

**OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE COUNCIL OF
THE CITY OF SAINT PAUL**

In Re: Liquor On Sale 101-180 Seats, Liquor On Sale-Sunday, 2AM Closing and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant for the premises located at 945 Rice Street in Saint Paul.

**CITY'S PROPOSED
EXHIBITS**

DATE: March 18, 2020

TO: Judge Jim Mortenson - Office of Administrative Hearings, 600 North Robert Street.

The following constitutes a list of the City's proposed exhibits for the April 21, 2020 administrative hearing:

Exhibit No.	Description
Ex. No. 1	Notice of Violation and Request for imposition of \$1,000 matrix penalty dated 12/2/2019 (4 pages)
Ex. No. 2	Saint Paul Police Report for Case Number 19160120 (24 pages)
Ex. No. 3	Letter to Licensee from DSI requesting video under license conditions dated 7/24/2019 (1 page)
Ex. No. 4	Letter to Licensee from DSI informing Licensee that he did not submit requested information and again requesting MN Revenue monthly sales findings dated 8/23/2019 (1 page)
Ex. No. 5	MN Department of Revenue filings submitted by Licensee on August 27, 2019 (11 pages)
Ex. No. 6	Letter from Licensee to CAO admitted the facts and asking for a public hearing (1 page)
Ex. No. 7	Resolution imposing the first matrix penalty- RES PH 18-332 (2 pages)
Ex. No. 8	License conditions signed by Licensee on 5/22/2014 (1 page)
Ex. No. 9	Acknowledgment of Receipt of Liquor License Handbook signed by Licensee 5/22/2014 (1 page)
Ex. No. 10	License Group Comments text (2 pages)
Ex. No. 11	STAMP Ownership information for Licensed Premises (2 pages)
Ex. No. 12	Licensee information from Amanda (2 pages)
Ex. No. 13	Information produced by Licensee on 8/19/2019 in response to first request for receipts to show that Licensee is in compliance with (2 pages)
Ex. No. 14	Video produced by Licensee (1 disc)
Ex. No. 15	Video of Saint Paul City Council Hearing with Licensee (1 disc)
Ex. No. 16	Body Worn Camera Video from Sgt. McQuay from case number 19160120 (1 disc)
Ex. No. 17	DSI Liquor manual (updated version) given to Liquor Licensees (178 pages)

Respectfully submitted the 18th day of March 2020



Therese Skarda, Assistant City Attorney
License No: 0240989
Office of the City Attorney
400 City Hall & Courthouse
15 West Kellogg Boulevard
Saint Paul, Minnesota 55102



CITY OF SAINT PAUL

Mayor Melvin Carter

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

March 18, 2020

Kavin Choua Thao- Licensee
d/b/a Pupraya Thai Restaurant
945 Rice Street
Saint Paul, MN 55117

RE: Liquor On Sale 101-180 Seats, Liquor On Sale-Sunday, 2AM Closing and Entertainment (b) Licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant for the premises located at 945 Rice Street in Saint Paul.
License ID #20140001202
OAH Docket No.: 5-6020-36685

Dear Mr. Thao:

Enclosed are exhibits the City may use at the April 21, 2020 administrative hearing. If there are any additions to these exhibits, I will provide those to you. Also, below is the list of witnesses the City may call to testify. If I add any witnesses to this list, I will provide you with that information as well.

1. Eric Hudak or Kris Schweinler, Department of Safety and Inspections, 375 Jackson Street, Ste. 220, St. Paul, MN 55101 (651)-266-9132 and a Representative from the Minnesota Department of Revenue

Sincerely,

Therese Skarda
Assistant City Attorney
License No: 0240989

Enclosures

Cc: Jim Mortenson, Administrative Law Judge, Office of Administrative Hearings, P.O. Box 64620
St. Paul, MN 55164-0620
Kavin Choua Thao, 947 Lawson Avenue East, Saint Paul, MN 55106

OFFICE OF THE CITY ATTORNEY

Lyndsey M. Olson, City Attorney



CITY OF SAINT PAUL

Mayor Melvin Carter

Civil Division
400 City Hall and Court House
15 West Kellogg Boulevard
Saint Paul, Minnesota 55102

Telephone: 651 266-8710
Facsimile: 651 298-5619

December 2, 2019

NOTICE OF VIOLATION
AND REQUEST FOR IMPOSITION OF
\$1,000 MATRIX PENALTY



Kavin Choua Thao - Licensee
d/b/a Pupraya Thai Restaurant
945 Rice Street
Saint Paul, MN 55117

RE: On Sale Liquor 101-180 Seats, Liquor On Sale Sunday, 2AM Closing and Entertainment licenses held by Kavin Choua Thao d/b/a Pupraya Thai for the premises located at 945 Rice Street in Saint Paul License ID #: 20140001202

Dear Licensee:

The Department of Safety and Inspections (“Department”) will recommend adverse action against the On Sale Liquor, On Sale Sunday and Entertainment license held by Kavin Choua Thao (“Licensee”) for the premises known as Pupraya Thai located at 945 Rice Street in Saint Paul. (“Licensed Premises”).

The Department alleges violations of license conditions #1 and #2. The Department further alleges that this is the second violation on the matrix penalty within 12 months. On November 7, 2018 through RES PH 18-332 council imposed a 10-day suspension of your licenses due to a lapse in liquor liability coverage that was detailed in an September 25, 2018 Notice of Intent to Suspend Licenses.

Saint Paul Legislative Code §310.05(m)(1) provides a presumptive penalty of \$1000 for a second-time violation of a condition placed on a license.

License Condition #1 of your license states "Per Section 409.03 of the City of Saint Paul Legislative Code, a new liquor on-sale license shall only be issued to a restaurant as defined under Chapter 409 of the City Code. Licensee agrees to operate the establishment in compliance with the definition of a restaurant as defined under Chapter 409 of the City’s Code, acknowledges haven been given a copy of this definition, and understands this definition.”

License Condition #2 of your license states “The licensee shall provide and maintain working video surveillance cameras and recorders on the premises (both inside and outside) in accordance with Saint Paul

Police Department (SPPD) recommendations. The number of cameras, their placement and their quality must be approved by SPPD; and there shall be adequate lighting to support the camera placement. This equipment must be in operation during all business hours. The video recordings shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the Saint Paul Police Department (SPPD) immediately upon request. In addition, if the SPPD or the Department of Safety and Inspections (DSI) requests copies of the surveillance tapes, licensee shall have a 48-hour period to provide such copies.”

The Department asserts the following facts along with attachments herein constitute proof of a violation of Saint Paul Legislative Code §310.05(m)(1) by a preponderance of the evidence.

On July 24, 2019 The Department of Safety and Inspections (DSI) mailed and hand delivered a letter to you stating that in accordance with your license condition #2 it was requesting a copy of all interior and exterior camera surveillance video recorded during the time period of July 21, 2019 from 1:00 a.m. (0100 hours) to 3:00 a.m. (0300 hours).

You were given until 3:00 p.m. on Monday July 29, 2019 to ensure that the video was ready for pick up.

The letter also requested that in accordance with condition #1 of your licenses and Section 409 of the Saint Paul Legislative Code, you provide copies of your MN Revenue monthly sales tax filings for the entire 2018 calendar year to verify compliance with the associated minimum 60% food sales requirement.

The video you provided was found to be insufficient as it only covered the time period of 0155 to 0230.

The information you provided to verify that you were operating your establishment within the definition of “restaurant” was also insufficient and failed to provide adequate proof of compliance with the definition of a “restaurant”. When DSI reviewed the documentation, it found that the information you provided failed to provide adequate proof of compliance with the requirement that you operate your establishment within the definition of “restaurant” as you provided only March, June and September filings.

