



City of Grand Island

Tuesday, December 18, 2012

Council Session

Item E1

Public Hearing on Request from Bocho's, Inc. dba San Pedro's Mexican Restaurant, 2418 N. Webb Road, Suite A for a Class "I" Liquor License

Staff Contact: RaNae Edwards

Council Agenda Memo

From: RaNae Edwards, City Clerk

Meeting: December 18, 2012

Subject: Public Hearing on Request from Bocho's, Inc. dba San Pedro's Mexican Restaurant, 2418 N. Webb Road, Suite A for a Class "I" Liquor License

Item #'s: E-1 & I-1

Presenter(s): RaNae Edwards, City Clerk

Background

Section 4-2 of the Grand Island City Code declares the intent of the City Council regarding liquor licenses and the sale of alcohol.

Declared Legislative Intent

- It is hereby declared to be the intent and purpose of the city council in adopting and administering the provisions of this chapter:
- (A) To express the community sentiment that the control of availability of alcoholic liquor to the public in general and to minors in particular promotes the public health, safety, and welfare;
 - (B) To encourage temperance in the consumption of alcoholic liquor by sound and careful control and regulation of the sale and distribution thereof; and
 - (C) To ensure that the number of retail outlets and the manner in which they are operated is such that they can be adequately policed by local law enforcement agencies so that the abuse of alcohol and the occurrence of alcohol-related crimes and offenses is kept to a minimum.

Discussion

Bocho's, Inc. dba San Pedro's Mexican Restaurant, 2418 N. Webb Road, Suite A has submitted an application for a Class "I" Liquor License. A Class "I" Liquor License allows for the sale of alcohol on sale only inside the corporate limits of the city.

City Council action is required and forwarded to the Nebraska Liquor Control Commission for issuance of all licenses. This application has been reviewed by the Clerk, Building, Fire, Health, and Police Departments.

Also submitted with the application was a request from Bernice Real, 2010 West 39th Street, Apt. A, Kearney, NE for a Liquor Manager Designation.

The Police Department completed a background check on Efrain Bravo (see attached) and a previous connection to an application for El Mariachi which was pulled from the January 24, 2012 City Council agenda at the request of the Applicant's attorney (see attached Police Report) and is recommending denial of this application based on the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01) for a false application.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

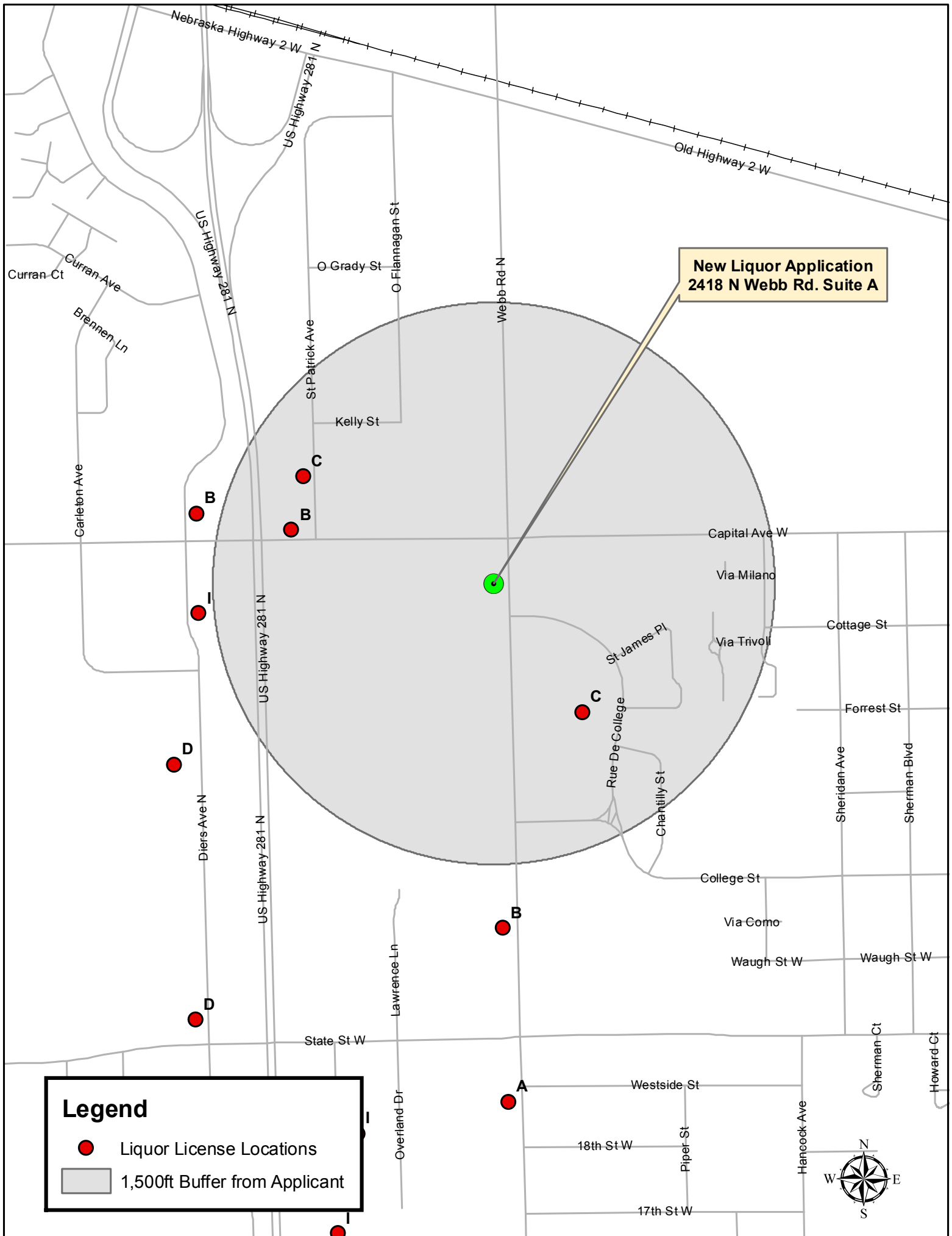
1. Approve the application.
2. Forward to the Nebraska Liquor Control Commission with no recommendation.
3. Forward to the Nebraska Liquor Control Commission with recommendations.
4. Deny the application.

