

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

---

**In the Matter of the  
Complaint Against**

**COMPLAINT**

**International Development, LLC,  
Joshua Jay Johnson, agent,**

---

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

Michael J. Czaplewski, being duly sworn, on oath deposes and states as a complaint against International Development, LLC 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 International Development, LLC is the holder of "Class B" Intoxicating Liquor & Class "B" Fermented Malt Beverage License Number 1180, Dance Hall License Number 1728, and Instrumental Music License Number 1727, issued by the West Allis Common Council for the license period beginning July 1, 2011, and ending June 30, 2012, for the premises located at 9105 West Lincoln Avenue, West Allis, Wisconsin and does business under the trade name "Hero's Sports Pub and Grill" (hereinafter referred to as "Hero's").
4. That Joshua Jay Johnson is the agent of Hero's Sports Pub and Grill above-

referenced licenses.

5. That on April 30, 2011, Officer Robert Tuschl was dispatched to Hero's for people fighting inside the bar. Investigation revealed that bar patron Jonathan Klingbeil, who was intoxicated, began a verbal altercation with another patron inside the tavern. When a fight appeared imminent, tavern bouncer, Anthony Southard, grabbed Klingbeil and dragged him out. After Klingbeil left, several other fights begin inside the tavern between other patrons.
6. That on May 28, 2011, at approximately 12:18 a.m., West Allis Police Officer Phillip Noche investigated a 911 hang-up call at Hero's. Investigation revealed that an unknown male punched a male patron inside the tavern and that an unknown female punched bartender, Desiree Busko, in the face.
7. That on May 28, 2011, at approximately 2:21 a.m. – two hours after the bar altercation that Officer Noche investigated, West Allis police officers were monitoring the bar closing at Hero's when they observed 20-25 people leave the bar and loiter on the front sidewalk. While loitering, two males engaged in a verbal argument on the sidewalk. When Officer Zachary Scott ordered the males to leave, one of the males, Travon Marney, yelled and cursed at Officer Scott and pushed several people in the crowd. Officer Scott told Marney he was under arrest, but Marney pulled away from him and flailed his arms. Officer Scott had to tackle Marney to place the handcuffs on him. While Officer Scott was effectuating the arrest, two patrons, Luke Kamish and Steven Lafond, were standing over him and yelling. Officer Carrie Kielley had to assist Officer Scott in escorting Marney to the squad car, as he continued resisting the officer's commands.
8. That while Officer Scott was dealing with Marney, Officer Jeritt Mees ordered Kamish, who was intoxicated, and Lafond to leave the area, but they refused.

Kamish and Lafond yelled insults and profanities at the officers and appeared to be ready to assault Officer Mees. Officers pulled the two away from Officer Mees and placed them on the ground.

9. That on May 29, 2011, at approximately 12:23 a.m., Officer Scott was dispatched to a noise complaint at Hero's. Investigation revealed that numerous people were yelling and talking loudly outside of the bar and on the deck. Officer Scott notified bar employee Paula Johnson that she needed to control the crowd in the bar.
10. That on June 11, 2011, at approximately 3:28 a.m., Officer Noche was dispatched to a report of a male lying near the roadway near Hero's. Upon arrival, he found Travis Spath, who was extremely intoxicated, and Spath told him that he was previously drinking at Hero's.
11. That on July 10, 2011, at approximately 2:13 a.m., Officer Tim Gold was monitoring Hero's at bar close and observed approximately 50 people loitering in the area. Due to the large amount of people, Officer Gold requested backup. Officer Ryan McNally responded to Hero's to assist Officer Gold. He observed two people, Kevin McCormick and Christina Schaff, arguing and shouting at each other near the street. Even though Officer McNally ordered them several times to leave the area, McCormick and Schaff, who were both highly intoxicated, refused. As Officer McNally tried to take McCormick into custody, he resisted arrest by shoving Officer McNally, refusing to lay on the ground, and refusing to place his hands behind his back. Officer James Plotkin had to assist Officer McNally in arresting McCormick, who also refused to walk to the squad car or sit in it. Similarly, Schaff also refused to place her hands behind her back or sit in the squad car.
12. That on July 20, 2011, West Allis police officers were dispatched to Hero's for a report of a six-person fight inside the tavern. Investigation revealed that an unknown



man argued with patron Eric Raatz, who was intoxicated, about a pool game and physically struck him.

