

AUSTIN POLICE DEPARTMENT

GO 2006-1480185 (OPEN)

0402 - 0 AGG ASSAULT

Born on Apr-02-1981
Aliases : SERNA, LOUIS
: SERNA, DAVID LOUIS

Linkage factors
Resident status : RESIDENT OF AUSTIN
Condition : ALCOHOL CONTRIBUTED

Related Business(es)

PREMISE - 04 -CO-OP
Located at 400 E. 6TH STREET , AUSTIN , TEXAS 78701-
Type : BARS,TAVERNS

Related text page(s)

Document: PRESS RELEASE
Author: AP4676 - NORRIS, MAC
Subject: ASSAULT W/INJURY AND PI ARREST

Related date/time: May-28-2006 0140
ON THE ABOVE DATE AND TIME I INVESTIGATED A DISTURBANCE IN THE 600 BLOCK OF TRINITY.

Document: SUPPLEMENTS
Author: AP5195 - HARRIS, JOSEPH
Subject: harris sup.

Related date/time: May-28-2006 0140
ON THE ABOVE DATE I ASSISTED OFFICER NORRIS WITH THIS CASE. UPON ARRIVAL I OBSERVED THE TWO VICTIMS LAYING ON THE SIDEWALK. BOTH VICTIMS HAD LARGE AMOUNTS OF BLOOD COMING FROM THEIR FACE, ONE WAS UNCONSCIOUS. I MADE CONTACT WITH TWO WITNESSES

LINDA CISNEROS 02/04/77

ADRIANA PULIDO 12/08/80

LINDA AND ADRIANA STATED THAT FOUR BOUNCERS WORKING AT THE CO-OP HAD ATTACKED THE TWO WITNESSES AND WERE RESPONSIBLE FOR THE SERIOUS INJURY'S THAT THE TWO VICTIMS HAD SUSTAINED.

BOTH WITNESSES DESCRIBED THE SUSPECTS AS FOLLOWS

SUSPECT # 1 - TALL / LARGE /WHITE MALE/ CLEAN SHAVEN/ SHAVED HEAD
SUSPECT # 2 - SHORT/ WHITE MALE / SHAVED HEAD
SUSPECT # 3 - HISPANIC MALE / SHAVED HEAD
SUSPECT # 4 - HISPANIC MALE / SHAVED HEAD

ALL FOUR SUSPECTS WORE BLACK T-SHIRTS THAT SAID " STAFF " ON THE BACK

LINDA'S STATEMENT

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LINDA STATES THAT SHE WAS STANDING NEXT TO THE SIDE BALCONY OF THE " CO-OP " IT WAS AT THIS LOCATION WERE THE FOUR SUSPECTS PULLED THE TWO VICTIMS OUT OF THE BAR. ONCE OUTSIDE AND ON THE BALCONY SHE STATES THAT THE SUSPECTS ATTACKED THE VICTIMS. THE MOST SERIOUSLY INJURED VICTIM - ROBERT FLORES, WAS THROWN FACE FIRST INTO THE WOODEN BALCONY. AT THIS TIME THE LARGEST WHITE MALE REPEATEDLY SMASHED ROBERTS FACE INTO THE WOODEN POSTS. LINDA STATES THAT THE VERY LARGE W/M INFLICTED THE MOST SERIOUS BLOWS, BUT ONE OF THE HISPANIC SUSPECTS ALSO PUNCHED AND KICKED THE HIM.

LINDA STATED THAT THESE TWO SUSPECTS ATTEMPTED TO THROW ROBERT OVER THE BALCONY AND ONTO THE STREET. THE SUSPECTS COULD NOT LIFT THE DEAD WEIGHT OF THE VICTIM, SO THEY JUST DRAGGED HIM TO THE GATE AND ONTO THE SIDEWALK.

WHILE THIS WAS HAPPENING THE OTHER TWO SUSPECTS WERE ASSAULTING THE SECOND VICTIM. THIS SUSPECT WAS KICKED, PUNCHED AND THROWN OVER THE BALCONY AND ONTO THE STREET.

LINDA STATED THAT IT ALL HAPPENED AT THE SAME TIME AND THAT THE SUSPECTS JUST " STRAIGHT UP JUMPED THE VICTIMS.

ADRIANA'S STATEMENT WAS CONSISTENT WITH LINDA'S.