Recommendation

Based on the Nebraska Liquor Control Commission's criteria for the approval of Liquor Licenses, City Administration recommends that the Council **deny** this application.

Sample Motion

Move to **deny** the application for Bocho's, Inc. dba San Pedro's Mexican Restaurant, 2418 N. Webb Road, Suite A for a Class "I" Liquor License and Liquor Manager Designation for Bernice Real, 2010 West 39th Street, Apt. A, Kearney, NE based on the Police Departments Investigation and Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01) for a false application.



12/13/12
11:58

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
 Occurred after : 10:44:15 12/10/2012
 Occurred before : 10:44:15 12/10/2012
 When reported : 10:44:15 12/10/2012
 Date disposition declared : 12/10/2012
 Incident number : L12121214
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License
 Investigation
 Incident address : 2418 Webb Rd N
 State abbreviation : NE
 ZIP Code : 68803
 Contact or caller :
 Complainant name number :
 Area location code : PCID Police - CID
 Received by : Vitera D
 How received : T Telephone
 Agency code : GIPD Grand Island Police Department
 Responsible officer : Vitera D
 Offense as Taken :
 Offense as Observed :
 Disposition : ACT Active
 Misc. number : RaNae
 Geobase address ID : 4481
 Long-term call ID :
 Clearance Code : CL Case Closed
 Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

| Px | Record # | Date | Description | Relationship |
|----|-----------|----------|-------------------------------|----------------|
| LW | L11123091 | 12/10/12 | Liquor Lic Inv | Related |
| NM | 176211 | 12/10/12 | Bravo, Efrain | Applicant |
| NM | 181619 | 12/10/12 | San Pedro Mexican Restaurant, | Business |
| NM | 181622 | 12/10/12 | Real, Berenice | Liquor Manager |

LAW INCIDENT CIRCUMSTANCES:

Se Circu Circumstance code : Miscellaneous

 1 LT21 Restaurant

LAW INCIDENT NARRATIVE:

Efrain Bravo is Applying for a Liquor License for San Pedro Mexican Restaurant, and Bernice Real is Applying to be the Liquor Manager.

LAW INCIDENT OFFENSES DETAIL:

| Se | Offe | Offense code | Arson Dama |
|----|------|-----------------|------------|
| 1 | AOFF | Alcohol Offense | 0.00 |

LAW INCIDENT RESPONDERS DETAIL:

| Se | Responding offi | Unit n | Unit number |
|----|-----------------|--------|-------------|
| 1 | Vitera D | 318 | Vitera D |

LAW SUPPLEMENTAL NARRATIVE:

| Seq | Name | Date |
|-----|----------|---------------------|
| 1 | Vitera D | 13:12:11 12/11/2012 |

12/13/12 Grand Island Police Department 450
 11:58 LAW INCIDENT TABLE Page: 3

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Grand Island Police Department
 Supplemental Report

