



CITY OF CHICAGO
DEPARTMENT OF ADMINISTRATIVE HEARINGS
BUILDINGS HEARINGS DIVISION
400 WEST SUPERIOR, ROOM 115
CHICAGO, ILLINOIS

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DEPT. OF ADMIN. HEARINGS
FILED

CITY OF CHICAGO,)	No. 07 BN 00419A
a municipal corporation,)	
Plaintiff,)	Re: 817 W. Lake
v.)	Chicago, Illinois
RAUL PEREZ, RAUL D. PEREZ,)	
PERCY PEREZ, TONY PEREZ, JEHAD)	PIN: 17-08-434-002-0000
Y. SHEHADE, 817 W. LAKE ST. INC.,)	
Respondents.)	

SECOND AMENDED COMPLAINT

Plaintiff City of Chicago ("City"), by its attorney, Mara S. Georges, complains of Respondents RAUL PEREZ, RAUL D. PEREZ, PERCY PEREZ, TONY PEREZ, JEHAD Y. SHEHADE, 817 W. LAKE ST. INC. ("Respondents"), as follows:

GENERAL ALLEGATIONS - THE PARTIES AND PROPERTY IN ISSUE

1. The City is a municipal corporation and a home-rule unit organized and existing pursuant to the laws of the State of Illinois.
2. There is a property commonly known as 817 W. Lake, Chicago, Illinois ("Subject Property"), with a property index number of 17-08-434-002-0000 and the following Legal Description:

Lot 4 in Block 36 in Carpenter's Addition to Chicago, a Subdivision of the South East 1/4 of Section 8, Township 39 North , Range 14, East of the Third Principal Meridian, in Cook County, Illinois.
3. At all times relevant to this complaint, the Respondents owned, managed or controlled the property located at the Subject Property.
4. This Complaint is brought pursuant to the Drug and Gang Houses, Houses of Prostitution and Other Disorderly Houses Ordinance, Section 8-4-090 of the City's Municipal Code ("Code").
5. Section 8-4-090 of the Code provides that any premises used for prostitution, illegal gambling, illegal possession or delivery of or trafficking in controlled substances, or any other activity that constitutes a felony, misdemeanor, business offense or petty offense

under federal, state or municipal law is declared to be a public nuisance, provided that the property is used for more than one such offense within any six month period, or the offense is punishable by imprisonment for one year or more.

6. Section 8-4-090 further provides for any person who owns, manages or controls such premises and who encourages or permits illegal activity to occur or continue shall be subject to a fine. This fine shall not be less than \$3,000 and not more than \$6,000 for any offense defined as a class X felony by the Criminal Code of 1961, 720 ILCS 5 ("Criminal Code"); not less than \$1,500 and not more than \$3,000 for any offense defined as a Class 1 felony by the Criminal Code; not less than \$700 and not more than \$1,400 for any offense defined as a Class 2 felony by the Criminal Code; not less than \$500 and not more than \$1,000 for any offense defined as a Class 3 felony by the Criminal Code; not less than \$300 and not more than \$1,000 for any offense defined as a Class 4 felony by the Criminal Code; and not less than \$200 and not more than \$1,000 for all offenses not otherwise specified. Each day that a violation of this section continues shall be considered a separate and distinct offense.

COUNT I - CRIMINAL ACTIVITY

7. The City re-alleges paragraphs 1-6 of General Allegations, above, and reincorporates those allegations herein as part of Count I.
8. During the time that the Respondents owned, managed and/or controlled the Subject Property, criminal activity has taken place in and around the Subject Property.
9. Specifically, the following criminal activity occurred at the Subject Property:
 - A. On November 20, 2005 at 2:15 AM, Chromium security guard Robert WILLIAMS committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when he intentionally struck a police officer while the officer attempted to break up a street fight among Chromium patrons. (HL 745 584)
 - B. On November 20, 2005 at 2:20 AM, Chromium patron Rashaun FUMBANKS committed the offense of disorderly conduct (Municipal Code of Chicago section 8-4-010) when he engaged in a physical altercation involving a mass number of combatants on the sidewalk directly adjacent to the Chromium night club. (CB# 16371600)
 - C. On December 18, 2005 at 2:00 AM, two unknown Chromium security guards committed the offense of aggravated battery (720 ILCS 5.0/12-4, a class 3 felony) when a Chromium patron was involved in a verbal altercation inside the Subject

Property with a guard named "Sgt" (aka Sargon). Sargon then struck the patron with a closed fist about his head and body several times and the patron fell to the ground. Sargon and another guard crushed several glasses on the patron's head causing him to lose consciousness. (HL 745 908)