WHEN WE ARRIVED ON SCENE ALL FOUR OF THE BOUNCERS/SUSPECTS HAD LEFT THE SCENE. THIS IS VERY SUSPICIOUS DUE TO THE FACT THAT IT IS THERE PLACE OF EMPLOYMENT. (AND THE BAR HAD NOT BEEN CLOSED YET)

THE MANAGER TOLD ME THAT ONE OF THE INVOLVED BOUNCERS WAS IN THE BACK. I MADE CONTACT WITH , IDENTIFIED AS

SABONYA, CHRISTOPHER

CHRISTOPHER WAS SHORT AND BALD, HE FIT THE DESCRIPTION OF ONE OF THE SUSPECTS. LINDA AND ADRIANA IDENTIFIED HIM AS SUCH. BOTH OF THE WITNESSES STATED THAT THEY OBSERVED CHRISTOPHER DRAGGING ROBERTS UNCONSCIOUS BODY OFF OF THE BALCONY. CHRISTOPHER WAS LATER ARRESTED

T HE MANAGER GOT AHOLD OF ONE OF HIS BOUNCERS THAT HAD LEFT THE BAR AND WAS NOT AT WORK.

SUSPECT - ROBERT PEDERSON 08/27/77

I TALKED TO ROBERT ON THE PHONE AND HE SAID THAT HE WAS DOWN THE STREET AND WOULD COME GIVE ME A STATEMENT. ONCE ROBERT ARRIVED HE OBSERVED THAT ONE OF THE BOUNCERS HAD BEEN ARRESTED. HE BEGAN TO WALK EAST BOUND THROUGH THE NORTH ALLEY. I CAUGHT UP TO ROBERT AND ASKED HIM WERE HE WAS GOING. ROBERT STATED THAT HE JUST DIDN'T WANT TO GO TO JAIL.

ROBERT'S STATEMENT

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ROBERT STATES THAT HE WAS IN THE BAR WHEN HE WAS PUNCHED BY ONE OF THE VICTIMS. HE ADMITTED TO HITTING THE SUBJECT BACK AND THEN ASSISTING THE OTHER Bouncers in taking them out of the bar. Once out on the balcony Robert could not say what had happened. He states that he backed up while the other bouncers fought the victims. Roberts statement was not very in depth or consistent.

ROBERT COULD NOT GIVE A GOOD REASON WHY HE HAD LEFT THE SCENE AFTER THE FIGHT. I OBSERVED THAT ROBERT HAD RED MARKS ON THE RIGHT SIDE OF HIS FACE. ROBERT ALSO HAD RED KNUCKLES ON BOTH HANDS ALONG WITH ONE OPEN WOUND ON HIS LEFT HAND. THESE INJURES LINK ROBERT TO THE ASSAULT.

THE WITNESSES STATED THAT THEY SAW ROBERT AT THE SCENE BUT DID NOT SEE HIM INVOLVED IN ANY FIGHTING. HE WAS IDENTIFIED AND RELEASED.

