



OFFICE OF THE CITY PROSECUTOR  
Long Beach, California

*DOUGLAS P. HAUBERT, City Prosecutor*

333 West Ocean Boulevard  
City Hall, Second Floor  
Long Beach, California 90802  
Telephone: (562) 570-5600  
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prosecutor@longbeach.gov

June 24, 2016

Damitresse Lynn Yancy  
710 W. Willow Street  
Long Beach, CA 90806

Damitresse Lynn Yancy  
622 West 37<sup>th</sup> Street  
Long Beach, CA 90806

RE: Maintenance of a Public Nuisance/No Entertainment Permit  
710 W. Willow Street  
City of Long Beach

Dear Property or Business Owner:

The City Prosecutor's Office has been notified that your property identified above ("Property") is a location at which a public nuisance is permitted to exist, specifically, the use of any property to facilitate or provide entertainment activity, as defined in Long Beach Municipal Code Chapter 5.72, without the appropriate permit. Additionally, we are informed the Property allows public nuisance activity by failing to comply with the terms of conditional use permits, business license, or other city permits, and allows and/or facilitates patrons in the violation of Penal Code § 415 (loud and unreasonable noise). As the owner, lessee, occupant, or person in control of the Property, you are legally responsible for maintaining, permitting, or allowing this public nuisance to exist at the property and you may be criminally prosecuted for such nuisance activity. (LBMC § 5.08.030; Cal. Penal Code § 373a.)

**NOTICE IS HEREBY GIVEN, AND YOU ARE ORDERED PURSUANT TO PENAL CODE SECTION 373A, TO ABATE AND/OR NOT PERMIT THE CONTINUATION OF THE ABOVE-REFERENCED NUISANCE IMMEDIATELY.**

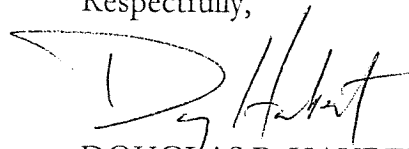
Penal Code § 373a provides that, "Every person who maintains, permits, or allows a public nuisance to exist upon his or her property or premises, and every person occupying or leasing the property or premises of another who maintains, permits or allows a public nuisance to exist thereon, . . . is guilty of a misdemeanor, and shall be punished accordingly." Moreover, § 373a expressly authorizes prosecution of "all persons guilty of violating this section by continuous prosecutions until the nuisance is abated and removed." Before any criminal prosecution may commence, formal notice is required to be given. This letter shall constitute such notice.

Please know that violation of Cal. Penal Code § 373a constitutes a misdemeanor punishable by up to six (6) months in the Los Angeles County Jail and a \$1,000 fine for each and every day a nuisance is allowed to exist.

This letter is being sent in an effort to avoid criminal prosecution by your attendance at an office conference on Wednesday, July 20, 2016, at 11:00 AM. The office conference shall take place at Long Beach City Hall, 2<sup>nd</sup> Floor, 333 West Ocean Blvd., Long Beach, Ca 90802. You may bring your attorney to the meeting.

If you need additional information or clarification, do not hesitate to contact us in writing within 10 days of this letter. If you are no longer the owner or manager of, or otherwise have an interest in, the above-referenced property, or if you feel this letter was directed to you in error, please contact Ms. Martha Phillips of my office at (562) 570-5647.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Haubert", written over a horizontal line.

DOUGLAS P. HAUBERT  
City Prosecutor