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City Secures Emergency Board-Up of Troubled Carryout

Drug trafficking and gang presence posed threat to community and police officers

COLUMBUS, OH—A notorious carryout that has plagued Columbus' South Linden neighborhood for years has been shut down this afternoon after City Attorney Richard C. Pfeiffer, Jr. secured a temporary restraining order against the business deemed to be “an unsafe place, posing a great risk of physical harm to residents, police officers, and [its own] business patrons and staff” in the Franklin County Environmental Court earlier today.

Longstanding problems at the Eagle Market (1464 Cleveland Avenue), which is located in a residential area and across the street from a day care center, prompted Columbus Police to set up one of the area's first community crime cameras in 2011 “specifically to monitor the drug activity in the store and on the parking lot.”

“We have made it well-known that we will target the places where drug trafficking occurs and the people who enable such activity to persist, whether they are owners of hotels, apartment complexes, single-family homes, or businesses,” said Columbus City Attorney Richard C. Pfeiffer, Jr.

In 2016 alone, police responded to the Eagle Market well over 100 times for incidents that included gun and weapons violations, assaults, drug and alcohol violations, disturbances, illegal drug transactions, and other suspicious activity. Gang members, including from the Windsor Terrace Posse have been captured multiple times either on camera or in-person selling narcotics at the premises since at least 2014.

One resident drug dealer was observed selling drugs in July 2014, March 2015, August 2015, February 17, 2016 and again on March 14, 2016. His brother, another known drug dealer, was also caught on the premises in February 2016, April 5, 2016, and July 29, 2016.

Police issued half a dozen letters to the owners of the premises notifying them of the multiple violations occurring at their property. However, “illegal drug transactions continued to take place at the property on a consistent basis” according to court filings.

On September 3, 2016 police were dispatched to the premises on report of a person with a gun. Upon arrival, police made contact with a “heavily inebriated” individual sitting in a vehicle in the Eagle Market parking lot. Inside the vehicle, police found several open beer cans, bullets, shell casings, a box of ammunition, and a loaded gun with 11 rounds of ammunition in the magazine.

On November 14, 2016 a police officer was flagged down by two residents and notified that a man with a gun was chasing another man at the Eagle Market.

Vice unit detectives also secured evidence of the underage sale of alcohol and cigarettes by employees of the Eagle Market on multiple occasions.

“Unfortunately, the Eagle Market has proven over the course of several years to be a danger to residents who live nearby, our police officers who must respond to all the calls there, the patrons who shop there, and the employees who work there,” said Assistant City Attorney Katarina Karac. “We are pleased that the court took all our evidence into account and ordered the premises boarded up until further notice.”

A follow-up hearing for a preliminary and permanent injunction against the owners of the Eagle Market is scheduled for 1:00 pm. on Monday, December 12, 2016.

If the property is ultimately declared to be a statutorily defined public nuisance, state law grants the court authority to order the premises shut down for up to one year. The owners also would be permanently enjoined from “conducting, maintaining, using, occupying, or in any way permitting” a public nuisance anywhere else in Franklin County, Ohio.

In order to secure closure of the business, Karac, who is the Zone Initiative Attorney assigned to the Linden area of Columbus, is seeking to prove that the owners are guilty of maintaining a nuisance by establishing that they, as owners of the premises, “knew of, participated in, or acquiesced to the activity which constituted the nuisance” as prescribed by [Chapter 3767](#) of the Ohio Revised Code.

Copies of the city’s [complaint](#) and the [court’s order](#) are available online.

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