Document: **INITIAL REPORT**

Author: **AP4676 - NORRIS, MAC**

Subject: **ASSAULT W/INJURY-PI ARREST**

Related date/time: **May-28-2006 0140**

ON MAY 28TH , 2006, AT APPROXIMATELY 01:40 AM, I WAS ASSIGNED TO THE DOWNTOWN AREA COMMAND. I WAS ON ROUTINE FOOT PATROL IN THE 400 BLOCK OF E 6TH STREET. I RESPONDED TO A DISTURBANCE AT THE CO-OP NIGHT CLUB, LOCATED AT THE CORNER OF 6TH AND TRINITY ST.. UPON ARRIVAL I FOUND ONE HISPANIC MALE LYING ON THE SIDEWALK ALONG THE EAST CURB LINE OF TRINITY. THIS SUBJECT WAS UNCONSCIOUS AND BLEEDING FROM THE FACE. ANOTHER HISPANIC MALE WAS ON SCENE WHO ALSO HAD INJURIES TO HIS FACE, AND WAS BLEEDING. THIS SECOND MALE WAS CONSCIOUS, HOWEVER, AND WALKING AROUND. ME AND OTHER OFFICERS BEGAN TO INVESTIGATE WHAT OCCURRED. THERE WERE WITNESSES ON SCENE WHO ASSISTED US WITH INFORMATION. THE WITNESSES TOLD ME THE TWO HISPANIC MALES HAD BEEN ASSAULTED ON THE PATIO OF THE CO-OP BAR, AND THEN THROWN OUT. FROM THESE WITNESS ACCOUNTS I FOUND OUT THE UNCONSCIOUS HISPANIC MALE WAS PUNCHED AND KICKED REPEATEDLY BY 3-5 EMPLOYEES OF THE CO-OP BAR. THIS HISPANIC MALE WAS NOT MOVING WHEN THE EMPLOYEES PICKED HIM UP AND DROVE HIS HEAD THROUGH WOODEN FENCE POSTS ON THE SIDE OF THE BALCONY. THIS HISPANIC MALE WAS STILL UNCONSCIOUS WHEN HE WAS DRAGGED DOWN THE WALKWAY OF THE PATIO AND ONTO THE SIDEWALK. THIS IS WHERE HE WAS LYING WHEN I ARRIVED ON SCENE. THE OTHER HISPANIC MALE TRIED TO HELP THE UNCONSCIOUS ONE WHEN THE EMPLOYEES OF THE BAR WERE ALLEGEDLY COMMITTING THE ASSAULT. THIS SECOND HISPANIC MALE WAS THEN THROWN OVER THE RAILING OF THE OUTDOOR DECK. THIS PERSON STRUCK THE SIDEWALK WITH HIS HEAD. HE LATER RECEIVED FOUR STAPLES TO HIS FOREHEAD. THE WITNESSES TOLD ME THE HISPANIC MALES DID NOT STRIKE OUT IN AN AGGRESSIVE MANNER TOWARDS THE EMPLOYEES OF THE CO-OP. THE TWO MEN TRIED TO PUSH THE EMPLOYEES BACK IN A DEFENSIVE MANNER ONLY.

THE EMPLOYEES INVOLVED IN THE DISTURBANCE LEFT THE SCENE EITHER BEFORE, OR UPON OUR ARRIVAL. THE BAR WAS STILL OPEN AT THE TIME, BUT NONE OF THESE PEOPLE WERE PRESENT. THE MANAGER CALLED THEM ON THE PHONE BUT ONLY ONE SUBJECT ANSWERED AND THEN LATER RETURNED. THIS SUBJECT WAS POSITIVELY IDENTIFIED, BY THE WITNESSES WHO WERE STILL ON SCENE, AS BEING ONE OF THE

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BAR EMPLOYEES WHO ASSAULTED THE TWO HISPANIC MEN. THE WITNESS ACCOUNTS IDENTIFIED HIM AS BEING THE EMPLOYEE WHO THREW THE SECOND MALE OVER THE BALCONY, ONTO THE SIDEWALK. THIS SUSPECT WAS IDENTIFIED AS BEING THE ABOVE NAMED SUBJECT, CHRIS SABONYA W/M DOB 01/09/1974. SABONYA WAS IDENTIFIED BY THREE DIFFERENT WITNESSES AS BEING INVOLVED. I SPOKE WITH SABONYA ABOUT HIS INVOLVEMENT IN THE DISTURBANCE. SABONYA SAID HE WAS INVOLVED IN AN EARLIER FIGHT WITH AN UNKNOWN CUSTOMER. HE TOLD ME OTHER CUSTOMERS, UNKNOWN TO HIM, DRAGGED THE SUBJECT OUT OF THE BAR. SABONYA TOLD ME WHEN THE SECOND MALE APPROACHED HIM, THE TWO BEGAN TO FIGHT AND HE THREW THIS PERSON OVER THE RAILING. WHEN SABONYA ARRIVED ON SCENE HE HAD BLOOD SPLATTERED ON HIS HEAD. HIS KNUCKLES AND HANDS HAD SCRAPES AND CUTS FROM, WHAT I BELIEVED WAS HIS INVOLVEMENT IN THE EARLIER FIGHT. SABONYA LATER CHANGED HIS ACCOUNT OF WHAT HAPPENED. HE TOLD ME HE WAS DEFENDING HIMSELF FROM BEING ASSAULTED AND DID NOT REMEMBER TELLING ME HE THREW THE SUBJECT OFF THE PATIO. WITNESSES ON SCENE TOLD OTHER OFFICERS THAT SABONYA WAS THE EMPLOYEE WHO DRUG THE UNCONSCIOUS MALE FROM THE PATIO TO THE SIDEWALK. WHILE SPEAKING WITH SABONYA I ALSO NOTICED HE HAD THE ODOR OF AN ALCOHOLIC BEVERAGE ON HIS BREATH AND PERSON. SABONYA LATER ADMITTED TO HAVING CONSUMED ABOUT FOUR BEERS DURING THE EVENING. SABONYA WAS ARRESTED FOR PUBLIC INTOXICATION. I WAS AFRAID IF IMMEDIATE LAW ENFORCEMENT ACTION WAS NOT TAKEN HE MIGHT ASSAULT OTHER CITIZENS. A LARGE CROWD OF PEOPLE GATHERED WHO WERE UPSET ABOUT THE TWO MEN BEING ASSAULTED AND I DID NOT WANT ADDITIONAL DISTURBANCES TO OCCUR.