Date, Time: Tue Dec 11 13:12:22 CST 2012
 Reporting Officer: Vitera
 Unit- CID

Efrain Bravo is applying for a Class I (beer, wine, distilled spirits, on sale only) corporate liquor license for San Pedro Mexican Restaurant. Bernice Real is applying for the liquor manager position. San Pedro will take the place of El Mariachi which lasted about one year. El Mariachi applied for a liquor license as well. That application had numerous accountability problems which included a large family business of numerous restaurants in several states with people, money, and property that was extremely difficult to determine who was responsible for what. Many problems and discrepancies were found with that application, and the police department recommended a denial. The applicant pulled the application before it went in front of council. El Mariachi never received a liquor license. According to my previous investigation, Efrain Bravo is the brother of the owner of El Mariachi. The El Mariachi investigation is included with this one since it is the same family, and there are similar issues.

While reviewing the San Pedro application, I noticed that Efrain disclosed two speeding convictions. I checked Spillman and NCJIS and didn't come up with any additional convictions in Nebraska which isn't surprising since Efrain also stated on his application that he has only lived in Nebraska since 2012. During a personal interview with Efrain, he guessed that he moved to Kearney in May of this year.

The next piece of information that caught my eye is that Efrain is borrowing money from Jose Luis Bravo. When Efrain's brother, Jose J.

Bravo applied for a liquor license for El Mariachi, he didn't disclose on the application that he had borrowed money from his cousin, Jose Luis Bravo. Not only did Jose J. Bravo eventually tell me about the money he borrowed from his cousin, he said he was also going to profit share with his parents. During my interview with Efrain, he said he was going to borrow somewhere between \$25,000 and \$35,000 from his cousin. On the application, he didn't list anyone who would share in the business profits, and he stuck to that during the interview.

While looking at the liquor manager application for Bernice Real, I saw that Bernice stated that she is married but requested that the NLCC grant her a waiver on her husband, Jose Real-Cazares. The liquor manager and her spouse have to be citizens of the United States. Bernice is a naturalized citizen from Mexico. According to Homeland Security Investigations (HSI), Bernice's husband is an illegal alien from Mexico. In Bernice's waiver request, she stated that she is separated from her husband, and he is living in Mexico. She said she hasn't seen him in over two years, they don't speak, and she doesn't know how to locate him in Mexico.

During my interview with Bernice, she advised that she or her parents take her children to Mexico to see their father (Jose Real-Cazares). I confronted her with her waiver statement. Bernice then said that she or her parents will take the kids to relatives on her side of the family, and Jose will meet them there. She said Jose lives about six hours away, but she technically doesn't know exactly where. I asked her how she doesn't speak to him if a visitation is arranged, and they are all in the same place when he is visiting his children. She said he stays in a motel and just comes by where she is staying with family to pick up the kids and take them somewhere else. I called Mary Messman with the NLCC and asked her about the waiver requests. She advised that it isn't necessarily routine procedure that the Commission will honor the waiver requests. She said there is a good chance they will request a hearing.

I also noticed on the manager's application that Bernice didn't disclose any convictions. When I checked her through NCJIS, I found that she had a child restraint conviction. When I talked to her in person, she also said she had a couple of other traffic convictions in Missouri, but nothing serious.

When I reviewed the corporation portion of the liquor license application, I noticed that Efrain listed his home address and the corporate address as 2900 Grand Ave. in Kearney, NE. When I spoke to Efrain and his sister Bernice in person, they advised that 2900 Grand Ave. is a trailer court; and Efrain lives in number 327. I had seen in NCJIS from some traffic stop information that Bernice was documented as living at 2900 Grand Ave. number 81 at one time.

While trying to determine residency requirements in the El Mariachi investigation, I found two vehicles registered to Jose and Maria Bravo in Kearney, NE at 2900 Grand Ave. number 145. Jose J. Bravo (El Mariachi applicant) told me that his parents had purchased and registered the vehicles. One of them was a 2009 Cadillac Escalade, and the other was a 2011 Yukon Denali. The Denali was purchased for him. His parents were

living in Joplin, Missouri at the time they bought the Escalade there but titled it in Oklahoma and registered it in Nebraska.

When I asked Jose J. Bravo if his parents bought the vehicle for him and he was living in Lexington, why did they register it in Kearney? He didn't know, but he thought they titled the Escalade in Oklahoma because it cost less; and their nephew and his wife (Jose Luis and Maria Bravo) lived there. He also said that his Uncle, Jose Manriquez lived at the 2900 Grand Ave. #145 address. Jose J. went on to tell me that he couldn't afford the payments on the Denali, so his brother (Efrain) took the vehicle and assumed the payments.

