



BALTIMORE POLICE DEPARTMENT



Catherine Pugh
Mayor

Gary Tuggle
Interim Police
Commissioner

December 20, 2018

Yi Won Sun
11021 Doxberry Circle
Woodstock, MD 21163

Absolute Mart, Inc.
Ms. Fitzum Azmete, Resident Agent
914 Elm Ridge Avenue
Baltimore, MD 21229

Ms. Fitzum Azmete
914 Elm Ridge Avenue
Baltimore, MD 21229

Re: **NOTICE OF PUBLIC NUISANCE HEARING** for "Absolute Mart"
228 N. Eutaw St., Baltimore, MD 21201

TO: Yi Won Sun; Absolute Mart, Inc.; and Fitzum Azmete

As owner of the property at 228 N. Eutaw St. (Yi Won Sun) and operator/tenant of the "Absolute Mart" (Absolute Mart, Inc. and Fitzum Azmete in her individual capacity), you are hereby notified that on **Thursday January 24, 2019** a hearing shall be held before the Police Commissioner for Baltimore City, or the Commissioner's designee, to determine if the property at 228 N Eutaw St. ("the Property") is a "public nuisance," as defined under Baltimore City Code, Article 19, Subtitle 43, and whether the Property should be closed. Under Baltimore City Code, Article 19, § 43-3, the Commissioner has the right to order that the Property be closed, more commonly referred to as "padlocked." The business at the Property is being considered for closing because, over the past three months, there have been at least three (3) incidents involving crimes of violence or the illegal distribution of controlled dangerous substances ("CDS") at or near the Property. Baltimore City Code, Article 19, § 43-1(L) defines a "public nuisance" as any premises that, on two or more separate occasions within a twenty-four month period, were used for such criminal activity.

On March 25, 2017, the police executed a CDS search and seizure warrant at the Property. Upon arrival at the Property, the police located five individuals in possession of CDS and the store manager Alamin Muzine in the Property. The police recovered 179 containers of marijuana, approximately 12 Alprazolam pills, and \$1,408.00 from the five individuals. The police recovered the following items from behind the front counter of the Property: a large white bag containing a large quantity of material commonly used to package illegal CDS for street-level distribution (empty zip-lock bags), two digital scales, \$780.00 from a safe, and \$282.00 from two

plastic containers. The police observed the five individuals clearly conducting CDS sales in the presence of store manager Alamin Muzine. Such activity, in conjunction with any other violation set forth in this notice, constitutes a “public nuisance” pursuant to Baltimore City Code, Art. 19, § 43-1(L)(1).

On February 6, 2018, the police observed an individual use “the Absolute Mart as a drug nuisance distribution hub” by conducting multiple CDS transactions from within the Property. Such activity, in conjunction with any other violation set forth in this notice, constitutes a “public nuisance” pursuant to Baltimore City Code, Art. 19, § 43-1(L)(1).

On June 4, 2018, the police observed an individual conduct multiple CDS transactions from within the Property. The individual that was observed selling CDS in the Property was also present in the Property on March 25, 2017 when the police executed a search and seizure warrant at the Property. Such activity, in conjunction with any other violation set forth in this notice, constitutes a “public nuisance” pursuant to Baltimore City Code, Art. 19, § 43-1(L)(1).

During the first week of December, 2018, the police conducted a “controlled buy” of illegal CDS from the Property. While under direct supervision and observation by the police, a confidential informant entered the Property, exited a short time later, met with the police, and gave the police a bag of marijuana that the confidential informant verified had just been purchased inside the Property. Such activity, in conjunction with any other violation set forth in this notice, constitutes a “public nuisance” pursuant to Baltimore City Code, Art. 19, § 43-1(L)(1).

On December 7, 2018, the police executed a CDS search and seizure warrant at the Property. Upon arrival at the Property, the police located Jimmy Ford, a target of the warrant, standing at the counter in the Property. The police also located store owner Fitzum Azmete behind the counter. The police recovered 74 bags of marijuana (totaling approximately 441 grams/15.5 ounces), 91 oxycodone pills (with no prescription), \$785.00 in cash, a digital scale, and a large quantity of material commonly used to package illegal CDS for street-level distribution. Such activity, in conjunction with any other violation set forth in this notice, constitutes a “public nuisance” pursuant to Baltimore City Code, Art. 19, § 43-1(L)(1).

You have the right to be heard and represented at the hearing. Failure to appear at the hearing will not prevent the Police Commissioner or the Commissioner’s designee from issuing a default order to close all or a portion of the Property. In closing all or a portion of the Property, neither the Police Commissioner, the Baltimore Police Department, nor the City of Baltimore is taking possession, ownership or control of the Property. Enclosed please find copies of Baltimore City Code, Art. 19, Subtitle 43-1 (the “Padlock” law) and “The Rules and Regulations for Padlock Hearings.”

The hearing will be held at 601 E. Fayette Street on the 5th floor in the Chief of Patrol’s Conference Room. The hearing will begin at 9:00 A.M.

Any request for a postponement must be made five business days prior to the hearing. The request shall be sent to the Baltimore Police Department, Office of Legal Affairs, c/o 242 W. 29th Street, Baltimore, MD 21211 and the Baltimore Housing Code Enforcement Legal Section, Property Based Crime Solutions Program, 417 E. Fayette Street, Room 355, Baltimore, Maryland 21202. The postponement request shall state the reason(s) for the postponement request and shall be signed by the party requesting the postponement.

Upon receipt of this notice, please contact the Property Based Crime Solutions Program at (410) 396-4140, with any questions about this process and to confirm your attendance at the hearing on **January 24, 2019**.



December 20, 2018

Date

Gary Tuggle, Interim Commissioner
Baltimore City Police Department

Enclosures

cc: Col. Richard Worley
ALTC Kevin A. Jones
Maj. Daryl Gaines
Capt. Jeffrey Featherstone, Central District - 410-396-2466
Rob L. Durocher, Jr., Assistant State's Attorney
Mark Dewire, Chief Solicitor, Police Legal Affairs