

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

In Re: Adverse action against the Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus for the premises located at 560 University Avenue in Saint Paul

**CITY'S PROPOSED
EXHIBITS**

DATE: June 27, 2018

TO: Judge Barbara Case, Office of Administrative Hearings, 600 North Robert Street.

The following constitutes a list of the City's proposed exhibits for the July 31, 2018 administrative hearing:

Exhibit No. Description

- Ex. No. 1 Supplemental Offense/Incident Report (CN #17-222-555) dated 12/04/2017 (10 pages)
- Ex. No. 2 Saint Paul Police video detailing undercover buy of synthetic marijuana dated 11/17/2016 (1CD)
- Ex. No. 3 Application for a Search Warrant dated 11/21/2017 (6 pages)
- Ex. No. 4 Search Warrant and Receipt, Inventory and Return Sheets dated 11/21/2017 (5 pages)
- Ex. No. 5 Supplemental Property Report (CN #17-270-565) dated 11/21/2017 (6 pages)
- Ex. No. 6 Supplemental Property Report (CN #17-270-565) dated 11/21/2017 (3 pages)
- Ex. No. 7 Supplemental Property Report (CN #17-270-565) dated 11/22/2017 (2 pages)
- Ex. No. 8 Original Offense/Incident Report (CN #17-270-565) dated 11/22/2017 (5 pages)
- Ex. No. 9 Supplemental Offense/Incident Report (CN #17-270-565) dated 12/04/2017 (2 pages)
- Ex. No. 10 Supplemental Offense/Incident Report (CN #17-270-565) dated 12/04/2017 (3 pages)
- Ex. No. 11 Photographs taken by Saint Paul Police during execution of Search Warrant on 11/21/2017 (40 pages)
- Ex. No. 12 Supplemental Offense/Incident Report (CN #17-270-565) dated 1/24/2018 (1 page)
- Ex. No. 13 Saint Paul Body Worn Camera video detailing Jalal Mouine's arrest dated 11/21/2017 (1 CD)
- Ex. No. 14 Saint Paul Body Worn Camera video detailing Officer Sam's discussion with licensee concerning the sale of synthetic marijuana on the licensed premises dated 11/22/2017 (1 CD)
- Ex. No. 15 Register of Actions – Case No. 62-CR-18-130 run date 5/2/2018 (2 pages)
- Ex. No. 16 Notice of Intent to Revoke License with Affidavit of Service dated 4/17/2018 (5 pages)
- Ex. No. 17 Notice of Prehearing Conference and Notice of Administrative Hearing dated 6/6/2018 resent by certified mail with Affidavit of Service dated 6/8/2018 (5 pages)
- Ex. No. 18 License Group Comments Text from ECLIPS System dated 2/23/2018 (5 pages)

Also attached please find courtesy copies of applicable City of Saint Paul city ordinances:

Saint Paul Legislative Code §310.05
Saint Paul Legislative Code §310.06

Respectfully submitted the 27th day of June, 2018



Therese Skarda, Assistant City Attorney
Office of the City Attorney
400 City Hall & Courthouse
15 West Kellogg Boulevard
Saint Paul, Minnesota 55102
(612) 266-8710

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

17222555

12/04/2017 14:54:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of incident: 100 10 ST E

Secondary reporting officer:

ST PAUL, MN 55101

Approver:

District: Central

Date & time of occurrence: 09/20/2017 13:00:00 to

Site:

09/20/2017 13:00:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

DRUGS-SELLING SYNTHETIC NARCOTICS

Attempt Only:

Appears to be Gang Related:

NAMES

Arrestee

Mouine, Jalal

2009 122ND ST Apt c3

UNKNOWN

BURNSVILLE, MN 55337

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male

Race: Other

DOB: 05/14/1978

Resident Status:

Hispanic:

Age: 39 from to

Phones

Home:

Cell:

Contact:

Work:

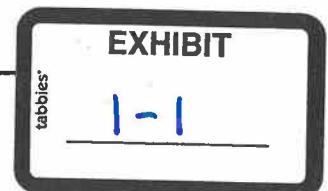
Fax:

Pager:

Employment

Occupation:

Employer:



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Complaint Number Reference CN

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12/04/2017 14:54:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Identification

SSN:	License or ID#: c283090846413	License State: MN
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Owner

Mohamud, Muhammed Ali
 1472 66TH AV NE
 FRIDLEY, MN 55432

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:	Race:	DOB: 01/01/1976	Resident Status:
	Hispanic:	Age: 41 from to	

Phones

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

Employment

Occupation:	Employer:
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Identification

SSN:	License or ID#: w083211556211	License State:
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Owner

Mouine, Najat
 2009 122ND ST
 BURNSVILLE, MN 55337

Nicknames or Aliases

Nick Name:

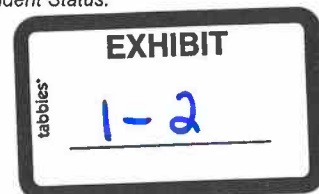
Alias:

AKA First Name:

AKA Last Name:

Details

Sex:	Race:	DOB: 10/14/1969	Resident Status:
	Hispanic:	Age: 48 from to	



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

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12/04/2017 14:54:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS**Phones**

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

Employment

Occupation:	Employer:
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Identification

SSN:	License or ID#:	License State:
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NARRATIVE

CN's 17-270-559, 17-270-562, 17-270566 and 17-270-565 are related and should be reviewed in connection to this case.

On 09/20/2017 I, Officer Sams, S847, (A narcotics Officer with the St. Paul Ramsey County Violent Crime Enforcement Team and SPPD narcotics), was informed by Sgt Murphy of a business establishment, the Dollar Plus(560 University Ave W), had been selling synthetic marijuana. Sgt Murphy had received reports from the community and multiple concerned citizens of individuals overdosing on illegal narcotics being sold from the Dollar Plus. Sgt Murphy had a previous Confidential Reliable Informant (CRI) that reached out to him saying he could participate in a controlled buy/walk (the planned purchase of a known amount of narcotics where the suspect is allowed to leave) at the Dollar Plus.

Officer G. Sahaal, from the Narcotics unit, attempted a buy of synthetic marijuana from the dollar plus on 11/17/2016 in the evening hours. The undercover officer was told by the owner of the store, MUHAMMED ALI MOHAMUD (01/01/1976, 1472 66th Ave NE, Fridley MN, 55432) to specifically come back in the morning as he did not sell the synthetic marijuana in the evening hours. Officer Sahaal asked for "K"(commonly known as another name for synthetic marijuana) from MOHAMUD. MOHAMUD said, "that's the other dude." Officer Sahaal asked if the person was here and MOHAMUD told Officer Sahaal to check in the morning. MOHAMUD said the other male is at the store every morning except the weekends when Officer Sahaal asked for specific time frames of the other individual. Officer Sahaal asked if MOHAMUD knew of any other place he could obtain the product and MOHAMUD said he didn't know and also said, "he doesn't even know that I know. I didn't even know that he does that. I heard from customer. That's his own privacy." MOHAMUD said the best time to catch the other male is weekdays before 3 o'clock. MOHAMUD told Officer Sahaal the name of the individual of discussion was "Jay." The entire conversation was documented on video and audio.

The owner of the Store was confirmed through DSI, St. Paul, as MUHAMMED ALI MOHAMUD(01/01/1976) as the person who had a license for the Dollar Plus at 560 University Ave W.

The CRI told Sgt Murphy the business was selling suspected synthetic narcotics. On 09/20/2017, the CRI said he would meet with Officers to conduct a controlled buy/walk operation. Sgt Murphy, Officer T. Vixayvong and I went to a predetermined location to meet with the CRI. Once we met the CRI a search was conducted on his person. I searched the CRI for narcotics. The CRI did not have any narcotics on his person. The CRI was provided a pre-determined amount of U.S Currency in buy fund money and instructed to purchase synthetic



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marijuana from the Dollar Plus.

The CRI was transported in a department issued vehicle from the predetermined location to a location near 560 University Ave W. The CRI walked to the Dollar Plus (never losing visual contact with the CRI) where he entered the store and conducted a buy of suspected synthetic marijuana. A few minutes later he emerged from the store and walked back to our location. Officer T. Vixayvong entered the store immediately after the controlled buy and noticed one male behind the counter who Officer T. Vixayvong later identified by his DVS photo as JALAL MOUINE(05/14/1978, 560 University Ave W, St. Paul MN, 55109, C/P:773-490-2803).

The CRI gave me the suspected synthetic marijuana and he/she was checked for further narcotics of which none was found. The suspected synthetic marijuana was in a blue small baggie and was later entered into the St. Paul Property room. The CRI was then transported back to the original predetermined location and dropped off. The blue package with suspected synthetic marijuana was transferred to the MN BCA for forensic testing. Forensic Scientist JAMES DAHLKE was the scientist who tested the suspected marijuana. The report from DAHLKE on the substance tested positive for synthetic marijuana with the illegal substances of FUB-AMB and AB-FUBINACA (acronyms for illegal substances found in synthetic marijuana per MN statute section 152).

Through the St. Paul report system, it shows JALAL MOUINE(05/14/1978) working as an employee of the Dollar Plus, 560 University Ave W dating back to the year 2009 under CN 09-023-582. MOUINE was identified as the Manager in the St. Paul report system dating back to the year 2009 under CN 09-165-085. JALAL has also been identified as the manager in 2017 under CN 17-022-654. Under CN 12-251-658, JALAL is the complainant in a report of a theft from auto and calls the report in from the Dollar Plus as the name "JAY MOUINE" from the initial 911 call, but later identifies himself in the police report as JALAL MOUINE DOB 05/14/1978.

On 09/25/2017 I contacted the CRI to conduct another controlled buy/walk at the Dollar Plus. Officer T. Vixayvong and I met with the CRI at a predetermined location where he/she was checked for narcotics of which there was none. The CRI was provided a pre-determined and pre-recorded amount of U.S Currency in buy fund money and instructed to purchase synthetic marijuana from the Dollar Plus. Surveillance (other VCET narcotics officers) was in the area of the Dollar Plus to keep constant visual on the CRI as he approached to conduct a buy/walk. Officer T. Vixayvong and I transported the CRI near the Dollar Plus where he/she was dropped off. Surveillance kept a constant visual on the CRI until he/she entered the store. The CRI entered the Dollar Plus for a few moments and exited the store where he/she met up with Officer T. Vixayvong and me. The CRI provided us with two small plastic bags, approximately 4 grams each, of suspected synthetic marijuana "California Dreams." The CRI was checked for additional narcotics of which none was found. The CRI was shown a picture of JALAL that was obtained from a police database (without any words or names on the picture). The CRI positively confirmed JALAL as the only clerk in the store who has sold the CRI the suspected synthetic marijuana on both 09/20/2017 and 09/25/2017. The CRI was dropped off at the original predetermined location. I transported the suspected synthetic marijuana to the St. Paul Property room where it was entered as evidence. The suspected synthetic marijuana purchased on 09/25/2017 was later transferred to the MN BCA where one of the "California Dreams" packages tested positive for illegal substance (under MN State Statutes section 152) of AB-FUBINACA. The testing was conducted by Forensic Scientist DAHLKE.

On 10/03/2017 I contacted the CRI to conduct another controlled buy/walk at the Dollar Plus. Sgt MURPHY and I met with the CRI at a predetermined location where he/she was checked for narcotics of which there was



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12/04/2017 14:54:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

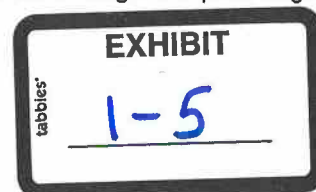
none. The CRI was provided a pre-determined and pre-recorded amount of U.S Currency in buy fund money and instructed to purchase synthetic marijuana from the Dollar Plus. Surveillance (other VCET narcotics officers) was in the area of the Dollar Plus to keep constant visual on the CRI as he approached to conduct a buy/walk. Sgt MURPHY and I transported the CRI near the Dollar Plus where he/she was dropped off. Surveillance kept a constant visual on the CRI until he/she entered the store. The CRI entered the Dollar Plus for a few moments and exited the store where he/she met up with Sgt MURPHY and me. The CRI provided us with two small plastic bags, approximately 4 grams each, of suspected synthetic marijuana. One of the packages was a red small plastic baggie and the other package was labeled "California Dreams" (same packaging as buy/walk on 09/25/2017). The CRI was checked for additional narcotics of which none was found. The CRI confirmed JALAL was the person who sold him the suspected synthetic marijuana. The CRI was dropped off at the original predetermined location. I transported the suspected synthetic marijuana to the St. Paul Property room where it was entered as evidence. The packages were later transferred to the MN BCA where they were again tested by the MN BCA forensic scientist DAHLKE. The red packaging tested positive for an illegal substance of FUB-AMB and AB-FUBINACA (illegal substances per MN State Statute under section 152). The "California Dreams" packaging tested positive for the illegal substance of AB-FUBINACA.

The blue package purchased by the CRI on 09/20/2017 matched the same illegal substances as the red package purchased on 10/03/2017. One the "California Dreams" packages that was purchased on 09/25/2017 and tested positive for illegal substance on 09/25/2017, matched the "California Dreams" package purchased by our CRI on 10/03/2017 which also tested positive for illegal substances.

The CRI informed me that JALAL is the only person who sells the synthetic marijuana at the store and is the only worker at the Dollar Plus in the morning hours up until approximately 2pm every day. The CRI advised JALAL uses his vehicle to transport the synthetic marijuana to the store every day in the morning. A vehicle seen behind the store next to the back door in the alley on a regular basis has been a 2012 Black Volkswagen Passat with MN plate 554WMM (VIN:1VWBH7A38CC074561). Through a MN police database I was able to determine one of JALAL's registered vehicles to be the MN plate 554WMM 2012 Volkswagen Passat.

Other SPPD Narcotics Officers continued to surveil the address after the 2nd controlled buy on 09/25/2017. All surveillance Officers were provided a picture of JALAL. This 2012 Volkswagen Passat was parked directly in front of the rear door leading to the Dollar Plus on the second and third, 09/25/2017 and 10/03/2017, controlled buys. It was also seen parked in the same position at the rear of the entrance to the Dollar Plus store on many other occasions throughout the investigation. I continued to surveil the Dollar Plus on 09/25/2017 where your affiant saw JALAL exiting the rear of Dollar Plus and enter the 2012 Volkswagen Passat and drive away at 2:10pm. Your affiant and other surveillance Officers also saw JALAL exit the Dollar Plus on 10/02/2017 at approximately 1350 hours and enter the 2012 Black Volkswagen Passat bearing a MN plate 554WMM. This corroborates the CRI's information about the time frame for when JALAL leaves on a daily basis. This information also is consistent with the information given by the store owner, MOHAMUD, as when Officer Sahaal should come back (before 3pm) to the store in order to obtain synthetic marijuana.

On 10/10/2017, I and other Officers were surveilling the Dollar Plus in attempt to follow JALAL to a known location where was staying and/or his place of residence. Prior to Mouine leaving the Dollar Plus on 10/10/2017, he was seen entering a vehicle with MN plate YBT2259, 2004 Ford DRW, Cab & Chassis, Y-Class Commercial Truck/Tracker, VIN:1FDXF46P84EB700. JALAL entered through the passenger side door and



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then to the driver's seat where he operated the vehicle. JALAL unloaded items from the Y-Class Commercial Truck/Tracker and placed the items in the trash. The vehicle was registered to Dollar Plus, Inc at 560 University Ave.

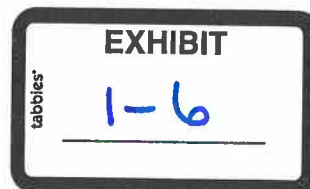
JALAL's home of record for the Volkswagen Passat and for his driver's license lists to the Dollar Plus store at 560 University Ave W. I know the Dollar Plus complex is strictly a commercial complex and not zoned or suited for living. There are no apartment style residences above the business. I know from previous training and experiences those who conceal and hide their living address or omit their home of record from the department of motor vehicles and other government entities have been known to be living at other addresses not on record in order to evade detection or detention from authorities because of illegal activities they may be involved in.

I believed the Volkswagen Passat described above was being operated by JALAL MOUINE. Based on my findings and the corroboration of the CRI's information, I believed JALAL was transporting and distributing synthetic marijuana to 560 W. University on a routine basis and selling from the store. I know from training and experience, distributors will use vehicles to drop off controlled substances at storage lockers and utilizing the homes and apartments of co-conspirators. I know distributors also have many clients and use their vehicles to drive to many different locations to sell their product.

Based on my training and experience I know that it is common for individuals who are trafficking controlled substances to keep quantities of controlled substances and other evidence of their drug trafficking in residences they own, reside in, or have control over.

I obtained a signed search warrant by the Honorable Judge Sara Grewing on 09/26/2017 for JALAL's VW Passat vehicle. VCET Officers and I attempted to follow JALAL in the VW Passat leaving the Dollar Plus multiple times for multiple hours. JALAL was doing heavy counter surveillance where we lost sight of his vehicle once and weren't able to continue to follow on another time because of the extended time frame we were following where he was not leading us to an ending location. We ran out of time to place the tracker within the applicable time frame due to other concurrent operations within the unit being conducted and also due to the fact we failed on two attempts to place the tracker previously. I obtained another signed search warrant by the Honorable Judge G. Bastian on 10/05/2017 to place a mobile tracking device on JALAL's 2012 Volkswagen Passat vehicle. On 10/12/2017 I placed a mobile tracking device on JALAL's 2012 Volkswagen Passat while outside the Dollar Plus store at approximately 0850 hours during daylight as we were unable to place him at a residence on the two previous follows. The mobile tracking device revealed JALAL had been traveling to the All American Self-Storage commercial storage complex at 1500 Marshall Ave on a routine basis.

