

**WEST ALLIS COMMON COUNCIL  
LICENSE AND HEALTH COMMITTEE  
CITY OF WEST ALLIS**

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**In the Matter of the  
Complaint Against**

**COMPLAINT**

**Danny’s Entertainment, Inc.,  
Daniel Seiy, agent,**

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**STATE OF WISCONSIN        )  
  ) ss.  
COUNTY OF MILWAUKEE )**

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against Danny’s Entertainment, Inc. as follows:

1. That the complainant is a resident of the City of West Allis, is the duly elected Alderperson for the First Aldermanic District in the City of West Allis, is the Chairman of the License and Health Committee, and makes this complaint at the direction of the License and Health Committee of the West Allis Common Council.
2. That the information contained in this complaint comes from the complainant’s review of official records maintained by the City of West Allis and the West Allis Police Department, which records complainant believes to be reliable and accurate.
3. That Danny’s Entertainment, Inc. is the holder of “Class B” Intoxicating Liquor & Class “B” Fermented Malt Beverage License Number 1738, Dance Hall License Number 1740, and Instrumental Music License Number 1739, issued by the West Allis Common Council for the license period beginning July 1, 2012, and ending June 30, 2013, for the premises located at 1900 South 60<sup>th</sup> Street, West Allis, Wisconsin and does business under the trade name “Danny’s Lounge.”
4. That Daniel Seiy is the agent of Danny’s Entertainment, Inc’s above-referenced licenses.

5. That on June 11, 2011, at approximately 2:27 a.m., West Allis Police Department Officer Steven Kuhnmuensch was monitoring the crowd at Danny's Lounge as it closed for the night when he observed an intoxicated male, Daniel Branaman, yelling at passing cars and screaming various profanities at the police. A search revealed Branaman to be in possession of an open and half full bottle of beer. Officer Kuhnmuensch arrested and cited Branaman for disorderly conduct and consuming intoxicants in public.
6. On February 29, 2012, at approximately 1:17 a.m., West Allis police officers responded to Danny's Lounge after Officer Phillip Noche stopped a vehicle whose driver indicated that he was involved at a disturbance at the tavern. Investigation revealed that Howard Goodman and Kevin Piotrowski were involved in a fight inside Danny's Lounge and that Goodman had punched Piotrowski and poured his drink on him. No employee of Danny's Lounge had called the police to report the incident. When Officer Timothy Gold spoke with Seiy, Seiy stated that he did not see any blood and that was why he did not call the police. Seiy later changed his statement to indicate that he did not see the incident at all. Due to his failure to cooperate and provide useful information about the fight, Officer Gold cited Seiy for failing to cooperate with the police, under Ordinance 9.02(12)(b). At trial, on June 19, 2012, West Allis Municipal Court Judge Paul Murphy found Seiy guilty of this offense.
7. That on March 18, 2012, at approximately 12:29 a.m., Danny's Lounge security employee, Patrick Burich, flagged down Officer James Cato. Officer Cato, who observed numerous people outside the tavern, observed two males, Dante Rhodes and Devan Lee, causing a disturbance. Investigation revealed that Danny's Lounge's security had told Rhodes and Lee several times to leave, but they continued to loiter.

Rhodes was yelling profanities, admitted to arguing with Lee, and was intoxicated. Lee was uncooperative with officers and refused to be escorted by officers away from the scene. Both Lee and Rhodes were cited for disorderly conduct.

8. That on July 14, 2012, at approximately 1:29 a.m., West Allis police officers were investigating a fight at Las Palmas when they observed security employees from Danny's Lounge removing tavern patron, Rufus Scott, from the premises. Scott was intoxicated, yelling, and swearing while outside the tavern. Investigation revealed that Scott was inside Danny's Lounge pushing other patrons and trying to start a fight. Scott was cited for disorderly conduct.
9. That on August 18, 2012, at approximately 2:02 a.m., West Allis police officers were dispatched to Danny's Lounge due to shots being fired. Investigation revealed that several men were engaged in a disagreement about one of the men dancing with some women present in the tavern that night. At closing time, two of the men, Damon Howard and Erik Cole, exited the tavern and were confronted by several other male tavern patrons about the incident inside the tavern. A mob quickly formed, and witnesses observed approximately 12 to 14 people in the street arguing. As Danny's Lounge's security tried to break up the arguments, Howard and Cole entered a sport-utility vehicle. Howard started driving the vehicle directly at tavern patron Dontriel Smith, who was standing in the street. The vehicle struck Smith and caused him to suffer a torn ligament in his knee. Howard then continued driving west on Burnham Street, struck at least two other vehicles, and struck tavern patron Alisha Gathing, who was standing in the street near her vehicle. As a result of being struck, Gathing suffered multiple bruises and a broken arm, which required surgery. Howard continued driving and struck another vehicle and continued traveling on Burnham Street at a high rate of speed. At this time, Christopher Buford, another

Danny's Lounge patron, who had been consuming alcohol, ran after Howard's vehicle and shot his pistol three times at it. Howard continued driving until the tire blew out on the vehicle. Howard and Cole then left the damaged vehicle in a school parking lot and fled the scene.