When I interviewed Efrain, I asked him about the Denali. He said the vehicle belongs to his parents. Bernice then advised that their parents just moved from Joplin to Kearney within the last month, and they are staying with Efrain. Efrain and Bernice's parents were present in San Pedro, but I did not positively identify them or speak to them. To try and make the last few paragraphs a little more clear, there are three Jose and Maria Bravo's. One couple lives or lived in Joplin and are the parents of Jose J. Bravo, Efrain Bravo, and Bernice Real. The second couple is Jose J. and Maria. They may be separated or divorced. Jose J. has recently lived in Lexington and Kearney. Jose L. and Maria Bravo live in Oklahoma. Jose L. is a cousin to Jose J., Efrain, and Bernice.

For the San Pedro investigation, I checked to see if Efrain and Bernice have any vehicles registered in Nebraska. They do not. Traffic stop information in NCJIS shows that Bernice has been stopped in April and December of this year driving a 2005 Chrysler 300 belonging to Jose J. Bravo. On the liquor manager application, Bernice stated that she moved to Kearney in 2008. I called the KPD and spoke to an SRO who was able to check KPS enrollment information. The officer advised that one of Bernice's children has been enrolled in the KPS system since 2008.

Part of the liquor license application asks the applicant to list all past and present liquor licenses associated with the people on the present application. Efrain included an attachment that listed five licenses in Missouri. I called the Missouri Alcohol and Tobacco Control (ATC) and spoke to Kelly Turner. Kelly advised that Efrain is a part of eight liquor licenses in Missouri. He is listed as a manager on all of the applications. Kelly further stated that the manager has to be a resident of Missouri. I told Kelly that Efrain was applying for a license in Nebraska and stated on the application that he lives in Nebraska.

Kelly said that a new manager has to be listed on the Missouri licenses within 15 days of Efrain's out-of-state change of residency. When I interviewed Efrain, he said he moved to Kearney sometime around May of this year. According to Kelly, Efrain is not in compliance with Missouri liquor law. It should also be noted that while Kelly advised that she didn't show any violations on any of the licenses in Missouri, she said their office which is responsible for licensing and enforcement was slashed from over 50 people to five. Those five people cover the whole state. I had noticed on the ATC web site under suspensions for the last three years, there were months where they didn't have any. Most months

averaged two or three for the entire State of Missouri. With the RIF, it makes sense.

I asked Efrain if he was a part of any other liquor licenses besides the five that were listed on his application. He said he was not. I told him about the other three according to the ATC. He then acknowledged that he was on two of the additional licenses but not the third. Regardless, I asked him how he was supposed to manage all those restaurants when he couldn't even remember which ones he was a part of. Efrain didn't have a comment, but Bernice told me that Efrain lives in Republic, MO and drives between all the restaurants. I told Bernice that Efrain had just told me that he lives in Kearney. Bernice corrected herself and said she meant that he drove to all the Missouri restaurants when he used to live in Republic.

The last part of the corporation part of the application that got my attention was that Efrain listed his spouse's information and then like Bernice, he requested a waiver. He is still married, but his wife is not a Citizen of the United States. According to Nebraska State Statute 53-125, a person is not eligible for a liquor license if his spouse isn't eligible. This requirement can be overcome with a convincing argument to the NLCC. That's why this application included the two waiver requests.

In summary, the Grand Island Police Department recommends that the council not give local approval to this license request. It is a false application with numerous issues, inaccuracies, and discrepancies.

First of all, the applicant (Efrain Bravo) is Jose J. Bravo's brother, and Jose J. Bravo's liquor license application for El Mariachi had numerous problems that should have prevented him from getting a license had he not retracted it. This application seems to be another attempt.

Secondly, the application is not valid unless the NLCC grants the waiver requests on Efrain's spouse who is not a citizen of the U.S. and Bernice's spouse who is an illegal alien. After talking with Bernice, it's questionable whether the information included in her waiver request is accurate.

Thirdly, neither Efrain Bravo or Bernice Real have a vehicle registered in Nebraska. Efrain has been driving a vehicle that was purchased by his parents and given to his brother Jose J. Bravo. Bernice has been driving a vehicle that is registered to Jose J. Bravo. Numerous family members have also at one time listed 2900 Grand Ave. in Kearney as a home address, yet they have ties to other businesses and home addresses in other states.

