



Doc#: 0804618081 Fee: \$50.00
Eugene "Gene" Moore
Cook County Recorder of Deeds
Date: 02/15/2008 04:46 PM Pg: 1 of 14

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DIVISION - FIRST DISTRICT

IN THE MATTER OF THE PEOPLE OF THE STATE
OF ILLINOIS, ex. rel., RICHARD A. DEVINE
STATE'S ATTORNEY OF COOK COUNTY, ILLINOIS

Plaintiff,

vs

Defendant,

6207 W. ROOSEVELT ROAD,
BERWYN, COOK COUNTY, ILLINOIS
A TWO STORY BUILDING
also known as:
LOT 4 IN BLOCK 1 WALLECK'S SUBDIVISION
OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF
THE NORTHWEST 1/4 OF SECTION 20,
TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE
THIRD PRINCIPAL MERIDIAN,
IN COOK COUNTY ILLINOIS.
PERMANENT INDEX NUMBER:16-20-103-007-0000

CASE NO:

2008 CoFO 000078
CALENDAR / Room 10
Time 00:00
CIVIL ASST FORFEITURE

FILED
2008 FEB 15 PM 3:29
CLERK OF CIRCUIT COURT
COOK COUNTY DIVISION

LIS PENDEN'S NOTICE

Richard A. Devine, State's Attorney of Cook County, attorney of record for the plaintiff in the above cause does hereby give notice pursuant to the provisions of 735 ILCS 5/2-1901 of the Illinois Code of Civil Procedure, and the Illinois Drug Asset Forfeiture Procedure Act, and certifies that the above entitled cause of action was filed on **February 15, 2008** and is now pending in the Circuit Court of Cook County, Illinois, which seeks to forfeit to the State of Illinois for violating the provisions of the Controlled Substances Act the above captioned real property at: **6207 W. Roosevelt, Berwyn, Cook County, Illinois**, legally described as:

LOT 4 IN BLOCK 1 WALLECK'S SUBDIVISION
OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF
THE NORTHWEST 1/4 OF SECTION 20,
TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE
THIRD PRINCIPAL MERIDIAN,
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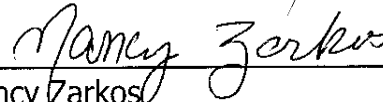
That the owner of record of the above captioned property is **Francisco Guerrero**.

NOTICE IS HEREBY GIVEN that the object of this cause of action is the forfeiture of the above captioned property for violating the following provisions of the Controlled Substances Act:

Chapter 725 Act 150/1 of the Drug Asset Forfeiture Procedure Act and Chapter 720, Section 570/505, of the Illinois Compiled Statutes, pertaining to violations of the Controlled Substances Act to wit: Chapter 720 of the Illinois Compiled Statutes , Section 570/401 (a) (2) (A) and 570/401 (a) (2) (B) .

RICHARD A. DEVINE
State's Attorney of Cook County

By: 
Anthony C. Kyriakopoulos
Assistant State's Attorney

By: 
Nancy Zarkos
Assistant State's Attorney

Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certify as aforesaid that he and she verily believe the same to be true and correct.

By: 
Anthony C. Kyriakopoulos
Assistant State's Attorney

By: 
Nancy Zarkos
Assistant State's Attorney

Attorney Code #10295
Richard A. Devine
State's Attorney of Cook County
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IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS COUNTY DIVISION - FIRST DISTRICT

IN THE MATTER OF THE PEOPLE OF THE STATE
OF ILLINOIS, ex. rel., RICHARD A. DEVINE
STATE'S ATTORNEY OF COOK COUNTY, ILLINOIS

Plaintiff,

vs.