10. That when officers were initially dispatched to Danny's Lounge to investigate the incident, they observed a chaotic crowd of over 100 people gathering in the immediate area of the tavern. Due to the size of the crowd and the chaotic situation, the West Allis police requested mutual aid from West Milwaukee Police Department and the Milwaukee County Sheriff's Department. Officers later found Howard near the VA Hospital, and he was observed to be intoxicated. After establishing a perimeter and utilizing a canine track, officers found Cole hiding in the yards a few blocks away. Due to his uncooperativeness, officers had to take Cole into custody at gunpoint with a canine apprehension.
11. That the Milwaukee County District Attorney's Office charged Howard with two counts of first-degree recklessly endangering safety and three counts of duty upon striking an attended vehicle. Buford was arrested for endangering safety by reckless use of a firearm and operating a firearm while intoxicated; the District Attorney's Office has not yet made a charging decision on Buford's case.
12. That on August 21, 2012, at approximately 11:13 p.m., West Allis police officers were dispatched to Danny's Lounge for a large group of patrons outside of the tavern causing a disturbance. Upon the officers' arrival, the crowd dispersed and went back inside of the tavern. Officer Lucas Binter conducted a walk through of the tavern with three other officers and observed approximately 50-70 people inside the tavern. No other incidents were observed at that time, but officers determined that an "open mic" hip-hop themed event was occurring inside the tavern.

13. That on August 22, 2012, at approximately 1:00 a.m., West Allis police officers responded to Danny's Lounge for the report of several people yelling in the street. Upon arrival, Officer Shawn Lentz observed six males creating a disturbance outside the tavern. Officers asked the males to obey several commands, but they refused. One of the individuals, Christopher Harris, yelled obscenities and began instigating the group to act disorderly. Officer Lentz had to physically remove Harris from the area with the assistance of Officer Joseph Mathy.
14. That during this same time, Officer Noche ordered two of the males outside the tavern to stop. One of the males became argumentative with Officer Noche. While attempting to put that male in handcuffs, the other male started running. While he ran away from Officer Noche, he dropped a loaded 9 millimeter pistol from his waistband into the street. Both Officer Binter and Officer Noche chased the male, but were unable to locate him.
15. That while the chase occurred, the crowd outside Danny's became more boisterous. Several officers were on scene and telling patrons to leave, but several patrons were shouting profanities and refusing to leave. When Officer Noche returned to the tavern to tell people to leave, tavern patron Jeremiah Jeffries grabbed Officer Noche's back in an aggressive manner from behind and in a way that appeared he was about to attack Officer Noche. Officer Druscilla Schneider managed to pull Jeffries to the ground, and while on the ground, Jeffries resisted arrest and yelled profanities at Officer Noche. Also during this time, Officer Jason Vanderwerff was trying to disperse the crowd when he grabbed a male, Zachary Bynum, who was trying to push through the officers and possibly attack them. While he was trying to control that male, Freddie Ingram, ran up to Officer Vanderwerff's gun side. Officer Binter pushed Ingram and other members of the crowd away from him. Despite

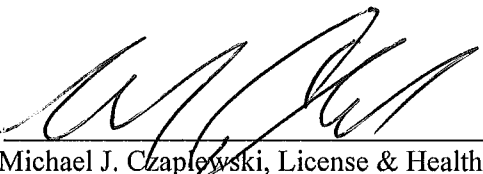
Officer Binter's yelling, "Get back," Ingram continued to move toward officers.

Officer Binter pushed him away again and placed him under arrest.

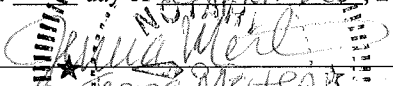
- 16. That due to the large boisterous crowd, Sergeant Clint Corwin requested mutual aid from the Milwaukee County Sheriff's Department and West Milwaukee Police Department. Approximately eight officers from these departments were on scene for an hour to help the West Allis police officers subdue the crowd outside Danny's Lounge. As a result of this incident, five men were cited for disorderly conduct.
- 17. That Danny's Entertainment, Inc., has violated the provisions of Chapter 125, Wis. Stats.; keeps or maintains a disorderly or riotous, indecent or improper house; and has violated sections 9.02(12)(b), 9.02(12)(c) and 9.02(12)(d) of the West Allis Revised Municipal Code.

**WHEREFORE**, Michael J. Czaplewski requests that Danny's Entertainment, Inc. be summoned to appear before the License and Health Committee of the West Allis Common Council to answer this complaint and, if the material allegations of the complaint are denied, that a hearing be held to determine whether the Class B Tavern Licenses, Dance Hall License, and Instrumental Music License should be revoked, suspended, or not renewed.

Dated this 10 day of SEPT., 2012.

By:   
Michael J. Czaplewski, License & Health Committee  
West Allis Common Council

Subscribed and sworn to before me this 10 day of September, 2012.

  
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( Jenna Merten )  
Notary Public, State of Wisconsin  
My Commission expires: 12/31/2015