THE TWO HISPANIC MALES WERE TRANSPORTED TO THE HOSPITAL AND TREATED FOR THEIR INJURIES. THE MALE WHO WAS FOUND UNCONSCIOUS HAD A POSSIBLE BROKEN JAW AND LACERATIONS TO HIS FACE. THE OTHER MALE RECEIVED FOUR STAPLES TO THE CUT ON HIS FOREHEAD. HE HAD LACERATIONS AND BRUISES TO HIS FACE AND HEAD. SABONYA WAS TAKEN INTO CUSTODY WITHOUT INCIDENT. HE WAS TRANSPORTED TO THE TRAVIS COUNTY JAIL WHERE HE WAS BOOKED IN FOR PUBLIC INTOXICATION CLASS C MISDEMEANOR, AND ASSAULT WITH INJURY, CLASS A MISDEMEANOR.

WHILE I WAS INVESTIGATING THE DISTURBANCE A STOPPED AN UNKNOWN HISPANIC MALE FROM WALKING BETWEEN THE OFFICERS. I ASKED HIM IF HE WAS INVOLVED AND HE SAID HE JUST WANTED TO KNOW WHAT WAS GOING ON. I ASKED IF HE KNEW ANYONE INVOLVED AND HE SAID NO. HE ALSO DID NOT HAVE ANY INFORMATION REGARDING THE DISTURBANCE. I TOLD HIM HE NEEDED TO LEAVE. HE SAID HE WANTED TO KNOW WHERE THE SUBJECTS WERE GOING IN THE AMBULANCE. HE SAID ONE OF THE SUBJECTS WAS HIS COUSIN BUT HE COULD NOT PROVIDE ME WITH THE VICTIMS NAME. I AGAIN GAVE HIM MULTIPLE VERBAL COMMANDS TO LEAVE THE AREA. THIS SUBJECT WAS CAUSING ME TO PULL AWAY FROM THE INVESTIGATION IN ORDER TO FDEAL WITH HIM. I THEN ESCORTED THIS SUBJECT AWAY FROM THE SCENE AND BEGAN TO YELL AND CURSE. HE TRIED TO PULL FROM MY GRASP AS WELL. I LET HIM GO AS SOON AS HE WAS A SAFE DISTANCE AWAY FROM THE SCENE. AS I WAS WALKING AWAY, THIS SUBJECT BEGAN TO APPROACH ME FROM THE REAR. HE WAS VERY AGGRESSIVE AND HAD HIS FISTS CLENCHED. ONCE AGAIN I HAD TO PULL FROM THE TASK AT HAND IN ORDER TO DEAL WITH THIS PERSON. I TRIED TO GRAB HIM BY THE ARM IN ORDER TO ARREST HIM. HE JERKED AWAY AND BEGAN TO STRUGGLE WITH ME. OTHER OFFICERS ASSISTED ME IN ARRESTING THIS SUBJECT. HE WAS LATER IDENTIFIED AS BEING:

JUAN AVELINO GONZALEZ HM DOB 10-18-1980

GONZALEZ WAS BOOKED INTO JAIL FOR INTERFERENCE W/PUBLIC DUTIES CLASS B-MIS. ARREST AFFIDAVITS AND REPORTS WERE COMPLETED AT ARREST REVIEW, NO ADDITIONAL INFORMATION AT THIS TIME.

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Document: SUPPLEMENTS

Author: AP4495 - NARCISO, BRIAN

Related date/time: May-28-2006

ON 05-28-2006 AT APPROXIMATELY 0150 AM, I WAS ON BICYCLE PATROL IN FULL POLICE UNIFORM WORKING ON 6TH ST.

