

STATE OF MINNESOTA)
) ss.

AFFIDAVIT OF SERVICE BY U.S. MAIL

COUNTY OF RAMSEY)

Shawn McDonald, being first duly sworn, deposes and says that on the 25th day of May, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF A 10-DAY SUSPENSION OF YOUR LICENSE** and a correct copy thereof in an envelope addressed as follows:

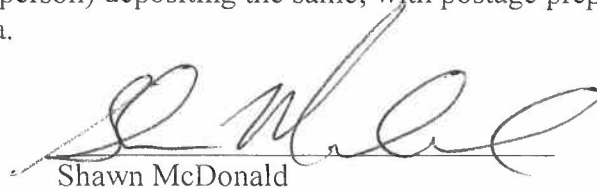
Mohammed Ibrahim and Abdullane Ali
d/b/a Annapolis Super USA #002
1333 Thomas Avenue
Saint Paul, MN 55104

Abdullane Mohammed Ali
630 Cleveland Avenue SW
New Brighton, MN 55112

Embassy Thomas LLC
5200 Wilson Rd # 150
Edina, MN 55424

Sarah O'Brien, Executive Director
Hamline Midway Coalition
1558 W. Minnehaha Avenue
Saint Paul, MN 55104

(which is the last known address of said person) depositing the same, with postage prepaid, in the United States mail at St. Paul, Minnesota.


Shawn McDonald

Subscribed and sworn to before me
This 25th day of May 2022


Notary Public





May 25, 2022

NOTICE OF VIOLATION AND
REQUEST FOR IMPOSITION OF A 10-DAY SUSPENSION OF YOUR LICENSE

Mohammed Ibrahim and Abdullane Ali
d/b/a Annapolis Super USA #002
1333 Thomas Avenue
Saint Paul, MN 55104

RE: Cigarette/Tobacco license held by Mohammad Ibrahim and Abdullane Ali, d/b/a Annapolis Super USA #002, for the premises located at 1333 Thomas Avenue in Saint Paul.
License ID #: 20160003307

Dear Licensee:

The Department of Safety and Inspections (the "Department") is recommending adverse action against the Cigarette/Tobacco license held by Mohammad Ibrahim and Abdullane Ali, d/b/a Annapolis Super USA #002, for the premises located at 1333 Thomas Avenue in Saint Paul (the "Licensed Premises") for a first-time flavor tobacco product violation.

Saint Paul Legislative Code section 324.07(j) prohibits a licensee from selling, offering for sale, or otherwise distributing any flavored tobacco products.

Saint Paul Legislative Code section 324.10(b)(2) sets the presumptive penalties for violations of provisions of the Legislative Code relating to the display, possession, or multiple incidents of sales of menthol or flavored tobacco products. Under section 324.10(b)(2), the presumptive penalty for a first-time violation is a 10-day license suspension.

The Department asserts that the following facts, along with photos of the violations attached herein, constitute proof of a violation of section 324.07(j) of the Saint Paul Legislative Code by a preponderance of the evidence.



Synopsis of Alleged Facts:

On May 12, 2022, Department Inspector Voyda went to the Licensed Premises for a complaint inspection. Inspector Voyda spoke with the store clerk, Saleem, and informed him that the Department received a complaint of the business selling flavored tobacco products. During the inspection, Inspector Voyda observed and photographed multiple flavored tobacco products that were located in glass cabinets and behind the counter/cash register. He also found flavored tobacco products that were hidden under the cash register in a bag and menthol products that were hidden under a shirt box. After the inspection, Voyda educated the clerk on the violations and advised him to remove all flavored products into a back storage and call a distributor to pick them up.