I confirmed with management at the Self-Storage business that JALAL has a registered storage space stall of #1633 in his name under "JAY MOUINE." The following items were listed on the All American Self-Storage Locker #1633 Customer Ledger: 560 University Ave, St. Paul MN, 55103 as the address, Jalal4@msn.com as JALAL's e-mail, phone numbers of 651-224-1174(used in St. Paul Police reports as the phone to the Dollar Plus), 773-490-2803(used as JALAL's mobile number(also listed in police reports as mobile), and the Driver's License number of C283098464413 (DVS shows C28309846413 as JALAL's D/L number). Management also confirmed JALAL has paid the monthly payments in cash since 2012. The vehicle driven by JALAL has shown a pattern of visiting the Self-Storage complex before going to work at the Dollar Plus and immediately



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returning to the Self-Storage complex after driving to the Dollar Plus. On multiple occasions JALAL has traveled to the Dollar Plus more than once a day and routinely visits the Self-Storage complex before and/or after going to the Dollar Plus on these occasions. On 10/16/2017 at approximately 1435 hours I visually saw JALAL driving to the 2012 Volkswagen Passat westbound on Marshall Ave and enter the Self-Storage complex at 1500 Marshall Ave.

The mobile tracker also showed JALAL traveling to and from an apartment complex of 373 Winthrop St S where he has stayed overnight every night since the tracker has been in place except one or two nights where he parked near a motel in Burnsville, MN on one night and another motel in the southwest metro. JALAL is routinely driving around the Twin Cities from approximately 0700 hours to approximately 2100 hours on an everyday basis before becoming stationary overnight at 373 Winthrop St S. On 10/26/2017 at approximately 2042 hours I was stationary in the parking lot of 373 Winthrop St S and observed JALAL exit the VW Passat and walk inside the 373 Winthrop St S building. JALAL was let in by a female who was holding the door. The female and JALAL walked together to the 2nd floor where I lost visual from the outside. On 11/01/2017 Officer G. SAHAAL and I were performing surveillance on the apartment complex prior to JALAL arriving at the residence in his VW Volkswagen. Officer SAHAAL was positioned inside the building while I was outside in my vehicle. Shortly after 1900 hours I observed JALAL's Black VW Passat arrive in the parking lot and park in front of 373 Winthrop St S. JALAL stayed in the vehicle for an extended period of time. JALAL finally exited the vehicle and I confirmed visually it was JALAL. I relayed the clothing description to Officer SAHAAL. Officer SAHAAL was also provided a picture of JALAL prior to the operation. JALAL walked around in the parking lot and returned to his vehicle where he sat for another extended period of time. After 2000 hours I, again, observed JALAL exit his vehicle where he walked to the northern, middle, entrance of 373 Winthrop St S apartment complex. JALAL was wearing a backpack, black jacket, black pants and a blue hoodie and glasses. 373 Winthrop St S is a secure building and therefore a key is needed to enter unless someone from inside lets a person in. It appeared JALAL used a key to enter as I did not see anyone near JALAL, inside or outside, as he entered the building. Officer SAHAAL observed JALAL standing in the entry way of the building and followed JALAL to the second floor. Officer SAHAAL observed JALAL key and enter apartment 274 where he heard him greeting a couple of people. After confirming JALAL's apartment where he stays at night, Officer SAHAAL and I left the area.

I later spoke with management, THEIS and TALLE, at 373 Winthrop St S. Management advised the renter in apartment 274 was a person by the name of AMAL AHMED ALI, DOB 06/16/1980 who had three children. Management advised AMAL had been living at the address for a few years.

The mobile tracker shows JALAL routinely driving to an address located at 2005-2011 E 122nd St Apt, Burnsville MN. These addresses were identified as the REGENCY CONDOMINIUMS. The condominiums are managed by the GASSAN Management Company. I was able to obtain a list of owners at the condominium complex from GASSAN Management Company. The complex association states the units are to be lived in by their owners and not to be rented. Among the list of owners I found a name by NAJAT MOUINE, DOB 10/14/1969, who owned a unit within the complex with the address of 2009 E 122nd St C3, Burnsville MN. The US Postal Service was able to confirm that JALAL MOUINE receives regular mail at NAJAT's address of 2009 E 122nd St C3, Burnsville MN. The mobile tracker showed JALAL spending a considerable amount of time, approximately 3-4 hours, each time in the afternoons, 4-5 days a week at the address. A majority of the time, JALAL would stop at the Self-Storage before and after going to the address at 2009 E 122nd St C3, Burnsville MN.



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I was able to talk with management at the REGENCY CONDOMINIUMS and they confirmed JALAL was a brother to NAJAT MOUINE and they have seen him regularly at the address. Management was also able to point out that JALAL drives a Black Volkswagen Sedan and parks routinely in the visitor parking lot. I noticed management had the phone number of 773-490-2803 listed as one of two contact numbers for NAJAT. This phone number is the number JALAL uses on a regular basis through the Dollar Plus store, the Self-Storage facility and through police reports as his mobile device. The phone number has previously listed to JALAL and has also been listed on the Self-Storage paperwork as JALAL's mobile number. JALAL later provided this phone number as his own when filling out the Miranda form when I later interviewed him on 11/21/2017. The phone number was also found in the St. Paul Record Management System when JALAL provided this phone number to Police as a contact number for him when involved in a traffic accident report. The common person would suggest this phone number belongs to JALAL as he regularly uses this phone in and outside of the Dollar Plus employee activities. It also would be safe to assume he has a particular involvement in the condominium at the REGENCY CONDOMINIUMS as this phone number lists as a contact in the Association management records.

On 11/06/2017 I contacted the CRI to conduct another controlled buy/walk at the Dollar Plus. Officer T. ROTH and I met with the CRI at a predetermined location where he/she was checked for narcotics of which there was none. The CRI was provided a pre-determined and pre-recorded amount of U.S Currency in buy fund money and instructed to purchase synthetic marijuana from the Dollar Plus. Surveillance (other VCET narcotics officers) was in the area of the Dollar Plus to keep constant visual on the CRI as he approached to conduct a buy/walk. Officer T. ROTH and I transported the CRI near the Dollar Plus where he/she was dropped off. Surveillance kept a constant visual on the CRI until he/she entered the store. The CRI entered the Dollar Plus for a few moments and exited the store where he/she met up with Officer T. ROTH and me. The CRI provided us with two small plastic bags, approximately 4 grams each, of suspected synthetic marijuana in green packaging. The CRI was checked for additional narcotics of which none was found. The CRI again confirmed the suspected synthetic marijuana packages were purchased from JALAL. The CRI was dropped off at the original predetermined location. I transported the suspected synthetic marijuana to the St. Paul Property room where it was entered as evidence.

On 11/08/2017 the Honorable Judge MULROONEY signed a search warrant for JALAL's person, the Dollar Plus, JALAL's VW Passat and the 2004 Ford Work Truck. This search warrant was never executed as other operations in the VCET unit were being conducted and time did not permit. Two other attempts to purchase synthetic marijuana were attempted with the CRI, but were unsuccessful as the CRI advised JALAL said it was "too heavy" one time and the other time he was out of synthetic marijuana.

On 11/14/2017 the Honorable Judge MACDONALD signed a search warrant for NAJAT's person and the address of 2009 E 122nd St C3, Burnsville MN, 55337. On 11/14/2017 the Honorable Judge HILGERS signed the search warrants for AMAL's person and the address of 373 Winthrop St S Apt 274, St. Paul MN, 55119 and also for the address of 1500 Marshall Ave, St. Paul MN, 55104 storage space #1633.

See CN 17-270-566 for Officer Sullivan's reports for the Burnsville address and statements made by NAJAT.

See CN 17-27-562 for Officer T. Vixayvong's reports for the Afton View execution of the search warrant.



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On 11/21/2017 the GPS tracker showed JALAL's vehicle enter the Self-Storage at 1500 Marshall Ave, and park near the storage space #1633 just after 0800 hours. After leaving the self-storage Officers within the VCET unit under my control executed the search warrant signed by the Honorable Judge HILGERS for the storage space. Officers located a stolen firearm, small amount of suspected marijuana, small amount of synthetic marijuana and some documents. See CN 17-270-559 for additional information and reports.

Shortly after JALAL's vehicle left the self-storage, the tracker showed JALAL driving to the front of the Dollar Plus store where he parked in front of the door. Deputy J. FERRIEN, within the VCET unit, confirmed JALAL entered the store through the front door after exiting the VW Passat. JALAL was seen exiting the front door of the store after a few minutes and enter the VW Passat. The vehicle drove to the rear of the Dollar Store where K-9 Officer Schmidt conducted a traffic stop on JALAL's vehicle. Officer SCHMIDT was instructed to arrest and detain JALAL for probable cause to distribute synthetic marijuana and possession of a stolen firearm. I arrived on-scene and confirmed JALAL was the individual taken out of the vehicle. At my direction, Officer BOONE transported JALAL to the LEC where he was booked for Felony-Distribution of Synthetic Marijuana and Felony-Possession of a stolen firearm.

The key chain found attached to vehicle key of JALAL's Passat contained many keys. One of the keys was a key fob labeled "THIES and TALLE", which shows JALAL has possible access to the apartment complex at 373 Winthrop St S. One of the keys was also later used to enter the front door at the Dollar Plus when a search warrant was obtained. The vehicle was towed by Officer SCHMIDT and held for narcotics. Two cell phones were found on JALAL's person and later entered into property.

The Honorable Judge Kyle signed a search warrant for the Dollar Plus, 560 University Ave W, JALAL's vehicle, 554WMM, and the Dollar Plus' Ford work truck. See CN 17-270-565 for the items found inside the store and inside JALAL's vehicle. The Ford work truck was not searched as it was not on the premises.

Multiple letters inside the store were addressed to JALAL. The self-storage bill was found in JALAL's vehicle with a date of paying up to 11/30/2017. A metro PCS bill with JALAL as the customer was also found in JALAL's vehicle in addition to suspected synthetic marijuana. These documents suggest JALAL was using the vehicle on a routine basis, still paying for the storage space of #1633 and had a vested interest in the Dollar Plus located at 560 University Ave W.

JALAL was interviewed in the afternoon on 11/21/2017 at the Ramsey County Jail. JALAL signed the Miranda form, listed the Dollar Plus as his address and listed the phone number of 773-490-2803 as his phone. The interview was recorded and downloaded into the media vault. JALAL said he smoked synthetic marijuana and then requested a lawyer. The interview was concluded. JALAL signed the receipt paperwork for the firearm located in the All American Self-Storage, the two firearms located at the Dollar Plus and the U.S. Currency taken at the Burnsville address. He also signed paperwork for Notice of forfeiture paperwork. The next day, 11/22/2017, I went back to the jail as I separated items for forfeiture and placed the items on two forms instead of one. JALAL signed the updated forms in addition to the original forfeiture paperwork that was signed on 11/21/2017.

Prior to interviewing JALAL, I obtained a signed search warrant by the Honorable Judge S. Smith to obtain a Buccal (oral) DNA swab from JALAL.



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

17222555

12/04/2017 14:54:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Using a BCA DNA collection kit and wearing examination gloves, I opened one package containing two sterile cotton tipped swabs. I used the swabs to obtain a sample from the inside of JALAL's mouth and then placed the swabs in the designated envelope (included with the "known suspect" DNA sample kit). I sealed the envelope and then labeled it in front of JALAL. I provided JALAL with a copy of the Search Warrant for his DNA and the property receipt for obtaining his DNA. I then entered the DNA sample into SPPD property/evidence.

I received information that the owner, MOHAMUD, wished to speak with me about the search warrant on the Dollar Plus. I talked with him over the phone and he identified him as MUHAMMED ALI MOHAMUD, 01/01/1976 and owned the store. I went to the store on 11/22/2017 in plain clothes wearing a body worn camera issued to me by the St. Paul Police department.

MOHAMUD said the two firearms located belonged to JALAL and mentioned JALAL used them for target practice. MOHAMUD denied knowing about JALAL selling synthetic marijuana. I told him an undercover officer came in last year to speak with MOHAMUD about purchasing synthetic marijuana. MOHAMUD continued to say he didn't know anything about synthetic marijuana and said when people ask him about the illegal narcotics he defers them to come back in the morning. I asked him why he would tell people to come back in the morning if he supposedly didn't know about the illegal narcotics and he said it was JALAL's business and he didn't want anything to do with what JALAL did. This is a paraphrased summary of the conversation with MOHAMUD. The entire recording was captured by my BWC.

All search warrants have been filed. There is nothing further to report at this time.

PUBLIC NARRATIVE

Last page of the report



SP9FD8C5C25FCCF

STATE OF MINNESOTA, COUNTY OF RAMSEY

DISTRICT COURT

APPLICATION FOR SEARCH WARRANT

I, Jordan Sams, a licensed peace officer in the State of Minnesota, make an application to this Court for a warrant to search the premises and motor vehicle described below, for the property and thing(s) described below.

I know the content of this application and affirm that the statements contained in this application are true based on my own knowledge, or are believed to be true.

I believe that the following described property and thing(s), namely:

- 1. Synthetic Marijuana, cultivation equipment, other controlled substances contained in the Controlled Substance Laws, scales, drug paraphernalia, drug notes, primary containers and other items used for the concealment, storage, manufacture, distribution or consumption of controlled substances.**
- 2. Records, documents, papers, invoices, billings, bankbooks, bank statements, safe deposit box information, and other financial documents or instruments. Papers, mail, writings, letters, credit cards, house keys, clothing, personal items and forms of identification.**
- 3. U.S. currency, foreign currency, coins and other moneys, precious metals and stones, jewelry.**
- 4. Safes, lockboxes and their keys, and safe deposit box keys.**
- 5. Weapons, guns, firearms, ammunitions, and other dangerous weapons described in Minnesota Statute 609.02.**
- 6. Photographs, video tapes, audio recordings or any other electrical, electronic or magnetic storage devices, recording devices (video and audio).**
- 7. Address/phone books, telephone numbers, messages, and stored electronic communications (caller identification).**
- 8. Cellular phones (to include cellular phone/computer combinations), pagers, electronic storage devices.**
- 9. Computers, computer hard drives and all information storage type devices for**



10. Closed circuit camera systems.

is or are at the premises and in the motor vehicle described as:

Premises: 560 University Ave W, St. Paul MN, 55104, Dollar Plus, located within the University/Dale Mall on the southeast corner of Dale/University, a commercial building that attaches to other retail stores on both sides

Vehicle: 2012 Black Volkswagen Passat, MN plate 554WMM, VIN:1VVBH7A38CC074561

Vehicle: 2004 Ford DRW Cab & Chassis, Y-Class Commercial Truck/Tractor, MN plate YBT2259, VIN:1FDXF46P84EB70085

located in city or township of St. Paul, County of Ramsey, State of Minnesota.

I apply for a search warrant on the following grounds:

- The property or things above-described was stolen or embezzled.
- The property or things above-described was used as means of committing a crime.
- The possession of the property or things above-described constitutes a crime.
- The property or things above-described is in the possession of a person with intent to use such property as a means of committing a crime, or the property or things so intended to be used are in the possession of another to whom they have been delivered for the purpose of concealing them or preventing their being discovered.
- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The facts establishing the grounds for issuance of a search warrant are as follows:

I, Officer Jordan Sams, am your affiant in this matter. Your affiant is a police officer with the City of St. Paul and has been a licensed Peace Officer for 7 1/2 years. Your affiant is currently assigned as an investigative officer in the St. Paul Police Narcotics Unit (Ramsey County Violent Crimes Enforcement Team) where he is responsible for investigating a wide variety of drug related offenses within the City of St. Paul and surrounding areas.

On September 20th your affiant was informed by Sgt. Murphy (SPPD Narcotics Unit) there had been numerous complaints from citizens that a store located at 560 University Ave W, Dollar Plus, has been selling synthetic marijuana that has caused multiple overdoses and medical related problems with individuals in the community. Sgt Murphy and other SPPD Narcotics Officers had attempted an undercover officer buy at the store in the past. The undercover officer attempted to buy synthetic marijuana in the evening hours and was told to specifically come back in the morning.



On multiple occasions, 09/20/2017, 09/25/2017, 10/03/2017 and **11/06/2017** your affiant and other Officers orchestrated multiple buy/walk operations utilizing a confidential reliable informant (CRI). On all occasions we met with the CRI in person at a predetermined location where he/she was searched for narcotics. The CRI was not found to have any narcotics on all occasions. Your affiant and other Officers transported the CRI from the predetermined location to a location near the Dollar Plus, 560 University Ave W. The CRI was provided a pre-determined amount of U.S Currency in buy fund money and instructed to purchase synthetic marijuana from the Dollar Plus on each occasion. The CRI exited the vehicle on each occasion where he/she approached the Dollar Plus on foot. Your affiant and other surveillance officers (SPPD narcotic Officers and VCET Officers) kept in constant contact (never losing sight of him/her) of the CRI where he/she entered the Dollar Plus. Moments later, on every occasion, the CRI exited the Dollar Plus and walked directly (never losing sight of him/her) to your affiant's location. The CRI advised he/she had purchased synthetic marijuana from the same clerk at the Dollar Plus on each occasion. For every buy/walk, synthetic marijuana was recovered from the CRI and later entered into the SPPD Property Room. The CRI was checked for narcotics with negative results after every buy/walk. The suspected synthetic marijuana was later sent to the MN BCA for testing for the buys on 09/20/2017, 09/25/2017 and 10/03/2017. The laboratory results from these days were from the MN BCA and were tested by a Forensic Scientist. The Forensic Scientist found illegal substances of either FUB-AMB and/or AB-FUBINACA in the packages on the first three buy/walks. These substances are found to be illegal under MN Statutes section 152.

There were multiple packages purchased on different dates that tested positive for the illegal controlled substances. Multiple packages purchased on different days were identical.