Fourthly, Efrain Bravo failed to disclose three additional liquor licenses that he is involved with in Missouri. During an interview, he was asked if he has involvement in any other liquor licenses, he said he didn't. When confronted with the additional Missouri licenses, he acknowledged involvement in two out of the three. Efrain has supposedly been living in Kearney since May of this year which means he definitely hasn't been managing the five businesses in Missouri or the three that he forgot about. He is also breaking Missouri liquor law by not being a

resident of their state while still being listed as manager on those licenses. This display of lack of management skills and either ignorance or disregard of Missouri law doesn't bode well for him having a liquor license here and abiding by Nebraska law.

12/13/12
11:59

Grand Island Police Department
LAW INCIDENT TABLE

450
Page: 1

City : Grand Island
 Occurred after : 15:20:00 12/23/2011
 Occurred before : 15:20:00 12/23/2011
 When reported : 15:20:00 12/23/2011
 Date disposition declared : 12/23/2011
 Incident number : L11123091
 Primary incident number :
 Incident nature : Liquor Lic Inv Liquor License
 Investigation
 Incident address : 2418 Webb Rd N
 State abbreviation : NE
 ZIP Code : 68803
 Contact or caller :
 Complainant name number :
 Area location code : PCID Police - CID
 Received by : Vitera D
 How received : T Telephone
 Agency code : GIPD Grand Island Police Department
 Responsible officer : Vitera D
 Offense as Taken :
 Offense as Observed :
 Disposition : ACT Active
 Misc. number : RaNae
 Geobase address ID : 4481
 Long-term call ID :
 Clearance Code : CL Case Closed
 Judicial Status : NCI Non-criminal Incident

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INVOLVEMENTS:

| Px | Record # | Date | Description | Relationship |
|----|-----------|----------|--------------------------------|---------------|
| LW | L12121214 | 12/10/12 | Liquor Lic Inv | Related |
| NM | 165530 | 01/18/12 | Garcia-Martinez, Ezequiel Dani | Interpreter |
| NM | 173114 | 01/18/12 | El Mariachi, | Restaurant |
| NM | 172975 | 01/11/12 | Bravo, Jose J | Owner/Manager |

LAW INCIDENT CIRCUMSTANCES:

| Se | Circu | Circumstance code | Miscellaneous |
|----|-------|-------------------|---------------|
| 1 | LT21 | Restaurant | |

LAW INCIDENT NARRATIVE:

ICE/I Received a Copy of a Liquor License Application for the Mariachi Authentic Mexican Food restaurant and a Copy of a Liquor Manger Application from Jose Bravo.

LAW INCIDENT RESPONDERS DETAIL:

| | | | | |
|--------------------|--------------------------------|-----|----------|-------------|
| Se Responding offi | | | Unit n | Unit number |
| ----- | | | | |
| 12/13/12 | Grand Island Police Department | | | |
| 450 | | | | |
| 1 | Vitera D | 318 | Vitera D | |

LAW SUPPLEMENTAL NARRATIVE:

| | | |
|-------|----------|---------------------|
| Seq | Name | Date |
| ----- | | |
| 1 | Vitera D | 10:15:48 01/16/2012 |

ICE/318

Grand Island Police Department
Supplemental Report

Date, Time: Mon Jan 16 10:16:02 CST 2012
Reporting Officer: Vitera
Unit- CID

Gordo's Incorporated doing business as the El Mariachi Authentic Mexican Food restaurant is seeking a Class I (beer, wine, distilled spirits, on sale only) corporate liquor license. Jose de Jesus Bravo is listed as the CEO of the corporation. Bravo also applied to be the liquor manager. He listed his home address on the liquor license and manager application as 2307 Plum Creek in Lexington, NE.

While looking through the application, several areas piqued my interest. First, Bravo is part owner of San Pedro restaurant in Kearney, Lexington, North Platte, and Scottsbluff, Nebraska. He listed on his applications that he lived in Joplin, Missouri from 1996 until 2009 when he moved to Lexington. He also stated the he was born in Mexico. Bravo did not list a spouse on the application. In fact, he is the only person listed on the application, yet he listed Jose Manriquez as a person who is authorized to write checks and make withdrawals on the business account.

Part of the requirements to be a liquor manager include being a citizen of the United States and resident of the State of Nebraska. A Nebraska voter registration card and either a U.S. passport, U.S. birth certificate, or naturalization paperwork should be included with the application as proof. None of those documents were included. I checked with our local HSI office and was informed that Bravo is a naturalized citizen.

I have some concerns, however, as to whether Bravo is a resident of Nebraska. His home address as stated above is actually the address of his restaurant in Lexington. Bravo also listed the restaurant's address on his Nebraska driver's license. I spoke to Investigator Rowan with the Lexington Police Department who said he didn't believe the restaurant had any living quarters attached to it. He later informed me that the health

department visited the restaurant and said there are no living quarters at the restaurant, and numerous employees were working there (significant because Bravo stated on the application that he was the sole employee).

