

**FILED**

Chris Daniel  
District Clerk

MAR 14 2014

CAUSE NO. 2014-00782

Time: \_\_\_\_\_  
Harris County, Texas

THE STATE OF TEXAS  
Plaintiffs

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IN THE DISTRICT COURT OF

By \_\_\_\_\_  
Deputy

v.

164<sup>th</sup> JUDICIAL DISTRICT

ANTONIO D. ADAMS, et al.,  
Defendants

HARRIS COUNTY, TEXAS

*Handwritten:* P9  
TRILX

**ORDER GRANTING PLAINTIFF'S APPLICATION FOR TEMPORARY INJUNCTION**

On this the \_\_\_ day of \_\_\_\_\_, 2014, came on for consideration an Application by the plaintiff, The State of Texas, for a Temporary Injunction against the Defendants named in the above styled and numbered cause, in which the Plaintiff, The State of Texas, moves this Court to temporarily restrain and enjoin the Defendants from engaging in gang activity, as described under Section 125.062 of the Texas Civil Practice and Remedies Code and/or as provided below, within the EAST ALDINE SAFETY ZONE.

The Court is of the opinion that this Order is well taken and should in all things be granted and the same is hereby GRANTED. THE COURT FINDS that:

- (1) Pursuant to Section 125.064 of the Civil Practice and Remedies Code, the Defendants, Delton Sidney, Lawrence Ellis, Gregory Caicedo, Ceron R. Raymond, Todd Goodson, Ricky J. Pete, Keith Brown, Willie Johnson, Brandon Forbes, Daniel Minex, Keon Richardson, Bill Roberson, Derrick Leon Smith Jr., Londun Mourning, Francisco Riasco, Emmet W. Shepherd, Demond R. Beal, Tyrone Berry, Antonio Gipson, Donthelle L. Moreno, Nicholas Mosquera, Joseph D. Holmes, Steven F. Davis, Damon D. Polk, Kimbel V. Carter, Alton J. Lewis, Antoine Brooks, Dewitt T. Arteberry, and Bobby Harris are all proper parties to this suit who habitually associate

with others to engage in gang activity, under Section 125.061 (3) of the Texas Civil Practice and Remedies Code, within the East Aldine Safety Zone;

- (2) for the purposes of Chapter 125, Section 125.065 (a) of the Texas Civil Practice and Remedies Code, and Section 71.021 of the Texas Penal Code, the Defendants, Delton Sidney, Lawrence Ellis, Gregory Caicedo, Ceron R. Raymond, Todd Goodson, Ricky J. Pete, Keith Brown, Willie Johnson, Brandon Forbes, Daniel Minex, Keon Richardson, Bill Roberson, Derrick Leon Smith Jr., Londun Mourning, Francisco Riasco, Emmet W. Shepherd, Demond R. Beal, Tyrone Berry, Antonio Gipson, Donthelle L. Moreno, Nicholas Mosquera, Joseph D. Holmes, Steven F. Davis, Damon D. Polk, Kimbel V. Carter, Alton J. Lewis, Antoine Brooks, Dewitt T. Arteberry, and Bobby Harris are members of a criminal street gang, specifically known as the Bloods and/or the Crips;
- (3) The Bloods and the Crips are criminal street gangs comprised of three or more persons having a common identifying sign or symbol or an identifiable leadership who continuously or regularly associate in the commission of criminal activities, as defined as defined by Section 71.01 (d) of the Texas Penal Code;
- (4) The Bloods and the Crips, criminal street gangs, continuously or regularly associated, at least five (5) times in a period of not more than twelve (12) months, in the commission of gang activities as defined by 125.061 (3) of the Texas Civil Practice and Remedies Code, within the EAST ALDINE SAFETY ZONE;
- (5) The Bloods and the Crips are a public nuisance, pursuant to Section 125.062 of the Texas Civil Practice and Remedies Code, because of their continual and regular association in gang activities within the EAST ALDINE SAFETY ZONE;