On the first controlled buy, 09/20/2017, Officer T. Vixayvong entered the Dollar Plus immediately after the CRI had conducted the first purchase of the synthetic marijuana. Officer T. Vixayvong was able to positively identify Jalal Mouine DOB 05/14/1978 as the only clerk behind the counter. Officer T. Vixayvong was able to identify Mouine through a picture provided by a MN police database. The same picture was presented to the CRI who confirmed the picture was Mouine who sold him/her suspected synthetic marijuana on 09/20/2017, 09/25/2017 10/03/2017 and 11/06/2017. The CRI also informed your affiant that Mouine is the only person who has sold to him/her at the store and has been the only person at the Dollar Plus in the morning hours up until approximately 2pm every day. The CRI advised Mouine uses his vehicle to transport the synthetic marijuana to the store every day in the morning.

Through a MN police database your affiant was able to determine one of Mouine's registered vehicles to be a MN plate 554-WMM 2012 Volkswagen Passat. This 2012 Volkswagen Passat was parked directly in front of the rear door leading to the Dollar Plus on two of the said dates of the controlled buys. Mouine has been seen multiple times as the only person driving the Volkswagen Passat.



Your affiant obtained a signed search warrant by the Honorable Judge G. Bastian on 10/05/2017 to place a mobile tracking device on Mouine's 2012 Volkswagen Passat vehicle. On 10/12/2017 your affiant placed a mobile tracking device on Mouine's 2012 Volkswagen Passat. The mobile tracking device revealed Mouine had been traveling to the All American Self-Storage commercial storage complex at 1500 Marshall Ave, St. Paul MN, on a routine basis. The mobile tracker on Mouine's VW Passat has shown a pattern of visiting the Self-Storage complex before going to work every day and immediately after work at the Dollar Plus. On multiple occasions Mouine has traveled to the Dollar Plus more than once a day and routinely visits the Self-Storage complex before and/or after going to the Dollar Plus on these occasions. On 10/16/2017 at approximately 1435 hours your affiant visually saw Mouine driving the 2012 Volkswagen Passat westbound on Marshall Ave and enter the Self-Storage complex at 1500 Marshall Ave. Through your affiant's training and experience, your affiant knows that narcotics dealers use storage facilities as a means to store further narcotics and/or equipment related to narcotics trafficking.

On 10/10/2017, your affiant and other Officers were surveilling the address in attempt to follow Mouine to a known location where he was staying. Prior to Mouine leaving the Dollar Plus on 10/10/2017, he was seen entering a vehicle with MN plate YBT2259, 2004 Ford DRW, Cab & Chassis, Y-Class Commercial Truck/Tracker, VIN:1FDXF46P84EB700. Mouine entered through the passenger side door and then to the driver's seat where he operated the vehicle. Mouine unloaded items in the Y-Class Commercial Truck/Tracker and placed the items in the trash. The vehicle was registered to Dollar Plus, Inc at 560 University Ave.

Mouine's home of record for the Volkswagen Passat and for his driver's license lists to the Dollar Plus store at 560 University Ave W. Your affiant knows the complex is strictly a commercial complex and not zoned or suited for living. There are no apartment style residences above the business. Your affiant knows from previous training and experiences those who conceal, hide their living address or omit their home of record from the department of motor vehicles, have been known to be living at other addresses not on record in order to evade detection or detention from authorities.

On 11/21/2017 officers under your affiants control executed a search warrant on the All American Self-Storage Facility, 1500 Marshall Ave, St. Paul MN storage unit #1633. The search warrant on the Self-Storage Facility was signed by the Honorable Judge Hilgers on 11/14/2017. Officers located suspected synthetic marijuana and suspected marijuana inside the storage locker along with a large amount of U.S. Currency and a stolen firearm. Just before executing the search warrant on the storage locker, the GPS tracker showed Mouine visiting the storage locker in the morning hours of 11/21/2017 with the VW Passat, normally like most days before proceeding to the Dollar Plus. Mouine was stopped on traffic in the VW Passat vehicle once reaching the Dollar Plus where he was arrested for probable cause to distribute synthetic marijuana by St. Paul patrol officers and the stolen firearm.

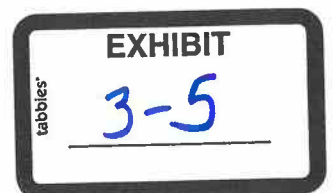


Based on your affiant's investigation, your affiant believes that Mouine has continued to traffic illegal narcotics from the Dollar Plus, 560 University Ave W, St. Paul MN. Furthermore, your affiant believes that the said illegal narcotics will be found at 560 University Ave W. Your affiant also believes that Mouine utilizes the aforementioned vehicles to further facilitate his illegal narcotics trafficking.

Based on the above information, your affiant submits there is probable cause that the search sought by this warrant leading into the Dollar Plus Store located at 560 University Ave W, Mouine's vehicle(MN plate 554WMM, Black 2012 Volkswagen Passat VIN:1VWBH7A38CC074561), and Mouine's work vehicle(MN plate YBT2259, 2004 Ford DRW, Cab & Chassis, Y-Class Commercial Truck/Tracker, VIN:1FDXF46P84EB700) will lead to evidence tending to show that the store and vehicles contains evidence, fruits, and instrumentalities of crimes committed by Jalal Mouine DOB 05/14/1978 in violation of Minnesota's Controlled Substance laws under MN statues Chapter 152.

Your affiant knows that the information provided by the CRI has proven to be true and correct through independent corroborative investigation. The true identity of the CRI should remain confidential with the meaning of Minnesota Statue 13.82 Sub. 17 (c). Your affiant believes that the CRI would be in danger of great bodily harm if the true identity of the CRI were made known.

(End of Page)



I request a search warrant be issued, commanding Jordan Sams, a peace officer of the State of Minnesota, and any other authorized person, to enter and search between the hours of 7 a.m. and 8 p.m. to search the above described premises and motor vehicle for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

I declare under penalty of perjury that everything stated in this document is true and correct.

Applicant: Jordan Sams

St Paul Police Dept
Electronically Signed
11/21/2017 9:32 AM
Ramsey, Minnesota



STATE OF MINNESOTA, COUNTY OF RAMSEY

DISTRICT COURT

SEARCH WARRANT

TO: JORDAN SAMS, A PEACE OFFICER OF THE STATE OF MINNESOTA.

WHEREAS, Jordan Sams has this day on oath made an application to this Court for a warrant to search the following described premises and motor vehicle :

Premises: 560 University Ave W, St. Paul MN, 55104, Dollar Plus, located within the University/Dale Mall on the southeast corner of Dale/University, a commercial building that attaches to other retail stores on both sides

Vehicle: 2012 Black Volkswagen Passat, MN plate 554WMM, VIN:1VWBH7A38CC074561

Vehicle: 2004 Ford DRW Cab & Chassis, Y-Class Commercial Truck/Tractor, MN plate YBT2259, VIN:1FDXF46P84EB70085

located in city or township of St. Paul, State of Minnesota for the following described property and thing(s):

1. Synthetic Marijuana, cultivation equipment, other controlled substances contained in the Controlled Substance Laws, scales, drug paraphernalia, drug notes, primary containers and other items used for the concealment, storage, manufacture, distribution or consumption of controlled substances.
2. Records, documents, papers, invoices, billings, bankbooks, bank statements, safe deposit box information, and other financial documents or instruments. Papers, mail, writings, letters, credit cards, house keys, clothing, personal items and forms of identification.
3. U.S. currency, foreign currency, coins and other moneys, precious metals and stones, jewelry.
4. Safes, lockboxes and their keys, and safe deposit box keys.
5. Weapons, guns, firearms, ammunitions, and other dangerous weapons described in Minnesota Statute 609.02.
6. Photographs, video tapes, audio recordings or any other electrical, electronic or magnetic storage devices, recording devices (video and audio).



7. Address/phone books, telephone numbers, messages, and stored electronic communications (caller identification).
8. Cellular phones (to include cellular phone/computer combinations), pagers, electronic storage devices.
9. Computers, computer hard drives and all information storage type devices for
10. Closed circuit camera systems.

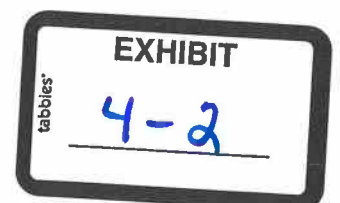
WHEREAS, the application of Jordan Sams was duly presented and read by the Court, and being fully advised in the premises.

NOW, THEREFORE, the Court finds that probable cause exists for the issuance of a search warrant upon the following ground(s):

- The property or things above-described was stolen or embezzled.
- The property or things above-described was used as means of committing a crime.
- The possession of the property or things above-described constitutes a crime.
- The property or things above-described is in the possession of a person with intent to use such property as a means of committing a crime, or the property or things so intended to be used are in the possession of another to whom they have been delivered for the purpose of concealing them or preventing their being discovered.
- The property or things above-described constitutes evidence which tends to show a crime has been committed, or tends to show that a particular person has committed a crime.

The court further finds that probable cause exists to believe that above-described property and thing(s) is or are at the above-described premises and in the above-described motor vehicle.

(End of Page)



NOW, THEREFORE, you Jordan Sams, peace officer of the State of Minnesota, and any other authorized person, are hereby commanded to enter and search between the hours of 7 a.m. and 8 p.m., to search the above-described premises and motor vehicle, for the described property and thing(s), and to seize and keep said property and thing(s) in custody until dealt with according to law.

BY THE COURT

ISSUED ON: 21 November, 2017

Judicial Officer: Richard H. Kyle Jr

Judge of District Court
Electronically Signed
11/21/2017 9:36 AM



STATE OF MINNESOTA, COUNTY OF Ramsey Ramsey COURT

RECEIPT, INVENTORY AND RETURN

I, Officer Sams, received the attached search warrant issued by the Honorable Judge Kyle, on 11/21, 2017, and have executed it as follows:

Pursuant to said warrant, on 11/21/2017, 2017, at 0750 o'clock A.M., I searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said warrant (with) (in) (at) 560 University Ave W, Dollar Plus

I took in custody the property and things listed below: (attach and identify additional sheet if necessary)

- 1 - Behind counter of business - 9mm Silver CZ USA S/N: A694749
2 - handgun magazine w/ammunition - behind counter T.V
3 - gun case - behind the counter T.V.
4 - Ballistic vest + cover - behind the counter T.V
5 - Behind counter - 3 Black 7.62x39mm Large magazines - Empty
6 - Behind counter - 2 Black 7.62x39mm Large magazines - Full
7 - Behind counter - 2 loose 7.62 Live Rounds
8 - Behind counter - AK-47 - S/N: 19169BS1482
9 - Behind counter - 37 Boxes of 7.62x39mm Live Rounds "TulAmmo"
10 - Letter with Jalal Maine addressed, Behind counter
11 - Behind counter - KHols letter addressed to Jalal Maine at 560 University Ave W
12 - Behind counter - Large knife
13 - Behind counter - 1 Black magazine full of live 9mm rounds
14 - Behind counter - 1 Live 9mm Luger Round

Nothing else



CN# 17-270-565

Strike when appropriate:

- I left a receipt for the property and things listed above with a copy of the warrant.
• None of the items set forth in the search warrant were found.
• I shall (retain) or (deliver) custody of said property as directed by Court order.

I, [Signature], being first duly sworn, upon oath, depose and say that I have read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, I believe them to be true.

Subscribed and sworn to before me this ___ day of ___, 20__

Notary Public County, Minn. My commission expires

Signature

STATE OF MINNESOTA, COUNTY OF Ransom Ransom COURT
RECEIPT, INVENTORY AND RETURN

I, Officer SAWS, received the attached search warrant
issued by the Honorable Judge Kyle, on 11/21, 20 17, and have
executed it as follows:

Pursuant to said warrant, on 11/21, 20 17, at 1500 o'clock P m., I
searched the (premises) (motor vehicle) (person) described in said warrant, and left a true and correct copy of said
warrant
(with) (in) (at) MN vehicle with plate 554KMM at the ST. PAUL
City in parcel lot

I took in custody the property and things listed below: (attach and identify additional sheet if necessary)

- 1 package of "Snooby Snax" suspected synthetic marijuana
- 1 thumb drive
- metro pcs Bill for purchase
- Storage Shed #1653 Bill

Nothing else follows

EXHIBIT
tabbies®
4-5

CN# 17-565
270-565
565

- Strike when appropriate:
- I left a receipt for the property and things listed above with a copy of the warrant.
 - None of the items set forth in the search warrant were found.
 - I shall (retain) or (deliver) custody of said property as directed by Court order.

Subscribed and sworn to before me this _____ day of _____, 20 _____

I, [Signature], being first duly sworn, upon oath, depose and say that I have read the foregoing receipt, inventory and return and the matters stated are true and correct, except as to such matters stated therein on information and belief, and as to those, I believe them to be true.

Notary Public _____ County, Minn.
My commission expires _____

Signature

Saint Paul Police Department SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 12:10:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of incident: 560 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL,

Approver:

District:

Date & time of occurrence: 11/21/2017 08:51:00 to

Site:

11/21/2017 08:51:00

Arrest made:

Secondary offense:

WARRANT ARREST-WHERE NO CN IS REF ON WARRANT

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

DRUGS-SELLING SYNTHETIC NARCOTICS

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated

WARRANT ARREST-WHERE NO CN IS REF ON WARRANT

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated

NAMES

Arrestee

Mouine, Jalal

UNKNOWN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to



Saint Paul Police Department SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 12:10:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Phones

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

Employment

Occupation:	Employer:
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Identification

SSN:	License or ID#:	License State:
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PROPERTY

ITEM # 1

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: 560 UNI AVE W
Model #:	Quantity:	Serial #:

Article Type / Item: Guns/ammunition / Hand Gun	Total value: \$0.00
Description: 9 MM Silver CZ USA, S/N:A694749	

Turned in at:	Locker ID #:	Lab exams:
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ITEM # 2

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: DOLLAR PLUS
Model #:	Quantity:	Serial #:

Article Type / Item: Guns/ammunition / Other	Total value: \$0.00
Description: 1 Full magazine of ammunition to 9 MM found inside the Silver CZ	

Turned in at:	Locker ID #:	Lab exams:
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ITEM # 3

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: DOLLAR PLUS
Model #:	Quantity:	Serial #:

Article Type / Item: Guns/ammunition / Other	Total value: \$0.00
Description: Black Gun case for hand gun	

Turned in at:	Locker ID #:	Lab exams:
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Page 3

Saint Paul Police Department
SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

Date and Time of Report

17270565

11/21/2017 12:10:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

ITEM # 4

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered:

Model #:

Quantity:

Serial #:

Article Type / Item: Other property / Miscellaneous items

Total value: \$0.00

Description: Ballistic Vest found behind the counter

Turned in at:

Locker ID #:

Lab exams:

ITEM # 5

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered: DOLLAR PLUS

Model #:

Quantity:

Serial #:

Article Type / Item: Guns/ammunition / Other

Total value: \$0.00

Description: 3 Black 7.62X39 MM empty magazines

Turned in at:

Locker ID #:

Lab exams:

ITEM # 6

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered:

Model #:

Quantity:

Serial #:

Article Type / Item: Guns/ammunition / Other

Total value: \$0.00

Description: 2 Black 7.62x39MM large magazines full

Turned in at:

Locker ID #:

Lab exams:

ITEM # 7

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered: DOLLAR PLUS

Model #:

Quantity:

Serial #:

Article Type / Item: Guns/ammunition / Ammunition - Live

Total value: \$0.00

Description: 2 live loose 7.62 ammunition rounds

Turned in at:

Locker ID #:

Lab exams:



Saint Paul Police Department SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 12:10:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

ITEM # 8

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered:

Model #:

Quantity:

Serial #: 1969BS1482

Article Type / Item: Guns/ammunition / Rifle

Total value: \$0.00

Description: AK47 Rifle, S/N:1969bs1482

Turned in at:

Locker ID #:

Lab exams:

ITEM # 9

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered:

Model #:

Quantity:

Serial #:

Article Type / Item: Guns/ammunition / Ammunition - Live

Total value: \$0.00

Description: 37 Boxes of live 7.62X39MM "tulammo" rounds

Turned in at:

Locker ID #:

Lab exams:

ITEM # 10

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered: DOLLAR PLUS

Model #:

Quantity:

Serial #:

Article Type / Item: Other property / Miscellaneous items

Total value: \$0.00

Description: Letter addressed to Jalal Mouine at 560 University Ave W

Turned in at:

Locker ID #:

Lab exams:

ITEM # 11

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner: Mouine, Jalal

Date Recovered: 11/21/2017 Location Recovered: DOLLAR PLUS

Model #:

Quantity:

Serial #:

Article Type / Item: Other property / Miscellaneous items

Total value: \$0.00

Description: Khols mail addressed to Jalal Mouine at 560 University Ave W

Turned in at:

Locker ID #:

Lab exams:



Saint Paul Police Department SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 12:10:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

ITEM # 12

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: DOLLAR PLUS
Model #:	Quantity:	Serial #:

Article Type / Item: Other property / Knife Total value: \$0.00
 Description: Large knife found behind counter

Turned in at: Locker ID #: Lab exams:

ITEM # 13

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: DOLLAR PLUS
Model #:	Quantity:	Serial #:

Article Type / Item: Guns/ammunition / Ammunition - Live Total value: \$0.00
 Description: 1 Black magazine full of 9MM live rounds

Turned in at: Locker ID #: Lab exams:

ITEM # 14

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: DOLLAR PLUS
Model #:	Quantity:	Serial #:

Article Type / Item: Guns/ammunition / Ammunition - Live Total value: \$0.00
 Description: 1 Live 9MM round behind counter

Turned in at: Locker ID #: Lab exams:

ITEM # 15

Type of Loss: Recovered	Date of Loss:	Location Lost:
Owner: Mouine, Jalal	Date Recovered: 11/21/2017	Location Recovered: DOLLAR PLUS
Model #:	Quantity:	Serial #:

Article Type / Item: Guns/ammunition / Other Total value: \$0.00
 Description: Rifle case to AK 47

Turned in at: Locker ID #: Lab exams:



SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 12:10:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

NARRATIVE

Items:

- 1 Guns/ammunition Hand Gun 9 MM Silver CZ USA, S/N:A694749 \$ 0.00
- 2 Guns/ammunition Other 1 Full magazine of ammunition to 9 MM found inside the Silver CZ \$ 0.00
- 3 Guns/ammunition Other Black Gun case for hand gun \$ 0.00
- 4 Other property Miscellaneous items Ballistic Vest found behind the counter \$ 0.00
- 5 Guns/ammunition Other 3 Black 7.62X39 MM empty magazines \$ 0.00
- 6 Guns/ammunition Other 2 Black 7.62x39MM large magazines full \$ 0.00
- 7 Guns/ammunition Ammunition - Live 2 live loose 7.62 ammunition rounds \$ 0.00
- 8 Guns/ammunition Rifle AK47 Rifle, S/N:1969bs1482 \$ 0.00
- 9 Guns/ammunition Ammunition - Live 37 Boxes of live 7.62X39MM "tulammo" rounds \$ 0.00
- 10 Other property Miscellaneous items Letter addressed to Jalal Mouine at 560 University Ave W \$ 0.00
- 11 Other property Miscellaneous items Khols mail addressed to Jalal Mouine at 560 University Ave W \$ 0.00
- 12 Other property Knife Large knife found behind counter \$ 0.00
- 13 Guns/ammunition Ammunition - Live 1 Black magazine full of 9MM live rounds \$ 0.00
- 14 Guns/ammunition Ammunition - Live 1 Live 9MM round behind counter \$ 0.00
- 15 Guns/ammunition Other Rifle case to AK 47 \$ 0.00

PUBLIC NARRATIVE

Last page of the report



Saint Paul Police Department SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 18:40:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of incident: 560 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL,

Approver:

District:

Date & time of occurrence: 11/21/2017 08:51:00 to

Site:

11/21/2017 08:51:00

Arrest made:

Secondary offense:

WARRANT ARREST-WHERE NO CN IS REF ON WARRANT

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

DRUGS-SELLING SYNTHETIC NARCOTICS

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated

WARRANT ARREST-WHERE NO CN IS REF ON WARRANT

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated

NAMES

Arrestee

Mouine, Jalal

UNKNOWN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to



Page 2

Saint Paul Police Department
SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

Date and Time of Report

17270565

11/21/2017 18:40:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Phones

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

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

PROPERTY

ITEM # 16

Type of Loss: Recovered Date of Loss: Location Lost:
Owner: Mouine, Jalal Date Recovered: 11/21/2017 Location Recovered: ST. PAUL IMPOUND LOT
Model #: Quantity: Serial #:

Article Type / Item: Other property / Miscellaneous items Total value: \$0.00
Description: Metro PCS bill to Jalal Mouine found in vehicle

Turned in at: Locker ID #: Lab exams:

ITEM # 17

Type of Loss: Recovered Date of Loss: Location Lost:
Owner: Mouine, Jalal Date Recovered: 11/21/2017 Location Recovered: CITY IMPOUND LOT IN VEHICLE
Model #: Quantity: Serial #:

Article Type / Item: Other property / Miscellaneous items Total value: \$0.00
Description: Receipt of payment to #1633 Storage locker

Turned in at: Locker ID #: Lab exams:

ITEM # 18

Type of Loss: Recovered Date of Loss: Location Lost:
Owner: Mouine, Jalal Date Recovered: 11/21/2017 Location Recovered: CITY IMPOUND LOT IN VEHICLE
Model #: Quantity: Serial #:

Article Type / Item: Other property / Miscellaneous items Total value: \$0.00
Description: thumb drive

Turned in at: Locker ID #: Lab exams:



SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/21/2017 18:40:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

NARRATIVE

Items:

16	Other property	Miscellaneous items	Metro PCS bill to Jalal Mouine found in vehicle	\$ 0.00
17	Other property	Miscellaneous items	Receipt of payment to #1633 Storage locker	\$ 0.00
18	Other property	Miscellaneous items	thumb drive	\$ 0.00

PUBLIC NARRATIVE

Last page of the report



Saint Paul Police Department SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/22/2017 10:20:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of incident: 560 UNIVERSITY AV W
ST PAUL,

Secondary reporting officer:

Approver:

District:

Date & time of occurrence: 11/21/2017 08:51:00 to

Site:

11/21/2017 08:51:00

Arrest made:

Secondary offense:

WARRANT ARREST-WHERE NO CN IS REF ON WARRANT

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

DRUGS-SELLING SYNTHETIC NARCOTICS

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated

WARRANT ARREST-WHERE NO CN IS REF ON WARRANT

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated

NAMES

Owner

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB:

Resident Status:

Hispanic:

Age:

from

to



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Saint Paul Police Department
SUPPLEMENTAL PROPERTY REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/22/2017 10:20:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Phones

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

Employment

Occupation: Employer:

Identification

SSN: License or ID#: License State:

PROPERTY

ITEM # 19

Type of Loss: Recovered

Date of Loss:

Location Lost:

Owner:

Date Recovered: 11/21/2017 Location Recovered: CITY IMPOUND LOT IN VEHICLE

Model #:

Quantity:

Serial #:

Article Type / Item: Suspected drugs / Other

Total value:

Description: "Scooby snax" suspected synthetic marijuana

Turned in at:

Locker ID #:

Lab exams:

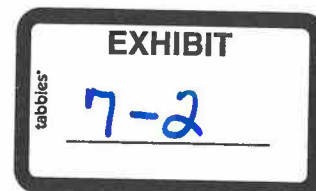
NARRATIVE

Items:

19 Suspected drugs Other "Scooby snax" suspected synthetic marijuana

PUBLIC NARRATIVE

Last page of the report



Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

Date and Time of Report

17270565

11/22/2017 10:29:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad: 847

Location of incident: 560 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55104

Approver: Murphy, Shawn

District: Western

Date & time of occurrence: 11/22/2017 09:50:00 to

Site:

11/22/2017 10:50:00

Arrest made: Yes

Secondary offense:

WEAPONS-WEAPONS

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

OFFENSE DETAILS

DRUGS-SELLING SYNTHETIC NARCOTICS

Attempt Only:

Appears to be Gang Related:

Crime Scene

Method & Point of Entry

Type: Retail

Force used:

Hid Inside:

Description: Convenience store

Point of entry:

Method:

Weapon(s) Used

Firearms, not stated

WEAPONS-WEAPONS

Attempt Only:

Appears to be Gang Related:

Weapon(s) Used

Firearms, not stated



Saint Paul Police Department ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/22/2017 10:29:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

ARRESTS

Booked

Name: Mouine, Jalal

Booking date: 11/21/2017

Date & time of arrest: 11/21/2017 08:30

Booking time: 09:00

Arrest made on view:

Booking #:

Arrest made on warrant or previous CN:

Warrant number:

Originating agency:

Warrant type:

Charge/Citation/Bail Amount: Felony-possess of stolen firearm
Felony-sell of synthetic marijuana

NAMES

Arrestee

Mouine, Jalal
2009 122ND ST Apt C3
BURNSVILLE, MN

KNOWN

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex: Male

Race: Other

DOB: 05/14/1978

Resident Status:

Hispanic:

Age: 39 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:

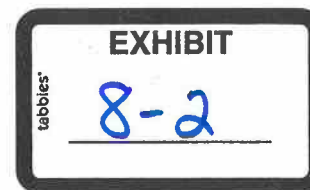
Facial Hair:

Hair Type:

Teeth:

Eye Color:

Blood Type:



Saint Paul Police Department

ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/22/2017 10:29:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Offender Information

Arrested: Yes

Pursuit engaged:

Violated Restraining Order:

DUI:

Resistance encountered:

Condition:

Taken to health care facility:

Medical release obtained:

Owner

Mohamud, Muhammed Ali

1472 66TH AV NE

FRIDLEY, MN 55432

Nicknames or Aliases

Nick Name:

Alias:

AKA First Name:

AKA Last Name:

Details

Sex:

Race:

DOB: 01/01/1976

Resident Status:

Hispanic:

Age: 41

from

to

Phones

Home:

Cell:

Contact:

Work:

Fax:

Pager:

Employment

Occupation:

Employer:

Identification

SSN:

License or ID#:

License State:

SOLVABILITY FACTORS

Suspect can be Identified:

By:

Photos Taken: Yes

Stolen Property Traceable:

Evidence Turned In: Yes

Property Turned In: Yes

Related Incident:

Lab

Biological Analysis:

Fingerprints Taken:

Narcotic Analysis:

Items Fingerprinted:

Lab Comments:



ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/22/2017 10:29:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Participants:

Person Type:	Name:	Address:	Phone:
Arrestee	Mouine, Jalal	2009 122ND ST Apt C3 BURNSVILLE, MN	
Owner	Mohamud, Muhammed Ali	1472 66TH AV NE FRIDLEY, MN 55432	

NARRATIVE

On 11/21/2017 at approximately 0950 hours I, Officer SAMS(S847), and members of the VCET(Violent Crime Enforcement Team) conducted a search warrant on the Dollar Plus, 560 University Ave W, St. Paul MN, 55104.

Related Case numbers- 17-222-555, 17-270-562, 17-270-566, and 17-270-559.

The Honorable Judge Kyle signed the search warrant on 11/21/2017.

Items found inside the Dollar Plus, taken for evidence and found behind the cash registers and counter for the store;

- Item #1- 9MM Silver CZ USA S/N:A694749
- Item #2- Magazine with ammo found in 9MM CZ
- Item #3- Gun case for a hand gun
- Item #4- Ballistic Vest and Cover
- Item #5- 3 Black 7.62x39MM Large Magazines- Empty
- Item #6- 2 Black 7.62x39MM Large Magazines- Full of ammo
- Item #7- 2 Loose 7.62 live ammunition rounds
- Item #8 -Rifle- AK47, 7.62 Caliber, S/N:1969BS1482
- Item #9- 37 Boxes of 7.62x39MM Live rounds "Tulammo"
- Item #10- Letter address to Jalal Mouine, 560 University Ave W
- Item #11- Letter from KHOLS address to Jalal Mouine, 560 University Ave W
- Item #12- Large knife
- Item #13- 1 Black magazine full of live 9MM rounds
- Item #14- 1 Live 9MM Luger round
- Item #15- Case to AK47

JALAL MOUINE, 05/14/1978, was arrested at approximately 0830 hours behind the address in the alley under CN 17-222-555 (Original Investigation CN) for Felony- Sales of Synthetic Marijuana and Possession of a stolen firearm. The stolen firearm was located in the storage locker of #1633 at 1500 Marshall Ave, St. Paul MN, 55104. Two cell phones were found on MOUINE's person and entered into property. Also taken for evidence were the set of keys found on MOUINE's key chain in the vehicle attached to the vehicle key of MN plate 554WMM. The vehicle was towed to the City Impound Lot where it was searched as the Honorable Judge Kyle signed a warrant for the vehicle on 11/21/2017.

Items found inside the vehicle at the City Impound Lot and taken for evidence were:

- Item #16- Metro PCS bill with the customer as Jalal Mouine.



ORIGINAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

11/22/2017 10:29:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

-
- Item #17- Receipt of payment through 11/30/2017, as the customer of MOUINE, for storage locker #1633, 1500 Marshall Ave, St. Paul MN, 55104.
 - Item #18- Thumb Drive.
 - Item #19- "Scooby Snax", suspected synthetic marijuana.

See all other CN's related to this case for further information.

PUBLIC NARRATIVE

On 11/21/2017 Officers from the Violent Crime Enforcement Team conducted a search warrant on the Dollar Plus, 560 University Ave W for illegal distribution of synthetic marijuana. Prior to the search warrant, JALAL MOUINE, 39 year old male, 373 Winthrop St S #274, St. Paul MN, 55119, was arrested for Felony-Selling of Synthetic Marijuana and Possession of a stolen firearm. Investigation has shown the Dollar Plus has been selling synthetic marijuana for many months. Multiple firearms were found inside the store.

Last page of the report



SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

12/04/2017 14:50:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of incident: 560 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55104

Approver:

District: Western

Date & time of occurrence: 11/22/2017 09:50:00 to

Site:

11/22/2017 10:50:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

List of Photos for CN 17270565:

1. 17270565-11212017_145500-NARCOTICSDRUGS(IMG_0237).JPG - Exterior Picture of 554WMM
2. 17270565-11212017_145500-NARCOTICSDRUGS(IMG_0238).JPG - Exterior Picture of 554WMM
3. 17270565-11212017_145503-NARCOTICSDRUGS(IMG_0239).JPG - Exterior Picture of 554WMM
4. 17270565-11212017_145503-NARCOTICSDRUGS(IMG_0240).JPG - Exterior Picture of 554WMM
5. 17270565-11212017_145507-NARCOTICSDRUGS(IMG_0241).JPG - Exterior Picture of 554WMM
6. 17270565-11212017_145511-NARCOTICSDRUGS(IMG_0242).JPG - Exterior Picture of 554WMM
7. 17270565-11212017_145511-NARCOTICSDRUGS(IMG_0243).JPG - Exterior Picture of 554WMM
8. 17270565-11212017_145517-NARCOTICSDRUGS(IMG_0244).JPG - Exterior Picture of 554WMM
9. 17270565-11212017_145517-NARCOTICSDRUGS(IMG_0245).JPG - Exterior Picture of 554WMM
10. 17270565-11212017_145521-NARCOTICSDRUGS(IMG_0246).JPG - Exterior Picture of 554WMM
11. 17270565-11212017_145522-NARCOTICSDRUGS(IMG_0247).JPG - Exterior Picture of 554WMM
12. 17270565-11212017_145527-NARCOTICSDRUGS(IMG_0248).JPG - Exterior Picture of 554WMM
13. 17270565-11212017_145528-NARCOTICSDRUGS(IMG_0249).JPG - Exterior Picture of 554WMM
14. 17270565-11212017_145530-NARCOTICSDRUGS(IMG_0250).JPG - Exterior Picture of 554WMM
15. 17270565-11212017_145530-NARCOTICSDRUGS(IMG_0251).JPG - Exterior Picture of 554WMM
16. 17270565-11212017_145536-NARCOTICSDRUGS(IMG_0252).JPG - Exterior Picture of 554WMM
17. 17270565-11212017_145536-NARCOTICSDRUGS(IMG_0253).JPG - Exterior Picture of 554WMM
18. 17270565-11212017_150338-NARCOTICSDRUGS(IMG_0254).JPG - All American Self Storage payment receipt found in passenger area of vehicle
19. 17270565-11212017_150347-NARCOTICSDRUGS(IMG_0255).JPG - metro pcs bill to Jalal Mouine found in passenger area
20. 17270565-11212017_150352-NARCOTICSDRUGS(IMG_0256).JPG - thumb drive found in center console
21. 17270565-11212017_150403-NARCOTICSDRUGS(IMG_0257).JPG - trunk of vehicle
22. 17270565-11212017_150405-NARCOTICSDRUGS(IMG_0258).JPG - "scooby snax" suspected synthetic marijuana



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SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

12/04/2017 14:50:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

-
- 23. 17270565-11212017_150409-NARCOTICSDRUGS(IMG_0259).JPG - "scooby snax" front
 - 24. 17270565-11212017_150414-NARCOTICSDRUGS(IMG_0260).JPG - "scooby snax" back

The labeled photos were TRANSFERRED to the Media Vault.

