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BEFORE THE CITY COUNCIL  
OF THE CITY OF LAS VEGAS, NEVADA

\* \* \*

IN THE MATTER OF:  
  
DEPARTMENT OF COMMUNITY  
DEVELOPMENT on behalf of the CITY OF  
LAS VEGAS, NEVADA,  
  
Petitioner,  
  
vs.  
  
MICHEL SG CORPORATION d/b/a SAN  
PEDRO STORE; GUME MONTANO,  
President; and MARIA MENJIVAR,  
Secretary,  
  
Respondents.

**COMPLAINT FOR DISCIPLINARY ACTION**

The DEPARTMENT OF COMMUNITY DEVELOPMENT, on behalf of the CITY OF LAS VEGAS, NEVADA (“Department”), Petitioner, brings this Complaint for Disciplinary Action against MICHEL SG CORPORATION d/b/a SAN PEDRO STORE; GUME MONTANO, President; and MARIA MENJIVAR, Secretary, whose place of business is located at 1036 North Rancho Drive, Las Vegas, NV 89106, Respondents, and states:

Respondents MICHEL SG CORPORATION d/b/a SAN PEDRO STORE; GUME MONTANO, President; and MARIA MENJIVAR, Secretary, hold General Retail Sales of Beauty Supplies License No. G62-04577.

**SUMMARY OF ALLEGATIONS**

1. This is a complaint under Las Vegas Municipal Code (LVMC) 6.88.020 following an investigation by the Business Licensing Division into potential violations of LVMC

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1 Title 6 by MICHEL SG CORPORATION d/b/a SAN PEDRO STORE, GUME MONTANO,  
2 and MARIA MENJIVAR.

3 2. MICHEL SG CORPORATION d/b/a SAN PEDRO STORE, GUME  
4 MONTANO, President, and MARIA MENJIVAR, Secretary, are licensed to operate a store  
5 selling beauty supplies in the City of Las Vegas at 1036 North Rancho Drive, Las Vegas, NV  
6 89106, under General Retail Sales of Beauty Supplies License No. G62-04577.

7 **STATEMENT OF FACTS**

8 3. On June 1, 2014, San Pedro Store received its general business license for  
9 General Retail Sales of Beauty Supplies License No. G62-04577. The application indicated  
10 selling "herbs, shampoos, creams, and cards."

11 4. On July 13, 2022, the Nevada State Board of Pharmacy informed the LVMPD –  
12 Special Investigations Section (LVMPD-SIS) that a complaint was received from a citizen  
13 claiming unlawful dispensing of pharmaceuticals was taking place at the business location.

14 5. Specifically, the complaint referenced a victim who was administered a B-12 shot  
15 by an employee of the San Pedro Store at the business location on June 20, 2022. The victim had  
16 a reaction to the shot and sought medical treatment at UMC Quick Care due to a hematoma that  
17 developed. The Nevada State Board of Pharmacy confirmed that the San Pedro Store was not  
18 licensed to sell or dispense pharmaceutical drugs. LVMPD-SIS detectives also contacted the  
19 Nevada Medical Examiners Board, who verified that neither the San Pedro Store owners nor any  
20 of their employees hold a license to practice medicine.

21 6. During the LVMPD-SIS interview, the victim informed the detective that he  
22 purchased the B-12 shot for \$50. He stated he was led to a back room where a Hispanic female  
23 administered the shot in his right buttock. He immediately felt a burning sensation down his right  
24 leg and became dizzy when the female had him sit down and drink a soda. When he left the  
25 store, he informed his wife that he was not feeling well.

26 7. On July 7, 2022, the victim went to UMC Quick Care because he noticed that the  
27 injection site was bruised and scarring. He was given steroids and pain medication for the injury.  
28 The doctor told the victim that the bruising and scarring could have been from the needle hitting

1 a vein. He indicated during his interview with the detective that he had been in pain ever since  
2 and had not been able to return to work. He also added that the back room at the San Pedro Store  
3 appeared to look like a hospital or clinic. He also observed several used needles inside a trash bin  
4 while waiting to get his shot.

