

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

**In the Matter of the
Complaint Against**

SUMMONS

**Samantha Martin,
9640 West Greenfield Avenue,
West Allis, Wisconsin 53214**

STATE OF WISCONSIN)
) SS.
COUNTY OF MILWAUKEE)

THE WEST ALLIS COMMON COUNCIL TO SAMANTHA MARTIN:

You are hereby notified that a sworn complaint, a copy of which is attached, has been duly made and filed, requesting a hearing on the suspension, revocation, or non-renewal of your Class "I" Operator's License, pursuant to the provisions of sec. 125.12, Wis. Stats.

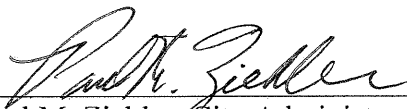
NOW THEREFORE, you, Samantha Martin, are hereby summoned to appear before the License and Health Committee of the West Allis Common Council in Room 128 of the West Allis City Hall, 7525 West Greenfield Avenue, West Allis, Wisconsin, on August 4, 2009, at 6:00 p.m., or as soon thereafter as this matter can be heard, to admit or deny the allegations in the complaint. You may be represented by counsel on this date.

In the case of your failure to appear as required by this summons, the allegations in the complaint against you shall be taken as true and, if the License and Health Committee of the West Allis Common Council finds the allegations sufficient, a recommendation that your license(s) be suspended or revoked will be made to the full Common Council. The Common Council may then vote to suspend, revoke, or not renew your license(s).

You are further notified that if you appear as required by this summons and contest the allegations in the complaint, a hearing will be scheduled at a later date before the License and Health Committee, at which time you may be represented by counsel, cross examine the witnesses who testify adversely against you, and present witnesses in your own behalf. A written transcript of said hearing shall be made and you may obtain a copy of the transcript of this proceeding at your expense.

Dated at West Allis, Wisconsin, this 27th day of July, 2009.

WEST ALLIS COMMON COUNCIL

By: 
Paul M. Ziehler, City Administrative Officer,
Clerk/Treasurer

several people inside the tavern, including one man who was drinking from a bottle of beer.

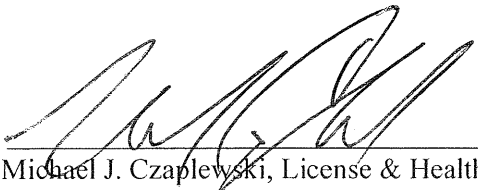
5. That when Officer McNally knocked on the locked front door and announced himself as a West Allis police officer on three separate occasions, the people inside the tavern refused to open the door and yelled, “We’re not letting you in! Go away, bitch!”
6. That after a dispatcher called the tavern, the front door opened, and Officer McNally observed the people inside the tavern quickly grabbing their jackets and trying to sneak out the south door of the tavern.
7. That Officer McNally spoke to Martin, who admitted that the people inside the tavern were bar patrons and that the time was 2:05 a.m.
8. That Martin was the bartender on duty at that time.
9. That Officer McNally issued a citation to Martin for allowing a person to remain in a tavern after hours, pursuant to West Allis Revised Municipal Ordinance 9.02 (15)(c).
10. That Martin stipulated to the citation and was found guilty of the violation on January 17, 2008.
11. That on April 8, 2009, Martin signed a renewal operator’s application to obtain a 2009-2011 operator’s license.
12. That one of the questions on the renewal license, question number four, requires the applicant to list all tickets, arrests, convictions or fines for any violation of federal, state or city laws.
13. That for question number 4 on the application, Martin failed to list that she received or was found guilty of the citation from the December 6, 2007 incident as referenced above.
14. That the License and Health Committee ordered Martin to appear at meetings on

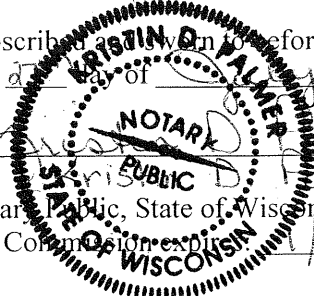
May 26, 2009 and June 16, 2009 to discuss her renewal operator's application.

- 15. That Martin failed to attend both meetings and did not offer any explanation for the missed appearances.
- 16. That Martin's conviction for allowing persons into a licensed premise after hours, her failure to accurately complete her renewal application, and failure to appear in response to the License and Health Committee's summons substantially relates to the alcohol beverage licensed activity contrary to Wis. Stat. §125.04(5)(b) and West Allis Revised Municipal Ordinance 9.02 (12)(d) and, therefore, are grounds for non-renewal, suspension, or revocation of her operator's license.

WHEREFORE, Michael J. Czaplewski, requests that Samantha Martin 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 Operator's License, License No. 09-431, of Samantha Martin should be revoked, suspended, or not renewed.

Dated at this 27 day of July, 2009.

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

Subscribed and sworn to before me
 this 27 day of July, 2009.

 (Kristin D. Palmer)
 Notary Public, State of Wisconsin
 My Commission expires 11/1/2012