As the Licensee you have four (4) options:

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 **December 13, 2019**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on a City Council Consent Agenda for approval of the proposed remedy.
2. You can admit to the violation and pay the \$1,000.00 matrix penalty. If this is your choice, send the payment directly to DSI at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **December 13, 2019**. A self-addressed envelope is enclosed for your convenience. Payment of the \$1,000.00 matrix penalty will be considered a waiver of the hearing to which you are entitled.



3. If you wish to admit the facts but you contest the \$1,000.00 matrix 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 **December 13, 2019**. The matter will then be scheduled before the City Council to determine whether to impose the \$1,000.00 matrix penalty. You will have an opportunity to appear before the Council and make a statement on your own behalf.
4. If you dispute the facts outlined above, you may request a hearing before an Administrative Law Judge (ALJ). You will need to send me a letter disputing the facts and requesting an administrative hearing no later than **December 13, 2019**. At that hearing both you and the City will appear and present witnesses, 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 that time, 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 of Safety and Inspections reserves the right to request that City Council impose the costs of the administrative hearing, per Saint Paul Legislative Code § 310.05 (k).

If you have not contacted me by December 13, 2019, I will assume that you do not contest the imposition of the \$1,000.00 matrix penalty. In that case, the matter will be placed on the City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these options, please contact Shawn McDonald, my Legal Assistant at (651) 266-8729.

Sincerely,



Therese Skarda
Assistant City Attorney
License No.: 0240989

cc: Kavin Choua Thao, Owner, 947 Lawson Avenue East, Saint Paul, MN 55106
Tk 2 LLC, 10341 Waterfront Drive, Woodbury, MN 55129-8534
Kerry Antrim, Executive Director, North End Neighborhood Organization, 171 Front Street, Saint Paul, MN 55117

Attachments: Request for Adverse Action Packet and supporting documentation, including video produced by Licensee and BWC video from CN 19-160-120



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 2nd day of December, he served the attached **NOTICE OF VIOLATION AND REQUEST FOR IMPOSITION OF 1,000 MATRIX PENALTY** and a correct copy thereof in an envelope addressed as follows:

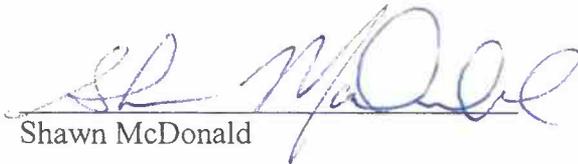
Kavin Choua Thao - Licensee
d/b/a Pupraya Thai Restaurant
945 Rice Street
Saint Paul, MN 55117

Kavin Choua Thao, Owner
947 Lawson Avenue East
Saint Paul, MN 55106

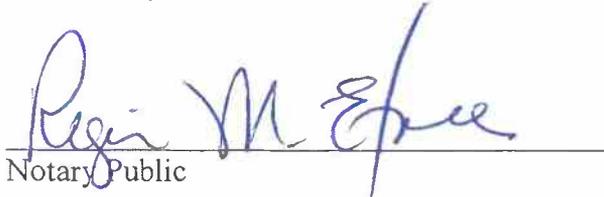
Tk 2 LLC
10341 Waterfront Drive
Woodbury, MN 55129-8534

Kerry Antrim, Executive Director
North End Neighborhood Organization
171 Front Street
Saint Paul, MN 55117

(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 2nd day of December 2019


Notary Public



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 02:49:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Mcquay, Jeremiah J

Name of location/business:

Primary squad: 200

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55101

Approver: Mcquay, Jeremiah

District: Central

Date & time of occurrence: 07/21/2019 02:02:00 to

Site:

07/21/2019 02:02:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

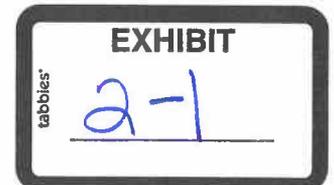
Name:

Address:

Phone:

NARRATIVE

No ICC-#1567 is not equipped with a camera
BWC available-Sgt McQuay-Not reviewed.



Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

08/20/2019 11:02:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Stanway, Robert A

Name of location/business:

Primary squad: 854

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55117

Approver: Stanway, Robert

District: Central

Date & time of occurrence: 07/21/2019 02:04:00 to

Site:

07/21/2019 02:04:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

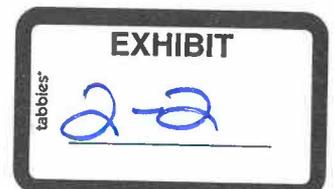
Address:

Phone:

NARRATIVE

I Sgt. Stanway am assigned to DSI.

I received a disc containing video from the Pupraya Thai Restaurant.



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

08/20/2019 11:02:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

I played the disc and it showed to have 8 channels/cameras. The cameras were at a distance and the quality of the camera's were poor. The angle of the cameras did not adequately cover the restaurant or bar area.

It was difficult for me to see the crash scene and identify the driver. Because of this, I was unable to see the suspect driver inside the bar.

I reviewed Sgt. McQuay's BWC footage.

At 0048 BWC time, Sgt. McQuay is watching from across the street and he is facing the restaurant.

You can see several people loitering in the parking lot and on the sidewalk in front of the restaurant. There was a B/M wearing all black and a white baseball hat which appeared to be security standing on the sidewalk in front of the restaurant. This male had nothing on to identify himself as security (i.e. markings on his shirt, badge, etc.). It also appeared this male was holding a black colored water bottle in his right hand which was down at his side. This male appeared to be the only security guard there.

At 0201 BWC time, you can hear this male yell "let's go, time to go". While watching the video, this male did absolutely nothing to get the crowd of people to move and/or leave. It appeared also that this male had no help from Pupraya employees in moving the people along.

This male continued to allow people to loiter both on the sidewalk and in the parking lot as officers were investigating the crash. It appeared these people made it difficult for the officers investigating because they would not leave and were yelling causing a distraction. While this was taking place, the apparent security guard did nothing to help with the situation. The apparent security guard continued to allow people to loiter as he just stood around.

At 1017 BWC time, Sgt. McQuay approached this male wearing black and asked him if he was working security and to get everyone moving or the police would do it for him. The male then walked away not saying anything.

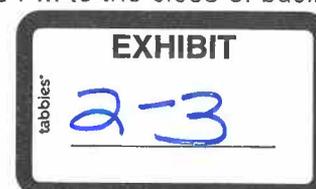
At 1300 BWC time, you can hear this male again yell "let's go" as people still continued to not move. An A/M patron is seen standing on the sidewalk yelling at the officers saying "you cannot arrest him".

I continued to watch the video and at 1934 BWC time, the apparent security guard was still standing around and the crowd had not left. The security guard had no command presence and his tactics were ineffective in getting the crowd to leave.

At that time, Sgt. McQuay made the decision to leave the location and instructed a few officers to do the same.

Pupraya Thai Restaurant has conditions on their liquor license. Condition # 5 stated:

The licensee shall provide security with appropriate staffing to ensure that the patron's behavior does not create a disturbance or nuisance. Security will be provided from 6:00 PM to the close of business for all



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

08/20/2019 11:02:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

scheduled events and when entertainment is provided. Security staff must be clearly identified as security. Security staff shall also ensure that patrons leave the premises in an orderly manner and shall not be permitted to loiter outside the licensed premises or in the parking lots.

The above is a violation of condition #5. The male that was acting like security was not wearing the proper clothing. He had nothing on that identified him as security. He also failed numerous times and was unable to remove the patrons that were loitering in the parking lot and around the crash scene. These patrons were a nuisance to the officers investigating the crash.

This report was forwarded to DSI for adverse licensing action.

PUBLIC NARRATIVE

DSI Investigation

Last page of the report



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/22/2019 09:51:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Stanway, Robert A

Name of location/business:

Primary squad: 854

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55117

Approver: Stanway, Robert

District: Central

Date & time of occurrence: 07/21/2019 02:02:00 to

Site:

07/21/2019 02:02:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

I Sgt. Stanway am assigned to DSI.