- D. On December 18, 2005 at 2:10 AM, an unknown individual committed the offense of aggravated battery (720 ILCS 5.0/12-4, a class 3 felony) when two victim-patrons were attempting to break up a fight inside the Chromium night club. One patron-victim was struck on the left side of the face and the other was struck by an unknown thrown object. (HL 795 822)
- E. On January 22, 2006 at 1:30 AM, Chromium patrons Johnny MAEQUEZ, Ramon AGUILAR and Juan GUTIERREZ committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when in the Chromium night club, on the dance floor, they began striking another individual in the face and body with closed fists and kicking him with their feet. (HM 138 028);
- F. On January 29, 2006 at 12:40 AM, Chromium patron Jeffrey CEDENO committed three counts of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when he grabbed the buttock of another Chromium patron inside the night club. After a verbal altercation ensued CEDENO struck two club employees about the face with a closed fist. In addition, Chromium patron Oscar ALFARO committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when during a verbal altercation in the Chromium night club he began striking another individual in the face and body with closed fists. (HM 150 909);
- G. On January 29, 2006 at 2:51 AM, Chromium patron Alan S. RASHO committed the offense of assault (720 ILCS 5.0/12-1-a, a class C misdemeanor) when during a verbal altercation at the Chromium night club he stated "I AM A BOXER, I'M GONNA KICK YOUR ASS, BITCH." He then posed a fighter's stance. RASHO became an active resister when police officers attempted to place him in custody. (HM 151 045);
- H. On January 29, 2006 at 3:15 AM, Chromium patrons Victor M. PEREZ, Jr., Roberto GARCIA and Henry A. PEREZ committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when during a verbal altercation at the Chromium night club they began striking two other individuals in the face and body with closed fists. (HM 151 091);
- I. On February 5, 2006 at 2:00 AM, unknown Chromium patrons committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when they approached another Chromium patron in the ladies room and struck her in the face

with a high-heel shoe. The Chromium night club committed the offense of failure to notify (Municipal Code of Chicago Section 4-60-141) when the manager failed to notify the police of this offense after the victim/patron requested that the manager do so. (HM 166 692)

- J. On March 11, 2006 before 7:48 PM, an unknown offender committed the offense of theft (720 ILCS 5.0/16-1, a class A misdemeanor) when the offender stole two valet loading signs from in front of the Subject Property (HM 226 909)
- K. On March 31, 2006 at 12:59 AM, Chromium patron Gerardo J. MONTOYA committed three counts of aggravated assault (720 ILCS 5.0/12-2-a-1, a class A misdemeanor) when after exclaiming "I'M GOING TO KILL ONE OF THOSE SECURITY GUARDS!" He got into his vehicle and drove it over the curb, over a barricade and at the immediate direction and proximity of three security guards. (HM 262 846);
- L. On April 29, 2006, between 1:00 and 2:00 AM, an unknown individual committed the offense of aggravated battery (720 ILCS 5.0/12-4, a class 3 felony) on the sidewalk adjacent to the Chromium night club when he hit a victim on the head with a bottle, punched the victim in the mouth and robbed the victim. (HM 319 517)
- M. On May 6, 2006 at 3:08 AM, Chromium patron Pablo MORADO committed the offenses of resisting a police officer (720 ILCS 5.0/31-1-a, a class A misdemeanor) when MORADO disregarded verbal directions from and struggled with the arresting officers. MORADO also committed the offense of aggravated assault of a peace officer (720 ILCS 5.0/12-2-a-6 a, class A misdemeanor) when he bit one police officer in the right foot. Chromium patron Cherise DEJONGE committed the offense of resisting a police officer (720 ILCS 5.0/31-1-a, a class A misdemeanor) when she pushed an officer in an attempt to terminate the arrest of MORADO. (HM 355 317)
- N. On May 21, 2006 at 2:00 AM, an unknown offender committed the offense of theft (720 ILCS 5.0/16-1, a class A misdemeanor) when the offender stole a purse, cell phone and Illinois photo identification from a Chromium patron inside the night club. (HM 364 367)
- O. On September 25, 2006 at 2:00 AM, an unknown offender committed the offense of theft (720 ILCS 5.0/16-1, a class A misdemeanor) when the offender stole a purse, Illinois photo identification and social security card from a Chromium patron inside the night club. (HM 621 515)
- P. On October 13, 2007 at 11:30 PM, Renee WHITE an employee of the Chromium

night club committed the offense of placing advertisement matter on vehicles (Municipal Code of Chicago section 10-8-310) when she placed advertisements on automobile windows located on the 800 block of Lake St. (P000 782 782 18)