5 8. On July 14, 2022, L VMPD-SIS conducted an undercover operation in an attempt  
6 to purchase illegal pharmaceutical drugs and/or receive medical consultation. The undercover  
7 employee (UCE) entered the store and observed several customers waiting in line to see the  
8 cashier and a separate line to be seen in the back room. The UCE made contact with the cashier  
9 and advised that he had a family member who was suffering from back pain from a traffic  
10 accident and needed something for pain.

11 9. In addition, the UCE told the cashier that he had another family member who had  
12 a toothache. The cashier stated, "She must have an infection." The cashier provided him with a  
13 box of medication "Ardosons - 25 milligrams," and advised the medication was for back pain.

14 10. The cashier then inquired if any of the family members were diabetic or had high  
15 blood pressure. The cashier gave him instructions on how to take the medication and wrote it on  
16 the box. The cashier then gave the UCE a box of "Ormocyn TS - 500 milligrams," and advised it  
17 would help with the toothache and infection then provided instructions on how to take the  
18 medication and wrote the same on the prescription box. The UCE asked the cashier if they had  
19 B-12 shots, and he stated, "Yes," and informed the UCE the shots are \$45.00. The UCE told the  
20 cashier the B-12 shot was not needed at this time. The UCE paid a total of \$55.00 for the  
21 medications (\$30.00 for the Ardosons and \$25 for the Ormocyn) and exited the store.

22 11. After the items were purchased, the Nevada State Board of Pharmacy responded  
23 to the area of the San Pedro Store and verified that the purported medications that were  
24 purchased by the UCE were pharmaceutical medications. The medications are classified as  
25 dangerous drugs and require a prescription. LVMPD-SIS detectives and patrol officers entered  
26 the store and froze the premise to obtain a telephonic search warrant.

27 12. After the warrant was executed, LVMPD-SIS detectives recovered several  
28 hundred boxes of pharmaceutical drugs that consisted of pills and liquid medications that the

1 Nevada State Board of Pharmacy verified as illegal pharmaceutical drugs. The pharmaceutical  
2 drugs were impounded at the LVMPD evidence vault.

3 13. LVMPD-SIS detectives interviewed San Pedro Employees and learned that the  
4 employees did not have any of the proper licenses to give medical advice, prescribe, or dispense  
5 pharmaceutical medications, or perform any medical procedures. One employee told detectives  
6 that he was hired by the owner to administer shots to customers upon request.

7 14. On the same day, July 14, 2022, LVMPD-SIS issued an Emergency Order of  
8 Suspension, signed by Lieutenant Burnett, to the San Pedro Store, which caused them to close its  
9 doors temporarily. LVMPD-SIS informed City Business Licensing of the emergency order and  
10 provided a copy.

11 15. Within days of the issuance of the search warrant, LVMPD-SIS, began receiving  
12 calls, that the San Pedro Store was still operational. However when the detective went to the  
13 business he observed customers walking up to the business and trying to open the door only to  
14 find that the door was locked. The customers would then go into the wireless store next door at  
15 1038 North Rancho Drive. The wireless store was known to SIS detectives to be unlicensed from  
16 previous investigation in 2021. The former business was previously licensed to Joshua Pacheco,  
17 one of the employees of the San Pedro Store who was detained during the search warrant  
18 executed at the store on July 14, 2022.

19 16. On August 8, 2022, LVMPD-SIS detectives began surveillance of both locations  
20 and observed that customers would walk up to the San Pedro Store, find it locked and then be  
21 hailed down by employees inside of the wireless store. The customers would go inside the  
22 wireless store and then exit holding white bags, and some of the bags were discernable to be  
23 small boxes of the same stature as the illegal pharmaceuticals previously recovered from the San  
24 Pedro Store. LVMPD- detectives observed Joshua Pacheco inside of the mobile wireless store  
25 and another male who was a known employee of the San Pedro Store.

26 17. During the surveillance, detectives observed Gume Montano and wife Maria  
27 Menjivar arrive each day along with customers lined up outside the mobile wireless store. Mr.