On 7/21/2019, Sgt McQuay was the Central District Tour 1 Supervisor and was monitoring the radio, when he



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

07/22/2019 09:51:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

heard a squad dispatched to 945 Rice Street (Pupraya Thai Restaurant) for a property damage accident at 0202 hours. Sgt. McQuay was in the area and responded to assist as it was bar close and there has been recent issues involving the bar/restaurant involving disturbances, weapon related calls and assaults.

Sgt. McQuay arrived at 0211 hours and found a large group of bar patrons exiting the bar and loitering in the parking lot. The dispatched squad was there investigating a two car accident with a possible intoxicated driver. Sgt. McQuay stated he saw about 10 individuals who continued to approach and yell towards the squad handling the accident. Several of the parties of the 10 or so would leave the group and go back inside and get/trade spots and new people would seem to join the hostile group. Sgt. McQuay stated at one point, a male and female approached the suspect driver and began pulling him away from the scene. Sgt. McQuay and officers were able to prevent this from happening. Sgt. McQuay requested further squads to respond and assist with the crowd. Several squads arrived and assisted with crowd control and maintaining a safe working area for the squad to investigate the accident.

The investigation continued to 0230 hours, before the suspect driver was arrested for DUI.

During the crash investigation, Sgt. McQuay saw one male in a black shirt who he believed to be security. It appeared he had no markings on his shirt or elsewhere to identify him as security. Sgt. McQuay believed this male was security as he had a radio and once or twice told people to leave the area. The result of this effort, and level of security had no effect on the number of people loitering outside the building and in the parking lot.

At 0230 hours, when Sgt. McQuay instructed the squads to leave the area after the arrest, there were 20-30 people still in the parking lot loitering and all the way down to Front Street.

Sgt. McQuay stated before he left the address, he spoke with a male who identified himself as the owner. Sgt. McQuay believed the person he was talking with was Shoua Vang, who was identified as the "boyfriend" of the owner in a arrest report in 2014.

Sgt. McQuay explained to Vang the issues and the need for his establishment to contract with an appropriate security company. Sgt. McQuay spoke with Vang about the large group of people still loitering in the lot 30 minutes after bar close. Vang seemed more worried about speaking with the driver of one of the vehicles involved in the accident than dealing with the people loitering.

Pupraya Thai Restaurant has conditions on their license.

One of those conditions #5 states:

In accordance with St Paul Police Dept and the Department of Safety and Inspections, the licensee shall provide security, with appropriate staffing, to ensure that the patron's behavior does not create a disturbance or nuisance. Security will be provided from 6:00 p.m. to the close of business for all scheduled events and when entertainment is provided. Security staff must be clearly identified as security. Security staff shall also ensure that patrons leave the premises in an orderly manner and shall not be permitted to loiter outside the licensed premises or in the parking lots.



SP9FD6C5C25FCCF

Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/22/2019 09:51:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Sgt. McQuay's observations showed that the business was in violation of the above condition by not having a clearly identifiable security guard present. If the person Sgt. McQuay talked to was indeed security, this person failed to ensure patrons left the premise in an orderly manner. This male allowed patrons to loiter outside the licensed premises and in the parking lot well after the restaurant had closed.

I requested a copy of Sgt. McQuay's BWC footage.

This report was forwarded to DSI for consideration on adverse licensing action.

PUBLIC NARRATIVE

DSI Investigation

Last page of the report



ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 04:30:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Lopez, Arturo

Name of location/business:

Primary squad: 212

Location of incident: 945 RICE ST

Secondary reporting officer: Mountain, Mitchell

ST PAUL, MN 55117

Approver: Mcquay, Jeremiah

District: Central

Date & time of occurrence: 07/21/2019 02:02:00 to

Site:

07/21/2019 02:02:00

Arrest made: Yes

Secondary offense:

DWI-GM,REFUSAL

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

DWI-GM,REFUSAL

Attempt Only:

Appears to be Gang Related:

ARRESTS

Booked

Name: Vang, Cheng

Booking date: 07/21/2019

Date & time of arrest: 07/21/2019 02:20

Booking time: 04:00

Arrest made on view:

Booking #:

Arrest made on warrant or previous CN:

Warrant number:

Originating agency: SPPD

Warrant type:

Charge/Citation/Bail Amount:

NAMES

Arrestee

Vang, Cheng

1526 IVY AVE

KNOWN

ST PAUL, MN 55106

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:



Saint Paul Police Department ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 04:30:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Details

Sex: Male Race: Asian DOB: 08/03/1966 Resident Status:
Hispanic: Age: 52 from to

Phones

Home: Cell: Contact:
Work: Fax: Pager:

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

Physical Description

US: Metric:
Height: to Build: Hair Length: Hair Color:
Weight: to Skin: Facial Hair: Hair Type:
Teeth: Eye Color: Blood Type:

Offender Information

Arrested: Yes Pursuit engaged: Violated Restraining Order:
DUI: Resistance encountered:
Condition: Taken to health care facility: Medical release obtained:

Weapons Used by Police

none

Weapons Used by Suspect at Time of Arrest

none

Complainant

Reyes-Lugo, Jesus Antonio
582 TYLER RD S Apt 211
RED WING, MN 55066

Nicknames or Aliases

Nick Name:
Alias:
AKA First Name: AKA Last Name:

Details

Sex: Male Race: White DOB: 11/11/1973 Resident Status:
Hispanic: Yes Age: 45 from to



ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 04:30:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken: Yes

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

VEHICLE INFORMATION (Information Only)

Registered owner: Reyes-Lugo, Jesus Antonio

Status	Description	
Status:	License no.: 031XHX	Year: 2010
Towed:	State: MN	Type: Sedan
Owner: Reyes-Lugo, Jesus	Year: 6/2020	Color: Gray
Stolen Method:	V.I.N.: JTDKN3DU8A0074325	Doors:
Lock status	Make: Toyota	Transmission:
Keys in vehicle:	Model: PRIUS	Shift Position:
	Mileage:	

Vehicle Damage

REAR PASSENGER SIDE.

Registered owner: Vang, Mimi Vajhuahmuas

Status	Description	
Status:	License no.: 130VCK	Year: 2010
Towed:	State: MN	Type: Sedan
Owner: Vang, Mimi	Year: 7/2019	Color: Black
Stolen Method:	V.I.N.: WDDHF8HB6AA063482	Doors:
Lock status	Make: Mercedes	Transmission:
Keys in vehicle:	Model: 350 SERIES	Shift Position:
	Mileage:	



ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 04:30:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Participants:

Person Type:	Name:	Address:	Phone:
Arrestee	Vang, Cheng	1526 IVY AV E ST PAUL, MN 55106	
Complainant	Reyes-Lugo, Jesus Antonio	582 TYLER RD S Apt 211 RED WING, MN 55066	
Owner	Vang, Mimi Vajhuahmuas	1525 IVY AV E ST PAUL, MN 55106	



NARRATIVE

ICC Available for Squad 1466.
 BWC Available for Officers' Lopez and Mountain (Squad 212).

On 7/21/19 at approximately 0202 hours we, Officers Lopez and Mountain (Squad 212), responded to 945 Rice Street (Pupraya Thai Restaurant) on a report of a two vehicle accident in the parking lot.

Upon arrival I met with the complainant, JESUS ANTONIO REYES-LUGO (DOB: 11/11/1973), who stated a vehicle (MN/LIC 130VCK, MERCEDES BENZ 350 SERIES, BLACK) backed into his vehicle (MN/LIC 031XH, TOYOTA PRIUS, GRAY).

REYES-LUGO told me he worked as an UBER driver and had gone to Pupraya to pick up clients. REYES-LUGO had parked his vehicle on the yellow curb in the parking lot on the east end of the business. REYES-LUGO told me a vehicle then began backing up in the direction of his vehicle. REYES-LUGO told me he began to honk at the vehicle but was unable to get it to stop. The vehicle (MN/LIC 130VCK) struck REYES-LUGO's vehicle and caused damage to the rear passenger side. REYES-LUGO told me two males got out of the vehicle and walked away towards the restaurant. REYES-LUGO pointed out one of the occupants of the vehicle to us and we spoke with that individual. The person told us he had not been driving and stated his friend, CHENG VANG (DOB: 8/03/1966), had been driving the vehicle. We were told VANG had gone into the restaurant. VANG walked out of the restaurant and I began to speak with him.

