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9 PEOPLE OF THE STATE OF CALIFORNIA

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SAN FRANCISCO

12 UNLIMITED JURISDICTION

13 PEOPLE OF THE STATE OF CALIFORNIA,
14 by and through Dennis J. Herrera, City
Attorney for the City and County of San
15 Francisco,

16 Plaintiff,

17 vs.

18 CHRISTIAN NOEL PADILLA-MARTEL aka
CHRISTIAN PADILLA-MARTEL, an
19 individual,

20 Defendant.

Case No. CGC-20-586763

**[PROPOSED] PRELIMINARY INJUNCTION
AND STAY AWAY ORDER AGAINST
DEFENDANT CHRISTIAN NOEL PADILLA-
MARTEL**

Hearing Date: April 20, 2021
Hearing Judge: Hon. Ethan P. Schulman
Time: 9:30 a.m.
Place: Dept. 302

Date Action Filed: September 24, 2020
Trial Date: Not Yet Set

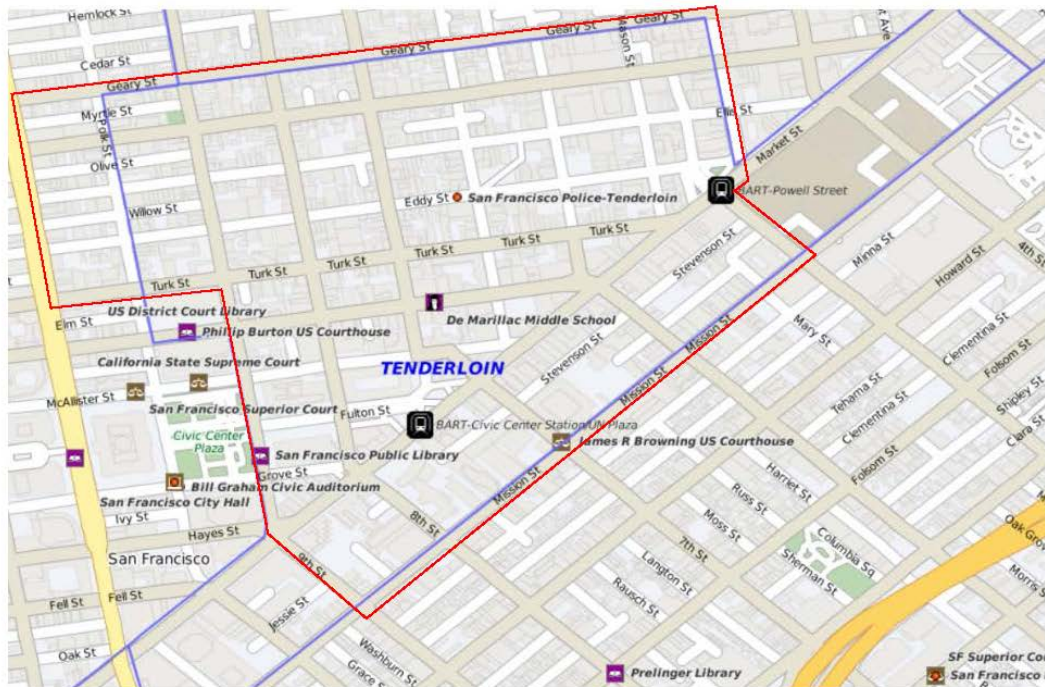
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22
23 The Court ORDERS, ADJUDGES, and DECREES as follows:

24 Having found that DEFENDANT CHRISTIAN NOEL PADILLA-MARTEL aka CHRISTIAN
25 PADILLA-MARTEL (DEFENDANT) is causing a public nuisance in the place more fully described
26 below as the Tenderloin Drug Abatement Area, and the Court having found that DEFENDANT's
27 activities there violate the Unfair Competition Law, Business & Professions Code §§ 17200 et seq.
28

(UCL), GOOD CAUSE exists to prohibit DEFENDANT from causing a public nuisance and violating the UCL the Court hereby issues this PRELIMINARY INJUNCTION under Code of Civil Procedure §§ 527 & 731 and Business & Professions Code § 17203.

PRELIMINARY INJUNCTION

1. DEFENDANT is prohibited from entering the Tenderloin Drug Abatement Area, which has the following boundaries: on the west, 9th Street from Mission Street north to Market Street, then Larkin Street from Market Street north to Turk Street, then Turk Street from Polk Street west to Van Ness Avenue, then Van Ness Avenue from Turk Street north to Geary Street; on the north, Geary Street from Van Ness Avenue east to Powell Street; on the east, Powell Street from Geary Street south to Market Street, then Market Street from Powell Street southwest to Fifth Street, then Fifth Street from Market Street south to Mission Street; on the south, Mission Street from Fifth Street to Ninth Street. The proposed Tenderloin Drug Abatement Area includes the sidewalk on each side of these boundary streets and 25 yards extending therefrom (except the western sidewalk of Polk Street south of Turk Street is not included). A map of the Tenderloin Drug Abatement Area is in this paragraph.



Red = Proposed Area
Blue = Tenderloin Police District

1 2. EXCEPTIONS.

2 a. DEFENDANT is allowed to travel underground through the Tenderloin Drug
3 Abatement Area on BART and Muni Metro. DEFENDANT, however, may not board or leave the
4 trains at Civic Center Station or Powell Street Station.

5 b. DEFENDANT is allowed to travel on public transit buses along Van Ness
6 Avenue. DEFENDANT may not board or leave the bus within the Tenderloin Drug Abatement Area.

7 c. If DEFENDANT has a scheduled federal court appearance at 450 Golden Gate
8 Avenue and the Golden Gate entrance is not available to DEFENDANT, DEFENDANT is allowed to
9 use the sidewalk on the south side of Turk Street from Polk Street to the Turk Street entrance.

10 d. DEFENDANT may, only with the PEOPLE's advance written and filed
11 stipulation, make a scheduled visit to a particular location in the Tenderloin Drug Abatement Area to
12 conduct specified lawful business on a designated date and time. DEFENDANT must carry a copy of
13 said stipulation.

14 3. ENFORCEMENT. DEFENDANT is subject to enforcement for violating this
15 PRELIMINARY INJUNCTION as follows:

16 a. Contempt proceedings under Code of Civil Procedure §§ 1209–1222.

17 b. A motion to enforce pursuant to Business & Professions Code § 17207.

18 c. Criminal proceedings under Penal Code § 166(a)(4).

19 d. Any other applicable provision of law for enforcing an injunction.

20 Anyone who has notice of the terms of this PRELIMINARY INJUNCTION, and who aids,
21 abets, or acts in concert with DEFENDANT to violate it, is also subject to enforcement.

22 4. MODIFICATION. This PRELIMINARY INJUNCTION may be modified as provided
23 by Code of Civil Procedure § 533. Prior to requesting relief from the Court, the party proposing to
24 modify this PRELIMINARY INJUNCTION must meet and confer with all other parties. If the parties
25 stipulate to the modification, such stipulation may be presented on the ex parte calendar for the Court's
26 approval.

27 5. TERM. This PRELIMINARY INJUNCTION shall be effective upon entry, and shall be
28 dissolved upon entry of a final injunction in this action or upon further order of the Court.