Defendant,

6207 W. ROOSEVELT ROAD,
BERWYN, COOK COUNTY, ILLINOIS
A TWO STORY BUILDING
also known as:
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Return Date 4/21/08

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COMPLAINT FOR FORFEITURE

NOW COMES the Plaintiff, the People of the State of Illinois by their attorney, **RICHARD A. DEVINE, State's Attorney of Cook County**, through his assistants, **ANTHONY C. KYRIAKOPOULOS and NANCY ZARKOS**, and states, upon information and belief, as follows:

1. That this cause of action arises under the provisions of 725 Illinois Compiled Statutes 150 and the provisions of Chapter 720 of the Illinois Compiled Statutes, Section 570/505 pertaining to a violation or violations of the Controlled Substance Act to wit: Chapter 720 of the Illinois Compiled Statutes , Section 570/401 (a) (2) (A) and 570/401 (a) (2) (B) and

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2. That there is within the jurisdiction of this Court, the following real property, at 6207 W. Roosevelt, Berwyn, Cook County, Illinois, legally described as:

**LOT 4 IN BLOCK 1 WALLECK'S SUBDIVISION
OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF
THE NORTHWEST 1/4 OF SECTION 20,
TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE
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IN COOK COUNTY ILLINOIS.**

PERMANENT INDEX NUMBER:16-20-103-007-0000

3. That the owner of record of the above captioned property is **Francisco Guerrero**.
4. That on September 7, 2007 members of the Chicago Police Department along with members of DEA HIDTA group #47 initiated an investigation which involved the distribution of cocaine by Francisco Guerrero from the Pour House Bar located at 6207 W. Roosevelt, Berwyn, Cook County, Illinois.
5. That on September 7, 2007 as part of the investigation, Chicago Police Officer Angelo Velazquez, while in an undercover capacity went to the Pour House Bar located at 6207 W. Roosevelt, Berwyn, Cook County, Illinois and made a positive identification of Francisco Guerrero.
6. On September 18th 2007 Chicago Police Officer Angelo Velazquez, who is assigned to a CPD/HIDTA Task Force met with Berwyn Detective Michael Oshner. Officer Velazquez learned that Detective Oshner had a prior investigation involving Francisco Guerrero and The Pour House Bar located at 6207 West Roosevelt Road in Berwyn, Cook County Illinois.
7. That Detectives Michael Oshner and Jim Sassetti related during this conversation that their investigation of Francisco Guerrero and The Pour House Bar had been hindered by the sudden loss of a confidential informant. This informant had related to Detectives Oshner and Sassetti that Francisco Guerrero was selling cocaine from his bar, The Pour House Bar located at 6207 West Roosevelt Road in Cicero, Illinois.
8. Detective Oshner offered the following additional information he had received from his informant : that Francisco Guerrero travels to the state of Texas, usually in a blue pickup truck, around the 15th of every month and brings back with him a cargo of narcotics hidden inside a trap compartment.

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9. That the informant had witnessed Guerrero unload over 10 kilograms of cocaine from the pickup truck at the Pour House Bar on Roosevelt Road.
10. That the kilograms had a strong odor of gasoline from being stored in a trap compartment near the gas tank.
11. That the kilograms were then distributed to other individuals who subsequently left the bar to unknown locations.
12. That Sgt. O. Valdez of the Chicago Police Department and Officer Velazquez also learned that the license for the "Pour House" bar located at 6207 West Roosevelt in Cicero, Illinois is listed in the name of Virginia Pacheco who gives the same residential address of 1900 South 57th Ave in Cicero as does Francisco Pacheco.
12. That Virginia Pacheco is listed as the Agent and Secretary of "Las Carmelitas" with Francisco Guerrero listed as the President. That "Las Carmelitas" was incorporated in May of 2000.
13. That on September 24, 2007, Undercover Officer (hereafter referred to as U/C) Angelo Velazquez went to the "Pour House" and spoke with a female named "Laura". Laura told U/C Velazquez that Guerrero was not present. U/C Velazquez discussed the possibility of purchasing a quantity of cocaine. "Laura" told the U/C to return tomorrow and assured him that the cocaine would be available.
14. That on September 25th 2007 at 12:20 p.m., U/C Velazquez went to the "Pour House" and asked a female behind the bar if Frank was there. The female replied that he was. The female then went down into the basement and returned alone.
15. That a moment later, Francisco (Frank) Guerrero emerged from the basement and spoke with U/C Velazquez. U/C Velazquez stated that he wished to get (2) two ounces of cocaine.
16. That the conversation continued in which Guerrero related that he makes transactions only during the day without many people around. Guerrero asked if he had the \$1,400.00 for the (2) two ounces. U/C Velazquez stated that he did. Francisco Guerrero replied that it would take about 20 minutes.
17. That Francisco Guerrero returned to the basement, re-emerged about 3 minutes later and exited the bar through the side door. Moments later, U/C