It should be noted as we attempted to speak with the occupants of vehicle (MN/LIC 130VCK) several people present at the restaurant were obstructing our investigation by insisting the UBER driver was illegally parked. We had to tell them several times to back away and allow us to conduct our investigation. Many of the people had a strong odor consistent with that of an alcoholic beverage. The restaurant serves as a nightclub and serves alcohol to its patrons.

As I began speaking with VANG I detected a strong odor consistent with that of an alcoholic beverage. VANG had slight slurred speech and walked away from me while I attempted to complete my investigation. VANG had his shirt tucked with his collared shirt open. VANG admitted he was driving the vehicle (MN/LIC 130VCK), and struck REYES-LUGO's vehicle. VANG told me the vehicle belonged to his wife MIMI VAJHUAHMUAS VANG (DOB: 02/08/1971). He told me the UBER driver should not have been parked on the yellow line. While I attempted to gather more information pertaining to the call, VANG went to driver side of the vehicle and put a

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

07/21/2019 04:30:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

piece of gum in his mouth. During the course of my conversation with VANG he admitted to having a couple of drinks.

Assisting squads arrived on scene to help with controlling the crowd that gathered around us obstructing our investigation.

I directed VANG away from the crowd so I could administer the Standard Field Sobriety Tests (SFST). I asked VANG if he had any medical conditions, head trauma or eye conditions and he told me he did not. Prior to administering the Horizontal Gaze Nystagmus (HGN) Test I explained the instructions. After giving instructions VANG told me he understood and indicated he did. I administered the horizontal gaze nystagmus test and saw that there was equal pupil size and equal tracking. I saw that there was lack of smooth pursuit from both eyes. I saw a distinct and sustained nystagmus prior to 45 degrees in both eyes. I saw no vertical nystagmus in both eyes.

While I was attempting to explain and demonstrate the walk and turn test the crowd from the restaurant began to get more agitated with all officers on scene. VANG began to become uncooperative and stated I was drunk and not him.

Based on my initial observations and contact with VANG, his admission to driving and drinking, as well as what I observed during the horizontal nystagmus test I placed VANG under arrest for suspicion of DUI.

I searched VANG incident search to arrest and placed his wallet and phone on the hood of my squad. I placed VANG in the back of my squad. While driving VANG to the LEC I forgot I had left his property on the hood of my squad car. His phone and wallet fell off the hood of the vehicle while I was driving. Upon noticing the items had fallen I stopped the squad car and retrieved the items from the street. At the LEC I took photos of VANG's cell phone.

At the LEC Officer Mountain conducted the e-charging process. During the DMT test VANG performed two deficient DMT tests. Please see officer D Sweeney's (Squad 119) report for additional details.

Photos taken on scene along with the photos taken of VANG's cell phone were uploaded to the media vault.

A state accident report was completed.

VANG was booked for Gross Misdemeanor Refusal DWI.

Sgt McQuay (Squad 200) was on scene.

End of Report.

**PUBLIC NARRATIVE**

On 7/21/19 at approximately 0202 hours Officers responded to 945 Rice Street (Pupraya Thai Restaurant) on a report of a two vehicle accident in the parking lot. As officers conducted their investigation, several patrons from the restaurant obstructed the investigation. CHENG VANG (52 Y/O, MALE, 1525 IVY AVE EAST) was

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

07/21/2019 04:30:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

placed under arrest for suspicion of DWI. At the LEC VANG performed two deficient DMT tests resulting in a Gross Misdemeanor Refusal DWI charge.

Last page of the report



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 05:07:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Sweeney, Dustin

Name of location/business:

Primary squad: 119

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55117

Approver: Bisson, Robert

District: Western

Date & time of occurrence: 07/21/2019 02:02:00 to

Site:

07/21/2019 05:06:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

ICC not available. BWC for Officer Sweeney is available but was not reviewed prior to this report.

On 07/21/2019 at 0202 hours, I Officer Sweeney responded to the Ramsey County LEC to assist Squad 212



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

07/21/2019 05:07:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

(Mountain/Lopez) with a DWI arrest. I assisted Officer Mountain through the eCharging process for CHENG VANG (08/03/1966, 1525 Ivy Ave E, St Paul MN 55106).

Upon my initial interactions with VANG, I detected a strong odor of an alcoholic beverage emanating from his person. I also observed that his speech was slurred, and his eyes were watery.

I conducted two DMT tests of VANG. I instructed VANG on how to correctly perform the test. VANG repeatedly performed improper breaths into the mouthpiece. I again explained to VANG how to properly conduct the test. VANG continued to improperly blow into the mouthpiece after my instructions and a demonstration using a separate mouthpiece. The first test resulted in a deficient sample at 0327 hours.

I again instructed VANG as to how to properly conduct the test. I also informed VANG that continued improper performance of the test could result in a DUI refusal charge. During the second test, VANG continued to improperly perform the test in the same manner as the first test. I reiterated that he could be charged with test refusal if he did not perform the test properly. VANG did not provide an adequate sample, and the second Deficient Sample result was at 0337 hours.

I advised Officer Mountain of the results, and advised him to charge VANG with gross misdemeanor 3rd Degree DUI. VANG was booked into the Ramsey County Jail. See other reports regarding this instance.

PUBLIC NARRATIVE

Supplemental Report

Last page of the report



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 02:49:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Mcquay, Jeremiah J

Name of location/business:

Primary squad: 200

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55101

Approver: Mcquay, Jeremiah

Date & time of occurrence: 07/21/2019 02:02:00 to

District: Central

Site:

07/21/2019 02:02:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:

Name:

Address:

Phone:

NARRATIVE

No ICC-#1567 is not equipped with a camera
BWC available-Sgt McQuay-Not reviewed.



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

07/21/2019 02:49:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

On 7/21/2019, I, Sgt McQuay (#200) was working as the Central District Tour 1 supervisor. I was monitoring the radio, when Squad #212 (Lopez/Mountain) was dispatched to 945 Rice Street (Pupraya Thai Restaurant) for a property damage crash at 0202 hours. I was in the area and responded to assist as it was bar close and there has been recent issues involving the bar/restaurant involving disturbances, weapon related calls and assaults. Due to the issues described, the bar was flagged by the Department of Safety and Inspection as a mandatory report address. This means that all incidents that Officers respond to at the address need to be documented in a report.

I arrived at 0211 hours and found a large group of bar patrons exiting the bar and loitering in the parking lot. Squad #212 was investigating a two car crash with a possible intoxicated driver and an Uber driver. I monitored the situation from the sidewalk. There was about 10 individuals who continued to approach and yell towards Squad #212. Several of the parties of the 10 or so would leave the group and go back inside and get/trade spots and new people would seem to join the hostile group. At one point, a male and female approached the suspect and began pulling him away from the scene. Squad #212 and I were able to prevent this from happening. I requested further squads to respond and assist with the crowd. Several squads arrived and assisted with crowd control and maintaining a safe working area for Squad #212.

The investigation continued to 0230 hours, before the suspect driver was arrested for DUI.

This supplement report is to document to DSI where I feel the bar was not following the conditions required by the City of St. Paul to provide security, with appropriate staffing, to ensure that the patron's behavior does not create a disturbance or nuisance. During the crash investigation, I saw one male in a black shirt who I believed to be security. I do not think he had any markings on his shirt or elsewhere. I believe he was security as he had a radio and once or twice told people to leave the area. The result of this effort, and this level of security had no effect on the number of people loitering outside the building and in the parking lot. Even at 0230 hours, when I instructed the squads to leave the area after the arrest, there were 20-30 people in the parking lot loitering all the way down to Front Street.