I RESPONDED TO A DISTURBANCE/FIGHT AT THE CO-OP BAR CLUB LOCATED AT 400 E 6TH ST. @ TRINITY.

WHEN I ARRIVED AT THE SIDE DOOR OF THE CO-OP, ON TRINITY, I OBSERVED A SUBJECT, LATER IDENTIFIED AS ROBERT FLORES JR., LAYING ON THE SIDEWALK IN A MASS OF BLOOD. FLORES WAS KNOCKED OUT, BREATHING BUT NOT MOVING.

WITNESSES INSIDE THE GATED AREA OF THE CO-OP BEGAN YELLING THAT THE BOUNCERS BEAT FLORES THEN TOSSED HIM OUT ONTO THE SIDEWALK. THREE SEPARATE FEMALE WITNESSES, WHO COULD NOT IDENTIFY THE SUSPECTS, TOLD ME THAT THE STAFF OF THE CO-OP DID THIS.

CPL CARVALHO ASKED ME TO GO INSIDE THE BAR AND FIND A STAFF MEMBER. MYSELF AND THREE OTHER OFFICERS ENTERED THE CO-OP. NOT ONE BOUNCER/DOORMAN/SECURITY STAFF MEMBER COULD BE LOCATED. THIS SEEMED PRETTY SUSPICIOUS SEEING THAT THE BAR WAS STILL OPEN, AND IT WAS NOT 2AM YET.

ONE FEMALE WITNESS STATED THAT SHE OBSERVED 3-4 STAFF MEMBERS PUNCHING, KICKING AND BEATING THE HELL OUT OF FLORES ON THE PATIO. THE FEMALE WITNESS SAID SHE KNEW THEY WERE STAFF, BECAUSE ALL THE SHIRTS THEY WERE WEARING SAID "STAFF" IN WHITE LETTERS.

I LOOKED ALL OVER THE BAR, AND WITH THE EXCEPTION OF THE BARTENDERS, NO OTHER STAFF WAS ONSCENE.

I WAITED WITH FLORES UNTIL EMS ARRIVED. I HAD HEARD THROUGH OTHER OFFICERS THAT THERE WERE MORE WITNESSES SAYING THE STAFF HAD BEATEN FLORES AND HIS FATHER.

FLORES JR WAS BLEEDING FROM THE BACK OF THE HEAD AND FACE. HE WAS TRANSPORTED TO BRACK. SEE OF NORRIS' ORIGINAL REPORT AND NUMEROUS OTHER SUPS.

NOI.

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Follow Up Report(s)

Follow Up # 1

Assignment Information

Assigned to AP5195 - HARRIS, JOSEPH
Org unit : DT WALKING BEAT NIGHTS 3
Capacity : SUPPLEMENTAL
Assigned on May-28-2006 (Sun.) 0237 by AP5195 - HARRIS, JOSEPH
Report due on May-28-2006 (Sun.)

Submission Information

Submitted on May-28-2006 (Sun.) 0237
Checked by : AP0480 - SHANE, MICHAEL J
Approved on May-30-2006 (Tue.) by AP0480 - SHANE, MICHAEL J
Follow Up completed : YES

Follow Up # 2

Assignment Information

Assigned to AP5195 - HARRIS, JOSEPH
Org unit : DT WALKING BEAT NIGHTS 3
Capacity : SUPPLEMENTAL
Assigned on May-28-2006 (Sun.) 0240 by AP5195 - HARRIS, JOSEPH
Report due on May-28-2006 (Sun.)

Submission Information

Submitted on May-28-2006 (Sun.) 0240
Checked by : AP0480 - SHANE, MICHAEL J
Approved on May-30-2006 (Tue.) by AP0480 - SHANE, MICHAEL J
Follow Up completed : YES

Follow Up # 3

Assignment Information

Assigned to AP4495 - NARCISO, BRIAN
Org unit : DT WALKING BEAT NIGHTS 3
Capacity : SUPPLEMENTAL
Assigned on May-30-2006 (Tue.) 1624 by AP4495 - NARCISO, BRIAN
Report due on May-30-2006 (Tue.)