28 . . . .

1 Montano would enter the San Pedro Store and then unlock the front door of the mobile wireless  
2 store from inside and let everyone in.

3 18. On August 10, 2022, LVMPD-SIS sent a subpoena to NV Energy and confirmed  
4 that Gume Montano was paying for the power at both locations. LVMPD-SIS detectives  
5 conducted a check of City Business License records and showed that a recent application for Mi  
6 Rancho Mobile Wireless, with Suzanne Alvarez, as sole owner, had been submitted, but was still  
7 pending. Suzanne Alvarez is Gume Montano's daughter.

8 19. On August 17, 2022, LVMPD-SIS detectives conducted an undercover buy  
9 operation at Mi Rancho Mobile Wireless, 1038 North Rancho Drive. The UCE approached the  
10 San Pedro Store and pulled on the door but it was locked. An older Hispanic male came out of  
11 the wireless store and called the UCE to come over to the wireless store.

12 20. The UCE observed that the store was occupied by the older Hispanic male and  
13 Joshua Pacheco. The UCE observed that the only cell phone items inside were scattered cell  
14 phone cases, along with seven empty chairs lined up against a glass case and some candies for  
15 sale. The UCE told Mr. Pacheco his medical conditions and he was subsequently "prescribed"  
16 medication. Pacheco went to the back of the store and returned with two different types of  
17 medication.

18 21. Mr. Pacheco told the UCE the more expensive one was the stronger one and to  
19 take it once every eight hours.

20 22. The UCE agreed on the stronger medication and purchased the medication for  
21 \$30.

22 23. The Nevada Pharmacy Board confirmed that the medications purchased were  
23 "Ardosons capsules (Indometacina 25 mg, Betametasona 0.05mg, Metocarbamol 215 mg)" and  
24 are classified as dangerous drugs and Mexican pharmaceuticals that are not allowed to be  
25 brought across the border into the United States for any type of sale.

26 24. LVMPD-SIS detectives also observed Maria Menjivar, (Montano's wife) walking  
27 towards her vehicle in the parking to get the attention of a customer who tried to access the San  
28 Pedro Store and directed them to the wireless store and the customer walked into that store.

1           25.     On August 30, 2022, LVMPD-SIS detectives executed search warrants for four  
2 locations simultaneously:

- 3           (a) San Pedro Store located at 1036 North Rancho Drive,
- 4           (b) Mi Rancho Mobile Wireless located at 1038 North Rancho Drive,
- 5           (c) San Pedro #2 located at 497 4 East Sahara Avenue (Clark County jurisdiction), and
- 6           (d) Storage units located on West Sahara (Clark County jurisdiction) where the illegal  
7 pharmaceuticals were being stored to resupply the businesses.

8           26.     LVMPD-SIS detectives issued an Emergency Order of Suspension to Mi Rancho  
9 Mobile Wireless, which expired September 19, 2022.

10          27.     LVMPD-SIS detectives recovered thousands of boxes of pharmaceutical drugs  
11 that consisted of pills and liquid medications from these locations. The Nevada Pharmacy Board  
12 investigators verified that all the medications impounded to the LVMPD evidence vault were  
13 illegal pharmaceutical drugs.

14          28.     LVMPD-SIS detectives interviewed Suzanne Alvarez, Gume Montano's daughter  
15 at San Pedro #2, who stated she was an employee and that Gume Montano and his wife, Maria  
16 Menjivar, were the owners of both San Pedro Store and San Pedro #2. Ms. Alvarez  
17 acknowledged they were dispensing pharmaceutical drugs to the general public and customers  
18 did see the "doctor," if requested.

19          29.     On September 20, 2022, the business license application for Mi Rancho Mobile  
20 Wireless was denied and a certified denial letter was mailed to the owner, Suzanne Alvarez. In  
21 addition, on this date Clark County Business Licensing Department suspended San Pedro #2's  
22 business license and is scheduled for a hearing on October 27, 2022.