Before I left the address I spoke with a male who identified himself as the owner. I believed the person I was talking with was Shoua Vang, who was identified as the "boyfriend" of the owner in a arrest report in 2014. I explained to Vang the issues and the need for his establishment to contract with an appropriate security company and spoke with him about the large group of people still loitering in the lot 30 minutes after bar close. Vang seemed more worried about speaking with the Uber driver who he/they believed parked illegally causing the intoxicated driver to hit his vehicle. After I spoke with Vang, he began demanding from the Uber driver who called him and why he was there. Officers instructed the Uber driver that he did not need to answer Vang's questions and to leave the scene.

We departed the scene shortly after.

PUBLIC NARRATIVE

Supplement/DSI report



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

19160120

Date and Time of Report

07/21/2019 02:49:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Last page of the report



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/22/2019 11:00:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Sam, Julie K

Name of location/business:

Primary squad:

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55117

Approver:

District: Central

Date & time of occurrence: 07/21/2019 02:02:00 to

Site:

07/21/2019 02:02:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

On 07-22-2019, Cheng Vang was charged by Summons for 3rd Degree DWI-Refuse to Submit to Breath Test and 4th Degree DWI-Operate Motor Vehicle Under the Influence of Alcohol.

I faxed a dispo sheet to the RCLEC, releasing Vang per City Attorney's Office Cliff Berg.

PUBLIC NARRATIVE

Last page of the report



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 05:24:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Primary Reporting Officer: Rude, Jacob Arthur

Name of location/business:

Primary squad: 212

Location of incident: 945 RICE ST

Secondary reporting officer:

ST PAUL, MN 55101

Approver: Rude, Jacob A

District: Central

Date & time of occurrence: 07/21/2019 02:02:00 to

Site:

07/21/2019 02:02:00

Arrest made: Yes

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Attempt Only:

Appears to be Gang Related:

ARRESTS

Cited

Name: Vang, Cheng

Booking date: 07/21/2019

Date & time of arrest: 07/21/2019 02:02

Booking time: 02:02

Arrest made on view:

Booking #:

Arrest made on warrant or previous CN:

Warrant number:

Originating agency:

Warrant type:

Charge/Citation/Bail Amount:

NAMES

Arrestee

Vang, Cheng

1525 IVY AV E

KNOWN

ST PAUL, MN 55106

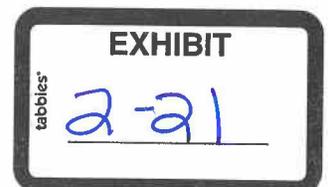
Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:



Saint Paul Police Department

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 05:24:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

Phones

Home: 651-347-0584

Cell:

Contact:

Work:

Fax:

Pager:

Employment

Occupation:

Employer:

Identification

SSN:

License or ID#:

License State:

Driver

Vang, Cheng
1525 IVY AV E
ST PAUL, MN 55106

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male

Race: Unknown

DOB: 08/03/1966

Resident Status:

Hispanic:

Age: 52

from

to

Phones

Home:

Cell:

Contact:

Work:

Fax:

Pager:

Employment

Occupation:

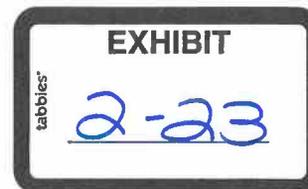
Employer:

Identification

SSN:

License or ID#:

License State:



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

19160120

07/21/2019 05:24:00

Primary offense:

TRAFFIC ACCIDENT-PROPERTY DAMAGE ACCIDENT

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken:

Stolen Property Traceable:

Evidence Turned In:

Property Turned In:

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:

Participants:

Person Type:	Name:	Address:	Phone:
Arrestee	Vang, Cheng	1525 IVY AV E ST PAUL, MN 55106	
Driver	Reyes-Lugo, Jesus Antonio	582 TYLER RD S Apt 211 RED WING, MN 55066	651-347-0584
Driver	Vang, Cheng	1525 IVY AV E ST PAUL, MN 55106	

NARRATIVE

See State Accident Report

PUBLIC NARRATIVE

Traffic Accident

Last page of the report





CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: ~651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

July 24, 2019

Kavin Choua Thao
Owner, Pupraya Thai Restaurant
947 Lawson Avenue East
Saint Paul, MN 55106-3221

Kavin Choua Thao
Owner, Pupraya Thai Restaurant
945 Rice Street
Saint Paul, MN 55117
[MAILED AND HAND-DELIVERED JULY 24, 2019 AT 4:45 PM]

Kavin Choua Thao,

In accordance with condition #2 of the City of Saint Paul issued business licenses held at Pupraya Thai Restaurant located at 945 Rice Street (see reverse), you are hereby requested to produce a copy of all interior and exterior camera surveillance video recorded during the entire following period.

July 21, 2019 from 1:00 a.m. (0100 hours) to 3:00 a.m. (0300 hours)

The requested copy of video must be made available before 3:00 p.m. on Monday, July 29, 2019 at 945 Rice Street where city staff will pick it up. Failure to make the requested copy of video available at this time and location may result in adverse licensing action taken through the City Attorney's Office.

Also, in accordance with condition #1 of your licenses and Section 409 of the Saint Paul Legislative Code, you are hereby requested to provide copies of your MN Revenue monthly sales tax filings for the entire 2018 calendar year to verify compliance with the associated minimum 60% food sales requirement.

Questions regarding this letter can be directed to me at (651) 266-9132.

Eric Hudak
Licensing Manager, Department of Safety and Inspections





CITY OF SAINT PAUL

375 Jackson Street, Suite 220
St Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

August 23, 2019

Kavin Choua Thao
Owner, Pupraya Thai Restaurant
947 Lawson Avenue East
Saint Paul, MN 55106-3221

Kavin Choua Thao
Owner, Pupraya Thai Restaurant
945 Rice Street
Saint Paul, MN 55117

Kavin Choua Thao,

In a letter dated July 24, 2019, enclosed, you were requested to provide copies of Pupraya Thai Restaurant's "MN Revenue" monthly sales tax filings for the entire 2018 calendar year to verify compliance with condition #1 of Pupraya's liquor licenses and Chapter 409 of the Saint Paul Legislative Code. You delivered a document to the DSI offices on August 19, 2019 which did not satisfy that request.

You are again hereby instructed to provide "confirmation of return" or other documentation provided from the Minnesota Department of Revenue detailing Pupraya's sales tax filings for the 2018 calendar year. This information can be obtained electronically from the Department of Revenue website or by calling (651) 556-3000.

Failure to deliver the requested document(s) to the address noted on the letterhead above on or before Friday, September 6, 2019 may result adverse licensing action taken through the City Attorney's Office.

Questions regarding this letter can be directed to me at (651) 266-9132.