- (6) pursuant to Texas Civil Practice and Remedies Code Section 125.065 (a), an order enjoining the Defendants from engaging in gang activities within the EAST ALDINE SAFETY ZONE is necessary to prevent the use of the EAST ALDINE SAFETY ZONE for gang activity pursuant to Section 125.061 (3) of the Civil Practice and Remedies Code and/or as provided below, and accordingly the Court orders the cessation of the activities enjoined below;
- (7) the EAST ALDINE SAFETY ZONE is described by the area within the following boundaries: starting at the intersection of the Vickery Road and Aeropark Drive, and proceeding east to the entrance of the Timber Ridge Apartments; then following the Timber Ridge Apartments fence line north and then east around to its intersection with Harris County Flood District Tributary P133-04-00; then following Harris County Flood Control District Tributary P133-04-00 north to its intersection with Harris County Flood Control District Tributary P133-00-00; then proceeding east along the Harris County Flood Control District Tributary P133-00-00 until its intersection with Lee Road; then running south along Lee Road to Aldine Bender Road; then running west along Aldine Bender Road until its intersection with Vickery Road; and then running north along Vickery Road to the northwest corner of the safety zone at the intersection of Vickery Road and Aeropark Drive;
- (8) Delton Sidney, Lawrence Ellis, Gregory Caicedo, Ceron R. Raymond, Todd Goodson, Ricky J. Pete, Keith Brown, Willie Johnson, Brandon Forbes, Daniel Minex, Keon Richardson, Bill Roberson, Derrick Leon Smith Jr., Londun Mourning, Francisco Riasco, Emmet W. Shepherd, Demond R. Beal, Tyrone Berry, Antonio Gipson, Donthelle L. Moreno, Nicholas Mosquera, Joseph D. Holmes, Steven F.

Davis, Damon D. Polk, Kimbel V. Carter, Alton J. Lewis, Antoine Brooks, Dewitt T. Arteberry, and Bobby Harris the Defendants herein, should be and are, jointly and severally each and all, HEREBY ORDERED to cease and desist their activity as members of the Bloods and/or the Crips, criminal street gangs, in the EAST ALDINE SAFETY ZONE.

This order is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law. This order shall be binding on Defendants; on Defendants' agents, servants, and employees; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise. The requirement of a bond is waived.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Defendants, Delton Sidney, Lawrence Ellis, Gregory Caicedo, Ceron R. Raymond, Todd Goodson, Ricky J. Pete, Keith Brown, Willie Johnson, Brandon Forbes, Daniel Minex, Keon Richardson, Bill Roberson, Derrick Leon Smith Jr., Londun Mourning, Francisco Riasco, Emmet W. Shepherd, Demond R. Beal, Tyrone Berry, Antonio Gipson, Donthelle L. Moreno, Nicholas Mosquera, Joseph D. Holmes, Steven F. Davis, Damon D. Polk, Kimbel V. Carter, Alton J. Lewis, Antoine Brooks, Dewitt T. Arteberry, and Bobby Harris, are enjoined from the following activities in the EAST ALDINE SAFETY ZONE:

1. Defendants are ENJOINED, jointly and severally each and all, from using the EAST ALDINE SAFETY ZONE for the purpose of engaging or facilitating in gang activity, as defined by Section 125.061 (3) of the Civil Practice and Remedies Code;
2. Additionally, Defendants are ENJOINED, jointly and severally each and all, from the following specific acts within the EAST ALDINE SAFETY ZONE:

- a. Entering, remaining, appearing, standing, sitting, walking, driving, bicycling, or being physically present;
- b. Associating, standing, sitting, walking, driving, bicycling, or gathering with any person who any such Defendant knows to be subject to this or any other order enjoining gang activity, with any other individual who the Defendant knows is a member of the Crips and/or Bloods, or with another person who the Defendant knows to be a member of any other criminal street gang;
- c. Engaging in any conduct which violates the laws of the State of Texas, including gang activities as defined by Texas Civil Practice and Remedies Code, Sec. 125.061;
- d. Being under the influence of alcoholic beverages or being under the influence of illegal drugs or drugs for which the Defendant does not have a valid prescription;
- e. Possessing alcoholic beverages or illegal drugs;
- f. Possessing any weapons including, but not limited to knives; clubs; firearms; baseball bats; glass bottles; rocks hand grenades; smoke bombs; or any other instrument prohibited by Chapter 46 of the Texas Penal Code;
- g. Fighting;
- h. Possessing indelible marker pens, aerosol paint, paint cans, nails, razor blades, screwdrivers, or other sharp objects which may be used to mark private or public property;
- i. Spray painting or otherwise marking graffiti on any public place or private property, including but not limited to the buildings, signs, streets and the surfaces of any other real or personal property;

