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City of West Allis

Matter Summary

7525 W. Greenfield Ave.
West Allis, WI 53214

File Number	Title	Status
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2013-0147 Report Introduced

Police Department Report involving Las Palmas, 1901 S. 60 St. (2012-2013 Class B Tavern License no. 1541, Dance Hall License no. 1543 and Instrumental Music License no. 1544 of ARH Enterprises, LLC, Hugo J. Juarez, Agent, Incident Date: February 4, 2013).

Introduced: 3/19/2013 Controlling Body: License & Health Committee

COMMITTEE RECOMMENDATION

POF

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
APR 23 2013			Barczak	✓			
			Czaplewski	✓			
			Lajsic				
			May				
			Probst				
		✓		Reinke			
				Roadt	✓		
				Sengstock			✓
			✓	Vitale			
			Weigel	✓			
			TOTAL	4	0		1

SIGNATURE OF COMMITTEE MEMBER

Chair Vice-Chair Member

COMMON COUNCIL ACTION

PLACE ON FILE

ACTION DATE:	MOVER	SECONDER		AYE	NO	PRESENT	EXCUSED
MAY 07 2013	✓	✓	Barczak	✓			
			Czaplewski	✓			
			Lajsic	✓			
			May	✓			
			Probst	✓			
			Reinke	✓			
			Roadt	✓			
			Sengstock	✓			
			Vitale	✓			
		Weigel	✓				
			TOTAL	10			

UNANIMOUS

**STANDING COMMITTEES OF THE
CITY OF WEST ALLIS COMMON COUNCIL**

ADMINISTRATION & FINANCE

Chair: James W. Sengstock
Vice-Chair: Vincent Vitale
Thomas G. Lajsic
Michael P. May
Cathleen M. Probst

PUBLIC WORKS

Chair: Gary T. Barczak
Vice-Chair: Martin J. Weigel
Michael J. Czaplewski
Rosalie L. Reinke
Daniel J. Roadt

SAFETY & DEVELOPMENT

Chair: Thomas G. Lajsic
Vice-Chair: Cathleen M. Probst
Michael P. May
Rosalie L. Reinke
Vincent Vitale

LICENSE & HEALTH

Chair: Michael J. Czaplewski
Vice-Chair: Daniel J. Roadt
Gary T. Barczak
James W. Sengstock
Martin J. Weigel

ADVISORY

Chair: Rosalie L. Reinke
Vice-Chair: Michael P. May
Cathleen M. Probst
Daniel J. Roadt
Vincent Vitale



CITY CLERK/TREASURER'S OFFICE
414/302-8200 or 414/302-8207 (Fax)
www.westalliswi.gov
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

March 20, 2013

Hugo Jose Juarez
A-R-H Enterprises, LLC
d/b/a Las Palmas
1901 S. 60 St.
West Allis, WI 53219

Dear Mr. Juarez:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, March 26, 2013, at 6:00 P.M., in the Common Council Chambers, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident on February 4, 2013.

A copy of the incident is being sent to your home address.

Sincerely,

A handwritten signature in cursive that reads "Monica Schultz" followed by a horizontal line and the initials "amn" written below it.

Monica Schultz
Assistant City Clerk

/amn
enclosure

cc: Hugo Jose Juarez (home enclosure)



CITY CLERK/TREASURER'S OFFICE
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www.westalliswi.gov
Paul M. Ziehler
City Admin. Officer, Clerk/Treasurer
Monica Schultz
Assistant City Clerk
Rosemary West
Treasurer's Office Supervisor

April 16, 2013

Hugo Jose Juarez
A-R-H Enterprises, LLC
d/b/a Las Palmas
1901 S. 60 St.
West Allis, WI 53219

Dear Mr. Juarez:

The Chairman of the License & Health Committee orders that you appear at its meeting on Tuesday, April 23, 2013, at 6:00 P.M., in the Common Council Chambers, West Allis City Hall, 7525 W. Greenfield Ave., regarding an incident on February 4, 2013.

A copy of the incident was previously sent to your home address.

Please be advised this letter serves as a second request for you to appear before the License & Health Committee. Failure to appear as scheduled could be grounds for suspension, revocation or non-renewal of your Class B Tavern License.