Eric Hudak
Licensing Manager, Department of Safety and Inspections



Sales and Use Tax - Return

MN Tax ID: 7623192

Filing Period: 30-Jun-2018

SSN: XXX-XX-8617

Received Date: 15-Jul-2018

Legal Name: KAVIN THAO

Return Summary

Gross Receipts for all locations:	\$23,786.00
Taxable Sales for all locations:	\$1,726.00
Taxable Purchases for all locations:	\$0.00
Tax:	\$119.00

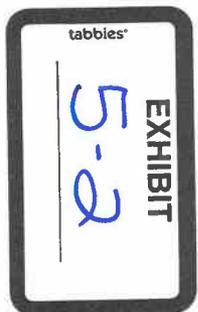


Location 001

Gross Receipts: \$23,786.00

Taxable Sales: \$1,726.00

Tax Line	Tax Type	Amount	Rate	Tax Due
100	General Rate Sales Tax	\$1,726.00	6.875%	\$119.00
111	Liquor Gross Receipts Sales	\$8.00	2.5%	\$0.00
112	Liquor Gross Receipts Use	\$0.00	2.5%	\$0.00
200	Use Tax Purchases	\$0.00	6.875%	\$0.00
210	Variable Rate Purchases	\$0.00	Varies	\$0.00
380	St. Paul Sales	\$0.00	0.5%	\$0.00
385	St. Paul Use	\$0.00	0.5%	\$0.00
432	Hennepin County Transit Sales	\$0.00	0.50%	\$0.00
433	Hennepin County Transit Use	\$0.00	0.50%	\$0.00
435	Ramsey County Transit Sales	\$0.00	0.50%	\$0.00
436	Ramsey County Transit Use	\$0.00	0.50%	\$0.00
452	Washington County Transit Sales	\$0.00	0.25%	\$0.00
453	Washington County Transit Use	\$0.00	0.25%	\$0.00
455	Dakota County Transit Sales	\$0.00	0.25%	\$0.00
456	Dakota County Transit Use	\$0.00	0.25%	\$0.00
472	Anoka County Transit Sales	\$0.00	0.25%	\$0.00





DEPARTMENT OF REVENUE

MN Tax ID: 7623192

Filing Period: 30-Jun-2018

473	Anoka County Transit Use	\$0.00	0.25%	\$0.00
			Total:	\$119.00



Sales and Use Tax - Return

MN Tax ID: 7623192

Filing Period: 30-Sep-2018

SSN: XXX-XX-8617

Received Date: 19-Oct-2018

Legal Name: KAVIN THAO

Return Summary

Gross Receipts for all locations:	\$15,634.00
Taxable Sales for all locations:	\$1,134.00
Taxable Purchases for all locations:	\$0.00
Tax:	\$102.00



Location 001

Gross Receipts: \$15,634.00

Taxable Sales: \$1,134.00

Tax Line	Tax Type	Amount	Rate	Tax Due
100	General Rate Sales Tax	\$1,134.00	6.875%	\$78.00
111	Liquor Gross Receipts Sales	\$950.00	2.5%	\$24.00
112	Liquor Gross Receipts Use	\$0.00	2.5%	\$0.00
200	Use Tax Purchases	\$0.00	6.875%	\$0.00
210	Variable Rate Purchases	\$0.00	Varies	\$0.00
380	St. Paul Sales	\$0.00	0.5%	\$0.00
385	St. Paul Use	\$0.00	0.5%	\$0.00
432	Hennepin County Transit Sales	\$0.00	0.50%	\$0.00
433	Hennepin County Transit Use	\$0.00	0.50%	\$0.00
435	Ramsey County Transit Sales	\$0.00	0.50%	\$0.00
436	Ramsey County Transit Use	\$0.00	0.50%	\$0.00
452	Washington County Transit Sales	\$0.00	0.25%	\$0.00
453	Washington County Transit Use	\$0.00	0.25%	\$0.00
455	Dakota County Transit Sales	\$0.00	0.25%	\$0.00
456	Dakota County Transit Use	\$0.00	0.25%	\$0.00
472	Anoka County Transit Sales	\$0.00	0.25%	\$0.00



MN Tax ID: 7623192

Filing Period: 30-Sep-2018

473	Anoka County Transit Use	\$0.00	0.25%	\$0.00
			Total:	\$102.00



Sales and Use Tax - Return

MN Tax ID: 7623192

SSN: XXX-XX-8617

Legal Name: KAVIN THAO

Filing Period: 31-Mar-2018

Received Date: 20-Apr-2018

Return Summary

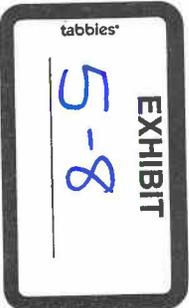
Gross Receipts for all locations:	\$17,358.00
Taxable Sales for all locations:	\$1,260.00
Taxable Purchases for all locations:	\$0.00
Tax:	\$87.00



Location 001
Gross Receipts: \$17,358.00

Taxable Sales: \$1,260.00

Tax Line	Tax Type	Amount	Rate	Tax Due
100	General Rate Sales Tax	\$1,260.00	6.875%	\$87.00
111	Liquor Gross Receipts Sales	\$5.00	2.5%	\$0.00
112	Liquor Gross Receipts Use	\$0.00	2.5%	\$0.00
200	Use Tax Purchases	\$0.00	6.875%	\$0.00
210	Variable Rate Purchases	\$0.00	Varies	\$0.00
380	St. Paul Sales	\$0.00	0.5%	\$0.00
385	St. Paul Use	\$0.00	0.5%	\$0.00
432	Hennepin County Transit Sales	\$0.00	0.50%	\$0.00
433	Hennepin County Transit Use	\$0.00	0.50%	\$0.00
435	Ramsey County Transit Sales	\$0.00	0.50%	\$0.00
436	Ramsey County Transit Use	\$0.00	0.50%	\$0.00
452	Washington County Transit Sales	\$0.00	0.25%	\$0.00
453	Washington County Transit Use	\$0.00	0.25%	\$0.00
455	Dakota County Transit Sales	\$0.00	0.25%	\$0.00
456	Dakota County Transit Use	\$0.00	0.25%	\$0.00
472	Anoka County Transit Sales	\$0.00	0.25%	\$0.00



Location 001
Gross Receipts: \$17,358.00

Taxable Sales: \$1,260.00

Tax Line	Tax Type	Amount	Rate	Tax Due
100	General Rate Sales Tax	\$1,260.00	6.875%	\$87.00
111	Liquor Gross Receipts Sales	\$5.00	2.5%	\$0.00
112	Liquor Gross Receipts Use	\$0.00	2.5%	\$0.00
200	Use Tax Purchases	\$0.00	6.875%	\$0.00
210	Variable Rate Purchases	\$0.00	Varies	\$0.00
380	St. Paul Sales	\$0.00	0.5%	\$0.00
385	St. Paul Use	\$0.00	0.5%	\$0.00
432	Hennepin County Transit Sales	\$0.00	0.50%	\$0.00
433	Hennepin County Transit Use	\$0.00	0.50%	\$0.00
435	Ramsey County Transit Sales	\$0.00	0.50%	\$0.00
436	Ramsey County Transit Use	\$0.00	0.50%	\$0.00
452	Washington County Transit Sales	\$0.00	0.25%	\$0.00
453	Washington County Transit Use	\$0.00	0.25%	\$0.00
455	Dakota County Transit Sales	\$0.00	0.25%	\$0.00
456	Dakota County Transit Use	\$0.00	0.25%	\$0.00
472	Anoka County Transit Sales	\$0.00	0.25%	\$0.00



MN Tax ID: 7623192

Filing Period: 31-Mar-2018

473	Anoka County Transit Use	\$0.00	0.25%	\$0.00
			Total:	\$87.00



win nnu

upra - Thai Restaurant
45 Rice St. #A
st. Paul, MN 55117

RECEIVED IN D.S.I.

AUG 27 2019

@ 1:30 pm



Eric Hudak



Pupraya-Thai Restaurant

945 Rice St.#A

St. Paul, MN 55117

651-249-8963

December 9th, 2019

Therese Skarda

Assistant City Attorney

Regarding: Notice of Violation and Request for Imposition of \$1,000 Matrix Penalty

License ID#: 20140001202

I have received the letter you sent regarding to the incident at my establishment on July 21st, 2019 in between 1am-3am.

I have chosen option #3, admit the facts but contest the \$1000.00 matrix penalty by having a public hearing before the Saint Paul City Council.

Please schedule a meeting with the council members and I will make my own statement before them.

Sincerely,



Kavin Choua Thao, Owner





City of Saint Paul

City Hall and Court
House
15 West Kellogg
Boulevard
Phone: 651-266-8560

Signature Copy

Resolution-Public Hearing: RES PH 18-332

File Number: RES PH 18-332

Approving adverse action against the Liquor On Sale - 101-180 seats, Liquor On Sale - 2AM Closing, Liquor On Sale - Sunday, and Entertainment (B) licenses held by Kavin Choua Thao, d/b/a Pupraya Thai Restaurant at 945 Rice Street, Unit A.