23          30.     On September 21, 2022, the City of Las Vegas Business License Division  
24 received a closure notice from Suzanne Alvarez, owner of Mi Rancho Mobile Wireless that the  
25 business had been sold.

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**PREVIOUS ILLEGAL ACTIVITY**

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2           31.     Previously, Michel SG Corporation, Gume Montano, President, and Maria M.  
3 Menjiver, Secretary, previously owned a business under the business name Sandy Store located  
4 at 4620 Meadows Lane, Suite 140 in the City of Las Vegas from June 6, 2014, to March 11,  
5 2019.

6           32.     In September 2018, the Tactical Diversion Squad (TDS) of the Drug Enforcement  
7 Administration (DEA) received information alleging that a doctor was seeing patients and  
8 prescribing medications. TDS conducted three undercover operations confirming the activity.

9           33.     On January 23, 2019, DEA assisted by LVMPD-SIS executed a search warrant at  
10 the Sandy Store. Several drugs and non-drug evidence were seized and impounded into LVMPD  
11 evidence vault. The DEA confiscated the City of Las Vegas business license and instructed the  
12 business to remain closed.

13           34.     On March 11, 2019, City of Las Vegas Business license received a closure notice  
14 from the storeowners and the business license was marked out of business. There was no  
15 disciplinary action taken at that time as the license business license was surrendered.

**SUBSTANTIVE LAW**

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17           35.     Under LVMC 6.02.330, a licensee may be subject to disciplinary action by City  
18 Council for good cause, which may include the following:

19                   (A) The licensee or any of its principals is engaged, or has  
20 commenced, instituted, advertised, aided, carried on, continued or  
21 engaged, in a business, trade or profession without having obtained  
22 a valid license, an approval for suitability, a permit or a work card  
when such person knew that one was required or under such  
circumstances that such person reasonably should have known one  
was required, or has solicited, encouraged, caused or procured  
another to do so;

23                   .....

24                   (E) The licensee or any of its principals has perpetrated, or  
25 has solicited, encouraged, caused or procured another to perpetrate,  
26 a deceptive practice upon the public;

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1 (G) The premises on which the business is conducted do  
2 not satisfy local, State or Federal law or regulations which pertain  
3 to the activity which is actually engaged in;

4 (H) The business activity constitutes, promotes, causes,  
5 allows, fosters, aids, or otherwise enables a private nuisance,  
6 public nuisance or chronic nuisance, or has been or is being  
7 conducted in an unlawful, illegal or impermissible manner,  
8 including but not limited to causing, allowing, promoting,  
9 fostering, aiding, enabling, exercising deliberate ignorance towards  
10 or failing to abate a private nuisance, public nuisance or chronic  
11 nuisance;

12 (I) Substantial information exists which tends to show that  
13 the licensee or any of its principals is dishonest or corrupt;

14 (J) The licensee, any of its principals, their employees or  
15 those acting on their behalf failed to cooperate with the Director's  
16 efforts to enforce the provisions of this Code.

17 36. Respondents MICHEL SG CORPORATION d/b/a SAN PEDRO STORE, GUME  
18 MONTANO, and MARIA MENJIVAR should be subject to disciplinary action by the City  
19 Council under LVMC 6.06.250, which provides:

20 (A) A licensee may be subject to disciplinary action as set  
21 forth in Sections 6.02.330 through 6.02.360.

22 (B) A principal approved for suitability may be subject to  
23 disciplinary action by the City Council for good cause, which may  
24 include, but is not limited to:

25 (1) The application is incomplete or contains false,  
26 misleading or fraudulent statements with respect to any  
27 information required in the application;

28 (2) The principal fails to satisfy any qualification or  
requirement imposed by this Code, or other local, State or Federal  
law or regulation pertaining to the particular approval for  
suitability sought or held;

(3) The principal illegally resides in the United States;

(4) The principal is or has engaged in a business, trade or  
profession without a valid license, permit, approval for suitability  
or work card when he knew that one was required or under such  
circumstances that he reasonably should have known one was  
required;