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26. That on October 4th 2007 at 12:31 p.m., U/C Velazquez called 708-299-5077 and spoke with Francisco Guerrero arranging the purchase of 4 ½ ounces of cocaine for the same day. U/C Velazquez attempted to get Guerrero to conduct the transaction somewhere other than the bar in order to gain additional information about how and where Guerrero obtains the cocaine but Guerrero would only conduct the transaction at the Pour House Bar.
27. That on October 4th 2007 at approximately 12:35 p.m. , U/C Velazquez relocated to 6207 West Roosevelt and met with Francisco Guerrero in the bar. Guerrero asked U/C Velazquez if he had the "4 ½" referring to \$4,500.00 USC for the 9 ounces of cocaine. U/C Velazquez replied that he only wanted the 4 ½ ounces and not 9 ounces. Guerrero stated that he (Guerrero) would have to make a phone call to accommodate the difference. Guerrero walked away to the backyard of the bar.
28. That Guerrero returned shortly and entered the basement of the bar. Minutes later, Guerrero emerged from the basement and entered the backyard of the bar. Guerrero quickly reentered the bar.
29. That Guerrero and Officer Velazquez negotiated the purchase price of \$2,600.00 USC for the 4 ½ ounces of cocaine.
30. That U/C Velazquez handed Guerrero \$2,600.00 USC in prerecorded CPD 1505 and HIDTA funds after which Guerrero escorted U/C Velazquez to the backyard of the bar. Guerrero instructed U/C Velazquez to retrieve the black plastic bag from the rear gate of the bar by driving into the south alley of Roosevelt and stopping at the gate and reaching over the wooden gate retrieving the cocaine.
31. That at approximately 12:54 p.m. U/C Velazquez left the bar and did as Guerrero had instructed him. U/C Velazquez recovered that black plastic bag that hung from the rear gate. U/C Velazquez looked inside the black plastic bag and observed a taped clear plastic bag which contained a white powdery/ chunky substance of suspect cocaine.
32. That the black plastic bag and the taped clear plastic bag which contained a white powdery/ chunky substance of suspect cocaine was inventoried under Chicago Police Department inventory number 11086042 and sent to the Illinois State Police Forensic Science Center for testing and analysis.
33. That Angelo Bommarito, a forensic scientist with The Illinois State Forensic Science Center, determined that the taped clear plastic bag which contained

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Velazquez observed Francisco Guerrero as he reentered the bar from the same door.

18. That Francisco Guerrero had a conversation with U/C Velazquez during which Guerrero instructed U/C Velazquez to follow him into the back yard of the bar.
19. That Guerrero and U/C Velazquez exited the bar and entered the backyard area of the bar.
20. That while in the backyard, Guerrero pointed to a brown paper bag on a rear wooden gate leading into the alley. Guerrero informed U/C Velazquez that the (?) two ounces were in the bag and asked for the money.
21. That U/C Velazquez handed Guerrero \$1,400.00 USC of official prerecorded funds and walked over to the bag opened it and found two knotted clear plastic bags each containing a white powdery/ chunky substance.
22. That U/C Velazquez continued the conversation with Guerrero regarding future business and obtained Guerrero's phone number. U/C Velazquez left the bar and informed his team of a positive transaction.
23. That the brown paper bag which contained the two knotted clear plastic bags, each containing a white powdery/ chunky substance was inventoried under Chicago Police Department inventory number 11077187 and sent to the Illinois State Police Forensic Science Center for testing and analysis.
24. That Linda Rayford, a forensic scientist with The Illinois State Forensic Science Center, determined that the clear plastic bags inventoried under number 11077187, contained 54.6 grams of a substance containing cocaine.
25. That on October 3rd 2007, at 12:31 p.m. U/C Velazquez called Francisco Guerrero. Francisco Guerrero answered the call and identified himself as "Frank". During this conversation U/C Velazquez spoke with Francisco Guerrero about the purchase of additional cocaine. During this conversation the term a "9 hour" fitness session referencing a 9 ounce purchase of cocaine was used. U/C Velazquez also asked how much Guerrero would be willing to pay for the "9 hour session". Guerrero replied that he would be willing take a "9 hour session" indicating that he has the 9 ounces of cocaine and that he was willing to pay \$4500.00 for the session meaning he was able to and would sell it to U/C Velazquez for \$4500.00.