You have three (3) options to proceed:

1. If you do not contest the imposition of the proposed adverse action, you may do nothing. If I have not heard from you by **June 8, 2022**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the City Council Consent Agenda for a 10-day suspension of your license.
2. If you wish to admit the facts but you contest the 10-day suspension penalty, you may have a public hearing before the Saint Paul City Council. You will need to send me a letter with a statement admitting to the facts and requesting a public hearing no later than **June 8, 2022**. The matter will then be scheduled before the City Council to determine whether to suspend the license. You will have an opportunity to appear before the Council and make a statement.
3. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (the "ALJ"). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **June 8, 2022**. At that hearing, both you and the City will appear and present witnesses and evidence and cross-examine each other's witnesses. After receipt of the ALJ's report (usually within 30 days), a public hearing will need to be scheduled. At the hearing, the City Council will decide whether to adopt, modify, or reject the ALJ's report and recommendation. Please note: If you choose an administrative hearing, the Department reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code section 310.05(k).



SAINT PAUL
CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
LYNDESEY M. OLSON, CITY ATTORNEY

Civil Division, 15 Kellogg Blvd. West, 400 City Hall
Saint Paul, MN 55102
Tel: 651-266-8710 | Fax: 651-298-5619

If you have not contacted me by June 8, 2022, I will assume that you do not contest the imposition of the 10-day suspension of your license. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

Sincerely,

Stephen Earnest
Assistant City Attorney
License No.: 0402652

cc: Abdullane Mohammed Ali, 630 Cleveland Avenue SW, New Brighton, MN 55112
Embassy Thomas LLC, 5200 Wilson Rd # 150, Edina, MN 55424
Sarah O'Brien, Executive Director, Hamline Midway Coalition, 1558 W. Minnehaha Avenue,
Saint Paul, MN 55104

Attachments: Inspector's Report
List of Tobacco Products Found on Licensed Premises
Licensee Information on Eclips System
License Group Comments Text
Adverse Action Comments Text
Requirement Comments Text
License Group Conditions Text
STAMP - Ownership/Zoning Information
Photos of Tobacco Products

CITY OF SAINT PAUL
MELVIN CARTER, MAYOR

STPAUL.GOV



Inspector's Report

Inspectors Name: Joseph Voyda

Date & Time: 5/12/2022 - 2:35pm

Staff Member's Name: Saleem (clerk)

Business/DBA Name: Annapolis Super USA #002

Property Address: 1333 Thomas Avenue

Reason for Visit: Complaint Inspection

Observations: Selling Flavored Tobacco Products

Photos Taken: Yes No – Area(s) of where the Photo(s) where taken: Behind the counter and shelving

Action Taken: Education / warning

Request for Adverse Action

Other: -

Details of Conversations (Statements to and by Person Responsible for Property):

Upon arrival on May 12, 2022 at 1:45pm I spoke with the clerk Saleem I introduced myself as a licensing Inspector for the City of Saint Paul with Department of Safety and Inspections. I explained I was there for an inspection from a complaint that was received by DSI for flavor tobacco product being sold.

In plain sight located behind the counter/cash register and in glass cabinets were multiple flavor tobacco product violations (see attached photos – 3 pages total), hidden under the cash register in a bag and hidden under a shirt box were menthol products intended for sale (see listed products below). I asked Saleem if there were any other flavor products that were present or hidden, Saleem response was “no, I don’t know anything I just work here”. Continuing the inspection, I advised Saleem to move all tobacco products that were flavor violations to be placed into the back storage room. I spoke and advised the license holder Mohammed Ibrahim to call the distributor for a pickup. I educated Saleem on the flavor violations that were discovered.

Types of flavored tobacco products:

Menthol - seven (7) 'Golden Harvest' menthol cigar pipe bags

'American Spirits' - Black

'Camel Snus' - Robust

'Copenhagen' - Wintergreen one (1) log

'Grizzly' - Wintergreen one (1) tin

'Kodiak' - Wintergreen two (2) tins

'Al Fakher' - Two Apples

'Afandina' - Hookah Tobacco Charcoal

'Al Capone' - Cognac

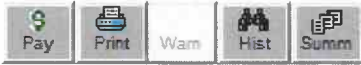
'Juicy' - bucket of rolling papers - Assorted array of flavors to include but not limited to - Coconut, Black Magic, Mint Orange, Lemon, Bubble Gum, Absinth, Watermelon, Jamaican Rum, Blackberry Brandy, Peaches and Cream, Blueberry Hill, Mello Mango, Strawberry Skunk etc.