Sincerely,

Monica Schultz
Assistant City Clerk

/amn
enclosure

cc: Hugo Jose Juarez (home no enclosure)



City of West Allis
Police Department

Violation _____

Las Palmas 6007 Burnham St
ARH Enterprises LLC
Hugo J. Juarez, Agent

CBT 1541
DH 1543
LM 1544

Type

Restaurant Violation
 Related

Liquor Store

- N/A
- N/A
- N/A
- N/A
- N/A
- N/A

Owner Address:

Violation(s): Disorderly Conduct: Battery

Offender: Jahir Tapia-Gasga

Offender Address: 2163 W Morgan Ave Milwaukee, WI 53215

Offender:

Offender Address:

Offender:

Offender Address:

Offender:

Offender Address:

- N/A
- N/A
- N/A
- N/A
- N/A
- N/A
- N/A

Additional Offenders listed in Incident Report narrative: Yes No

Reviewed by Commanding Officer: Capt. Ron Versnik

Copy of Incident Report Attached to Liquor Laws Violation Report: Yes N/A

Commanding Officer Signature: Capt. Ron Versnik

Reviewed by Deputy Chief Jerry Ponzi:

Copy forwarded to License and Health Committee: Date:



West Allis Police Department

Incident Report

Date:

02/05/2013

CFS Code-1:

1313

Incident Report Number:

13-001072

Incident: Simple Assault

Incident Report Number: 13-001072 Between: Date - Time: And/At: Date-Time: 2/4/13 02:20

Incident Location: 1901 S 60 St, West Allis, WI, 53219

CFS Code-1: 1313 CFS Code-2: CFS Code-3: Offense Code-4:

CFS Code-5: CFS Code-6: CFS Code-7: CFS Code-8:

Name (Last, First, Middle): O Tapia, Jahir DOB: 03/22/1980 Race/Sex: W/M

Address: (Address, City, State, Zip) 2163 W Morgan Ave, Milwaukee, WI, 53215 Home Phone Number:

Employer: Work Phone Number:

Employer Address: Cell Phone Number: (414) 213-5853

Name (Last, First, Middle): V Delgado, Daniel DOB: 07/04/1985 Race/Sex: W/M

Address: (Address, City, State, Zip) 2141 W Rogers St, Milwaukee, WI, 53204 Home Phone Number:

Employer: Work Phone Number:

Employer Address: Cell Phone Number: (414) 241-9668

SUMMARY

On 2/4/13 at 0220hrs, officers responded 1901 S. 60 St Las Palmas Restaurant for a trouble call. The caller reported someone was trying to break into Las Palmas and drove away in a red vehicle. Officers investigation revealed Jahir Tapia-Gasga m/h 3/2/80 struck the restaurant window several times. Jahir left the area with his friend in a red pick-up truck. Officers spoke with a costumer Daniel Delgado m/h, 7/4/85 at Las Palmas. Daniel Delgado stated he was involved in a physical altercation at bar close with Jahir. Daniel wanted Jahir arrested. Officers arrested Jahir for Disorderly Conduct Battery.

Vehicle Information: (Year, Make, Model, Style, Color)