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a white powdery/ chunky substance inventoried under number 11077187, contained 137.8 grams of a substance containing cocaine with a purity of 35% .

34. That on October 24 2007 at 3:48 p.m., U/C Velazquez called 708-299-5077 and spoke with Francisco Guerrero to arrange the purchase of (9) nine ounces of cocaine for \$4,500.00 USC. During this conversation it was agreed that Officer Velazquez would go to the bar (The Pour House located at 6207 West Roosevelt) to purchase the (9) nine ounces.
35. That at approximately 3:50 p.m., U/C Velazquez entered the Pour House Bar located at 6207 West Roosevelt and observed Guerrero playing a video game located on the north side of the bar. U/C Velazquez had made eye contact with Guerrero and sat down and waited for Guerrero to meet with him. A few minutes later, Guerrero walked over and sat with U/C Velazquez.
36. That Guerrero asked U/C Velazquez if the money was in order. U/C Velazquez responded yes. U/C Velazquez and Guerrero relocated to the rear of the bar. U/C Velazquez handed Guerrero the \$4,500.00 USC in pre-recorded CPD/HIDTA funds. Guerrero counted the money. During this time period, U/C Velazquez continued to have a conversation with Guerrero regarding the prices for purchasing larger amounts of cocaine. Guerrero stated that he would have to call his source and see what could be done.
37. That Guerrero walked U/C Velazquez to the backyard located at 6207 West Roosevelt, and pointed to a black plastic bag inside a large carton next to the rear gate.
38. That U/C Velazquez retrieved the black plastic bag and found it to contain a clear plastic ziplock bag containing white powder/ chunky substance suspected to be cocaine.
39. That U/C Velazquez left the bar with black plastic bag and returned to the police station.
40. That the black plastic bag and the clear plastic ziplock bag containing white powder/ chunky substance was inventoried under Chicago Police Department inventory number 11107270 and sent to the Illinois State Police Forensic Science Center for testing and analysis.

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41. That Denise Sylvester, a forensic scientist with The Illinois State Forensic Science Center, determined that the clear plastic ziplock bag containing white powder/ chunky substance inventoried under number 11107270, contained 253.4 grams of a substance containing cocaine.
42. That on December 18th 2007 at 5:55 p.m., U/C Velazquez called 708-299-5077 and spoke with Francisco Guerrero. After several rings, Guerrero answered the phone and identified himself as "Frank". During the conversation U/C Velazquez using a previously used code for narcotics, asked Guerrero if he was interested in getting "in shape". (To wit: On October 3rd 2007, U/C Velazquez used the term a "9 hour" fitness session referencing a 9 ounce purchase of cocaine.) During the conversation with Guerrero on this December 18th date; Guerrero replied that he was not ready. U/C Velazquez replied that he wished to do something between Christmas and New Years. Guerrero then stated that he would be ready next week, inferring that he would be able to sell U/C Velazquez the cocaine next week.
43. That on January 4th 2008 at 11:24 a.m., U/C Velazquez called 708-299-5077. After several rings, Francisco Guerrero answered the phone and identified himself as "Frank". During the conversation U/C Velazquez inquired if Guerrero was able to meet today. Guerrero replied that he was unable to meet today because he was out of town. Guerrero continued his conversation by stating that he waited for U/C Velazquez's phone call to set up a meeting before the New Year holiday as previously agreed. Guerrero informed U/C Velazquez that he would be out of town for a week and to call him back on January 11th 2008 as he "would be ready", inferring that he would be ready to sell U/C Velazquez cocaine upon his return.
44. That on January 11th 2008 U/C Velazquez called 708-299-5077 and spoke with Francisco Guerrero. During the phone conversation, it was agreed that U/C Velazquez would go to the 'Pour House' bar to buy an amount of cocaine.
45. That at approximately 3:30 p.m., U/C Velazquez drove and entered the 'Pour House' bar and spoke with a female Hispanic bartender previously introduced as "Laura". During the conversation "Laura" asked U/C Velazquez if he wished to speak to Frank. U/C Velazquez replied that he did, and Laura then went to the basement. Laura returned shortly and confirmed that Frank would be on his way. After a few minutes U/C Velazquez observed Guerrero emerge from the basement and approach him.

