

**STATE OF WISCONSIN
IN THE MATTER OF THE
COMPLAINT AGAINST**

CITY OF SHEBOYGAN

SHEBOYGAN COUNTY

**J.N. CORTEZ LLC,
D.B.A. Mi Ranchito II**

**PREMISES:
1235 Indiana Ave
1515 New Jersey Ave
Sheboygan, WI 53081**

LICENSING, HEARINGS, AND PUBLIC SAFETY COMMITTEE REPORT

On May 21, 2026, a Summons was issued to J.N. Cortez, LLC D.B.A. Mi Ranchito II (the "Licensee") License #3475 which was originally issued for 1235 Indiana Avenue, Sheboygan, WI (the "Premises") based upon a sworn written Complaint signed May 21, 2026 by Chief of Police Kurt Zempel. The Complaint included two counts against the Licensee and sought the revocation of the Licensee's Class "B" fermented malt beverage license, "Class B" intoxicating liquor license pursuant to § 125.12(2)(ag). Wis. Stats. and § 4-34 of the Sheboygan Municipal Code. The Complaint also sought the revocation of the Licensee's Amusement license pursuant to § 6-221 of the Sheboygan Municipal Code.

On May 27, 2026, the City of Sheboygan Licensing, Hearings, and Public Safety Committee (the "Committee") held a hearing on the Complaint. The Complainant was represented by Attorney Elizabeth Majerus. The Licensee appeared by licensing agent Goya Elena Cortez, and was represented by Attorney Jason E. Dierkes. The Committee was represented by Attorney Ian Prust.

Findings of Fact

The Committee incorporates by reference the Findings of Fact from the revocation hearing on August 25, 2025, which were approved by the Committee on September 8, 2025 and was adopted by the Common Council on September 15, 2025.

Based upon the previously adopted Findings of Fact and upon testimony and exhibits presented by Complainant and Licensee on May 27, 2026, the Committee makes the following Findings of Fact and Conclusions of Law.

Count 1 – Unlicensed Possession of Alcohol Beverages

Based upon the testimony of Sheboygan Detective Wynveen, Chief Kurt Zempel, Goya Elena Cortez, and Alex Sosa, the Committee makes the following findings of fact:

- 1- Alcohol was displayed on the premises at 1515 New Jersey Avenue in a manner which indicates that the alcohol was available for sale.
- 2- The Committee finds that the testimony by Goya Elena Cortez regarding the presence of the alcohol is not credible based on the following factors:
 - a. Inconsistencies in testimony about who controls the business,
 - b. Inconsistencies or negligence regarding the legal requirements for possession of alcohol on unlicensed premises,
 - c. Inconsistencies regarding why the alcohol was not removed during construction activities, and
 - d. Inconsistencies regarding why alcohol wasn't removed after initial contacts with the police and upon attorney advice.

- 3- At the times when the alcohol was available for sale, the premises were not licensed.
- 4- The operation of the premises at 1515 New Jersey Avenue prior to licensure constitutes ground for revocation pursuant to § 125.12(2)(ag)1., Wis. Stats.
- 5- The operation of the premises at 1515 New Jersey Avenue prior to licensure is a continuation of the patterns of behavior considered at the hearing on August 25, 2025, which created a disorderly and riotous house.

Conclusions of Law:

Based on the findings set forth herein, including the prior actions of the licensee, the Committee recommends revocation of Class “B” and “Class B” license number 3475 pursuant to §§ 125.12(2)(ag)1. and 2., Wis. Stats., and Sheboygan Municipal Code § 4-34.

In the alternative, the Committee recommends denial of the transfer of license number 3475 from the premises from 1235 Indiana Avenue to the premises at 1515 New Jersey Avenue pursuant to §§ 125.12(2)(ag)1. and 2., Wis. Stats., and Sheboygan Municipal Code § 4-34.

Count 2 – Violation of § 945.03(1m)(a), Wis. Stats.

Based upon the testimony of Sheboygan Detective Wynveen, Chief Kurt Zempel, and Goya Elena Cortez, the committee makes the following findings regarding Count 2 of the Complaint:

- 1- Gambling machines were present and in use in the establishment at 1515 New Jersey Avenue at a time which did not hold a Class “B” or “Class B” license.

- 2- Pursuant to § 125.12(1)(c), Wis. Stats., the City may not consider violations of §§ 945.03 (2m), 945.04 (2m), or 945.05 (1m), when considering the revocation or suspension of establishments holding active Class “B” or “Class B” licenses. § 125.12(1)(c), Wis. Stats., does not apply to gambling machines present in non-licensed locations.
- 3- The operation of the gambling machines on premises at 1515 New Jersey Avenue prior to licensure constitutes ground for revocation pursuant to § 125.12(2)(ag)1., Wis. Stats.
- 4- The operation of the gambling machines on the premises at 1515 New Jersey Avenue prior to licensure is a continuation of the patterns of behavior considered at the hearing on August 25, 2025, which created a disorderly and riotous house.

Conclusions of Law:

Based on the findings set forth herein, including the prior actions of the licensee, the Committee recommends revocation of Class “B” and “Class B” license number 3475 pursuant to §§ 125.12(2)(ag)1. and 2., Wis. Stats., and Sheboygan Municipal Code § 4-34.

In the alternative, the Committee recommends denial of the transfer of license number 3475 from the premises from 1235 Indiana Avenue to the premises at 1515 New Jersey Avenue pursuant to §§ 125.12(2)(ag)1. and 2., Wis. Stats., and Sheboygan Municipal Code § 4-34.

Recommendation

Based upon the Committee's findings of fact and conclusions of law stated above, the Committee recommends that the Common Council of the City of Sheboygan take the following actions:

- 1- Revoke Class "B" and "Class B" license number 3475 pursuant to §§ 125.12(2)(ag)1. and 2., Wis. Stats., and Sheboygan Municipal Code § 4-34.
- 2- In the alternative, deny the transfer of license number 3475 from the premises from 1235 Indiana Avenue to the premises at 1515 New Jersey Avenue pursuant to §§ 125.12(2)(ag)1. and 2., Wis. Stats., and Sheboygan Municipal Code § 4-34.
- 3- Revoke Amusement License number 3475 pursuant to Sheboygan Municipal Code 6-221 because the Licensee's establishment has become a disruption to good peace and order.

Approved by the City of Sheboygan Licensing, Hearings, and Public Safety Committee
this 27th day of May, 2026

By: _____
Aldersperson Susie Boorse, as Chairperson of the
Licensing, Hearings, and Public Safety Committee