(5) The principal has been subject, in any jurisdiction, to  
disciplinary action of any kind against a license, permit, approval  
for suitability or work card to the extent that such disciplinary  
action reflects on the qualification, acceptability or fitness to be  
approved for suitability;



1 (6) The principal has committed acts which would  
2 constitute a crime involving moral turpitude or involving any  
3 Federal, State or local law or regulation relating to the same or a  
4 similar business. For purposes of this Paragraph, a crime involving  
5 moral turpitude is one that necessarily involves any of the  
6 following: an intent to defraud; intentional dishonesty for personal  
7 gain; intentional causing of serious injury to another person; the  
8 sale of narcotics or possession of narcotics with intent to sell; or a  
9 sexual offense as described in NRS 179D.097;

6 (7) When substantial information exists which tends to  
7 show that the principal is dishonest or corrupt;

8 (8) The principal lacks sufficient financial, technical or  
9 educational ability or experience to conduct or perform the activity  
10 for which approval for suitability is sought;

11 (9) The principal, or his or her employees or those acting  
12 on their behalf, violates any condition upon which approval for  
13 suitability was granted;

14 (10) The principal has engaged in deceptive practices upon  
15 the public; or

16 (11) The principal suffers from a legal disability under the  
17 laws of the State.

18 37. Respondents MICHEL SG CORPORATION d/b/a SAN PEDRO STORE, GUME  
19 MONTANO, and MARIA MENJIVAR should be subject to disciplinary action by City Council  
20 under LVMC 6.02.330(A), (E), (G), (H), (I) and (J). Based on findings by LVMPD and City  
21 license officers, operates in violation of its approved business licenses and is in violation of the  
22 City's business licensing code by operating in violation to State Directives, business license  
23 conditions and failure to timely abate the public safety issues with the business operation. The  
24 business, as it currently operates constitutes a chronic nuisance and a danger to the safety and  
25 wellbeing of the community.

26 38. Based on the facts already substantiated and the seriousness of the City code  
27 violations, the Business Licensing Division of the Department of Community Development  
28 requests disciplinary action by the City Council against MICHEL SG CORPORATION d/b/a  
SAN PEDRO STORE, GUME MONTANO, and MARIA MENJIVAR in the form of revocation  
of their businesses license.

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**STANDARD OF EVIDENCE**

39. LVMC 6.88.090 provides:

(A) The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence may be admitted.

(B) The respondent shall have the right to call and examine witnesses on his own behalf, cross examine opposing witnesses, introduce exhibits and evidence relevant to the issues of the case, and offer rebuttal evidence.

(C) The respondent may be called and examined by the City.

(D) The Clerk shall have the power to issue subpoenas for witnesses to appear to give testimony.

**PENALTY**

40. LVMC 6.02.360 provides:

Upon a showing of good cause and in the discretion of the City Council, disciplinary action against a holder may take the form of cancellation, revocation, refusal to renew, suspension, imposition of conditions or restrictions or civil fine in an amount not to exceed one thousand dollars for each day that the violation which forms the subject matter of the complaint that recommends such disciplinary action is demonstrated to have been in existence, or any combination of such actions, as the particular situation may require. The Council may also impose against the licensee the actual costs incurred, and a reasonable amount for attorney's fees, resulting from the imposition of disciplinary action. The disciplinary actions available in this Section shall be in addition to, and not exclusive of, any other civil or criminal remedy which otherwise might be available.

WHEREFORE, the Petitioner respectfully requests the City Council to:

A. Approve the Complaint for Disciplinary Action and order a disciplinary hearing at which the Respondent shall appear and show cause why the license that is the subject of this Complaint should not be suspended or revoked, or other disciplinary action taken; or

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B. Grant such other and further relief as the Council deems appropriate.

DATED this 5<sup>th</sup> day of October, 2022.

RESPECTFULLY SUBMITTED:

By:   
\_\_\_\_\_  
SETH T. FLOYD, Director  
Community Development

BRYAN K. SCOTT  
City Attorney

By:   
\_\_\_\_\_  
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Attorneys for CITY OF LAS VEGAS