



Catherine E. Pugh
Mayor

BALTIMORE POLICE DEPARTMENT



Kevin Davis
Police Commissioner

October 23, 2017

A. Ayub Properties, LLC
Resident Agent: Mr. Asif Ayub
3300 Garrison Blvd.
Baltimore, Maryland 21216

SA, Inc.
Resident Agent: Mr. Shahid Ayub
510 Gwynnwest Road
Reisterstown, Maryland 21136

Manager: Ms. Kanwel Shahid
230 Highfalcon Road
Reisterstown, Maryland 21136

Carroll Independent Fuel, LLC
General Counsel: Mr. Michael Jennings
2700 Loch Raven Blvd.
Baltimore, Maryland 21218

Re: NOTICE OF PUBLIC NUISANCE HEARING FOR BP Gas Station
3300 Garrison Blvd., Baltimore, Maryland 21216

TO: A. Ayub Properties, LLC; SA, Inc.; and Carroll Independent Fuel, LLC:

As owner of the property at 3300 Garrison Boulevard (A. Ayub Properties, LLC), operator of the "BP Gas Station" at 3300 Garrison Boulevard (SA, Inc.), and fuel distributor at 3300 Garrison Boulevard (Carroll Independent Fuel, LLC), you are hereby notified that on **November 9, 2017** a hearing shall be held before the Police Commissioner for Baltimore City, or the Commissioner's designee, to determine if the property at 3300 Garrison Boulevard ("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 twenty-four months, there have been at least eight incidents involving crimes of violence or the illegal distribution of controlled dangerous substances in/at 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 November 2, 2015, the police passed by the Property and observed an unknown female at the Property who had been previously told by police to leave the Property as she was loitering. The police approached the unknown female to conduct a field interview and smelled a strong marijuana odor coming from the female. After the female consented to a search, police recovered 8 clear zip-lock baggies of marijuana, packaged in a manner consistent with illegal controlled dangerous substances prepared for street-level distribution, from the right pocket of the female's jacket. The police arrested the woman. 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 November 10, 2015, the police responded to the Property for a report of an assault and robbery. The 55 year-old, female victim stated that, while in the parking lot of the Property, she was approached by an unknown male who attempted to grab her purse. The victim attempted to hold on to the purse, but the suspect continued to yank on the purse, causing the victim to fall onto a yellow cement barrier and injure her ribs during the fall. The victim then let the purse go and the suspect fled the Property with the purse, which contained the victim's cell phone, various credit cards, and ID. The police subsequently apprehended the suspect. On October 4, 2016, the suspect pled guilty to a robbery charge. 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 11, 2015, the police responded to the intersection of Garrison Blvd. and Liberty Heights Ave. for a report of an armed robbery. The victim said that he was on the Property, withdrawing \$40.00 from the ATM, when he observed four unknown individuals standing on the parking lot of the Property. The victim then approached the individuals and asked if they had any marijuana to sell, and the victim agreed to purchase marijuana for \$20.00. When the victim and the suspects began to conduct the drug transaction, one of the unknown suspects pulled out a handgun and demanded money. The suspects went through the victim's pockets, stole the remaining \$20.00 from the suspect's wallet, and then fled the Property. The police later apprehended two of the four suspects, and the victim later positively identified the two suspects. 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 2, 2016, the police, working in plain clothes capacity, were positioned across the street from the Property in an unmarked police car. The police observed the suspect on the Property receiving money in bill form from multiple unidentified individuals in exchange for small object(s) consistent in shape and size with illegal controlled dangerous substances packaged for street-level distribution. The police observed the suspect being approached by individual drug purchasers on foot and in vehicles. The police then approached the suspect on the Property, arrested the suspect, and recovered nine zip-lock bags of marijuana from suspect. 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 April 28, 2016, the police responded to the Property in reference to a call about a carjacking. The victim stated that she went to the Property to buy gas and was about to exit her vehicle to buy gas when an unknown male exited another vehicle, approached the victim while pointing a gun at her, and said, "Get the fuck out of the car!" The victim said that she got out of her vehicle and that the suspect got in the vehicle and drove away. 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 May 28, 2016, two victims flagged down the police to report that they had been assaulted and robbed at the Property. The police discovered that the victims parked their car at the Property and that the male victim exited the vehicle and began walking to the cashier. The male victim passed approximately 5-7 suspects, who asked the victim if he had any change. Unknown words were exchanged between the male victim and the suspects and, when the male victim turned his back to the suspects, the suspects attacked the victim from behind, assaulting the victim with pieces of wood, bricks, and rocks. The suspects took the male victim's cell phone and wallet. The female victim was in the car during the assault. When the male victim got back into the car

and began to drive away, the suspects threw rocks at the windshield, causing minor scratches to the female victim. 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 May 29, 2016, the police went to the Property to conduct a follow-up investigation with regard to the aggravated assault that occurred at the Property the day before. The police reviewed the gas station’s security cameras which showed the suspects, including Jerrod Prescott, assaulting the male victim. The police then observed Jerrod Prescott on the Property, wearing the same clothes he wore during the assault the day before. The police arrested Prescott and, during the subsequent search of Prescott, recovered approximately 13 grams of marijuana from the right side of Prescott’s underwear. 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 July 1, 2017, the police responded to the Property for a report of a shooting. Upon arrival at the Property, the police found the male victim, who had sustained multiple gunshot wounds to the body; the victim was later pronounced dead. The subsequent investigation by the police revealed that a black, 2-door Mercedes Benz was parked next to one of the gas pumps at the Property, with the victim sitting in the front passenger seat, when a dark gray Volkswagen Passat then entered the gas station parking lot and pulled up near the Mercedes Benz. At that point, two suspects exited the Passat, went to the Mercedes, and began shooting the occupants of the Mercedes, including the victim. The suspects then got back into the Passat and drove away. Approximately 16 shell casings were found on 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).

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 are 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.”

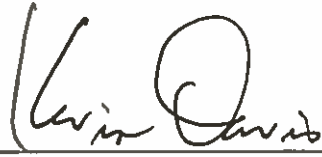
The hearing will be held in the Curran Room, 4th Floor City Hall, 100 N Holliday Street, Baltimore, MD 21202. The hearing will begin at 9:00A.M.

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 **November 9, 2017**.

Oct. 23, 2017

Date



Kevin Davis, Commissioner
Baltimore City Police Department

Enclosures

Copies to:

Frank V. Boozer, Jr. Esq.
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, MD 21204