMANENT
INJUNCTION RELATED TO CHOPPER CITY,
EDDY ROCK, AND KNOCK OUT POSSE
(California Civil Code §3424, California Code of
Civil Procedure §533)

Date Action Filed: June 21, 2007

Trial Date: N/A

Reservation No. 04240607-14

Plaintiff PEOPLE OF THE STATE OF CALIFORNIA's Motion To Modify Permanent
Injunction To Remove Defendant KNOCK OUT POSSE Criminal Street Gang and Thirty-Four
Named Gang members came on regularly for hearing at 9:30 a.m. on June 7, 2018, in Courtroom 302
of the above-captioned Court. Plaintiff appeared through its counsel of record, Deputy City Attorneys

FILED
San Francisco County Superior Court

JUN 07 2018

CLERK OF THE COURT

BY: *[Signature]*
Deputy Clerk

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1 Jennifer Choi and Marc Price Wolf. Defendants CHOPPER CITY, EDDY ROCK, and KNOCK OUT
2 POSSE criminal street gangs failed to appear despite receiving proper notice of the Motion. The
3 Honorable Harold Kahn, presiding.

4 Having read and considered the moving papers and evidence filed herein, and no Opposition
5 papers having been filed, Plaintiff's Motion to Modify the December 18, 2007 Permanent Injunction is
6 **GRANTED.**

7 On December 18, 2007, the San Francisco Superior Court granted the Permanent Injunction in
8 the present case after finding by clear and convincing evidence that: (1) Defendants CHOPPER CITY,
9 EDDY ROCK, and KNOCK OUT POSSE are criminal street gangs as defined by California Penal
10 Code § 186.22 and *People v. Englebrecht* (2001) 88 Cal.App.4th 1236, 1258, (2) a public nuisance
11 exists in their respective Safety Zones, and (3) the conduct and activities of CHOPPER CITY, EDDY
12 ROCK, and KNOCK OUT POSSE and their members are a cause of the public nuisance in the Safety
13 Zones. The Court authorized future modifications by noticed motion of any party.

14 The Court finds by clear and convincing evidence that **Deon Anderson, Dennis Anderson,**
15 **Byron Cheeves, Clarence Cook, Jamal Gaines, Ricky Rounds, and Carnell Taylor** no longer
16 actively contribute to the nuisance caused by Defendant CHOPPER CITY criminal street gang. These
17 seven individuals, therefore, are no longer bound by the December 18, 2007 Permanent Injunction,
18 and their names are stricken from the list of gang members bound by the December 18, 2007
19 Permanent Injunction, attached as Exhibit B to the Permanent Injunction.

20 The Court finds by clear and convincing evidence that **Andre Bernard, Deshawn Campbell,**
21 **Maurice Carter, Raymond Davis, Robert Harvey, Leslie Howard, Dontaye Hubbard, Kethan**
22 **Hubbard, Steve Johnson, Dion Martin, Paris Moffett, Delshawnte Smith, Demetrius Smith,**
23 **Jonathan Smith, and Hannibal Thompson** no longer actively contribute to the nuisance caused by
24 Defendant EDDY ROCK criminal street gang. These fifteen individuals, therefore, are no longer
25 bound by the December 18, 2007 Permanent Injunction, and their names are stricken from the list of
26 gang members bound by the December 18, 2007 Permanent Injunction, attached as Exhibit B to the
27 Permanent Injunction.
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1 The Court finds by clear and convincing evidence that Defendant **KNOCK OUT POSSE** is no
2 longer a criminal street gang as defined by California Penal Code section 186.22. Defendant **KNOCK**
3 **OUT POSSE**, therefore, is stricken from, and no longer bound by, the December 18, 2017 Permanent
4 Injunction.

5 The Court finds by clear and convincing evidence that **Juan Allen, Dana Ball, Floyd Barrow,**
6 **Kilamanjaro Bell, Laveaux Derosane, Jelvon Helton, Brian Hill, Darrell Luckett, Terry Luckett,**
7 **Marcus Mays, Robert Mays, and Gary Owens** no longer actively contribute to the nuisance
8 previously caused by Defendant **KNOCK OUT POSSE** criminal street gang. These twelve
9 individuals, therefore, are no longer bound by the December 18, 2007 Permanent Injunction, and their
10 names are stricken from the list of gang members bound by the December 18, 2007 Permanent
11 Injunction, attached as Exhibit B to the Permanent Injunction.

12 The December 18, 2007 Permanent Injunction otherwise remains in full force and effect. This
13 Order in no way alters the December 18, 2007 Permanent Injunction except to remove Defendant
14 **KNOCK OUT POSSE** criminal street gang and the 34 non-party, named gang members found in
15 Exhibit B to the Permanent Injunction. The terms contained in the December 18, 2007 Permanent
16 Injunction, therefore, still apply to Defendants **CHOPPER CITY** and **EDDY ROCK** criminal street
17 gangs as well as the remaining eight individual gang members still listed in Exhibit B to the Permanent
18 Injunction.

19 IT IS SO ORDERED.

20 Dated: 6/7/18

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JUDGE OF THE SUPERIOR COURT

23 People v. Chopper City
24 San Francisco Superior Court CGC-07-464493

HAROLD KAHN