Bravo told the health department he used that address because that's where he receives his mail even though the application separately asks for home address and where the applicant wants to receive mail from the Commission. The application states that Bravo listed a Kearney address to receive mail from the Commission, not at his restaurant. Investigator Rowan found a different Lexington address for Bravo in their database. He also told me that Bravo was a victim of a robbery at that address in June of 2011. Investigator Lorri Rogers with NSP had informed me about the robbery. From an online article, it appears that Bravo may have been living or staying with his father. When I later spoke to Bravo, he said he was renting this address from one of his employees named Hector Onate. When Bravo was interviewed, he gave yet a different address in Lexington.

I also called law enforcement authorities in Joplin, Missouri. I spoke to Captain Walrod with the Jasper County Sheriff's Office. He advised that Bravo has two restaurants in Joplin. They are called El Charro. He said there is also an El Charro in Carthage, Missouri and Pittsburgh, Kansas. Carthage is about 12 miles east of Joplin, and Pittsburgh is about 30 miles from Joplin. Captain Walrod thought that Bravo and his wife, Sandra still live in the Joplin area. He found out for me that Bravo is currently paying utilities at 25150 Demott Dr. in Joplin. Captain Walrod spoke to a sergeant who patrols the area where Bravo lives (or used to live), and she thought that Bravo is still married to Sandra (Bravo) and living there. She described the Bravo's as "good people." At this time, I don't know whether the restaurants in Kansas and Missouri serve alcohol and if they have any liquor violations. Bravo did not list any out-of-state liquor licenses when it was asked of him on the application.

Another question on both applications asks about being convicted of any charge. Bravo listed some traffic convictions in Buffalo and Dawson County along with an open container conviction. He also listed a traffic ticket in Missouri and a traffic ticket in Oklahoma. I can't run official criminal history checks on liquor license applicants. A fingerprint submission from the applicant will determine that at the state level. Even though Bravo hasn't spent much time in Nebraska, I checked Spillman and NCJIS. He does not have an entry in Spillman, and his entries in NCJIS generally matched up to the disclosures on the applications. NCJIS also shows that a bench warrant was issued for Bravo on four separate occasions involving the convictions he disclosed. On each occasion, the warrant was cancelled before it was served. This leads me to believe that he wasn't paying his fines on time.

Besides checking with Jasper County, I spoke to a records clerk at the Joplin Police Department. She advised that Bravo had some minor traffic violations that included speeding and a seatbelt violation, but he was also cited for driving during revocation in 2001. I spoke to Sgt. Young with the Kearney Police Department. He put out an e-mail to department members asking about negative contacts with Bravo and the San Pedro restaurant. He didn't get any responses. I spoke to a representative of the North Platte Police Department. He advised that they didn't have any

contacts with Bravo. He also commented that San Pedro is a good restaurant. I called Scottsbluff and ended up speaking with Detective Rader. He said they don't have any problems with the restaurant that he's aware of. He also sent me a copy of their liquor license investigation into San Pedro. Scottsbluff contacted Kearney PD and learned that Isaias Manriquez was listed on Kearney's application. The Scottsbluff investigation also determined that Bravo provided a false Social Security number. I wasn't able to get clarification as to whether this was intentional or some sort of typo.

I tried to find Bravo on facebook but didn't find anything that I could be sure was him. I also ran Bravo through an Internet search engine. There is a large amount of data on Bravo, and it was difficult to sort through it and determine if all the information could be attributed to the applicant or a different Jose Bravo. It appeared that Bravo has either lived or had a restaurant in the following places: Kearney, Lexington, North Platte, Scottsbluff, Joplin, MO; Carthage, MO; Wyoming, MI; Claremore, OK; Muskogee, OK; Mountain Home, AR; and Bowling Green, KY.

It appeared that Bravo owns an El Charro in Joplin, and an El Charro in Claremore, OK. The information also pointed towards Bravo as having some liens against him. From 12/13/2004 (file date) through 10/4/2005 (release date), Jose Bravo had a "state tax warrant" in Oklahoma in the amount of \$5,574. On 11/16/2010, the "Tax Commission" in Rogers County Oklahoma filed a tax lien on Bravo in the amount of \$12,681. No disposition is listed. In March of 2004, the IRS filed a lien against Bravo's El Charro restaurant in Joplin. There is no amount listed, but the status is listed as open. Bravo would later tell me that this information is associated with his father and brother.