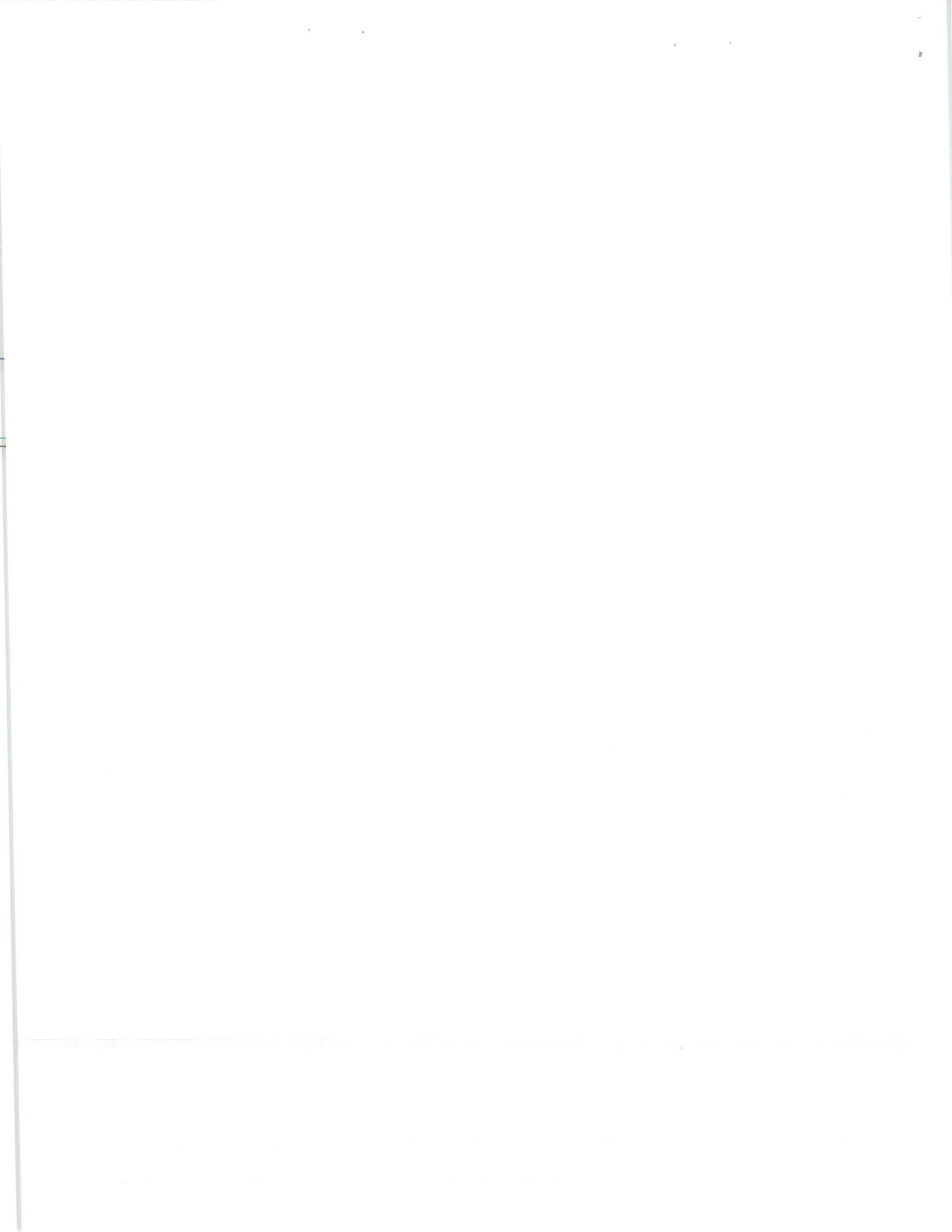
License Number: State: Expiration Year: Vin: Insurance Company:

Other Vehicle Information: NCIC#

Reporting Officer(s): Cato, James . Payroll Number: 9469 Payroll Number: Report Date:

Time Received: 02:20:27 Time Cleared: 03:10:00 Unit(s) Assigned: 310, 315, 316, 317 Pages: 1 Of 5

Reviewed by: Spath, Anthony Payroll Number: 1813 Copy To:



West Allis Police Department

Continuation

Incident Report Number 13-001072	Incident Location: 1901 S 60 St, West Allis, WI, 53219	Incident Date: 02/04/2013
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NAMES

Owner/Property

Rivera, Antonio C W/M-36 of 6007 W Burnham St, West Allis, WI, 53219
 DOB: 08/08/1976
 Business Phone: (414) 329-9600 Cell Phone: (414) 292-5424

Business

Las Palmas Restaurant of 1901 S 60 St, West Allis, WI, 53219
 Business Phone: (414) 329-9600

Contact

Ramirez, Rodolfo W/M-31 of 2939 S 15TH ST, MILWAUKEE, WI, 53215
 DOB: 11/16/1981 DL: R562-7208-1416-02
 HT: 506 WT: 140 Hair: Brown
 Eyes: Brown Complexion: Light Brown
 Other Phone: (414) 722-1812 Other Phone: (414) 722-1812

NARRATIVE

Officer Cato reports...

INITIAL CALL

On 2/4/13 at 0220hrs, officers were dispatched to 1901 S. 60 St Las Palmas Restaurant for a trouble call. The caller reported someone was trying to break into Las Palmas and drove away in a red vehicle. Once on scene, officers observed no signs of forced entry. A few employees were inside the restaurant. Officers spoke with the owner of Las Palmas Antonio C. Rivera m/h, 8/8/76 and customer Daniel Delgado m/h, 7/4/85 about the incident. They informed officers two Hispanic males were involved in the incident. One individual later identified as Jahir Tapia-Gasga m/h 3/2/80 struck the restaurant window several times. Jahir left the area with his friend in a red pick-up truck. I advised responding officers of the information I received from Antonio and Daniel. Officer Said located and traffic stopped the red pick-up truck for our investigation (See DWI13057). I spoke with Daniel and Antonio about the incident.

STATEMENT OF DANIEL DELGADO (VICTIM)

Daniel Delgado had some visible bruises on his face. I asked him if he needed any medical attention and he replied, "No." Daniel informed officers he was involved

Reporting Officer(s): Cato, James .	ID Number 9469	ID Number	Pages: 2 Of 5
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West Allis Police Department

Continuation

Incident Report Number
13-001072

Incident Location:
1901 S 60 St, West Allis, WI, 53219

Incident Date:
02/04/2013

in a physical altercation with Jahir Tapia-Gasga. Daniel stated this fight occurred right before bar close. Jahir approached Daniel and said something to him but he could not understand him. Jahir punched Daniel twice in the face, Daniel defended himself by punching Jahir in the face. Daniel explained Jahir punched him in the face with a closed fist 3 times and he did the same to Jahir.