Submission Information

Submitted on May-30-2006 (Tue.) 1624
Checked by : AP0480 - SHANE, MICHAEL J
Approved on May-31-2006 (Wed.) by AP0480 - SHANE, MICHAEL J
Follow Up completed : YES

Follow Up # 4

Assignment Information

Assigned to AP4705 - BOWEN, BRYAN
Org unit : DT WALKING BEAT NIGHTS 3
Capacity : SUPPLEMENTAL
Assigned on May-30-2006 (Tue.) 1536 by AP4705 - BOWEN, BRYAN
Report due on Jun-01-2006 (Thu.)

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Submission Information

Submitted on **May-30-2006 (Tue.) 1724**

Checked by : **AP0480 - SHANE, MICHAEL J**

Approved on **Jun-01-2006 (Thu.)** by **AP0480 - SHANE, MICHAEL J**

Follow Up completed : **YES**

Related text page(s)

Document: **SUPPLEMENTS**

Author: **AP4705 - BOWEN, BRYAN**

Related date/time: **May-28-2006 0140**

ON 05/28/06 I WAS ASSIGNED TO UNIFORMED BIKE PATROL IN THE DOWNTOWN AREA OF 6TH ST. AT APPROXIMATELY 0140 HOURS I RESPONDED TO THE 600 BLK OF TRINITY ST., ON THE WEST SIDE OF THE CO-OP BAR, IN REFERENCE TO A DISTURBANCE WITH VIOLENCE CALL.

UPON ARRIVAL I NOTICED THAT SEVERAL OFFICERS AND FIRE DEPT. PERSONNEL WERE ALREADY ON SCENE ATTENDING TO AN UNCONSCIOUS MALE WHO WAS LYING ON THE SIDEWALK, BLEEDING FROM HIS HEAD AND FACE. I ALSO NOTICED ANOTHER MALE STANDING IN THE STREET NEAR THE SIDEWALK WHO ALSO BLEEDING FROM HIS HEAD AND FACE.

I IDENTIFIED THE CONSCIOUS MALE

FLOREZ, ROBERT VELASQUEZ W/M 07/20/65

AND TOOK A BRIEF STATEMENT FROM HIM. FLOREZ SAID HE AND HIS SON, ROBERT FLOREZ JR. (THE UNCONSCIOUS MALE), WERE DRINKING INSIDE THE CO-OP BAR, WHEN HE OBSERVED A STAFF EMPLOYEE (BOUNCER) HITTING HIS SON. FLOREZ SAID HE DIDN'T KNOW WHAT STARTED THE INCIDENT BUT WHEN HE WENT TO HELP HIS SON, OTHER BOUNCERS BEGAN HITTING HIM. FLOREZ SAID HE AND HIS SON WERE BOTH THROWN OUT OF THE BAR ONTO THE PATIO AREA. FLOREZ WAS UNABLE TO SAY WHICH BOUNCER(S) HIT HIM OR HOW MANY TIMES HE WAS HIT. FLOREZ DID SAY THAT AS A RESULT OF BEING HIT HE WAS EXPERIENCING NECK AND BACK PAIN.

FLOREZ WAS TREATED BY MEDIC 4 AND TRANSPORTED TO BRACKENRIDGE HOSPITAL. WHILE TALKING TO FLOREZ, I NOTICED THAT HE HAD A CUT TO THE TOP OF HIS HEAD AND WHAT APPEARED TO BE A CUT ABOVE HIS RIGHT EYE (EYEBROW AREA).

I WAS LATER APPROACHED BY TWO SUBJECTS WHO SAID THEY WITNESSED A PORTION OF THE INCIDENT. THEY WERE IDENTIFIED AS

LEE, JAMES A/M 01/29/75

TALLON, TRACY LYNN W/F 05/01/79

BOTH LEE AND TALLON SAID THEY WERE ON THE UPPER PATIO OF THE IRON CACTUS BAR/RESTAURANT, LOOKING DOWN TOWARD THE PATIO AREA OF THE CO-OP BAR. THEY SAID THEY OBSERVED THE BAR STAFF DRAG A MALE (FLOREZ JR.) OUT OF THE BAR AND THROW HIM AGAINST THE WOODEN PATIO RAILING CAUSING IT TO BREAK. THEY SAID THE SUBJECT WAS JUST LAYING THERE WHEN THE BOUNCER BEGAN PUNCHING HIM APPROXIMATELY 10 TIMES. THEY SAID EITHER THAT BOUNCER OR ANOTHER ONE GRABBED A HOLD OF THE UNCONSCIOUS MALE, DRUG HIM OFF OF THE PATIO AND ONTO THE SIDEWALK AREA OUTSIDE THE BAR, WHERE THEY LEFT HIM. THEY ALSO SAID THEY OBSERVED THE OTHER MALE (FLOREZ) GET TOSSED OVER THE RAILING BY ONE OF THE BOUNCERS.