PUBLIC NARRATIVE

Last page of the report



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

12/04/2017 14:52:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of incident: 560 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55104

Approver:

District: Western

Date & time of occurrence: 11/22/2017 09:50:00 to

Site:

11/22/2017 10:50:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

List of Photos for CN 17270565:

1. 17270565-11212017_104942-WARRANTARREST(1).JPG - Front of Dollar Plus, 560 Uni Ave W
2. 17270565-11212017_105056-WARRANTARREST(10).JPG - CZ USA Silver 9MM found below cash register behind counter with magazine in
3. 17270565-11212017_105058-WARRANTARREST(11).JPG - Close up of CZ USA 9MM
4. 17270565-11212017_105113-WARRANTARREST(12).JPG - S/N and magazine of CZ
5. 17270565-11212017_105307-WARRANTARREST(13).JPG - view facing south into store
6. 17270565-11212017_105328-WARRANTARREST(14).JPG - aisle 1 view facing south into store
7. 17270565-11212017_105340-WARRANTARREST(15).JPG - isle 2 in store
8. 17270565-11212017_105355-WARRANTARREST(16).JPG - isle 3 in store
9. 17270565-11212017_105410-WARRANTARREST(17).JPG - Back of store view into back room
10. 17270565-11212017_105421-WARRANTARREST(18).JPG - View of SE portion of back of store
11. 17270565-11212017_105433-WARRANTARREST(19).JPG - Rear entrance of back store
12. 17270565-11212017_104951-WARRANTARREST(2).JPG - Front of Dollar Plus
13. 17270565-11212017_105451-WARRANTARREST(20).JPG - Back room at back of store
14. 17270565-11212017_105501-WARRANTARREST(21).JPG - Backroom of store upward towards ceiling
15. 17270565-11212017_105510-WARRANTARREST(22).JPG - Boxes at back of store
16. 17270565-11212017_105557-WARRANTARREST(23).JPG - Black backpack
17. 17270565-11212017_105605-WARRANTARREST(24).JPG - Backpack
18. 17270565-11212017_105619-WARRANTARREST(25).JPG - Magazines found behind counter
19. 17270565-11212017_105627-WARRANTARREST(26).JPG - empty magazines found behind counter
20. 17270565-11212017_105734-WARRANTARREST(27).JPG - small bin found behind counter
21. 17270565-11212017_105742-WARRANTARREST(28).JPG - money found behind counter, not taken
22. 17270565-11212017_105810-WARRANTARREST(29).JPG - Bullet proof vest found behind counter
23. 17270565-11212017_105002-WARRANTARREST(3).JPG - view of counter on right side and initial entry into store
24. 17270565-11212017_105836-WARRANTARREST(30).JPG - bullet proof vest inserts



SP9FD6C5C25FCCF

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

12/04/2017 14:52:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

-
25. 17270565-11212017_110114-WARRANTARREST(31).JPG - back of counter view facing north
 26. 17270565-11212017_110120-WARRANTARREST(32).JPG - Back of counter view facing north of case with AK47 in it
 27. 17270565-11212017_110151-WARRANTARREST(33).JPG - AK47
 28. 17270565-11212017_110900-WARRANTARREST(34).JPG - Letter addressed to Jalal Mouine at store
 29. 17270565-11212017_110915-WARRANTARREST(35).JPG - loaded 7.62 rounds in magazines found behind store
 30. 17270565-11212017_110924-WARRANTARREST(36).JPG - ammunition in magazines
 31. 17270565-11212017_111048-WARRANTARREST(37).JPG - boxes of ammunition in store behind counter
 32. 17270565-11212017_111052-WARRANTARREST(38).JPG - boxes of ammunition
 33. 17270565-11212017_111057-WARRANTARREST(39).JPG - ammunition
 34. 17270565-11212017_105014-WARRANTARREST(4).JPG - view of counter
 35. 17270565-11212017_112046-WARRANTARREST(40).JPG - khols letter addressed to mouine
 36. 17270565-11212017_105017-WARRANTARREST(5).JPG - view facing back of store
 37. 17270565-11212017_105026-WARRANTARREST(6).JPG - view of aisle's 1-2-3
 38. 17270565-11212017_105031-WARRANTARREST(7).JPG - Counter view facing north
 39. 17270565-11212017_105049-WARRANTARREST(8).JPG - behind counter facing north
 40. 17270565-11212017_105052-WARRANTARREST(9).JPG - behind counter
 41. 17270565-11212017_145500-NARCOTICSDRUGS(IMG_0237).JPG - Exterior Picture of 554WMM
 42. 17270565-11212017_145500-NARCOTICSDRUGS(IMG_0238).JPG - Exterior Picture of 554WMM
 43. 17270565-11212017_145503-NARCOTICSDRUGS(IMG_0239).JPG - Exterior Picture of 554WMM
 44. 17270565-11212017_145503-NARCOTICSDRUGS(IMG_0240).JPG - Exterior Picture of 554WMM
 45. 17270565-11212017_145507-NARCOTICSDRUGS(IMG_0241).JPG - Exterior Picture of 554WMM
 46. 17270565-11212017_145511-NARCOTICSDRUGS(IMG_0242).JPG - Exterior Picture of 554WMM
 47. 17270565-11212017_145511-NARCOTICSDRUGS(IMG_0243).JPG - Exterior Picture of 554WMM
 48. 17270565-11212017_145517-NARCOTICSDRUGS(IMG_0244).JPG - Exterior Picture of 554WMM
 49. 17270565-11212017_145517-NARCOTICSDRUGS(IMG_0245).JPG - Exterior Picture of 554WMM
 50. 17270565-11212017_145521-NARCOTICSDRUGS(IMG_0246).JPG - Exterior Picture of 554WMM
 51. 17270565-11212017_145522-NARCOTICSDRUGS(IMG_0247).JPG - Exterior Picture of 554WMM
 52. 17270565-11212017_145527-NARCOTICSDRUGS(IMG_0248).JPG - Exterior Picture of 554WMM
 53. 17270565-11212017_145528-NARCOTICSDRUGS(IMG_0249).JPG - Exterior Picture of 554WMM
 54. 17270565-11212017_145530-NARCOTICSDRUGS(IMG_0250).JPG - Exterior Picture of 554WMM
 55. 17270565-11212017_145530-NARCOTICSDRUGS(IMG_0251).JPG - Exterior Picture of 554WMM
 56. 17270565-11212017_145536-NARCOTICSDRUGS(IMG_0252).JPG - Exterior Picture of 554WMM
 57. 17270565-11212017_145536-NARCOTICSDRUGS(IMG_0253).JPG - Exterior Picture of 554WMM
 58. 17270565-11212017_150338-NARCOTICSDRUGS(IMG_0254).JPG - All American Self Storage payment receipt found in passenger area of vehicle
 59. 17270565-11212017_150347-NARCOTICSDRUGS(IMG_0255).JPG - metro pcs bill to Jalal Mouine found in passenger area
 60. 17270565-11212017_150352-NARCOTICSDRUGS(IMG_0256).JPG - thumb drive found in center console
 61. 17270565-11212017_150403-NARCOTICSDRUGS(IMG_0257).JPG - trunk of vehicle
 62. 17270565-11212017_150405-NARCOTICSDRUGS(IMG_0258).JPG - "scooby snax" suspected synthetic marijuana



SP9FD6C5C25FCCC

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

12/04/2017 14:52:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

-
- 63. 17270565-11212017_150409-NARCOTICSDRUGS(IMG_0259).JPG - "scooby snax" front
 - 64. 17270565-11212017_150414-NARCOTICSDRUGS(IMG_0260).JPG - "scooby snax" back

The labeled photos were TRANSFERRED to the Media Vault.

PUBLIC NARRATIVE

Last page of the report



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DOLLAR PLUS

DOLLAR



tabbies'
EXHIBIT
11-1

DOLLAR PLUS

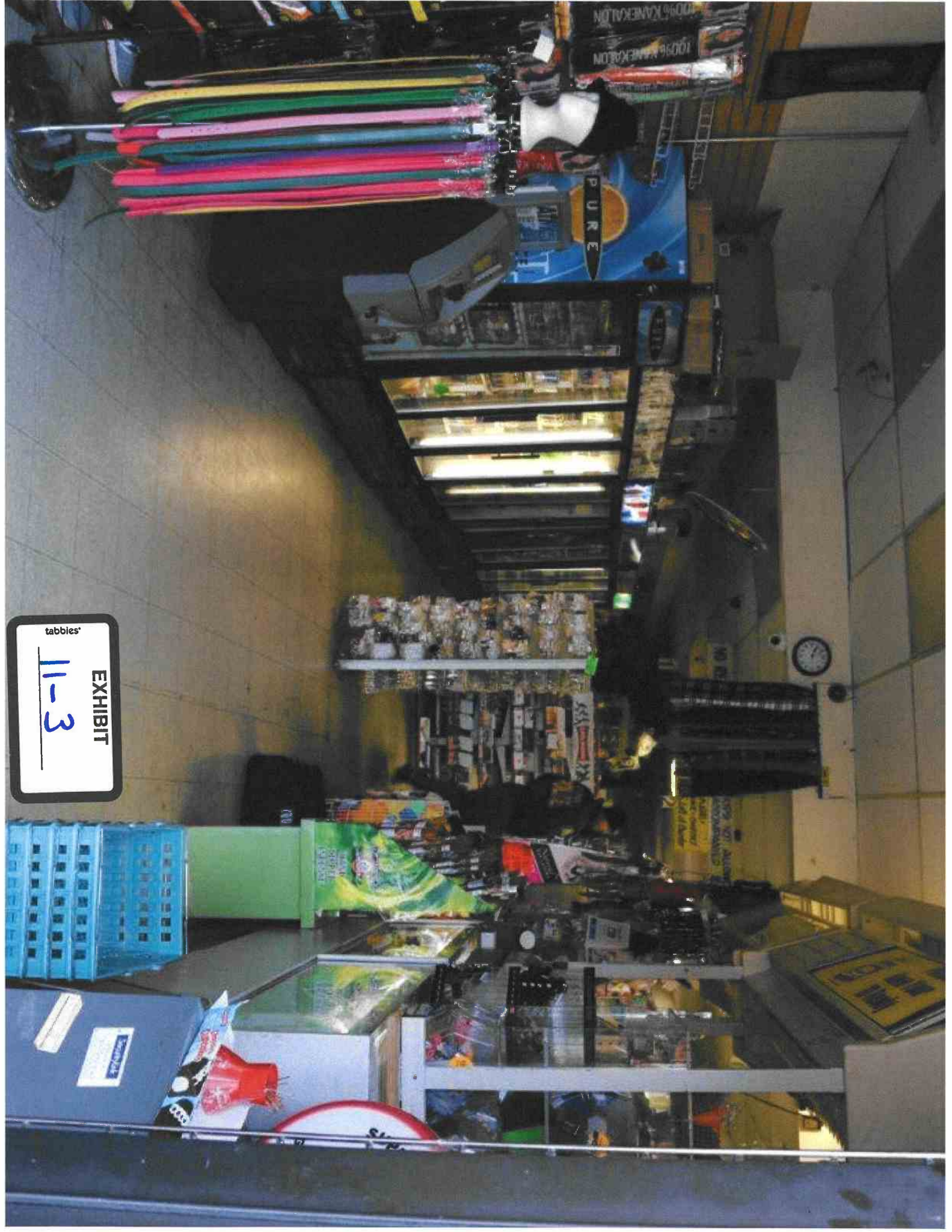
SR
ROCKSTAR
ENERGY
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OPEN

560

tabbies

EXHIBIT

11-2



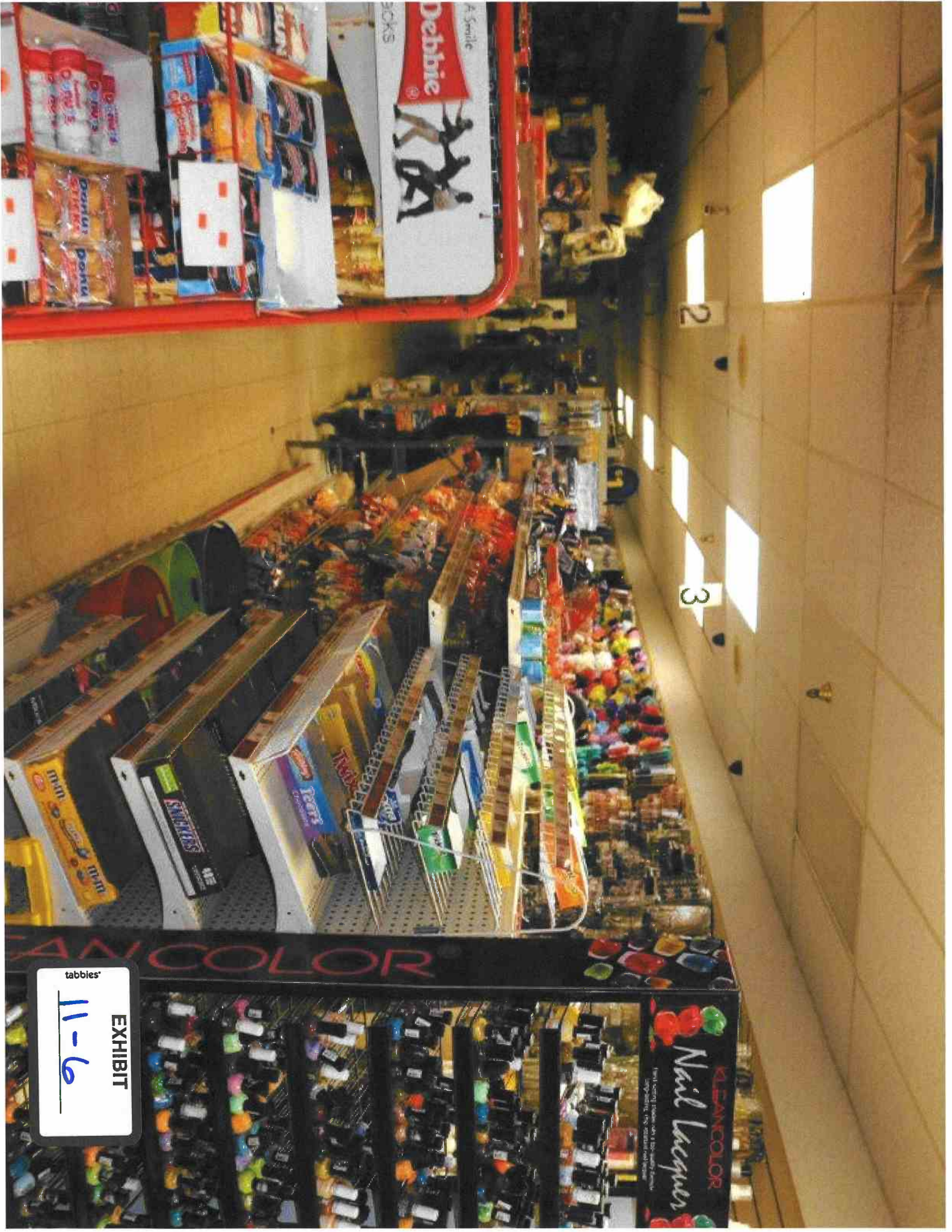
tabbies®
11-3
EXHIBIT



tabbies®
11-4
EXHIBIT



tabbies®
EXHIBIT
11-5



A Smile
Debbie
BOOKS

2

3

KLEANCOLOR
Nail Lacquer

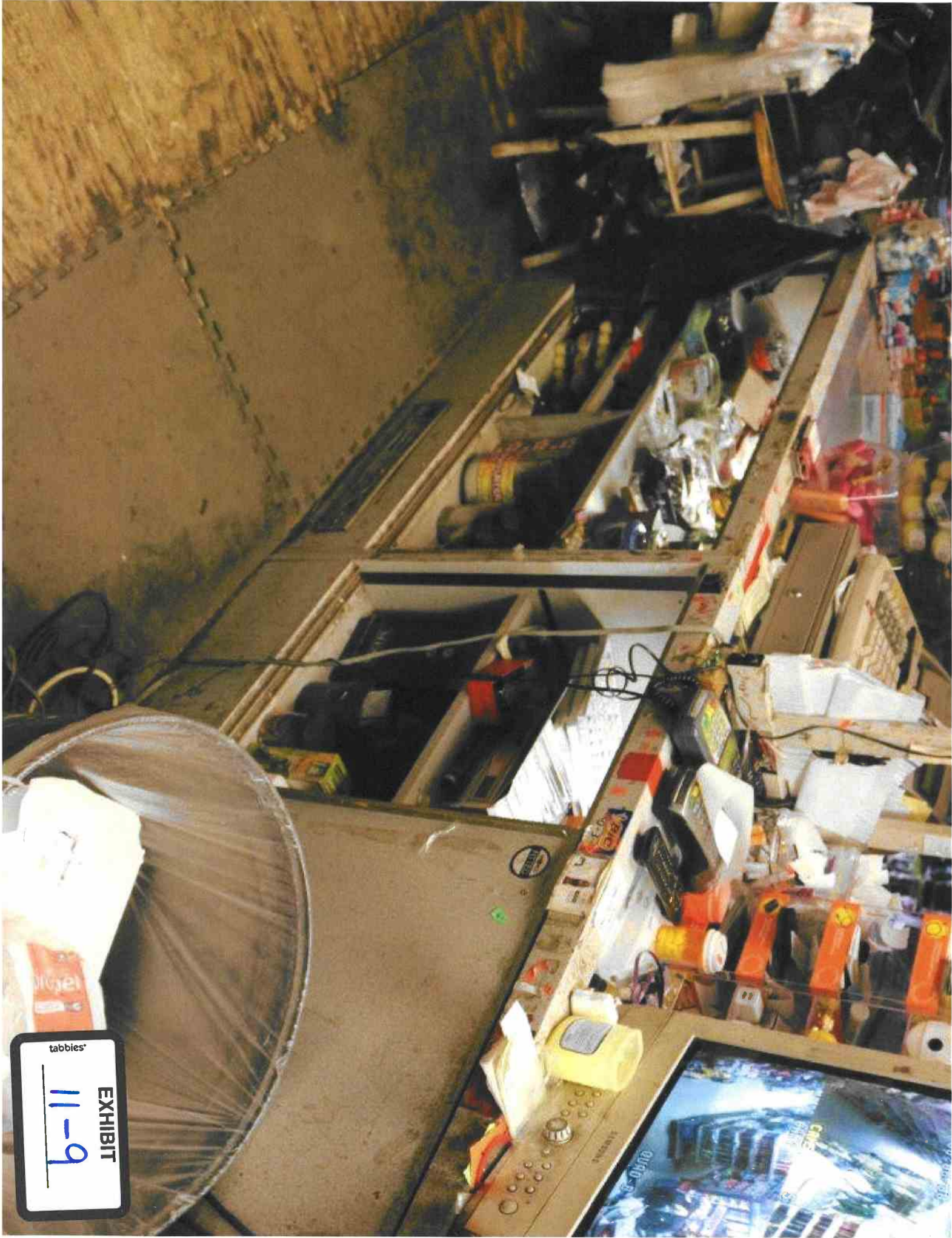
Hand coloring lacquer with a top-coat finish. Long-lasting. For standard nail sizes.

