

OKAFOS J.
A 062473 WISCONSIN UNIFORM MUNICIPAL COURT CITATION AND COMPLAINT

* Deposit Permitted Cash Card (For Court Use Only)
 \$ **298.08**

You Are Notified to Appear
 Is this a mandatory appearance? yes no
 (Read the reverse side of this citation for court information)
 Date **11/7/08**
 Time **8:30** AM PM
CITY OF MADISON MUNICIPAL COURT
RM#203, 210 MARTIN LUTHER KING JR BLVD
MADISON, WI 53703

Defendant Name - Last **OKAFOS** First **JEFFREY** MI **A**
 Street Address **5134 CURRY CT #3** Post Office **FITCHBURG** State **WI** Zip Code **53711**
 Driver License Number or Other ID (specify) **0210-4217-6366-C7** State **WI** Exp Yr **10**
 Date of Birth **10/6/76** Sex **M** Race **B** Height **600** Weight **280** Hair **Blk** Eyes **BRN**
 License Plate Number **N/A** Plate Type **N/A** State **N/A** Exp Yr **N/A**

Plaintiff City Village Town
OF MADISON

Defendant Violated Ordinance No **9.13(5)(d)**
 Adopting State Statute No

Description of Violation
DRIVING WHILE SUSPENDED

Week Day **WED** Month - Day - Year **11/26/08** Time **11:20** AM PM
 At **400 N. FRANCES ST** County **DAVE**
 Citation Served Personally Mailed to defendant's last known address
 Left with person residing at defendant's residence Name _____ Age _____

Name & Address of Parent/Guardian/Legal Custodian (if minor defendant)
Case # 08-346435

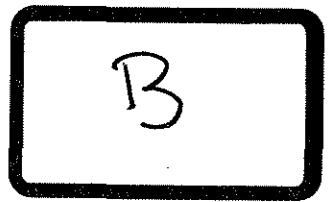
Print Officer Name **P.O. STEVE HENNINGSS** Department **MADISON POLICE** ID No **2792** Date Citation Issued **11/26/08**

Telephone Number of Parent/Guardian/Legal Custodian

MC-2000 02/06

AGENCY COPY

68 MOR 012053



AGENCY RECORD

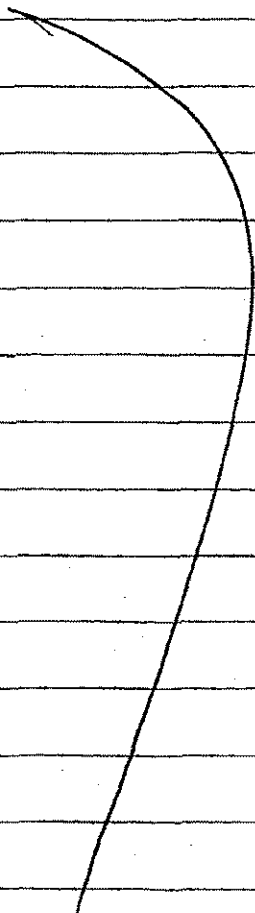
Date of Disposition	FINDING
PLEA	<input type="checkbox"/> Guilty <input type="checkbox"/> Dismissed
	<input type="checkbox"/> Default <input type="checkbox"/> Forfeiture
<input type="checkbox"/> Guilty <input type="checkbox"/> No Contest <input type="checkbox"/> Not Guilty	<input type="checkbox"/> Not Guilty \$ _____

Other Disposition

Court Officer	Comments
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Incident Report
PLEASE SEE FIELD REPORT

Handwritten note: **PLEASE SEE FIELD REPORT** with arrows pointing to the right.



MADISON POLICE DEPARTMENT

Date of Report: 12/1/2008 **Case No:** 2008-348435 Field
Occurred Incident: 95 - Adult Arrest **Ref. No:**
Dispatched as: 95 - Adult Arrest **Sec/Area:** 403 CENTRAL
Grid: STATELANGD

Case Offense: ADULT ARREST
Addr of Occurrence: 400 N Frances St
Call Date/Time: 11/26/2008 23:18 **From Date/Time:**
Dispatch Date/Time: 11/26/2008 23:18 **Thru Date/Time:**
Reporting Officer: PO STEPHEN E HEIMSNESS 2792
Special Routing:

SUSPECT JEFFREY A OKAFO
M/B DOB: 10/08/76 (32 yrs) Height: 6.00 Weight: 280
HairColor: BLK EyeColor: BRO
5134 CURRY CT 3 FITCHBURG WI
DRV LIC: O2104217636807 WI

NARRATIVE:

On 11/26/2008, at approximately 11:20 PM, PO C. Urso and I were on routine patrol in the 400 block of N Frances Street when I saw the owner of JIN's Chicken and Fish, Okafo, setting up the food cart for operation.

I saw Okafo, inside the cart, unpacking items and placing items outside the cart in order to provide room inside the cart. There were no other employees present at the time of my initial observation. I did see Okafo wearing polyvinyl gloves commonly used for handling food items during preparation and cooking. The cart was not open for business at the time and there were no customers present. After a few minutes, I did smell the odor of a fryer. There were no other food carts in operation or present on the 400 block of North Frances Street, and JIN's is the only cart to my knowledge that uses a deep fryer for cooking. I was positioned approximately 60 feet to the north downwind of the cart.

I did complete a citation (Municipal Citation #A062473) for Vending While Suspended and did serve the citation to Okafo while he was standing inside the cart. I saw at that time he was breading items for deep frying prior to my explaining and serving the citation to Okafo. I did explain to Okafo the ordinance was recently passed and specifically addressed vending operations while the license is suspended.

I know, from consultation with the City Attorney's Office, that Okafo's street vendor's license is suspended and he is not to, "vend" by "preparing or setting up the vending cart, stand, or equipment, preparing food" without the appropriate street vending license under MGO 9.13(1), which also defines "vending" as the activities noted previously as well as "any other activity that furthers the vending operation at the vending site, whether or not the vending cart or stand is open for business".

As Okafo's vending license is suspended, under MGO 9.13(8)(d), "Vending While License Is Suspended or Revoked Prohibited", he is prohibited from participating in street vending as described in MGO 9.13(1).

Okafo told me he was unaware of the ordinance. I know from consultation with the City Attorney's Office that Okafo's lawyer, Khaja Din, had a copy faxed to his office on 11/25/08. Okafo said he still retained Din but he claimed he had not been told he could not engage in operations at the food cart.

In addition to PO C. Urso, Sgt C. Mierow was on scene during the time the citation was explained and served to Okafo. Once I had served the citation, PO C. Urso, Sgt. Mierow, and I then walked back to where our marked squad was parked. Several minutes passed and Okafo approached us. He stated to me, "This ordinance is bullshit. You have to admit it's bullshit." Okafo also told me the City of Madison specifically passed the ordinance "because of me", referring to himself and his activities since his license suspension. He also claimed he could be at the cart and operating it on the street if he had a private catering job. When asked repeatedly if he was engaged in a private catering job presently, Okafo repeatedly replied, "I could be" but would not answer the question.

I did use the In-Car Video System in squad C411 to record the violation, from approximately 11:20 PM, until approximately 11:58 PM, and did successfully download the video files at the City County Building, at approximately 2:36 AM, on 11/27/2008. I will request a copy of the video and will forward it to the City Attorney's Office for review. Copies of this report will be forwarded to Lara Mainella in the City Attorney's Office and Warren Hansen, Vending Coordinator.

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