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A short conversation ensued in which Officer Velazquez explained to Guerrero that he had \$2600.00 and was looking to get 4 ½ ounces.

46. That U/C Velazquez asked Guerrero to go to the rear of the bar for privacy. That another conversation ensued resulting in Guerrero agreeing to sell 4 ½ ounces of cocaine to U/C Velazquez for \$2500.00. Guerrero asked Officer Velazquez if he had the money. U/C Velazquez handed Guerrero \$2500.00 in HIDTA/CPD pre-recorded funds.
47. That Guerrero counted the money and related that he would arrange for the cocaine. Guerrero walked away, back into the basement and returned after a few minutes. Guerrero walked outside from the side entrance and re-entered from the same entrance and re-approached U/C Velazquez.
48. That Guerrero told U/C Velazquez that the cocaine was available. U/C Velazquez followed Guerrero through the side exit for the bar. Guerrero pointed at a black plastic bag on top of a ledge of the side exit door.
49. That U/C Velazquez retrieved the black plastic bag and found it to contain a clear plastic ziplock bag containing a white powder/chunky substance suspect cocaine.
50. That U/C Velazquez and Guerrero re-entered the bar. U/C Velazquez then left the bar notified Sgt Sanchez that the purchase was positive and then returning to NAGIS headquarters processing the cocaine per department regulations. A field test revealed that the recovered narcotics tested positive for cocaine.
51. That the black plastic bag and the clear plastic ziplock bag containing white powder/ chunky substance was inventoried under Chicago Police Department inventory number 11190518 and sent to the Illinois State Police Forensic Science Center for testing and analysis.
52. That Linda Rayford, a forensic scientist with The Illinois State Forensic Science Center, determined that the clear plastic ziplock bag containing white powder/ chunky substance inventoried under number 11190518, contained 114.6 grams of a substance containing cocaine.
53. That on January 15, 2008 at approximately 2:24 p.m., members of the Chicago Police Department HIDTA/DEA Group 47 Task Force, Chicago Police Department Asset Forfeiture Unit, and assisting police personnel from the Berwyn Police Department, formulated plans to execute search warrant

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number 08SW4136 at Guerrero's business located at 6207 W. Roosevelt, Berwyn, Cook County, Illinois.