Even though Bravo stated on his applications that he has lived in Lexington since 2009, the Internet search engine indicated that he registered a '97 Altima in Missouri on 6/8/11 and a 2010 Tundra in Missouri on 10/28/10. He also has two cars registered in Nebraska in 2011. It appears that he's keeping residences and registering cars in Nebraska and Missouri in the same year. One more piece of information stated that the only voter registration card on file for Bravo is in the State of Missouri.

On 1/11/12, I drove by the restaurant. I observed two vehicles parked in front of it. One was a silver Dodge pickup (18CM2368), and the other was a small red Chevy car (21AH59). The red Chevy is registered to Juan Manriquez. Manriquez is the same last name of the person Bravo listed on the application as having access to the business account. It is also the same last name as one of the corporate officers in the Kearney San Pedro. I also ran Bravo's name through NCJIS looking for vehicles registered to him. I came up with a 2011 Yukon Denali registered to Jose and Maria Bravo of 2900 Grand Ave. #145 in Kearney, NE. The vehicle was registered on 4/15/11. At this point, I don't know Jose's relationship with Maria even though they have the same last name.

I called (573-526-2772) the Missouri Alcohol and Tobacco Control (ATC) Commission and asked them if Bravo has any liquor licenses in their

state. I was informed that there are several licenses under the last name of Bravo and also under Jose Bravo but none that matched the date of birth and Social Security number of this applicant. Other names on the applications as corporate officers are Efraine Bravo and Andres Bravo. Some of the restaurants are named El Charro. I was also told that the restaurants have some history of failing compliance checks.

I also called (405-521-3011) the Alcoholic Beverage Laws Enforcement (ABLE) Commission in Oklahoma. They have at least twelve restaurants that have Jose Bravo or Jose L. Bravo as a corporate officer. They also show Andres Bravo and Nicholas Onate as corporate officers at restaurants that are either El Charro, Los Charros, Mi Ranchito, El Charrito, or Playa Azul. The person I spoke to at ABLE said they have numerous minor and major violations at these restaurants. A major violation would be selling to a minor or allowing a minor in a bar. They also said that Jose L. Bravo had written them some "hot" checks.

I called Rogers County Oklahoma and confirmed that Jose L. Bravo had a tax lien placed on him in 2004 for \$5,574 and a tax lien in 2010 for \$12,681. This is the same information that was discovered through the Internet search engine. Jose L. Bravo was not paying his personal income tax to the State of Oklahoma. Both balances have now been paid.

On 1/17/12, NSP Investigator Lorri Rogers and I met with Jose de Jesus Bravo at his restaurant. He used an employee by the name of Ezequiel Garcia to interpret for him. Bravo immediately identified Jose Manriquez as his manager who is going to be responsible for the day-to-day operation of the business which would include ordering alcohol and being in charge of everything. Bravo said he planned on visiting the business about every eight days. When asked why Manriquez didn't apply for the manager's position, Bravo said he thought it would be easier for him to get approved. Bravo identified Jose Manriquez as being his uncle.

Bravo said Clemente Salazar is the manager of all the San Pedro's in Nebraska. Isaias Manriquez is currently listed as the manager of San Pedro in Kearney. Bravo said he has no idea where Isaias Manriquez is now or what he is doing. On the application, Bravo stated that he is the sole employee of the San Pedro in Lexington. When asked about this, he said that was not true. He has five people who work for him. Bravo said his attorney filled out the application for him. However, Bravo also advised that he had an interpreter with him, and the application was read to him in Spanish. He had no other explanation.

Since Bravo has four other restaurants in Nebraska that are all named San Pedro and are part of San Pedro Inc., he was asked why this one is named differently and under a new corporation. Bravo said that he wanted to be on his own with this restaurant. Another explanation could be that he wants some separation from the other restaurants with the NLCC because they have had some problems. The Kearney restaurant has three violations for selling to minors and a violation for having an open container after hours. They were also scheduled for a "show cause" hearing on 1/18/12 in front of the NLCC for failing to comply with a specific training order from the NLCC. I checked with the NLCC on 1/19/12 and was advised that the hearing was continued. The Lexington restaurant has had a liquor

license since 6/30/09 and doesn't have any violations. The North Platte restaurant has had a license since 3/9/09 and doesn't have any violations. The Scottsbluff restaurant has had a license since 7/16/09 and has one sale to a minor that was eventually dismissed.

While trying to determine Bravo's status as a possible Nebraska resident, I ran his name through NCJIS to see what vehicles are registered to him. I came up with a maroon 2009 Escalade registered to Jose and Maria Bravo in Kearney. It had originally been titled in Claremore, OK (where the tax issues are) to Jose and Maria Bravo. I also found a white 2011 Yukon Denali registered to Jose and Maria Bravo at the same address in Kearney. Previous title information came back to a dealer in Joplin, MO (where Bravo said he lived from '96-2009).

