



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

Civil Division

400 City Hall

15 West Kellogg Blvd.

Saint Paul, Minnesota 55102

Telephone: 651 266-8710

Facsimile: 651 298-5619

September 11, 2015

NOTICE OF INTENT TO DENY LICENSE

Daniel Patrick Lawler  
8542 Greystone Avenue South  
Cottage Grove, MN 55016

RE: Taxicab Driver (Provisional) license application submitted by Daniel P. Lawler for the City of Saint Paul  
License ID #: 20150002346

Dear Mr. Lawler:

The Department of Safety and Inspections will recommend denial of the Taxicab Driver (Provisional) license application submitted by Daniel P. Lawler for the City of Saint Paul. The recommendation is based on the following information:

**On August 6, 2015, you submitted a Taxicab Driver (Provisional) license application to the Department of Safety and Inspections (DSI). During a routine criminal history check as part of the application process, DSI discovered that you were convicted on April 19, 1996 of Felony Attempted Murder 1<sup>st</sup> Degree (Minn. Stat. § 609.185.3) in Washington County. Saint Paul Legislative Code § 376.16 (e) (4) states the basis for adverse action: “Not be under sentence or have been discharged from a sentence for a felony conviction within ten (10) years immediately preceding application for a license for the following offenses: Murder (Minn. Stat. §§ 609.185 to 609.195).....”**

**According to Washington County Community Correction (Probation) records, you were placed on Supervised Probation for these convictions which was discharged as of August 26, 2012. Based on this information, you would not be eligible to apply for a Taxicab Driver (Provisional) license in the City of Saint Paul until after August 26, 2022.**

**You were also convicted at that time of Felony Burglary – 1<sup>st</sup> Degree (Minn. Stat. § 609.582.1) and Felony Kidnapping- To Facilitate Felony or Flight (Minn. Stat. § 609.25.1 2); Felony Aggravated Robbery – 1<sup>st</sup> Degree (Minn. Stat. § 609.245.1); Felony Assault – 1<sup>st</sup> Degree (Minn. Stat. § 609.221) and Felony Assault – 2<sup>nd</sup> Degree (Minn. Stat. § 609.222). Saint Paul Legislative Code § 376.16 (e) (4) (a) states the basis for adverse action: “Not be under sentence or have been discharged from sentence for any felony conviction within the five (5) years immediately preceding application for a license...”**

**Saint Paul Legislative Code § 310.06 (b) (6) (c) further states the basis for adverse action: “the licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has engaged in or permitted a pattern or practice of conduct of failure to comply with laws reasonably related to the licensed activity or from which an inference of lack of fitness or good character may be drawn.”**

At this time, you have four (4) 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 **Monday, September 21, 2015**, I will presume that you have chosen not to contest the proposed adverse action, and the matter will be placed on the City Council agenda for approval of the proposed remedy.
2. If you wish to admit the facts but you contest the 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. I will need to receive your letter no later than **Monday, September 21, 2015**. The matter will then be scheduled before the City Council for a public hearing to determine whether to deny your Taxicab Driver (Provisional) license. You will have an opportunity to appear before the Council and make a statement on your own behalf.
3. If you dispute the facts outlined above, or wish to present evidence that the conviction is not related to your license as a taxicab driver, or that you have been rehabilitated pursuant to Minn. Stat. §364.01 et seq, you may request a hearing before an Administrative Law Judge (ALJ). I will need to receive your letter no later than **Monday, September 21, 2015**. 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).

4. You may withdraw your license application. Send a written statement to that effect to the Department of Safety and Inspections (DSI), 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Monday, September 21, 2015**. Information should be directed to the attention of Dan Niziolek. Any request for a refund of the license application fee must also be made in writing to the Department of Safety and Inspections.

**If you have not contacted me or DSI by Monday, September 21, 2015, I will assume that you do not contest the denial of your Taxicab Driver (Provisional) license. 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 feel free to contact me at 266-8710.

Sincerely,



Geoffrey Karls  
Assistant City Attorney

cc: Dan Niziolek, DSI Deputy Director  
Ross Haddow, DSI

STATE OF MINNESOTA)  
 ) ss.

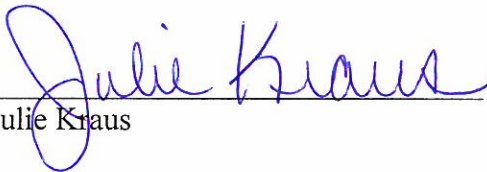
**AFFIDAVIT OF SERVICE BY U.S. MAIL**

COUNTY OF RAMSEY )


Julie Kraus, being first duly sworn, deposes and says that on the 11th day of September she served the attached **NOTICE OF INTENT TO DENY LICENSE** and correct copy thereof in an envelope addressed as follows:

Daniel Patrick Lawler  
8542 Greystone Avenue South  
Cottage Grove, MN 55016

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

  
Julie Kraus

Subscribed and sworn to before me  
this 11th day of September, 2015

  
Notary Public