54. That upon arrival, police personnel discovered the business was fully operational, police personnel announced their office and entered the business without force. Guerrero was observed engaging Francisco Lopez in conversation, the premises and other patrons were secured and Guerrero was presented with a copy of the search warrant.
55. That Guerrero was subsequently placed into custody and advised of his Miranda Warnings for the aforementioned deliveries of cocaine.
56. That a systematic search of the business located at 6207 W. Roosevelt, Berwyn, Cook County, Illinois, was conducted.
57. That the following items were recovered from 6207 W. Roosevelt, Berwyn, Cook County, Illinois : a bundle of United States Currency totaling \$1,339.00 recovered by Sgt. Sanchez #1202 from Guerrero, Francisco, a notebook ledger recovered by Sgt. Sanchez #1202 from drawer behind bar, a bundle of United States Currency totaling \$1,747.00 recovered by P.O. Norway # 6797 within a gray safe in the basement office,
58. That a cardboard box containing: a digital scale, 3 plastic containers of Inositol, a 'kilo press', a roll plastic shrink wrap w/ziplock baggies were recovered by by DEA Special Agent Gade, from back porch of the bar.
59. That 2 digital scales/1 bag w/empty baggies were recovered by Sgt. Sanchez #1202 from behind the bar in a drawer. Loose United State's Currency totaling \$1,178.00 was recovered from a white bucket in the basement office.
60. That a knotted bag containing white rock like substance suspect cocaine was recovered by DEA Special Agent Gade from side of the garage in the yard.
61. That the knotted bag containing white rocklike substance was inventoried under Chicago Police Department inventory number **11194200** and sent to the Illinois State Police Forensic Science Center for testing and analysis.
62. That Penny Evans, a forensic scientist with The Illinois State Forensic Science Center, determined that the knotted bag containing white rocklike

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substance chunky substance inventoried under number **11194200**, contained 22.4 grams of cocaine.

63. That a bundle of United States Currency totaling \$3,809.00 was recovered by P.O. Norway #6797 from a white safe on the basement floor.
64. That upon the conclusion of the search warrant execution the premises was left in the custody of the bar maid who secured the same. Guerrero was again advised of his Miranda Warnings and transported along with the evidence to Homan Square for further processing.
65. That the Special Grand Jury of Cook County, February 2008 returned an indictment against Francisco Guerrero under case number 08CR-3465 for the offense of Delivery of a Controlled Substance, 15 to 100 grams of cocaine .
66. That the Special Grand Jury of Cook County, February 2008 returned an indictment against Francisco Guerrero under case number 08CR-3466 for the offense of Delivery of a Controlled Substance, 100 to 400 grams of cocaine .
67. That the Special Grand Jury of Cook County, February 2008 returned an indictment against Francisco Guerrero under case number 08CR-3467 for the offense of Delivery of a Controlled Substance, 100 to 400 grams of cocaine.
68. That the Special Grand Jury of Cook County, February 2008 returned an indictment against Francisco Guerrero under case number 08CR-3468 for the offense of Delivery of a Controlled Substance, 100 to 400 grams of cocaine.
69. That the Special Grand Jury of Cook County, February 2008 returned an indictment against Francisco Guerrero under case number 08CR-3469 for the offense of Possession of a Controlled Substance with Intent to Deliver, 15 to 100 grams of cocaine.
70. That there is within the jurisdiction of this Court, the following real property, at 6207 W. Roosevelt, Berwyn, Cook County, Illinois, legally described as:

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OF THE EAST 1/4 OF THE NORTHWEST 1/4 OF
THE NORTHWEST 1/4 OF SECTION 20,
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that was used to facilitate the possession of cocaine, the ongoing delivery of cocaine, and the possession with intent to deliver cocaine by Francisco Guerrero .

71. That the above captioned real property 6207 W. Roosevelt, Berwyn, Cook County, Illinois was used to facilitate the commission of a violation of 720 Illinois Compiled Statutes 570/401.

72. That the above caption real property is now subject to forfeiture as provided by the aforementioned section of the Illinois Compiled Statutes.

WHEREFORE, the Plaintiff prays as follows:

- (a) That this Court adjudge the above captioned real property, with all its improvements and appurtenances thereto, to be forfeited to the State of Illinois and that the above captioned real property be properly disposed according to law.
- (b) That all rights and interests of each and every party claiming an interest in the above captioned real property be terminated.
- (c) For such further relief as this Honorable Court deems just.

RICHARD A. DEVINE
State's Attorney of Cook County

By: _____

Anthony C. Kyriakopoulos
Assistant State's Attorney

By: _____

Nancy Zarkos
Assistant State's Attorney

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Under the penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true and correct.

By:


Anthony C. Kyriakopoulos
Assistant State's Attorney

By:


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Assistant State's Attorney

Attorney Code #10295
Richard A. Devine
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