tabbies®

EXHIBIT
11-6



tabbles®
EXHIBIT
11-8



tabbies[®]
EXHIBIT
11-9

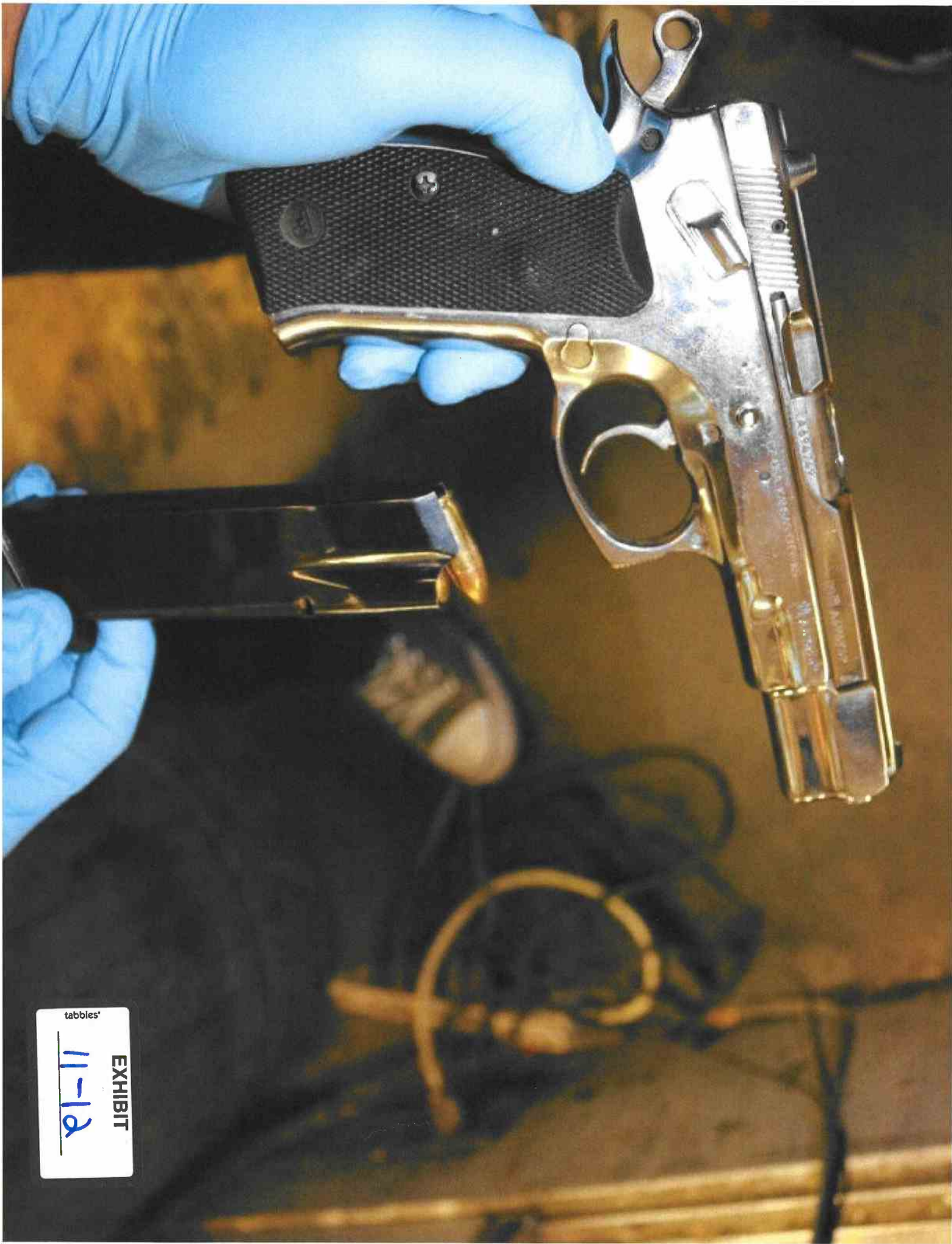


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11-10
EXHIBIT

SEARCHED INDEXED
SERIALIZED FILED
FBI - TAMPA
NOV 10 2011



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11-11
EXHIBIT



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EXHIBIT



S.T. PAUL
POLICE

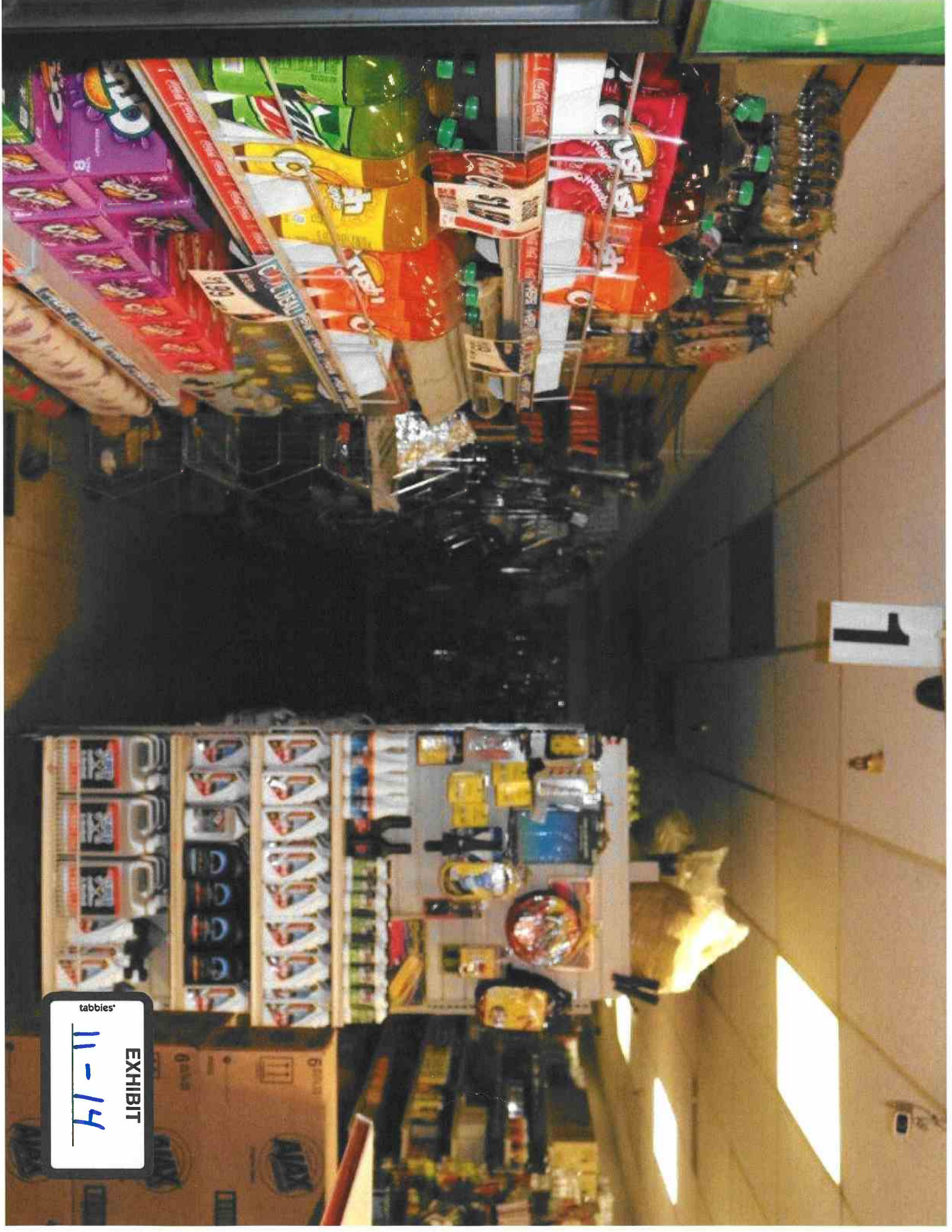
NO REFUNDS - EXCHANGES / KIDS NO
ADMISSION

PLEASE
NO FOOD/DRINK - OTHER
ALL Bags Subject to Search

SEE
THE
M



tabbies®
EXHIBIT
11-13



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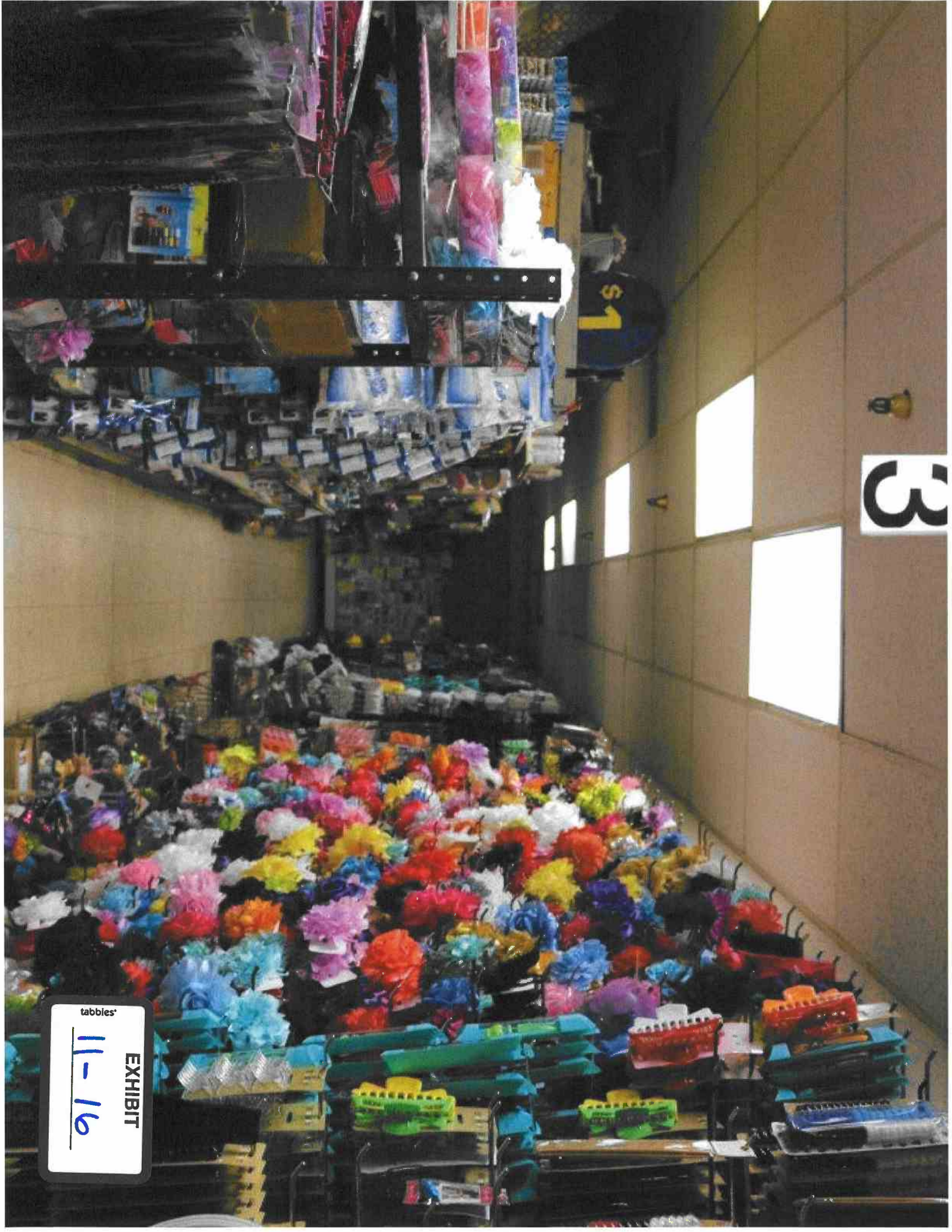
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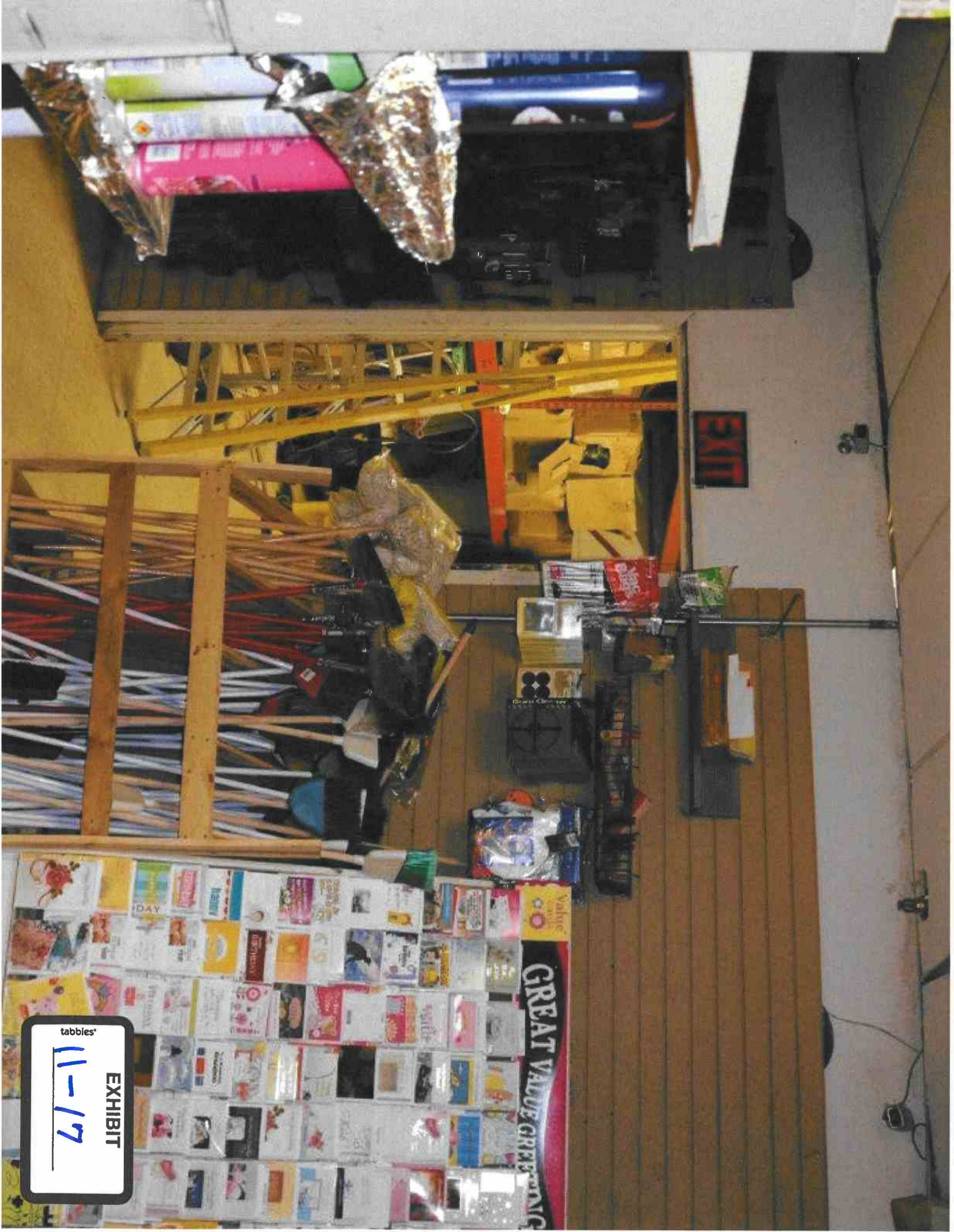


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EXHIBIT
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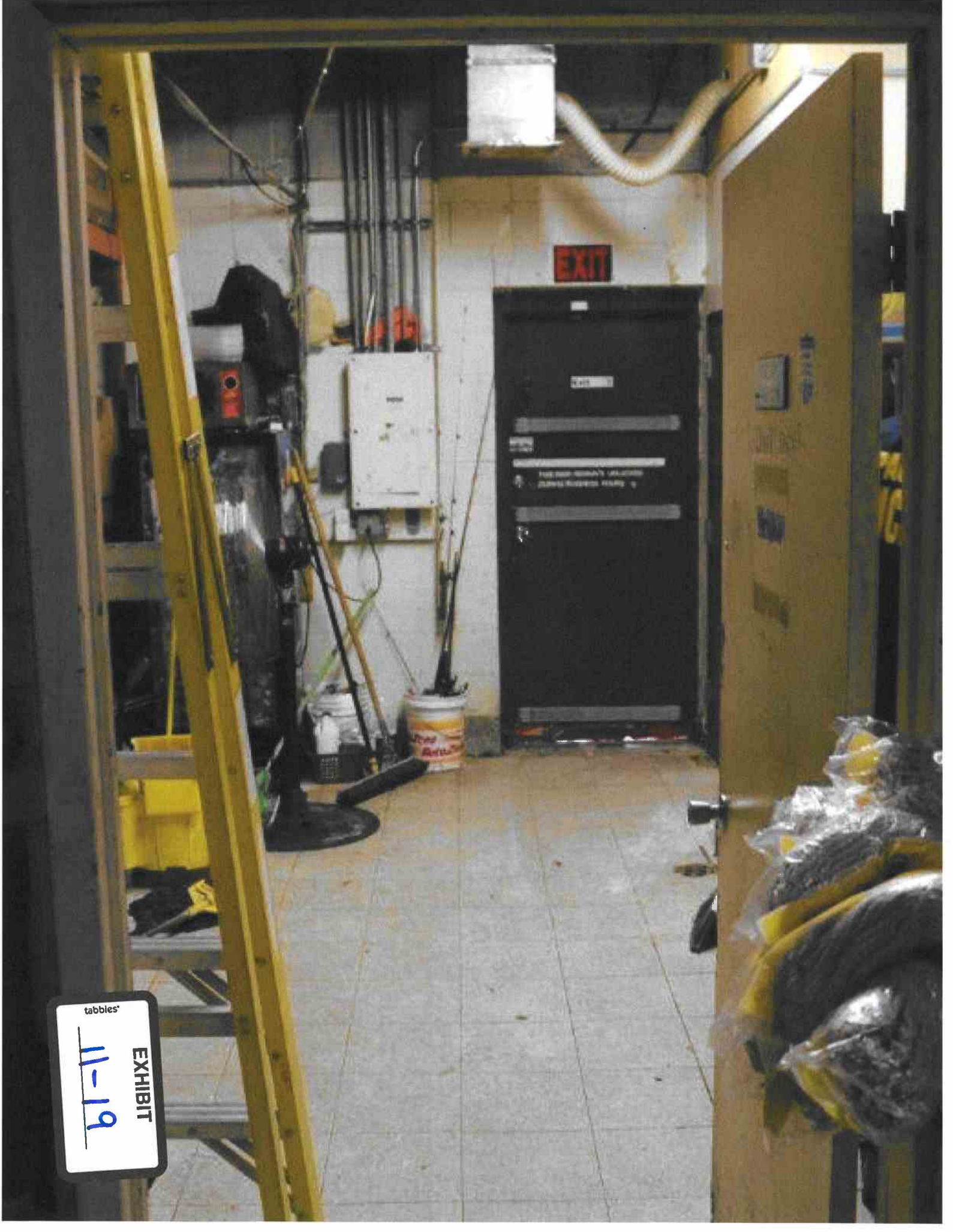
EXIT



