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FILED
San Francisco County Superior Court
JUN 28 2018
CLERK OF THE COURT
BY: *[Signature]*
Deputy Clerk

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.

OAKDALE MOB, a criminal street gang, sued
as an unincorporated association, and DOES 1
through 500,
Defendants.

Case No. CGC-06-456517

^{41c}
~~PROPOSED~~ ORDER GRANTING PLAINTIFF'S
MOTION TO MODIFY PERMANENT
INJUNCTION RELATED TO OAKDALE MOB
[California Civil Code §3424, California Code of
Civil Procedure §533]

Reservation Number 05150628-06

Hearing Date: June 28, 2018
Hearing Judge: Hon. Harold Kahn
Time: 9:30 a.m.
Place: Dept. 302

Date Action Filed: September 27, 2006
Trial Date: N/A

Plaintiff PEOPLE OF THE STATE OF CALIFORNIA's Motion To Modify Permanent
Injunction to remove fourteen named gang members from the enforcement list for the March 15, 2007
Permanent Injunction came on regularly for hearing at 9:30 a.m. on June 28, 2018 in Courtroom 302
of the above captioned Court. Plaintiff appeared through their counsel of record, Deputy City

1 Attorneys Jill Cannon and Nicholas Colla. Defendant Oakdale Mob criminal street gang failed to
2 appear despite receiving proper notice of the Motion. The Honorable Harold Kahn presiding.

3 Having read and considered the moving papers and evidence filed herein, and no Opposition
4 papers having been filed, and for good cause shown, Plaintiff's Motion to Modify the March 15, 2007
5 Permanent Injunction is GRANTED.

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

13 On February 18, 2009, the Court signed an Order ("February 18, 2009 Order") granting
14 Plaintiff's motion to modify the March 15, 2007 Permanent Injunction against Defendant Oakdale
15 Mob criminal street gang to add the six additional Oakdale Mob members to the enforcement list, and
16 to remove the three deceased members. The Court found by clear and convincing evidence that the six
17 members to be added were active members of the Oakdale Mob criminal street gang and that "the ends
18 of justice would be served" by modifying the March 15, 2007 Permanent Injunction to add them to the
19 enforcement list for the Injunction. The Court further found that the three individuals to be removed
20 were deceased and should be removed from the enforcement list. Other than the addition of six gang
21 members to the enforcement list, and the removal of three deceased gang members from the
22 enforcement list, the March 15, 2007 Permanent Injunction remained unaltered and in full force and
23 effect.

24 On August 17, 2011, the Court signed an Order ("August 17, 2011 Order") granting Plaintiff's
25 motion to modify the March 15, 2007 Permanent Injunction against Defendant Oakdale Mob criminal
26 street gang by adding nine additional Oakdale Mob members to the enforcement list, and removing
27 two deceased members. The Court found by clear and convincing evidence that the nine members to
28 be added were active members of the Oakdale Mob criminal street gang and that "the ends of justice

1 would be served” by modifying the March 15, 2007 Permanent Injunction to add them to the
2 enforcement list for the Injunction. The Court further found that the two individuals to be removed
3 were deceased and should be removed from the enforcement list. The August 17, 2011 Order also
4 contained a complete enforcement list of the thirty-two gang members subject to the March 15, 2007
5 Permanent Injunction following the modification. Other than the addition of nine gang members to
6 the enforcement list, the removal of two deceased gang members from the enforcement list, and the
7 previous modifications from the February 18, 2009 Order, the March 15, 2007 Permanent Injunction
8 remained unaltered and in full force and effect.

9 With Plaintiff’s current Motion to Modify Permanent Injunction, the Court finds by clear and
10 convincing evidence that **Laurice Barrett, Larry Benjamin, Deonte Bennett, Shaun Britton, Donte**
11 **Brooks, Geary Brown, Namone Green, Shanteak Harris, aka Shanteak Kincaid, Antonio**
12 **Johnson, Curtis Jones, Eric Jones, Michael Metcalf, DeShawn Range, and Mario Woods** no
13 longer actively contribute to the nuisance caused by Defendant Oakdale Mob criminal street gang.
14 These fourteen individuals, therefore, shall be removed from the list of gang members bound by the
15 March 15, 2007 Permanent Injunction.

16 The March 15, 2007 Permanent Injunction, the February 18, 2009 Order, and the August 17,
17 2011 Order remain in full force and effect. This Order in no way alters the March 15, 2007 Permanent
18 Injunction, the February 18, 2009 Order, or the August 17, 2011 Order, except to remove the above-
19 listed fourteen non-party gang members from the enforcement list. The terms contained in the March
20 15, 2007 Permanent Injunction, the February 18, 2009 Order, and the August 17, 2009 Order,
21 therefore, still apply to Defendant Oakdale Mob criminal street gang as well as to the remaining
22 eighteen individual gang members subject to enforcement.

23 IT IS SO ORDERED.

24 Dated: 6/29/19



JUDGE OF THE SUPERIOR COURT
HAROLD KAHN