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LEE AND TALLON SAID THEY KNEW IT WAS BAR STAFF WHO WAS INVOLVED BECAUSE THEY HAD THE WORD "STAFF" ON THE BACK OF THEIR T-SHIRTS. BOTH SUBJECTS ALSO SAID THEY DIDN'T SEE WHAT STARTED THE FIGHT BUT DEFINITELY FELT THAT WHAT THE BOUNCERS DID WAS UNCALLED FOR.

NOI...

Follow Up # 5

Assignment Information

Assigned to AP4694 - HARVEY, WILLIAM

Org unit : DT WALKING BEAT NIGHTS 6

Capacity : SUPPLEMENTAL

Assigned on May-28-2006 (Sun.) 1539 by AP4694 - HARVEY, WILLIAM

Report due on Jun-01-2006 (Thu.)

Submission Information

Submitted on May-28-2006 (Sun.) 0507

Checked by : AP2498 - CARVALHO, JORGE A

Approved on Jun-09-2006 (Fri.) by AP2498 - CARVALHO, JORGE A

Follow Up completed : YES

Related text page(s)

Document: SUPPLEMENTS

Author: AP4694 - HARVEY, WILLIAM

Related date/time: May-28-2006 0140

ON 05-28-06 I WAS ON PATROL IN THE DOWNTOWN AREA. AT 1:40 AM I WAS DISPATCHED TO A FIGHT ON THE WEST SIDE OF THE CO-OP BAR IN THE 600 BLOCK OF TRINITY.

WHILE OFFICERS WERE WORKING THE CALL, OFFICER NORRIS GOT INTO A STRUGGLE WITH AND ARRESTED JUAN GONZALEZ, WHO WAS INTERFERING WITH OFFICER'S ON SCENE. HIS FRIEND, WHO I LATER IDENTIFIED AS

SERNA, DAVID LOUIS H/M 04-02-81

GOT UPSET THAT GONZALEZ WAS GETTING ARRESTED. HE TRIED TO CHARGE MY SUPERVISOR SGT. MCMILLION. HIS GIRLFRIEND CAUGHT HIM AND WAS TRYING TO HOLD HIM BACK. HE CONTINUED TO CURSE AT SGT. MCMILLION AND WOULD NOT LEAVE THE SCENE DESPITE OUR VERBAL COMMAND'S FOR HIM TO LEAVE. HIS GIRLFRIEND WAS FINALLY ABLE TO PUSH HIM BACK MOMENTARILY. I COULD TELL, AS HE WALKED AROUND, THAT HIS BALANCE WAS UNSURE AND HE HAD A HARD TIME WALKING STRAIGHT. SGT. MCMILLION WALKED OFF AND SERNA CHARGED AGAIN. I GOT CLOSE ENOUGH TO HIM TO SMELL A STRONG ODOR OF ALCOHOL ON HIS BREATH AS HE YELLED AND CURSED. I COULD ALSO SEE THAT HIS EYES WERE BLOODSHOT AND WATERY.

SERNA'S GIRLFRIEND CAUGHT HIM AGAIN AND THIS TIME HE TRIED TO PUSH HER OUT OF HIS WAY IN AN EFFORT TO GET TO ME. SERNA WAS A DANGER TO HIMSELF BECAUSE HE HAD REFUSED TO COMPLY WITH VERBAL COMMANDS, PUSHED HIS GIRLFRIEND, AND CHARGED AT MYSELF AND OTHER OFFICERS IN A VIOLENT MANNER WITH CLENCHED FISTS. I DECIDED TO PLACE HIM UNDER ARREST FOR PUBLIC INTOXICATION. SERNA WAS STILL ACTING VIOLENT AND WOULD NOT LISTEN TO VERBAL COMMANDS SO I PULLED OUT MY ISSUED CAN OF OC SPRAY AND ADMINISTERED A SHORT BURST OF OC SPRAY TO HIS FOREHEAD. THE SPRAY STOPPED HIS CHARGE SO I TRIED TO GRAB HIS RIGHT ARM IN AN ATTEMPT TO TAKE HIM INTO CUSTODY. HE TRIED TO PULL AWAY