'High Hemp' - rolling papers - plain

Delta 8 Vape Pens:

'OZE' - Orange, Peppermint, Lemon & Tropical

Properties For License 1333 THOMAS AVE



Licensee: MOHAMMED IBRAHIM & ALIABDULLANE
 DBA: ANNAPOLIS SUPER USA #002

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Licensee Name: MOHAMMED IBRAHIM & ALIABDULLANE Browse...
 DBA: ANNAPOLIS SUPER USA #002
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000 Properties...
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	

Contacts for this Licensee

Last Name	First Name	Title	Bus. Phone	Home Phone	Contact Address
IBRAHIM	MOHAMMED	PRESIDENT / P	(651) 414-9880	(763) 516-6101	1333 THOMAS AVE ANNAPOLIS SUPER
ALI	ABDULLANE	PARTNER	(651) 414-9880	(612) 423-4694	630 CLEVELAND AVE

Background Check Required Contact Properties...

Mail License To:
 Mail To Contact
 License Address

Mail Invoice To:
 Mail To Contact
 License Address

Properties For License 1333 THOMAS AVE



Licensee: MOHAMMED IBRAHIM & ALIABDULLANE
 DBA: ANNAPOLIS SUPER USA #002

License | Licensee | Lic. Types | Insurance | Bond | Requirements

Licensee Name: MOHAMMED IBRAHIM & ALIABDULLANE Browse...
 DBA: ANNAPOLIS SUPER USA #002
 Sales Tax Id: ***** Non-Profit: Worker's Comp: 00/00/0000 Properties...
 AA Contract Rec'd: 00/00/0000 AA Training Rec'd: 00/00/0000
 AA Fee Collected: 00/00/0000 Discount Rec'd:

Other Agency Licenses				Financial Hold Reasons		
Other Licensing Agency Name / License Type	License #	Expiration	Reason	Active	Date	

Contacts for this Licensee

Contact Address	City	Zip	DOB	Last Check	Drp
1333 THOMAS AVE	ST PAUL	55104	02/12/1980	00/00/0000	
6016 64TH AVE	BROOKLYN PARK	55429	00/00/0000	00/00/0000	
630 CLEVELAND AVE SW	NEW BRIGHTON	55112	11/15/1982	00/00/0000	B82204

Background Check Required Contact Properties...

Mail License To:
 Mail To Contact
 License Address

Mail Invoice To:
 Mail To Contact
 License Address

STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 05/17/22 11:00 AM

House#:

Last updated from Ramsey County data on:

Street Name:

Click on "Other Application" links below to access GISmo, MapIT, and Ramsey County Info

1333 Thomas Ave - Superusa - 55104-2545 - [Other Applications](#)

PIN: 342923120204

Census Tract: 32300 **Census Block:** 4010

Council Ward: 4 **District Council:** 11

Year Built:

Foundation Sq Feet: **Loan Company:**

Land

Building

Value: 93700

Value: 231300

Unverified Usage: 10- GENERAL RETAIL & SVC- B- Commercial

ISP:

Units:

Zoning: T2

Legal Desc: SYNDICATE NO. 5 ADDITION SYNDICATE NO. 5 ADDITION LOTS 16 AND LOT 17 BLK 15

Owner:

Embassy Thomas Llc
5200 Willson Rd # 150
Edina MN 55424-1300

Tax Owner:

Embassy Thomas Llc
5200 Willson Rd # 150
Edina MN

Certificate of Occupancy Responsible Party:

