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CITY GRANTED PRELIMINARY INJUNCTION AGAINST 137 ROUNDS ST.

VALLEJO – A Solano County Superior Court Judge has granted the City of Vallejo a preliminary injunction against Beatrice Phenix and Floyd Phenix, and the home at 137 Rounds St.

Judge James F. Moelk ordered the injunction on Monday, in effect closing the house for up to one year.

"We're hoping to obtain injunctions on more residences that are being used for this purpose, selling narcotics," said Assistant City Attorney Diana Gomez, who handled the case for the City. "This is not limited to homes. We can also use this process against businesses. We hope this is the first of more of these types of injunctions."

Building the case against the home at 137 Rounds was a joint effort of numerous city agencies, including the Fire Department, Police Department, Planning Department, Code Enforcement, Building, and City Attorney's Office along with assistance from the Solano County Health Department.

"The joint effort of the City and County really made this work," Gomez said. "In the future, if we can get the community involved by letting us know these homes are in their neighborhoods and how it affects their lives it will go a long way in getting more of these types of injunctions in the future."

The home has been a constant source of problems in its neighborhood, with over 90 calls for service to the Vallejo police in the past 2½ years. In August of this year, police and others descended on the home and arrested Claudia Phenix on charges of elder abuse and maintaining a residence for drug sales.

Judge Moelk's order closes the home for up to one year, or until a hearing on a permanent injunction is held. Once a permanent injunction is obtained, it can be completely closed for a year. It also declares the home cannot be used for any purpose, and will be under the control of the court during the next 12 months.

A sign must also be posted on the property, declaring the premises under court order not to be used in any fashion for the sale or use of illegal drugs. The owners are also ordered to clean up the property and bring it up to all applicable local and state codes.

"Someone from the neighborhood called and thanked the city for all the work we had done," Gomez said. "They stated that they are now allowing their children to go out and play in the neighborhood for the first time in years."

The City obtained the injunction pursuant to the drug abatement laws set forth in the California Penal Code. There are similar laws for houses, buildings or establishments where prostitution is occurring.

"We're doing this one house at a time," Gomez said.