Bravo told me that those vehicles were purchased by his parents. He went on to explain that he is currently separated and in the process of a divorce with his wife named Maria Bravo. His parents are also named Jose and Maria Bravo. He also has a cousin named Jose Bravo who is married to Maria Bravo. Bravo said his parents currently live in Joplin, MO and have lived there for at least fourteen years. His parents bought the Escalade while living in Missouri. They titled it in Oklahoma and registered it in Nebraska. He thought they titled it in Oklahoma because the taxes were less there. I was not clear as to why they registered it in Kearney, NE.

Moving on to the Denali, Bravo said his parents bought that vehicle for him in 2011. On his liquor license applications, Bravo claims to live in Lexington, but the Denali was registered in Kearney. Bravo said that his uncle, Jose Manriquez lives at the registered address in Kearney. Bravo couldn't explain why it wasn't at least registered in Dawson County. Bravo said that he couldn't afford the payments on the vehicle, so his brother (Efraine) took the vehicle and assumed the payments.

A question on the application asks if the applicant borrowed any money from any source including family and friends to establish and/or operate the business. The no box was checked. I asked Bravo how he could afford to start up this new restaurant without borrowing money when he couldn't afford a car payment. Bravo advised that he borrowed \$35,000 from his parents. He then included his cousin, Jose L. Bravo, in lending him part of the \$35,000. Bravo then said all of the \$35,000 came from Jose L. Bravo, and his parents basically brokered the deal.

The next question on the application asks if anyone other than the applicant will be sharing the business profits. The no box was checked. However, Bravo acknowledged that his parents will be receiving half of the profits. I couldn't figure out why his parents were in line to get the profits when it was his cousin who supposedly lent him the money. It appears that Bravo's cousin, Jose L. is the guy with tax liens in Oklahoma, yet this is the same guy who lent Bravo money.

In summary, the Grand Island Police Department urges the city council to recommend a denial of this liquor license and liquor manager license to the NLCC for several reasons. First and foremost, this is a false application according to the Nebraska Liquor Control Act (Part II Chapter 2 Section 010.01) which reads:

No applicant for a liquor license, or partner, principal, agent or employee of any applicant for a liquor license shall provide false or misleading information to the Nebraska Liquor Control Commission, its executive director, or employees. Any violation of this provision may result in denial of application for a liquor license or, in the event that a license has already been issued, suspension, cancellation or revocation of such license.

Bravo stated on his application that he didn't borrow any money for his restaurant, yet he did. He also stated on the application that no one will share the profits with him, yet he admitted that his parents are taking half. He didn't list a spouse on the application, and he is still married. Therefore, I was unable to do a background check on her, and no Spousal Affidavit of Non Participation is on file. He applied to be the liquor manager but only did so because the guy who is really going to be the manager might not have been eligible. He also listed an incorrect home address on the application.

The licenses could also be denied because Bravo didn't supply the required documents (voter registration card, and either a birth certificate, naturalization paperwork, or a U.S. passport). Without the voter registration card and the confusion with all of the similar names in his extended family, the way the vehicles are titled, registered and possessed, it's difficult to tell whether Bravo is a resident of Nebraska. There are also problems with the San Pedro restaurant owned by Bravo in Kearney. They have violations and are slow or don't comply with the orders of the NLCC. Another example of failing to comply with lawful orders or doing so reluctantly is Bravo's failure to pay fines on time that resulted in four separate arrest warrants which finally prompted him to pay before they could be served.

After speaking with Bravo, he asserted that he is not involved with any restaurants outside of Nebraska. According to Bravo, the information I found on Jose Bravo in Missouri and Oklahoma can be attributed to his father and his cousin. However, it was extremely difficult to figure out which Jose and Maria Bravo did what since all three couples have intertwined history in Missouri, Oklahoma, and Nebraska.

The bottom line is the applicant provided false information on his application, and he is receiving support from his family who have problems with liquor violations in Oklahoma and failing to pay their income taxes on time. In addition, my background investigation shows a connection between the Manriquez and Onate family with the Bravo family, but no information on them was provided by Bravo even though he listed Jose Manriquez as having access to and authority over his business account. Once again, the applicant's false application combined with his involvement with his family and their shuffling of vehicles, liquor violations in multiple states, and the failure to pay taxes in a timely manner implies either deception, disregard of laws, or the inability to comply with liquor laws.