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PROSECUTOR AND POLICE CHIEF TAKE ACTION TO CLOSE LOCAL CLUBS

Wayne County Prosecutor Kym L. Worthy and Detroit Police Chief Ella Bully-Cummings announce nuisance abatement and forfeiture actions against four Detroit bars. Each lawsuit was filed in the Wayne County Third Circuit Court Civil Division in April 2007 and Show Cause Hearings will be held before Judge William Giovan.

Alta's Key Bar, 402-404 E. State Fair, Detroit, Michigan

- Nuisance Abatement, Drug Forfeiture and Gambling Complaint filed on April 2, 2007.
- Defendants that have an equitable and/or legal interest in the Property: Alta LaFarlett, Lavada Sue Plets, and Wallace Toran Sims.
- Issues: Illegal gambling, alcohol served after hours, no business license, failed building safety inspections, non-fatal shooting December 9, 2006.
- Next Action : Pretrial May 19, 2007.

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Zoo Bar, 415 E., Congress, Detroit, Michigan

- Nuisance Abatement, Drug Forfeiture Complaint filed on April 12, 2007.
- Defendants that have an equitable and/or legal interest in the Property: K & P Inc, 415 East Congress, LLC, Hampton Holdings Inc, Congress Club Properties, LLC.
- Issues: Assault of patron by employee, Lap Dancing "Simulated Sex Acts On Licensed Premises" (repeated instances), open use of drugs in the location on numerous occasions.
- Next Action : Pretrial June 22, 2007.

Club Le' Elegant, 17040 Plymouth Road, Detroit, Michigan

- Nuisance Abatement, Drug Forfeiture Complaint filed on April 17, 2007.
- Defendants that have an equitable and/or legal interest in the Property: Club Le' Elegant Corporation; Virginia Douglas and Lighthouse Real Estate Holdings.
- Issues: Shootings, Lap dancing "Simulated Sex Acts On Licensed Premises"(repeated instances), "Indecent and Obscene Behavior", open use of drugs in the location on numerous occasions, homicide on March 17, 2007, shooting in parking lot of the location on May 3, 2007.
- Next Action : Pretrial June 22, 2007.

Sting Gentlemen's Club, 6609 Michigan Avenue, Detroit, Michigan

- Nuisance Abatement, Drug Forfeiture Complaint filed May 2, 2007.
- Defendants that have an equitable and/or legal interest in the Property: Elias Entertainment Company LLC, 6609 Michigan Avenue Associates, Harvey Plaskov Revocable Living Trust, James E. Aboud, and Heather Aboud.
- Issues: Homicide, nonfatal shootings inside and outside of the location, "Simulated Sex Acts On Licensed Premises" (repeated instances), sale and use of drugs, location had a table in the restroom selling marijuana and bootleg pornographic DVDs, latest non-fatal shooting March 31, 2007.
- Next Action : Pretrial June 22, 2007.

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“We are committed to padlocking and closing bars where there has been known illegal and violent activity. These bars create a very real danger to our communities,” said Prosecutor Worthy.

“Nuisance cases are very time consuming to put together and require the utmost discretion. I want to thank the Detroit Police Department for their extensive work in this area.”

Detroit Police Chief Ella Bully-Cummings said, "It is imperative that the owners of these establishments take a proactive role maintaining a crime free environment. Whether there is illegal activity occurring inside of the building or in the parking lot, management has an obligation to do what is necessary to better ensure the safety of its patrons. When illegal activity spills out into the neighborhoods from one of these locations, it creates a quality of life burden on residents that we as a community cannot tolerate."

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FAQS

Who are the parties being sued?

Alta's Key Bar - The owners of record holding title to the property known as Alta's Key Bar are Alta LaFarlett, Lavada Sue Plets, Wallace Toran Sims, Michelle Carlock and Rahman Muhammed.

The Zoo Bar – The owners of record holding title to the property known as The Zoo Bar are K & P, Inc., LLC, Hampton Holdings, Inc and Congress Club Properties, LLC.

Club Le'Elegant - The owners of record holding title to the property known as Club Le'Elegant are Club Le'Elegant Corporation, Virginia Douglas and Lighthouse Real Estate Holdings, Inc.

Sting Gentlemen's Club – The owners of record holding title to the property known as Sting Gentlemen's Club are Elias Entertainment Company, LLC, 6609 Michigan Avenue Associates, LLC, Harvey Plaskov Revocable Living Trust, James E. Aboud and Heather Aboud.

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What is a nuisance?

A public nuisance is activity that is harmful to the public health, creates interference in use of a way of travel, affects public morals or prevents the public from the peaceful use of their land and the public streets.

Is this a civil lawsuit?

Yes. Michigan Compiled Law 600.3801 provides that the moving party must show that nuisance activities took place at a specific location, and that the location is a continuing nuisance. The Defendants have 28 days to file an answer or be found in default.

What if the owners were unaware of the illegal activities in the Clubs?

This would make no difference; there is no “innocent owner” exception under Michigan law.

What can be done about other clubs that are creating a public nuisance?

The Detroit Police Department and the Wayne County Prosecutor’s Office focus on establishments that pose a danger to the public. Clubs that are the subject of police runs and citizen complaints will be targeted for nuisance abatement lawsuits. Citizens should call the Prosecutor’s Nuisance/Drug House Hotline at (313) 224-6688.

What are the remedies for a nuisance abatement suit?

- 1) Under MCL 600.3801, the occupants can be ordered to vacate the property, which can then be padlocked for a period of one year.
- 2) Under MCL 600.3825(1), the court can order the removal and sale of all furniture, fixtures, and contents of the premises. All proceeds can be applied to any outstanding liens, mortgages or utility bills owed by the defendants.
- 3) Under MCL 600.3825(1), the court can order forced sale of the property, with all costs and attorneys fees paid by the defendants.

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