Mohamed Ibrahim
1333 Thomas Ave
St Paul MN 55104-2545
763-516-6101

License Group Comments Text

05/17/2022

Licensee: MOHAMMED IBRAHIM & ALI ABDULLANE

DBA: ANNAPOLIS SUPER USA #002

License #: 20160003307

2/7/2022 Sent email with deadline to pay/renew by 2/11/2022 - or will send to the CAO for Suspension JNV
2/2/2022 Spoke with the LH he'll pay license fee to renew via phone today JNV
8/10/2021 Youth Tobacco compliance pass KY
12/04/2020 Delinquent letter sent. Response deadline date is December 25, 2020. SLH
2/4/2020 Fine Paid --- entered by JNV
12/31/19 TO CAO for suspension.KS
12/31/19 spoke to licensee and he said his license didn't expire. I informed it had and he hung up on me.KS
12/25/2019 No response to dlnt. ltr. to KS for follow-up. JWF
12/02/2019 Sent delinquent letter. Response deadline date is December 23, 2019. Max
6/12/19 Youth tobacco compliance check, pass. ARM
4/24/19 Tobacco compliance check, failed flavors. ARM
12/04/2018 Sent delinquent letter. Response deadline date is December 26, 2018. Max
10/29/2018 Re-tobacco education per our agreement for settlement JNV
10/8/2018 Cig sales \$750.00 fine paid. AMW
10/8/2018 - licensee owes \$750 fine per settlement EVH
7/25/18 Tobacco youth compliance check pass / Re-inspection of flavors failed - flavored cigars JNV
7/19/2018 Sent to CAO for adverse JNV.
4/23/2018 Tobacco education / inspection Fail Flavor cigars and wraps. JV
Paid delinquent on 1/4/18 KS
1/2/18 To CAO for adverse action. KS
01/02/2018 No response to dlnt. letter, to KS for CA adverse action. JWF
12/01/2017 Sent delinquent letter. Response deadline date is 22, 2017. Max
08/31/2017 passed tobacco compliance recheck BLB
08/25/2017 Received \$50.00 matrix penalty from Jemal Usman for failed compliance check. MN
08/25/2017 Received \$200.00 matrix penalty for failed compliance check. MN
08/23/2017 CF #17-1242 imposes \$200 matrix penalty for underage tob. sale on 06/27/2017. JWF
06/27/2017 FAILED tobacco compliance checks BLB
11/02/2016 Letter sent submitted signed lease and bus. purch. agmnt., response date 11/21/2016. JWF
09/27/2016 Written orders issued submitted signed lease and bus. purch. agmnt, recheck 10/29/2016. JWF

Adverse Action Comments Text

05/17/2022

Licensee: MOHAMMED IBRAHIM & ALI ABDULLANE

DBA: ANNAPOLIS SUPER USA #002

License #: 20160003307

2/4/2020 Fine Paid -- entered by JNV

1/28/2020- Notice of intent to suspend sent with an 2/11/2020 deadline to suspend. SM
of Oct. 29 EVH

10/19/2018 - Sent letter re: fine payment due date

10/8/2018 - Settlement: admit to 2nd matrix violation; pay \$750 by 10/29/18; if same or similar before Feb. 26, 2019 3rd pending violation will be issued. EV

8/7/2018 - Sent Notice of Violation with an 8/17/2018 deadline to respond. JAK

8/25/2017- \$200.00 matrix penalty paid. JAK

8/23/2017 - Council adopted adverse action. DSI to send letter. JAK

8/8/2017 - Entered resolution and attachments into Legistar (RES #17-1242) for 8/23/2017 Consent Agenda. JAK

7/19/2017 - Sent Notice of Violation (licensee) and Notice of Administrative Fine (clerk) for tobacco compliance failure on 6/27/2017 with a 7/31/2017
deadline to respond. JAK

Requirement Comments Text

05/17/2022

Licensee: MOHAMMED IBRAHIM & ALI ABDULLANE

DBA: ANNAPOLIS SUPER USA #002

License #: 20160003307

2/10/2022 Licensee will email W/C in. zl
01/10/2019 Sent e-mail requesting wc form. LAB

License Group Conditions Text

05/17/2022

Licensee: MOHAMMED IBRAHIM & ALI ABDULLANE

DBA: ANNAPOLIS SUPER USA #002

License #: 20160003307

1. Temporary window signs placed between the height of four (4) to seven (7) feet above grade shall not cover more than thirty (30) percent of this window space area, and cannot block views into the clerk or cashier station.