13. That on July 24, 2011, at approximately 1:37 a.m., Officer Randy Kwasinski was monitoring Hero's when he observed Pedro Gonzalez, who was highly intoxicated, yelling at a group of women and acting disorderly. Officer Kwasinski had to ask Gonzalez to leave the area.
14. That later that same night, at approximately 2:00 a.m., Officer McNally was dispatched to a trouble call at Hero's. When he arrived on scene, he noticed several people loitering outside the front doors of the tavern. Inside the tavern, he observed 15-20 bar patrons arguing and shoving one another while other patrons watched. Due to the large nature of the fight, Officer McNally called for backup, and 10 officers – all the officers that were on patrol that night – responded to the scene. Officer McNally and other officers continuously shouted “Police” and “Stop fighting,” but very few patrons obeyed their orders. Due to the lack of compliance, Officer McNally had to grab patrons and push them away from the fight. Officer McNally pulled one of the patrons, Tanya Reyna, off another female and told her to stop fighting. Reyna responded by yelling at him and kicking him near his groin. Officer McNally told her that she was under arrest, and several of her friends grabbed her and tried to pull her away from Officer McNally. Although Officer McNally ordered Reyna's friends to stop, they continued to do so. Officer Kwasinski attempted to help Officer McNally, but both officers were distracted by another fight that was occurring between Officer Lucas Binter and a bar patron. Fearing for the officers' safety, Officer Kwasinski deployed his oleoresin capsicum spray in an attempt to encourage the bar patrons to leave the scene. Reyna was also argumentative and loud outside of the tavern.

15. During that same incident, Officer Binter observed bar patron Francisco Montes De Oca pushing and punching other patrons. Officer Binter yelled at him to stop and that he was under arrest, but Montes De Oca ignored him. Officer Binter grabbed him by the shoulders to try to stop the fighting, but Montes De Oca resisted and had to be directed to the floor. While Officer Binter was trying to detain Montes De Oca, another bar patron ripped the microphone off Officer Binter's uniform. Officer Binter had to punch the patron to stop him from further assaulting him. As Officer Binter was neutralizing the bar patron, Montes De Oca tried to tackle Officer Binter. They struggled, and Officer Binter had to physically wrestle with Montes De Oca to try to handcuff him. Montes De Oca continued to struggle, and Officer McNally deployed his Taser into him. Not until Officer McNally threatened to tase him a second time did Montes De Oca actually comply with the officers' commands and place his hands behind his back.
16. After Montes De Oca was arrested, officers lined up inside the tavern and forced patrons to leave. At this time, Officer McNally recognized Mellissa Ericson as one of the females involved in the initial fight. Despite Officer McNally telling her several times to leave the tavern, she refused and yelled at Officer McNally. Eventually, she left the tavern, but loitered outside and argued and yelled at other people.
17. That on July 24, 2011, at approximately 7:18 p.m., Officer Ricky Orłowski did a bar check at Hero's and discovered that bartender, Kyle Lentz, was operating the tavern with an expired bartender's license.
18. That on July 30, 2011, at approximately 12:04 a.m., Officer Caleb Porter was dispatched to a noise complaint at Hero's. Investigation revealed that approximately 12 people were present on the outdoor patio and were being loud. Officers were able


to resolve the noise complaint by the parties vacating the patio area.

19. That on July 31, 2011, at approximately 12:25 a.m., four West Allis police officers were conducting a foot patrol of the area of Hero's due to numerous complaints. Sergeant Clint Corwin observed Armando Hernandez, who had vomited, passed out in a vehicle near the area of Hero's. Hernandez told Sgt. Corwin that he had too much to drink while at Hero's. While officers were speaking with Hernandez, an unknown male in front of Hero's was yelling obscenities at the officers. When officers attempted to make contact with him, the man ran inside Hero's. Officers went inside Hero's to locate him, but did not receive any help from tavern security in identifying him.
20. That on August 14, 2011, at approximately 2:05 a.m., West Allis police officers were dispatched to a large fight and shots fired complaint at Hero's. When Officer Scott arrived on scene, he observed approximately 30-50 people running in every direction away from the bar. Investigation revealed that two males were engaging in a fight outside the tavern while 50 bar patrons stood around them and watched. During the fight, three to four gunshots were fired near the east side of Hero's, causing the patrons to flee the area. Officer McNally located three gold gun casings on the sidewalk near the southeast corner of Hero's.
21. That on August 28, 2011, at approximately 1:02 a.m., Officer Caleb Porter observed an emergency door open at Hero's and could hear loud music coming from inside the tavern. Officer Porter had to advise Joshua Jay Johnson that he needed to close the door.
22. That International Development, LLC, 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)(c) and 9.02(12)(d) of the West Allis Revised

Municipal Code.

**WHEREFORE**, Michael J. Czaplewski requests that International Development, LLC 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 License, Instrumental Music License, and Dance Hall License should be revoked, suspended, or not renewed.

Dated this 16 day of SEPT., 2011.

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

Subscribed and sworn to before me  
this 16th day of September, 2011.

  
(  )  
Notary Public, State of Wisconsin  
My Commission expires: 12/31/2012