- j. Communicating with or attempting to communicate with the occupants of any vehicle, other than through the lawful use of traffic signals;
- k. Obstructing or delaying the free flow of vehicular or pedestrian traffic;
- l. In any manner, confronting, intimidating, harassing, threatening, challenging, provoking, assaulting and/or battering any person;
- m. Causing or participating in the sale of illegal drugs or narcotics;
- n. Driving or being an occupant of a vehicle;
- o. Using any type of electronic communication device, including cell phones, pagers, walkie-talkies, tablets or smartphones;
- p. Preventing or interrupting the occupation or use of a building, room or a public place;
- q. Harboring, concealing or warning another in order to evade a law enforcement officer;
- r. Signaling to, or acting as a lookout for other persons to warn of the approach of a law enforcement officer and/or encouraging others to do the same;
- s. Making, causing, or encouraging others to make unreasonable or unnecessary loud noise of any kind, including, but not limited to yelling, whistling, and loud music at any time of the day or night;
- t. Discharging a firearm;
- u. Making abusive, incident, profane or vulgar non-verbal gestures;
- v. Using non-verbal physical gestures, hand signs, or symbols, which the Defendant knows to be gang-related or indicative of membership in a criminal street gang;

- w. Displaying or wearing items of clothing which identify and symbolize membership and association with a criminal street gang, including but not limited to red/blue bandanas, sports insignia clothing, belts, and shoes;
- x. Using abusive, indecent, profane or vulgar language;
- y. Entering on the property of another and looking into a dwelling through any window or other opening in the dwelling, without prior permission from the owner or a lawful tenant;
- z. Giving false information to a police officer who requests such information, including but not limited to, a false name, false date of birth, or false residence address; and
- aa. Intentionally damaging security cameras, lighting, fencing, walls, gates or any other security installation.

IT IS FURTHER ORDERED hereto that the above enjoined activities constitute reasonable restrictions necessary to prevent further gang activity by the Bloods and/or Crips, criminal street gangs, as contemplated and permitted by Texas Civil Practice and Remedies Code Section 125.065, that the enjoined activities are in all ways constitutionally valid prohibitions specifically designed to prevent gang activity as defined by Chapter 125 of Texas Civil Practice and Remedies Code, and that the EAST ALDINE SAFETY ZONE is a reasonable and understandable geographic area for this injunction.

IT IS FURTHER ORDERED that a violation of this order may subject Defendants to the penalties described in Section 125.066 of the Texas Civil Practice and Remedies Code, Sections 21.001 and 21.002 of Texas Government Code, and/or Section 71.021 of the Texas Penal Code.

IT IS FURTHER ORDERED that if at any time any part of this Order is found or held to be invalid or unenforceable, such finding or holding shall not affect the validity of the remainder of this Order.

The requirement of a bond is waived.

IT IS FURTHER ORDERED that the clerk shall issue notice to Defendants, Delton Sidney, Lawrence Ellis, Gregory Caicedo, Ceron R. Raymond, Todd Goodson, Ricky J. Pete, Keith Brown, Willie Johnson, Brandon Forbes, Daniel Minex, Keon Richardson, Bill Roberson, Derrick Leon Smith Jr., Londun Mourning, Francisco Riasco, Emmet W. Shepherd, Demond R. Beal, Tyrone Berry, Antonio Gipson, Donthelle L. Moreno, Nicholas Mosquera, Joseph D. Holmes, Steven F. Davis, Damon D. Polk, Kimbel V. Carter, Alton J. Lewis, Antoine Brooks, Dewitt T. Arteberry, and Bobby Harris, to appear, and Defendants are ORDERED to appear in person, before this the 164<sup>th</sup> Judicial District Court in the Harris County Civil Courthouse, 201 Caroline, 12<sup>th</sup> Floor, Houston, Harris County, Texas 77002 on June 16, 2014 at 9:00 a.m. The purpose of this hearing is to determine whether the above requested temporary injunction shall be made a permanent injunction on final trial on the merits.

This hearing is also to determine whether the Court should assess reasonable attorney's fees against the Defendants to be awarded to Plaintiff.

This hearing is also to determine whether the Court should enter any further orders in this case.

IT IS FURTHER ORDERED that sworn officers of the Houston Police Department, the Harris County Sheriff's Department, Harris County Constables, investigators of the Harris County District Attorney's Office, officers employed by all school districts, and other individuals

as authorized under Rule 103 to serve the citation and any other notice, order, motion, or pleading in this cause may serve any citation, notice, or process, or order in this case.

SIGNED and ORDERED ENTERED this 14<sup>th</sup> day of March, 2014.

  
JUDGE PRESIDING



I, Chris Daniel, District Clerk of Harris County, Texas certify that this is a true and correct copy of the original record filed and or recorded in my office, electronically or hard copy, as it appears on this date.

Witness my official hand and seal of office this March 14, 2014

Certified Document Number: 60012671 Total Pages: 9

Chris Daniel, DISTRICT CLERK  
HARRIS COUNTY, TEXAS

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