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EXHIBIT
11-17



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EXHIBIT
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EXIT



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11-19
EXHIBIT



tabbies®
11-21
EXHIBIT



ITEM NO: 5901
QTY: 50 BOX
GRS N° 123KGS 115KGS
MEAS. 35X19X2 CM

Bananas
Chequita
Bananas
Chequita

PRO#	15840001
TEM	AME
COLOR	NO-BRA
QTY	29 X 39 X 59 CM
PCS	

CT NO
MADE IN

13A

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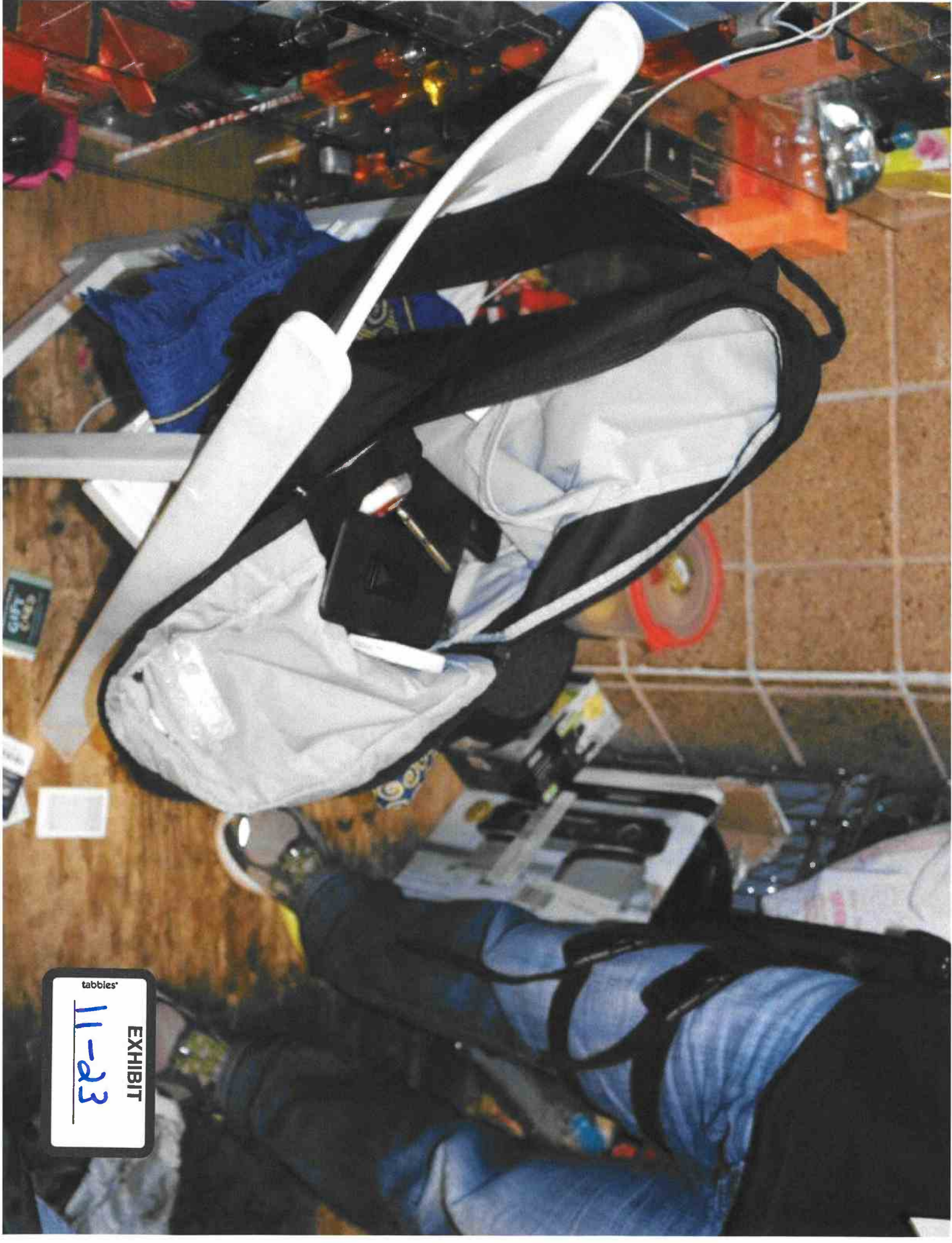
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EXHIBIT

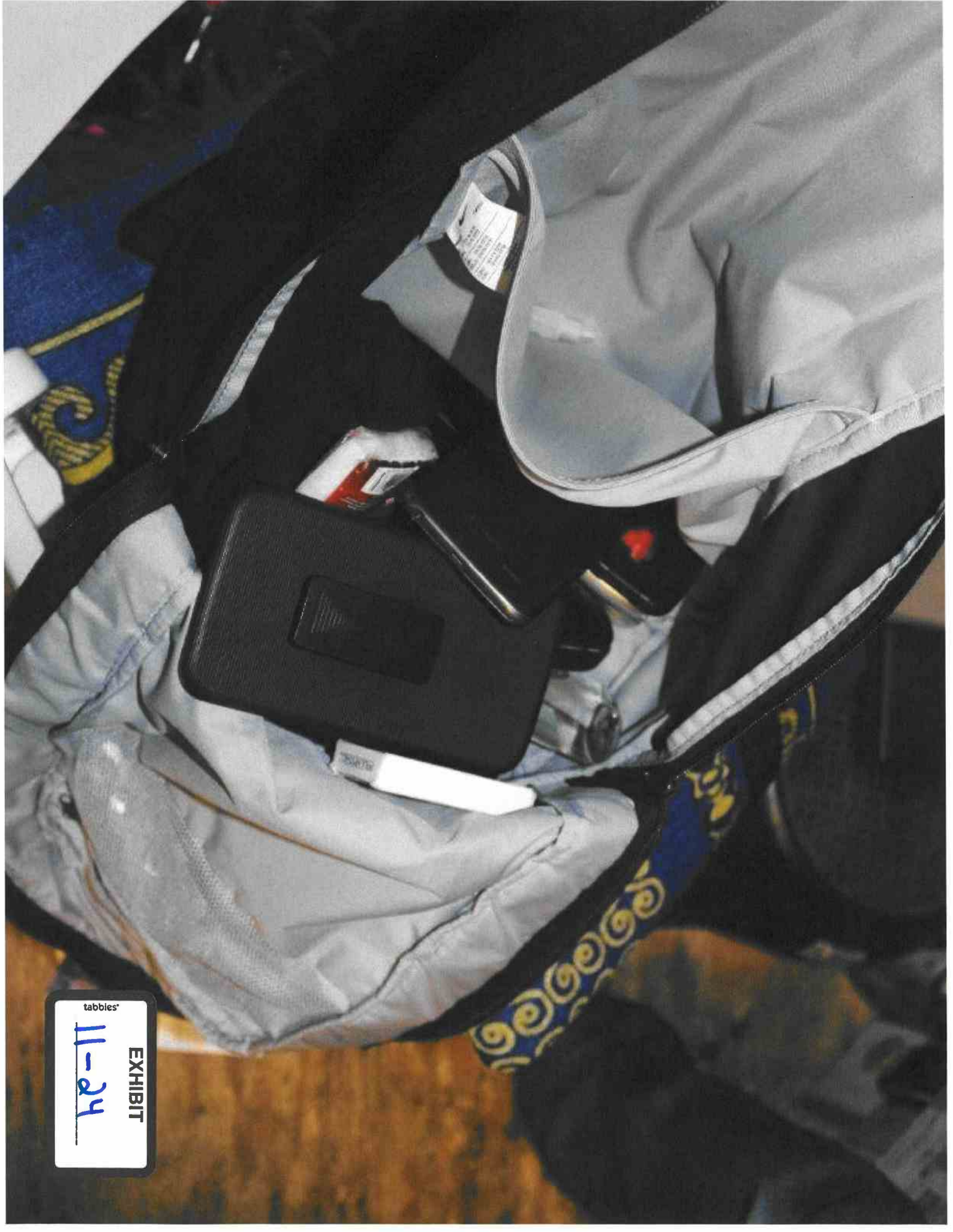
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EXHIBIT



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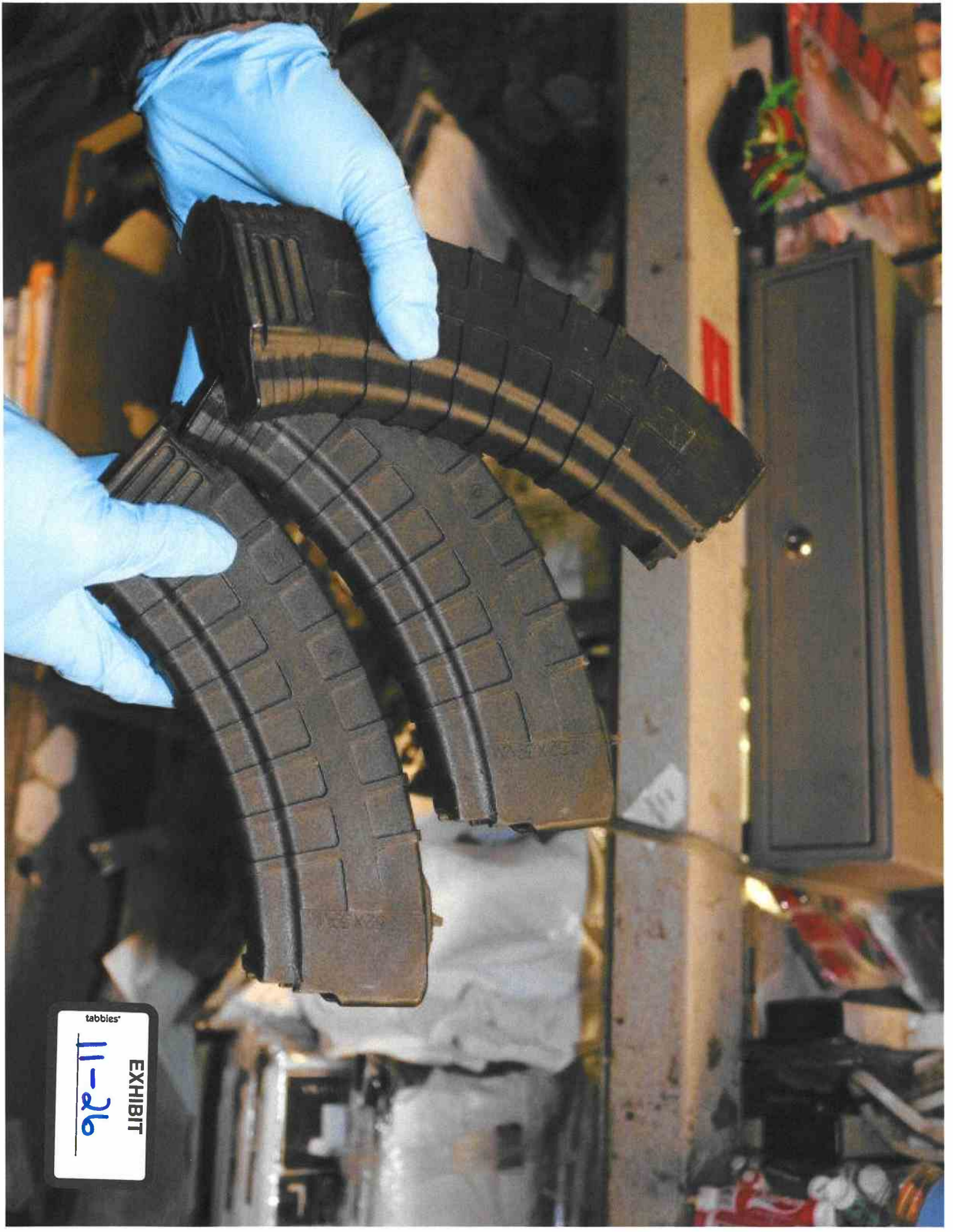


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EXHIBIT
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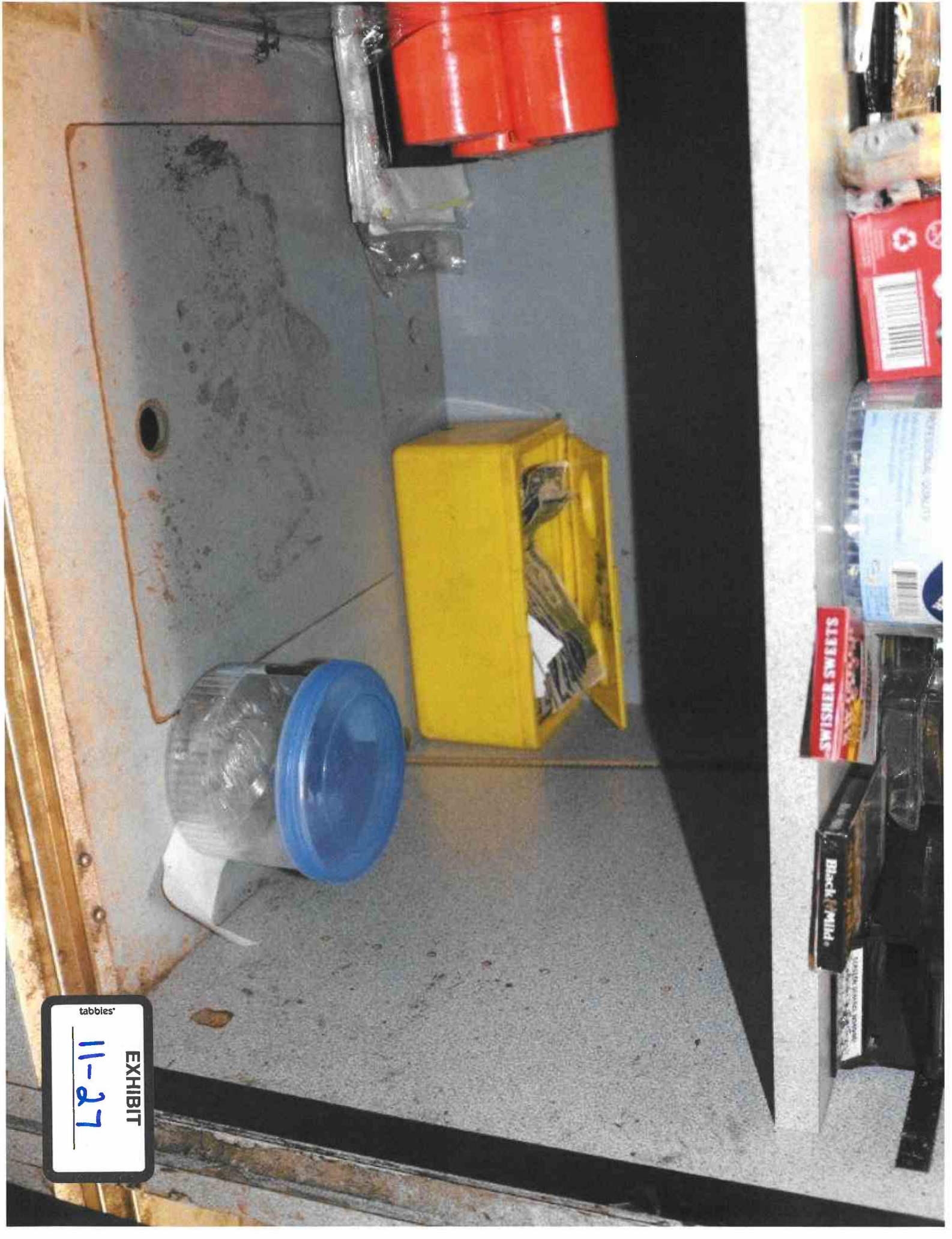
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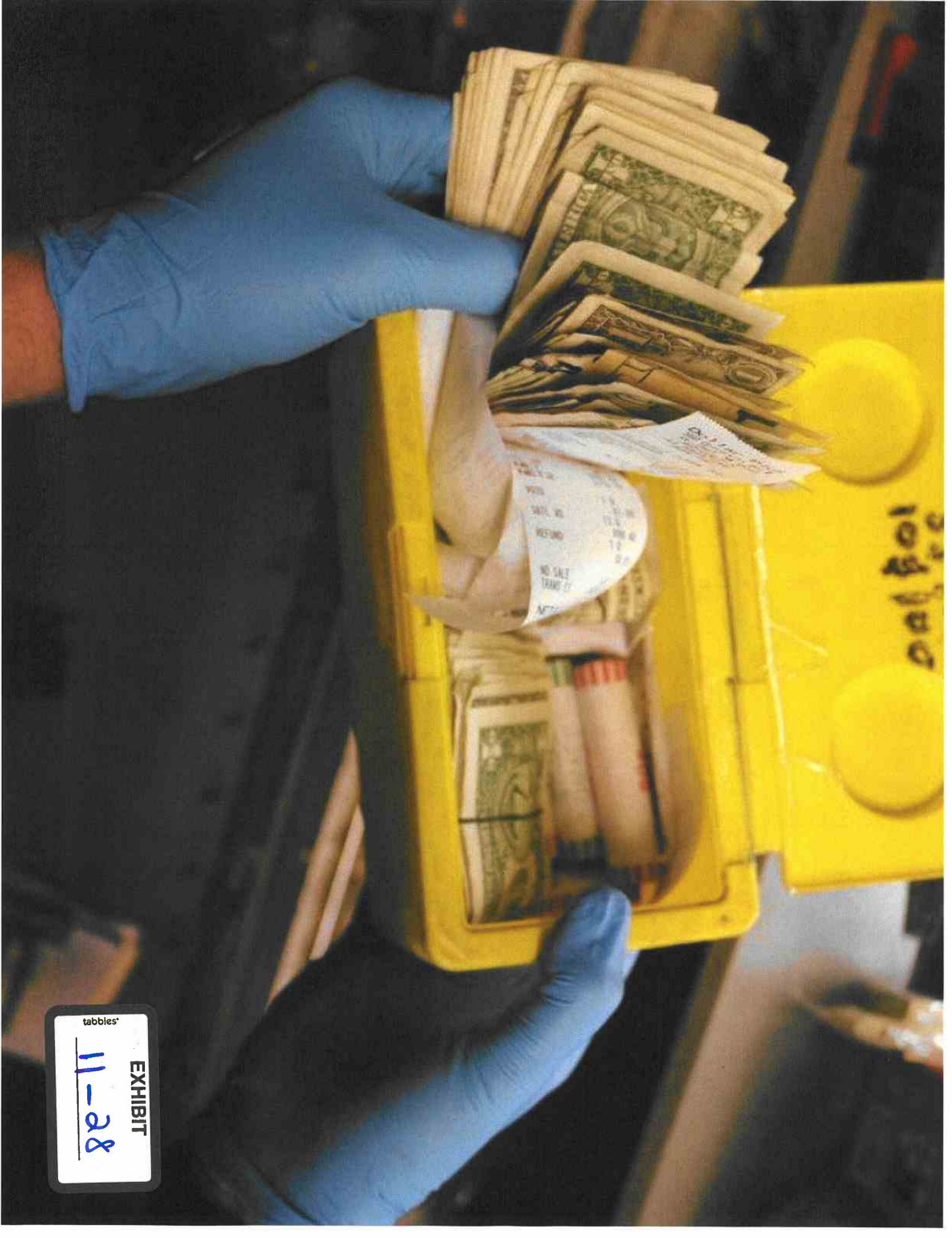
USA
SIZE