WHEREAS, the Liquor On Sale - 101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant (License ID #20140001202) for the premises located at 945 Rice Street, Unit A in Saint Paul were the subject of a Notice of Intent to Suspend Licenses dated September 25, 2018; and

WHEREAS, Department of Safety and Inspections (DSI) records show the licensee submitted a Certificate of Liability Insurance dated September 26, 2017 with a coverage period of August 24, 2017 to August 24, 2018; and

WHEREAS, on September 4, 2018 the Department of Safety and Inspections (DSI) received a Liquor Liability Certificate of Insurance from Associated Insurance Counselors with a coverage period of August 30, 2018 to July 23, 2019; and

WHEREAS, the new Liquor Liability Certificate of Insurance showed a seven (7) day lapse in coverage from August 24, 2018 to August 30, 2018; and

WHEREAS, Saint Paul Legislative Code § 409.065 requires licensees hold current liquor liability insurance without a lapse in coverage in order to continue operating the business; and

WHEREAS, per Saint Paul Legislative Code § 409.26 (b) (12) the licensing office recommended a ten (10) day suspension of all licenses; and

WHEREAS, the licensee responded to the Notice of Intent to Suspend Licenses to request a public which was held on November 7, 2018; now therefore be it

RESOLVED, the Liquor On Sale - 101-180 seats, Liquor On Sale-2AM Closing, Liquor On Sale-Sunday and Entertainment (B) licenses held by Kavin Choua Thao d/b/a Pupraya Thai Restaurant (License ID #20140001202) for the premises located at 945 Rice Street, Unit A in Saint Paul are hereby suspended for a period of ten (10) days due to a seven (7) day lapse in liquor liability coverage from August 24, 2018 to August 30, 2018.

FURTHER RESOLVED, ~~said suspension will begin at 12:00 a.m. (midnight) on Wednesday, November 28, 2018 and end at 11:59 p.m. on Friday, December 10, 2018~~ date of said suspension will begin within the next six (6) months. Suspension will be served in either one consecutive ten (10) day period or two (2) five (5) day periods. Starting date or dates to be selected by the licensee and communicated to the Department of Safety and Inspections ten (10) days prior to the start date of such suspension or suspensions.



At a meeting of the City Council on 11/7/2018, this Resolution-Public Hearing was Passed.

Yea: 7 Councilmember Bostrom, Councilmember Brendmoen, Councilmember
Thao, Councilmember Tolbert, Councilmember Noecker, Councilmember
Prince, and Councilmember Jalali Nelson

Nay: 0

Vote Attested by Trudy Moloney
Council Secretary Trudy Moloney

Date 11/7/2018

Approved by the Mayor Melvin Carter III
Melvin Carter III

Date 11/12/2018

Clerk _____
Shari Moore

Date _____

Test Signature _____
Shari Moore

Date _____





CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

Department of Safety & Inspections
Ricardo X. Cervantes, Director
375 Jackson Street, Suite 220
Saint Paul, MN 55101-1806
Web Site Address: www.stpaul.gov/dsi

Telephone: 651-266-8989
Facsimile: 651-266-9124

I agree to the following conditions being placed on the following license(s):

License #: 20140001202
Type of Business: Entertainment (B)
Liquor On Sale - 101-180 Seats
Liquor On Sale - 2 AM Closing
Liquor On Sale - Sunday
Applied for by: KAVIN CHOUA THAO
Doing Business As: PUPRAYA THAI RESTAURANT
at: 945 RICE ST UNIT A
ST PAUL MN 55117

Conditions are as follows:

1. Per Section 409.03 of the City of Saint Paul Legislative Code, a new liquor on-sale license shall only be issued to a restaurant as defined under Chapter 409 of the City Code. Licensee agrees to operate the establishment in compliance with the definition of a restaurant as defined under Chapter 409 of the City's Code, acknowledges having been given a copy of this definition, and understands this definition.
2. The licensee shall provide and maintain working video surveillance cameras and recorders on the premises (both inside and outside) in accordance with Saint Paul Police Department (SPPD) recommendations. The number of cameras, their placement and their quality must be approved by SPPD; and there shall be adequate lighting to support the camera placement. This equipment must be in operation during all business hours. The video recordings shall be kept by the license holder for at least thirty (30) days and shall be available for viewing by the Saint Paul Police Department (SPPD) immediately upon request. In addition, if the SPPD responds to a call at the licensed premises, and due to the crime, requests that a copy of the surveillance footage be immediately provided, the license holder shall have technology available to make the copy at the time of the request and shall have it for the police without delay. In other cases, if the SPPD or the Department of Safety and Inspections (DSI) requests copies of the surveillance tapes, licensee shall have a 48-hour period in which to provide such copies.
3. Entertainment will only be provided on Thursday, Friday, Saturday, and Sundays.
4. Doors shall remain closed at all times.
5. In accordance with St Paul Police Dept and the Department of Safety and Inspections, the licensee shall provide security, with appropriate staffing, to ensure that the patron's behavior does not create a disturbance or nuisance. Security will be provided from 6:00 p.m. to the close of business for all scheduled events and when entertainment is provided. Security staff must be clearly identified as security. Security staff shall also ensure that patrons leave the premises in an orderly manner and shall not be permitted to loiter outside the licensed premises or in the parking lots.
6. Licensee shall ensure adequate garbage storage and removal. Emptying bar refuse is expressly forbidden between the hours of 9:00 PM and 7:00 AM.

Kavin C. Thao
Licensee Signature
Kavin C. Thao
Print Name

5/22/14
Date
Owner
Title





CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

ACKNOWLEDGEMENT OF RECEIPT OF LIQUOR LICENSE HANDBOOK

The undersigned, an applicant for a (liquor) (wine) (strong beer) (3.2 malt) license, located at 945 Rice St Suite A, acknowledges that he/she was given a copy of the Department of Safety and Inspections handbook on liquor laws, policies and procedures. The applicant understands that he/she is responsible for reading, understanding and complying with the information contained therein.

