

IN RE LINDEN BAR AND LIQUORS, et al.  
904 W. North Avenue  
Baltimore, Maryland 21217

Respondents

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**PADLOCK ORDER**

In accordance with Baltimore City Code, Article 19 Section 43-3(a), it is, this 18<sup>th</sup>  
day of August, 2008, by the Police Commissioner of Baltimore City,  
**DETERMINED** that:

1. The premises known as LINDEN BAR AND LIQUORS, 904 W. North Avenue Baltimore, Maryland 21217, having been the subject of a Padlock Hearing on August 13, 2008 before a hearing officer designated by the Police Commissioner, is a public nuisance as defined in Article 19 § 43-1(l).

a. On May 10, 2007, the premises were used for illegal storage or concealment of heroin, a scheduled I controlled dangerous substance in a sufficient quantity to reasonably indicate under all the circumstances an intent to manufacture, distribute, or dispense a controlled dangerous substance. (Violation of Article 19, § 43-1(l)(v)(A)).

b. On June 5, 2007, the premises were used for the illegal manufacturing or distribution of cocaine; schedule II, a controlled dangerous substance. (Violation of Article 19 § 43-1(l)(iv)(A)).

c. On December 6, 2007, the premises were used for the illegal manufacturing or distribution of cocaine; schedule II, a controlled dangerous substance. (Violation of Article 19 § 43-1(l)(iv)(A)).

d. On January 28, 2008, the premises were used for the illegal

manufacturing or distribution of cocaine; schedule II, a controlled dangerous substance. (Violation of Article 19 § 43-1(l)(iv)(A)).

e. On July 2, 2008, an assault and robbery occurred inside the premises. The premises were used by persons who engage in a crime of violence on or near the premises and in furtherance of a crime of violence. (Violation of Article 19 § 43-1(l)(x) and Article 19 § 43-1(l)(ix)).

f. On July 19, 2008, a homicide occurred inside the premises. The premises were used by persons who engage in a crime of violence on or near the premises and in furtherance of a crime of violence. (Violation of Article 19 § 43-1(l)(x) and Article 19 § 43-1(l)(ix)).

2. Pursuant to Article 19 § 43-3 (a)(2), by the Police Commissioner of Baltimore City, it is **ORDERED** that the LINDEN BAR AND LIQUORS, 904 W. North Avenue Baltimore, Maryland 21217 **CLOSE** the premises effective Monday August 18, 2008 at 5:00 PM.

3. The closure of the premises will be for a period of one (1) year from the date of the closure of the premises. (Article 19 § 43-6 (c)(2)).

4. The Police Commissioner will hold a hearing to consider modifying this order after a period of six (6) months from the date of the closure of the premises if the following matters are addressed prior to requesting a hearing:

a. That Mr. and Mrs. Chang Yim, owners of the LINDEN BAR AND LIQUORS, 904 W. North Avenue Baltimore, Maryland 21217, participate in mediation with members of the community. It is recommended that the participants in such mediation include members of the Reservoir Hill community,

community associations (Reservoir Hill Improvement Council, Inc., Bolton-Park Neighbors, Inc, Spicer's Run Homeowners Association), the National Korean-American Grocers Association (KAGRO), the Mayor's Office of Neighborhoods and Constituent Services, the City Council President's Office of Community Outreach, the Governor's Commission on Asian Pacific American Affairs, and the Baltimore Police Department. The mediation should be facilitated by either the Community Mediation Program, 3333 Greenmount Avenue, Baltimore, Maryland 21218 or the Community Conferencing Center, 2300 North Charles Street #2, Baltimore, Maryland 21218.

b. The LINDEN BAR AND LIQUORS, 904 W. North Avenue Baltimore, Maryland 21217, will submit a business operation plan emphasizing security and public safety. This plan should include and take into consideration but not be limited to, the following measures: (1) interior and exterior physical security improvements, (2) general business operations that improve overall public safety and security, and (3) security personnel on premises to control access, deter criminal activity, and promote and maintain public safety. The National Korean-American Grocers Association (KAGRO) should be consulted in the development of this plan to ensure overall best practices and success.

5. No person may destroy, remove, or deface this Order. (Article 19 § 43 11(a)).

6. No person may: (1) intentionally disobey this Order; or (2) use or occupy or permit any other person to use or occupy this premise during the closure period. (Article 19 § 43-11(b)).

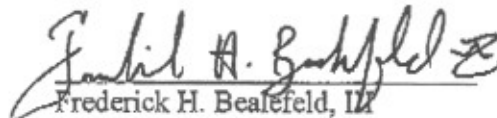
7. If any person uses or occupies or permits any other person to use or occupy this premise during the closure period, (1) the Commissioner may execute the terms of this Order to close the premises; and (2) the person is liable for all cost incurred by the Commissioner in executing the terms of the Order to close the premises. (Article 19 § 43-11(c)).

8. Any person who violates a provision of Article 19 § 43-11 is guilty of a misdemeanor and on conviction is subject to the following penalties:

- (1) for a violation of Article 19 § 43-11(a), the offender is subject to a fine of not more than \$500; and
- (2) for a violation of Article 19 § 43-11(b), the offender is subject to a fine of not more than \$500 or to imprisonment for not more than 90 days or to both fine and imprisonment. (Article 19 § 43-12(a)).

9. Each day a violation continues is a separate offense. Article 19 § 43-12(b).

10. In accordance with Article 19 § 43-6(b) and the accompanying Rules and Regulations adopted by the Police Commissioner, this Order shall be posted on the premises of LINDEN BAR AND LIQUORS, 904 W. North Avenue Baltimore, Maryland 21217 and notice of this Order shall be given to the persons and in the manner set forth in Article 19 § 43-4.

  
Frederick H. Bealefeld, III  
Police Commissioner  
Baltimore Police Department