

Judge keeps Chukchansi Gold Resort & Casino closed

Written by Administrator
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FRESNO, Calif. (KFSN) --

It doesn't look like the Chukchansi Gold Resort & Casino will reopen anytime soon. During a federal court hearing in Fresno on Wednesday it was clear the rival tribal factions were still far apart, nearly three weeks after their violent confrontation that resulted in the casino closure.

Judge Lawrence J. O'Neal said since the rival factions remain divided, the possibility of more violence poses a threat to public safety.

David Leibowitz an attorney and spokesman for the Tex McDonald Faction of the tribe agreed there was no end to the conflict in sight.

"It's hard to fathom the possibility where people who are this far apart are suddenly going to agree and get this close back together," said Leibowitz.

Reggie Lewis, who leads the rival Lewis-Ayala faction, agreed the conflict was not over.

Lewis explained, "A bad case scenario it could go on for months, and the good case that everybody is hoping for is weeks, a couple weeks, two or three weeks."

In his ruling Judge O'Neil left the Lewis-Ayala Faction in control of the casino, allowing them to pay bills and issue monthly stipends to tribal members. That rankles the McDonald Faction which accuses their rivals of embezzlement.

"So it's hard to imagine from the McDonald Faction why people who lost \$50 million should be put back in charge of the casino," Leibowitz said.

Lewis responded to the accusation, blaming the other side for any loss of funds.

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"You've got to remember my side was not at the casino for the past year and a half So if there had been findings of \$49 million missing you know I'm going to say I didn't have anything to do with it," said Lewis.

In his ruling judge Lawrence O'Neil took aim at the McDonald Faction, saying this about their response justifying their use of force in their attempted takeover of the casino.

"This twisted statement of facts... belies any semblance of truth or reasonableness. It is simply an admission that the emotional and explosive keg that existed before the armed and illegal takeover... still exists. It is this faction, the McDonald Faction that continues to be the threat to public safety."

Judge O'Neil's restraining order keeps the casino closed for public safety reasons. However another order closure order remains in effect from the National Indian Gaming Commission, which ordered the casino closed because the tribe had failed to provide required financial audits of the operation. The audits have reportedly been submitted but it's not clear how long it will take the agency to review them.

O'Neil says he will lift his restraining order within hours after the National Indian Gaming Commission lifts theirs, if he can be convinced the dispute will not lead to further violence.

In addition to those issues the Madera County District Attorney is considering criminal charges against those who took part in the violent takeover attempt of the casino. Video tapes show guns were drawn, people were handcuffed, shocked with electric stun guns and punched.

The shutdown has put from 1300 to 1400 employees of the hotel and casino out of work.

[CLICK HERE TO READ THE ENTIRE PRELIMINARY INJUNCTION ORDER \(PDF\)](#)

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