Kan C. Jhu

Signature

5/22/14

Date

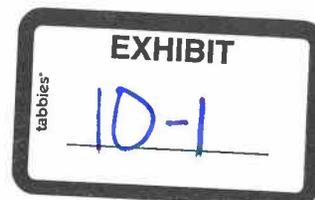


Licensee: KAVIN CHOUA THAO

DBA: PUPRAYA THAI RESTAURANT

License #: 20140001202

9/6/19 Recd. call from agent Russ Garvey AGED for more information. He will be looking into it.KS
8/27/19 Requested AGED and MN Dept. Of Rev assistance with liquor purchases and sales.KS
8/27/19 Recd. 3 month of Mn Dept.of Rev. filings. KS
8/23/19 Letter to Kavin Thao restating request for MN Revenue sales tax filings from EH/KS
8/19/19 a type written summary of sales recd. Not in compliance with the request.KS
7/30/19 video recd.given to Sgt. Stanway to review KS.
7/24/2019 Request for video mailed and hand-delivered with 7/29/2019 deadline - sales tax filings also requested. EVH
6/07/2019 Placard Suspension Notice JNV
12/19/2018 Temp. lic. ID #20180004460 approved to provide ent. outside conditions placed on lic. (#3) for 12/24, 12/25, 12/31, & 01/01 btwn 8:00 p.m. and 2:00 a.m. JWF
11/15/18 - Notice of Council Action Letter sent providing deadline of 4/25/19 for licensee to provide selected suspension dates per RES 18-332. - EH
11/07/2018 CF 18-332 Suspends license for 10 days for lapse in ins. Starting dates to be selected by licensee, must be served in 6 mos., maybe served 10 cons. or 2 five day periods. SLH
10/04/2018 Rcvd. ins. cert., to KS for follow-up. JWF
10/2/18 notice of Liq. Lia. cancelation sent to CAO KLS
9/14/18 To CAO for adverse action, lapse in insurance from 8/24/18 to 8/30/18. KS
11/16/17 Request to extend entertainment to Wed. Nov. 22, and Mon. 1/1/18 recd. Dist. Council approval recd. KS
11/18/16 Request to extend entertainment to Wed. Nov.23, 2016 recd. ok from Dist. 6 Planning Council.KS
08/23/2016 License expiration date changed from 7/23 to 8/24 to expire with liquor liability. There is no lapse in coverage. LAB
6/17/16 Approved temp entertainment request for 6/29/16 and 7/4/16 with conditions. KS
02/01/2016 Orders issued submit payment 2nd 1/2 liq. fee, 02/16/2016 response date. JWF
3/2/15 Paid delinq. KS
02/20/2015 No response to delinquent 2nd 1/2 Liq. orders, to KS for adverse action. JWF
02/11/2015 Delinquent 2nd 1/2 orders sent (NOW OWE \$\$2,780, 7-30 days late), response date 02/19/2015. JWF
11/17/2014 Lic. issued 07/23/2014, 2nd 1/2 Liq. On Sale due 01/23/2015 (waive late fees if paid by then). Mailed 2nd 1/2 Liq. On Sale invoice. JWF
07/14/2014 No objections to lic. notification per Nhia Vang's office, Leg. Hearing Officer. JWF
07/09/2014 Council file #14-1136 approves 45 day waiver for issuance of licenses. JWF
05/22/2014 Rcvd. signed condition affidavit. Rcvd. DC 45 day waiver letter. KS to follow-up with CC approval. JWF
05/22/2014 EM sent to license applicant informing approval of management agreement (copied current licensee). Reminded them of current license expiration date on 06/24/2014. JWF
05/21/2014 License notification sent, 100M/35EM, response date 07/11/2014. JWF
04/14/2014 Adverse Licensing Action sent due to incident of shots fired outside of bar by an employee. \$1500.00 matrix penalty Issued. KS/rjh



Licensee: KAVIN CHOUA THAO

DBA: PUPRAYA THAI RESTAURANT

License #: 20140001202

10/17/2018 - Entered resolution and attachments into Legistar (RES PH #18-332) for 11/7/2018 Public Hearing Agenda. JAK
10/16/2018 - Sent Notice of Council Hearing with attachments to licensee, District Council and property owner (November 7th 2018 @ 5:30 p.m.) JAK
10/03/2018 - Received letter from licensee requesting a public hearing. JAK
9/25/2018 - Sent Notice of Intent to Suspend Licenses (10 day suspension) with a 10/05/2018 deadline to respond. JAK
3/2/2015 - Licensee paid \$3,539.00 in delinquent license/late fees. JAK
2/24/2015 - Sent Notice of Intent to Suspend Licenses with a 3/6/2015 deadline to respond. JAK



STAMP - Ownership / Zoning Information

[New Search](#)

[Help using this report](#)

Run Date: 10/28/19 01:38 PM

House#: 945

Last updated from Ramsey County data on: 07/07/2018

Street Name: RICE

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

945 Rice St - 55117-4955 - [Other Applications](#)

PIN: 252923410259

Census Track: 31300

Census Block: 1007

Council Ward: 1

District Council: 6

Year Built:

Foundation Sq Feet:

Loan Company: 90 University

Land Value: 573100

Building Value: 511100

Unverified Usage: 15- COMMUNITY/STRIP SHOPPING- B- Commercial

ISP:

Units: 0

Zoning: B3 / ' / T2

Heritage Preservation: HP Inventory #: RA-SPC-3080 / HP Inventory #: RA-SPC-3078 / HP Property Name: residence / HP Date Built: ca. 1910 / HP Date Built: 1880s / HP Address: 941 Rice St. N. / HP Address: 939 Rice St. N.

Legal Desc: WEIDE'S ADDITION AND,REARRANGE VAC ST ACCRUING & EX W 15.5 FT; LOTS 14 & LOT 15 BLK 1 IN MCKENTY'S OUTLOTS & IN SD WEIDE'S ADD & RE LOTS 1 THRU LOT 8 BLK 2

Owner:

Tk 2 Llc
10341 Waterfront Dr
Woodbury MN 55129-8534

Certificate of Occupancy Responsible Party:

Tk 2 Llc
10341 Waterfront Dr
Woodbury MN 55129-8534



Name | Address | Phone | Email | Groups

Contact for Patron: KAVIN CHOUA THAO

Last Name: THAO

First Name: KAVIN CHOUA

Middle Initial:

Business Title: OWNER

Preferred Method: MAIL

Maiden Name:

Date of Birth: 06/15/1970

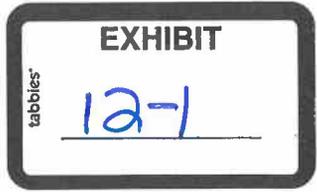
SSN:

Driver's License #: M383140225414

Last Check: 00/00/0000

Other Licensing Agency Name/License Type	License #	Expiration	Add
			Remove

OK Cancel Help Save Changes to History [checked]



Properties for Licensee Contact

Name | Address | Phone | Email | Groups

Street #: 179
Street Name: MCKNIGHT
Street Pre Direct: <All>
Street Type: ROAD
Street Post Direct: <All>
Unit #: #117
Unit Abbrev:
P.O. Box #:
City: ST PAUL
State: MN
Country: U.S.A.
Zip Code: 55119
Zip+4:

Inter Office Address:

Browse

Override Formatted Address for Mailing
US Post Formatted Address:

Last Upload: 01/01/1997

OK

Cancel

Help

Save Changes to History

tabbles®
EXHIBIT
12-2

PuPraya Thai Restaurant
 945 Rice St. Suite A
 saint paul, MN 55117
 (651) 330-2371

*** Sales Summary Report ***
 From 1/1/2018 To 12/31/2018

Sales Recap

	Amount	COUNT
	-----	-----
Total Sales	\$71,253.57	3058
Sales Tax:	\$5,575.52	
Beer & Liqr Tax:	\$24.94	
Delivery Compensation:	-\$0.00	
	=====	=====
Gross Sales:	\$76,854.03	
NEW GIFT CERT. SALES:	\$0.00	0
BAD CHECK PAYMENTS RECEIVED:	\$0.00	0
In House Account Payments:	\$0.00	0
TOTAL REFUNDS:	-\$0.00	0
TOTAL PAID OUTS:	-\$300.00	1
	=====	=====
NET RECEIPTS EXPECTED >>>	\$76,554.03	
Total Cash:	\$45,650.54	2343
Total Checks:	\$180.00	3
Total Credit Cards:	\$30,723.49	732
Gift Cert Redeemed:	\$0.00	0
In House Charges:	\$0.00	0
	=====	=====
TOTAL PAYMENTS >>>	\$76,554.03	

Sales Statistics

Average Order:	\$25.13	
Total Guests:	1418986	
PER GUEST:	\$0.05	
Voided:	\$70,987.09	
Discounts:	\$0.00	
NEW CUSTOMER CREDITS:	\$0.00	0



Kavin E. Thero

Puppraya Thai Restaurant
945 Rice St. # A
St. Paul, MN 55117



RECEIVED IN D.S.I.

AUG 19 2019

Eric Hudak

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 18th day of March, she served the attached **EXHIBIT LIST, EXHIBITS AND WITNESS LIST** and a correct copy thereof in an envelope addressed as follows:

Kavin Choua Thao- Licensee
d/b/a Pupraya Thai Restaurant
945 Rice Street
Saint Paul, MN 55117

Jim Mortenson
Administrative Law Judge
Office of Administrative Hearings
P.O. Box 64620
St. Paul, MN 55164-0620

Kavin Choua Thao
947 Lawson Avenue East
Saint Paul, MN 55106

(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 18th day of March 2020


Notary Public