Daniel stated the fight did not last long, because Las Palmas Security stepped in right away to break up the fight. Security told Daniel to stay in the bar as they escorted Jahir out of the restaurant. Jahir and his friend Rodolfo Ramirez left the area on foot. Las Palmas Security was gone.

Daniel explained he knows the owner Antonio Rivera and asked to stay in the bar a little while longer to make sure Jahir had left for good.

Daniel stated a red pick up truck parked on the southside of W. Burnham St next to Las Palmas. Jahir exited the passenger side of the truck. He approached the building yelling and pointing at Daniel. Jahir punched the window several times. The driver of the red pick up truck Rodolfo Ramirez exited the truck and grabbed Jahir pushing him back into the passenger seat of the truck. Jahir returned to the window a second and third time acting in the same manner as before. Rodolfo was able to get Jahir in the truck and they drove away.

Daniel explained he has never met Jahir before. He did not start the initial fight or throw the first punch. Daniel stated he wanted Jahir arrested for the physical altercation.

LACK OF CONSENT

Daniel did not give Jahir permission to punch him in the face.

STATEMENT OF ANTONIO C. RIVERA (OWNER/WITNESS)

Antonio stated he did not witness the actual physical altercation, but he observed Las Palmas Security breaking up the fight between Daniel and Jahir. Security escorted Jahir out of the business. While staff members closed down the restaurant/bar, Antonio allowed Daniel to wait inside to make sure there were not further problems. Sometime after Security left, a red pick up truck parked on the southside of the restaurant. Jahir exited the passenger seat and approached the window. He was yelling and pounding on the window. Antonio thought Jahir may have had a blunt object (such as a rock) and was afraid he might break his window. Rodolfo grabbed Jahir pushing him in the passenger's seat 3 times before he was able to get him to stay in the car. Antonio last observed the red pick up truck traveling southbound on S. 60 St.

Antonio explained he has had security employed for less than a year. He wants to protect his business and prevent it from having problems. This is only the second time he has had an issued. I informed Antonio that he is required to call the West

Reporting Officer(s):
Cato, James .

ID Number
9469

ID Number

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West Allis Police Department

Continuation

Incident Report Number
13-001072Incident Location:
1901 S 60 St, West Allis, WI, 53219Incident Date:
02/04/2013

Allis Police Department anytime Las Palmas Security has to break up a fight. Antonio stated he understood.

BOOKING ROOM

In the West Allis booking room, officers documented Jahir's property. In his brown wallet officers located multiple identification cards, but none of them were of him. There was a fake WI ID card which displays Vincent Martin Torres Jr 5/26/80, a Soc. Sec. Card which displays Vincent Martin Torres Jr. 391-86-9406 and United Community Center membership card for a Vincent M. Torres. He claimed he purchased those items, specifically the Soc. Sec. Card for employment.

A WI DL with picture of Elving M. Torres m/w 5/20/85, which Jahir claims is a cousin.

A Mexico ID Card with picture of Octaviano Tapia-Gasga 3/22/80 which he claims is a cousin.

Jahir was placed on our Fast ID system (3 times) but there was no record of him in the system. I reviewed this incident with Lt. Spath, he suggested I take Jahir's fingerprints and information downtown to Milwaukee Police Department (MPD) Bureau of Identification (B of I).

MIRANDA WARNING

On 2/4/13 at approximately 0428hrs, I interviewed Jahir Tapia-Gasga in Booking interview room A at the West Allis Police Department. I read Jahir his Miranda rights from WAPD Directive 42.016, and he/she stated that he understood his/her rights and would speak to me about this matter without an attorney present. The interview was recorded on an Olympus DS-220 Digital Voice Recorder (Recorder# P17), using audio media card# P17-6. Jahir's statement is paraphrased for this report and is not a verbatim transcript.

