



INCIDENT / ARREST REPORT

Nita City Liquor Commission

Officer Submitting Report: Jamie Bier
Date Submitted: June 5, 2002
Time Submitted: 23:00 CST
Citation Issued To: Dan Jones and Cut-Rate Liquor Store
Reason: Selling alcohol to appreciably intoxicated person (Walter Watkins)
Party Arrested: Walter Watkins
Reason: Public Intoxication

Undersigned investigator assigned with partner, Donald Smith, to investigate the complaints by citizens that the Cut-Rate Liquor Store at the intersection of Seventh and Jackson in Nita City was selling liquor to intoxicated persons and to minors. Surveillance begins at 7:30 p.m. on June 5, 2002. Set up surveillance on the east side of Jackson Avenue, across the street and south of the Cut-Rate Liquor Store. From this position could see the entirety of the intersection, and also could see into the subject place of business through a plate glass window that extends most of the frontage of the subject business along Jackson Avenue. View into business somewhat obstructed by advertising in the window.

From 7:45 p.m. until approximately 8:45 p.m., no unusual activity noted. Several customers enter store, make purchases, and exit store. Store clerk, later determined to be Dan Jones, is only one operating the business. At approximately 8:45 p.m., subject, later determined to be Walter Watkins, is observed on the northwest corner of the intersection leaning on lamppost. He appears disheveled, and he is wearing dark pants, white shirt, sneakers, and a wrinkled lightweight tan raincoat. Watkins pushes self off post and proceeds south across the intersection. Watkins staggers badly as he crosses street and in the center of the street he stumbles, but catches self before falling. Watkins proceeds to curb on southwest corner where he stumbles again and trips while stepping up onto the curb in front of subject store, at which time he puts both hands out in front of himself to brace for the fall and he manages to regain his balance without actually hitting the pavement.

After tripping and falling at the curb, Watkins straightens himself up and he walks to the entrance of the Cut-Rate Liquor store where he pauses for a moment in front of glass door to subject business, and then he enters the store. He proceeds to counter where the clerk, Jones, is standing and appears to have a conversation with him. While Watkins is in the store, we can see him and Jones from the shoulders up, due to the obstructing advertising in the window. No other obstructions noted. After brief conversation, Jones turns away from Watkins and goes out of sight for a brief period of time and then returns to the counter in the area of the cash register. After completing his transaction, Watkins exits store holding a brown paper bag that was not in his hand at the time he entered the store.

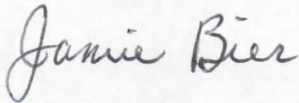
Partner and I approach Watkins and physically detain him outside the store. From distance of 3 feet, note an odor of alcohol about the person of subject and note that eyes are glassy and bloodshot. Ask for

identification, which is provided. Upon questioning, subject provides name and address. Note that speech is somewhat slurred. Take bag from subject. Bag contains unopened and sealed bottle of Thunderbird wine. No receipt found in bag. Subject responds to question as to where he purchased the wine and states that it was from the Cut-Rate Liquor store. Perform field sobriety tests. Subject is unable to walk heel-to-toe in a straight line, pick up coins from sidewalk, or touch finger to nose from arms extended out to the side. Subject Watkins is arrested for public intoxication.

Proceed inside store to issue citation to clerk, Dan Jones, and the Cut-Rate Liquor store for a 3.102 violation of knowingly selling intoxicating beverages to an intoxicated person. Noted that the entry door to the store is plate glass with steel security bars and alarm system, only decal on the door lists the store hours of operation, and that wall of store facing Seventh Street is also plate glass with some advertising. From vantage point of counter can see northwest corner of intersection and both Seventh and Jackson Streets. Note also the width of the counter (approximately 2 1/2 feet), location of the cash register, and that store sells Thunderbird wine which is stored on a shelf, approximately 15 feet behind counter.

Return to vehicle and transport Watkins to Nita City police station for processing.

(Diagram attached to report.)

A handwritten signature in cursive script that reads "Jamie Bier".

Signed: Jamie Bier, Investigator, NLC