- Q. On October 14, 2007 at 12:01 AM, an unknown Chromium security guard committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when he pushed a patron out of the Chromium night club and struck the patron's finger on an unknown object giving the finger a laceration. (HM 658 830)
- R. On October 21, 2006 at 12:05AM, an unknown offender committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when the offender came from behind a Chromium patron standing in line on the sidewalk adjacent to the Subject Property and used a stick to strike the patron on the back of the head and forearm. (HM 612 769)
- S. On October 21, 2006 at 12:15AM, Chromium patron Antonio P. LEWIS committed the offense of reckless conduct (720 ILCS 5.0/12-5-a, a class A misdemeanor) when standing in a crowded line to enter the Chromium night club he began arguing with security personnel. After being asked to leave he refused and began shouting profanities and attempted to incite a fight putting other patrons in jeopardy of being injured. (HM 672 859);
- T. On October 28, 2006 at 11:52 PM unknown Chromium patrons committed the offense of battery (720 ILCS 5.0/12-3-a-1, a class A misdemeanor) when they struck two other Chromium patrons with closed fists, pushed one patron to the ground and kicked her. (HM 698 104)
- U. On October 29, 2006 at 2:20AM, Chromium patron Milton Terrance HOWERY committed the offense of reckless conduct (720 ILCS 5.0/12-5-a, a class A misdemeanor) when he became enraged after being removed from the nightclub he pushed a wooden-horse/barricade into a crowd of people standing in line at the club. (HM 688 365);
- V. On December 10, 2006 at 1:16 AM, Chromium patron Brandy GARNER committed two counts of the offense of assault (720 ILCS 5.0/12-1-a, a class C misdemeanor) and one count of criminal trespass to land (720 ILCS 5.0/21-3-a-2, a class B misdemeanor) when she refused to leave the Chromium night club after being asked to do so. GARDNER then threatened to "KICK [the guards'] ASS." (HM 151 803);
- W. On January 20, 2007 at 2:10 AM, Demond STRONGS committed the offenses of aggravated assault of a peace officer (720 ILCS 5.0/12-2-a-6, a class A misdemeanor), resisting a police officer (720 ILCS 5.0/31-1-a, a class A

misdemeanor) and reckless conduct (720 ILCS 5.0/12-5-a, a class a misdemeanor) when he was observed by police officers street fighting at 817 W. Lake. When instructed to disperse, STRONGS attempted to incite the crowd by screaming "FUCK THE POLICE WE AIN'T LEAVING." He also screamed "I'LL WHOOP YOU MOTHER FUCKIN ASS," to another combatant and when approached by the police officers he responded, "I'LL BEAT YO' ASS TOO." When officers attempted to take STRONGS into custody he proceeded to pull away from the officers and flailed his arms to prevent being handcuffed. (HN 133 774);

- X. On January 20, 2007 at 2:10 AM, Jamaul BAKER and Jeffrey MCCALLUM committed the offense of disorderly conduct (720 ILCS 5.0/26-1-a-1, a class C misdemeanor) when they were observed by police officers street fighting at 817 W. Lake. When instructed to disperse they continued to fight with an individual who later fled the scene. (HN 133 774);
- Y. On March 25, 2007 at 2:20 AM, Chromium patron Jorge VARGAS Jr. committed the offense of criminal trespass to land (720 ILCS 5.0/21-3-a-2, a class B misdemeanor) when he returned to the Chromium night club moments after being asked to leave for being involved in a disturbance at the Subject Property. (HN 245850)
- Z. On April 10, 2007 at 2:20 AM, Chromium patron Will WALLS committed the offense of reckless conduct (720 ILCS 5.0/12-5-a, a class A misdemeanor) when he was swinging his arms and shouting profanities in a crowd at the Chromium night club. (HN 274 605)
- AA. On August 18, 2007 at 1:45 AM, an unknown Chromium patron committed the offense of aggravated battery (720 ILCS 5.0/12-4, a class 3 felony) when after a verbal altercation the patron hit a female patron on the head with an object. (HN 535 805)
- BB. On August 18, 2007 at 1:45 AM, Chromium patron Cleveland L. SACK committed the offense of aggravated assault of a peace officer (720 ILCS 5.0/12-2-a-6, a class A misdemeanor) when he made a verbal threat to shoot the police and held his right hand inside his waistband. (HN 535 841)
- CC. On August 19, 2007 at 3:08 AM, Chromium patrons committed the offense of first degree murder (720 ILCS 5/9-1, a felony) when after being involved in a verbal altercation inside the Chromium night club they left the Subject Property, pulled up in their automobile to the other Chromium patron involved in the altercation and began to fire bullets at the victim-patron and killed him. (HN 537 588)