Jahir stated he started his night out watching the Super Bowl at Las Palmas around 5pm. Throughout the night he had consumed approximately 8-10 Coronas and 5-6 Tequila shots. Jahir explained before bar close he said good bye to a female bartender. Jahir believed Daniel Delgado became jealous and confronted him. Words were exchanged and Jahir threw the first punch. He apologized for his actions and took blame for starting the fight. Jahir punched Daniel 3 times in the face and Daniel did the same to him. Las Palmas Security seperated them and escorted Jahir out of the business. Jahir stated he left with Rodolfo, but was so upset they returned to the business. Jahir challenged Daniel to come outside to finish the fight. Jahir stated he hit the glass window several times with open hands. Rodolfo tried to get Jahir in the vehicle several times, but he would not listen. They left before officers arrived on scene. Jahir and I spoke briefly about the identification cards he had in his wallet. He acknowledged they were fake and used to gain employment.

Reporting Officer(s):
Cato, James .ID Number
9469

ID Number

Pages:
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Incident Report Number
13-001072Incident Location:
1901 S 60 St, West Allis, WI, 53219Incident Date:
02/04/2013

Interview ended at 0441hrs.

ITEMS ON PROPERTY

A WI ID of Vincent Martin Torres Jr 5/26/80
A Social Security Card for Vincent Martin Torres Jr 5/26/80 and #391-86-9406
United Community Center membership card for a Vincent M. Torres
A WI DL with picture of Elving M. Torres m/w 5/20/85
A Mexico ID Card with picture of Octaviano Tapia-Gasga 3/22/80

CASE DISPOSITION

Jahir's fingerprints were taken to MPD's B of I and they were not able to locate him in their systems. Per Lt. Spath, I issued Jahir a citation for Disorderly Conduct: Battery. He was given a local court date for 3/4/13 at 0830hrs. A tavern checklist sheet was completed and turned into the C.O.

Reporting Officer(s):

Cato, James .

ID Number

9469

ID Number

Pages:

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West Allis Police Department

Supplementary Report

Incident Report Number 13-001072	Incident Location: 1901 S 60 St, West Allis, WI, 53219	Incident Date: 02/04/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

OTHER NAMES

Tapia, Jahir W/M-32 of 2163 W Morgan Ave, Milwaukee, WI, 53215
 DOB: 03/22/1980
 HT: 507 WT: 155 Hair: Black
 Eyes: Brown Complexion: Olive
 Cell Phone: (414) 213-5853

PROPERTY LIST

Seq#	Reason	Make/Model	Description/Serial#	Quan/Value
13-001199				
1	CON		Multiple identification cards	5 \$5.00 [Recovered]

Reporting Officer(s): Cato, James .	Payroll Number: 9469	Payroll Number:	Report Date: 02/11/2013
Reviewed by: Spath, Anthony	Payroll Number 1813	Copy To:	1 Of 1

West Allis Police Department

Supplementary Report

Incident Report Number 13-001072	Incident Location: 1901 S 60 St, West Allis, WI, 53219	Incident Date: 02/04/2013
New Incident:	Original CFS Code - 1:	New CFS Code - 1 : New CFS Code - 2:

NARRATIVE

Officer Gold Reports...

INITIAL RESPONSE

On 02/04/13 at approx. 0220hrs. Officer Pinter and I who were riding together responded to Las Palmas tavern, 1901 S. 60 St. for someone trying to break in or break a window. While enroute to the tavern dispatch further advised a red vehicle is involved. When Officers arrived on scene there was no red vehicle parked outside however Officer Said radioed that he previously observed a red pick up parked outside the tavern just prior to the time of the call.

I entered the tavern and the employees advised that the offenders left S/B on S. 60 St. in a red Dodge Ram pick up with a cap over the bed. I then relayed this information to Officer Said who located the vehicle near 60/Lincoln. It should be noted while inside the tavern I did observe a M/H clutching the back of his head as if he was struck.

Officer Pinter and I then left the tavern and responded to 60/Cleveland where Officer Said had the Dodge pick up pulled over.

CONTACT WITH JAHIR NMI TAPIA GASGA

I made contact with the front passenger in the vehicle, Jahir NMI Tapia Gasga M/H 03/22/80 of 2163 W. Morgan Ave. Milwaukee, WI 53221 (414) 213-5833. The intoxicated Jahir stated he was at the tavern with Rodolfo and they were watching the Super Bowl and drinking. Jahir stated he is friends with some of the employees however another patron began giving him trouble and they exchanged some words. Jahir stated the male party punched him in the face and Jahir punched him back. Jahir did suffer a contusion above his left eye but refused medical attention. Jahir stated they then left the tavern and were pulled over by Officers.

After reviewing Jahir's statement with Officer Cato who was at the tavern, I took Jahir into custody and later turned him over to Officer Cato.

Reporting Officer(s): Gold, Timothy	Payroll Number: 9589	Payroll Number:	Report Date: 02/04/2013
Reviewed by: Spath, Anthony	Payroll Number 1813	Copy To:	1 Of 1