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EXHIBIT
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EXHIBIT
11-27



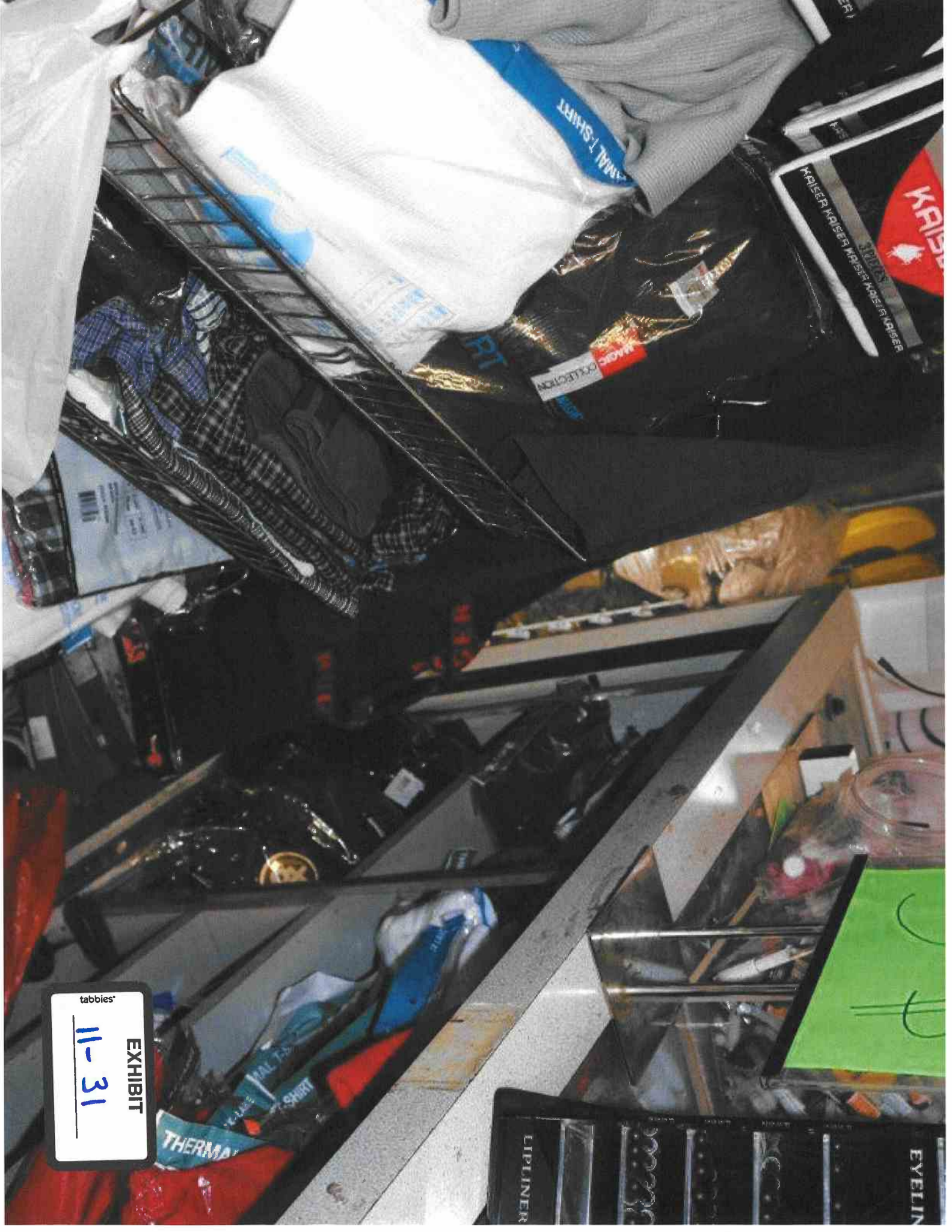
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EXHIBIT

THERMA

SMALL T-SHIRT

MAGIC COLLECTION

SMALL T-SHIRT

KAPRI

KAPRI

LIP LINER

EYELIN

Handwritten text on a green sticky note, including a large number '4' and a checkmark.

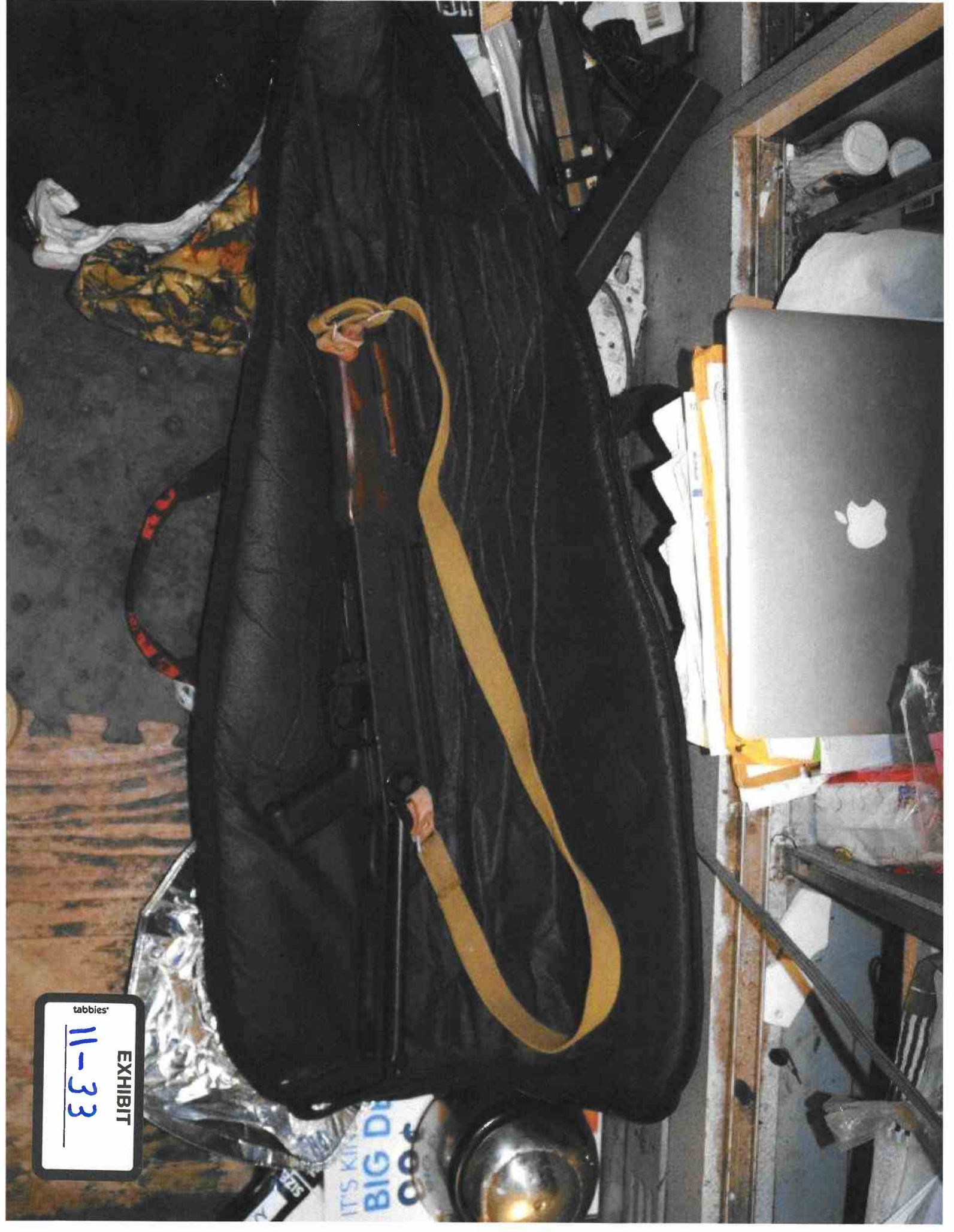
KAISER KAISER

19

MAGIC COLLECTION

tabbies®
EXHIBIT
11-32





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11-33
EXHIBIT

RAMSEY COUNTY

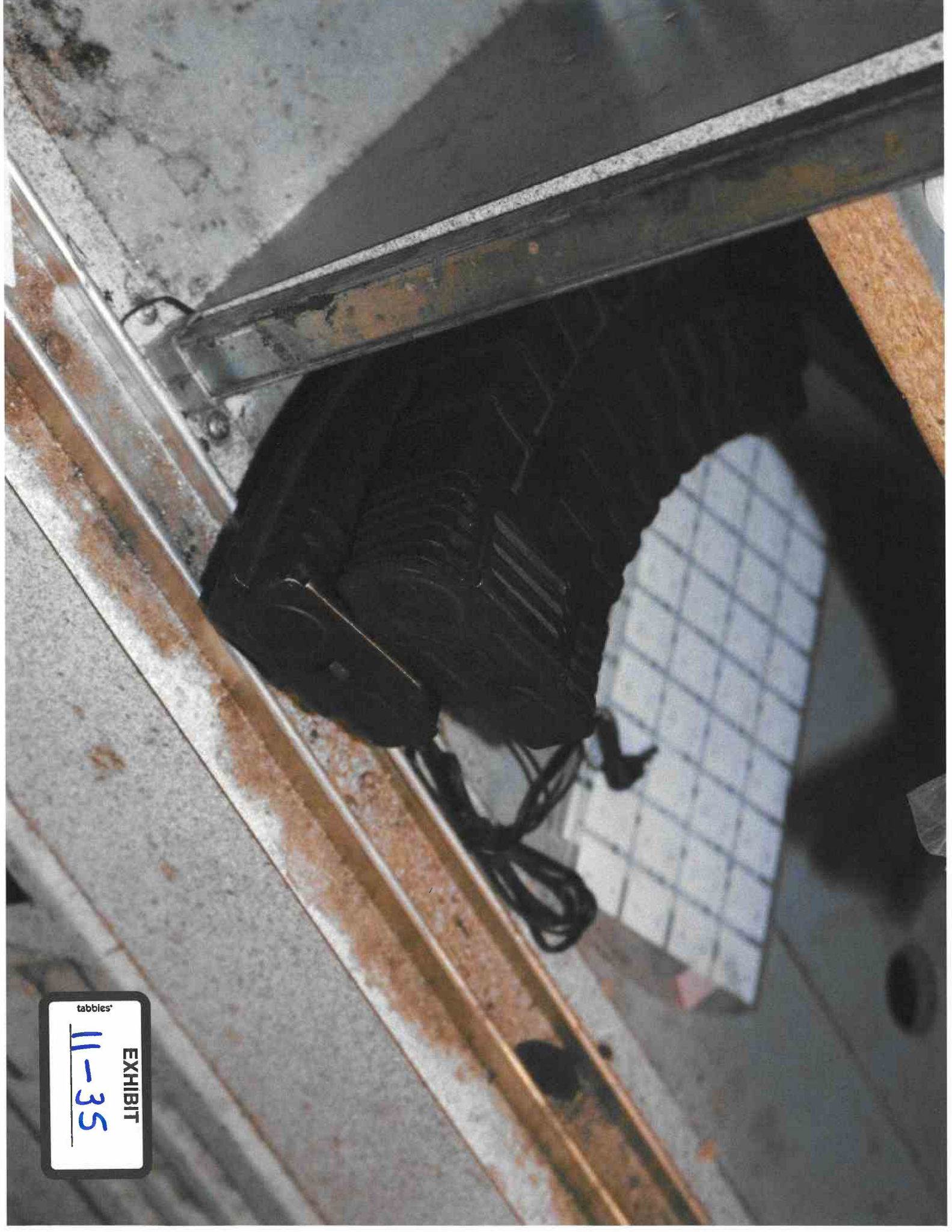
2 East Kellogg Blvd.
St. Paul, Minnesota 55101

RETURN SERVICE REQUESTED

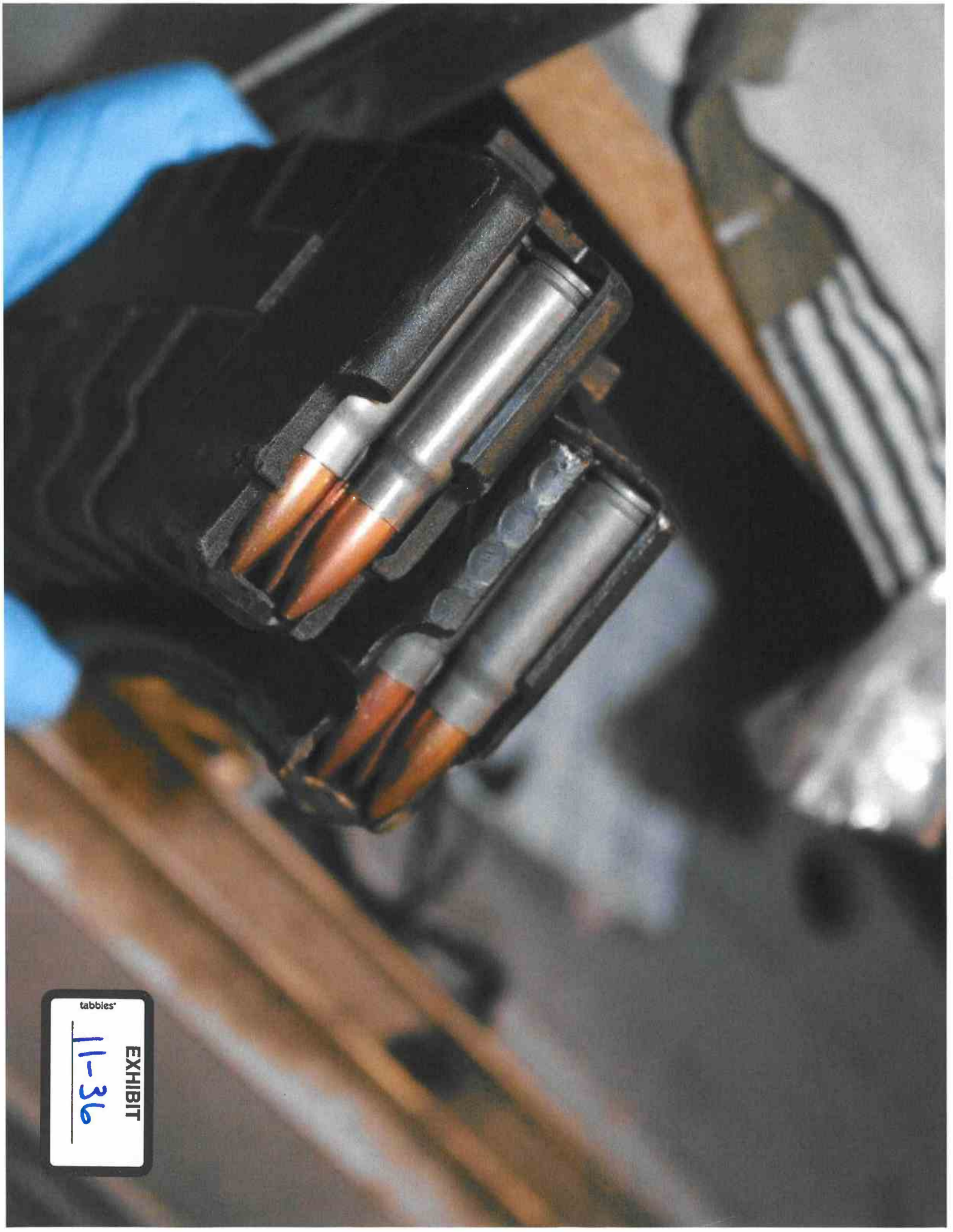
Tajal Moune
560 W University Ave
St. Paul, MN 55103



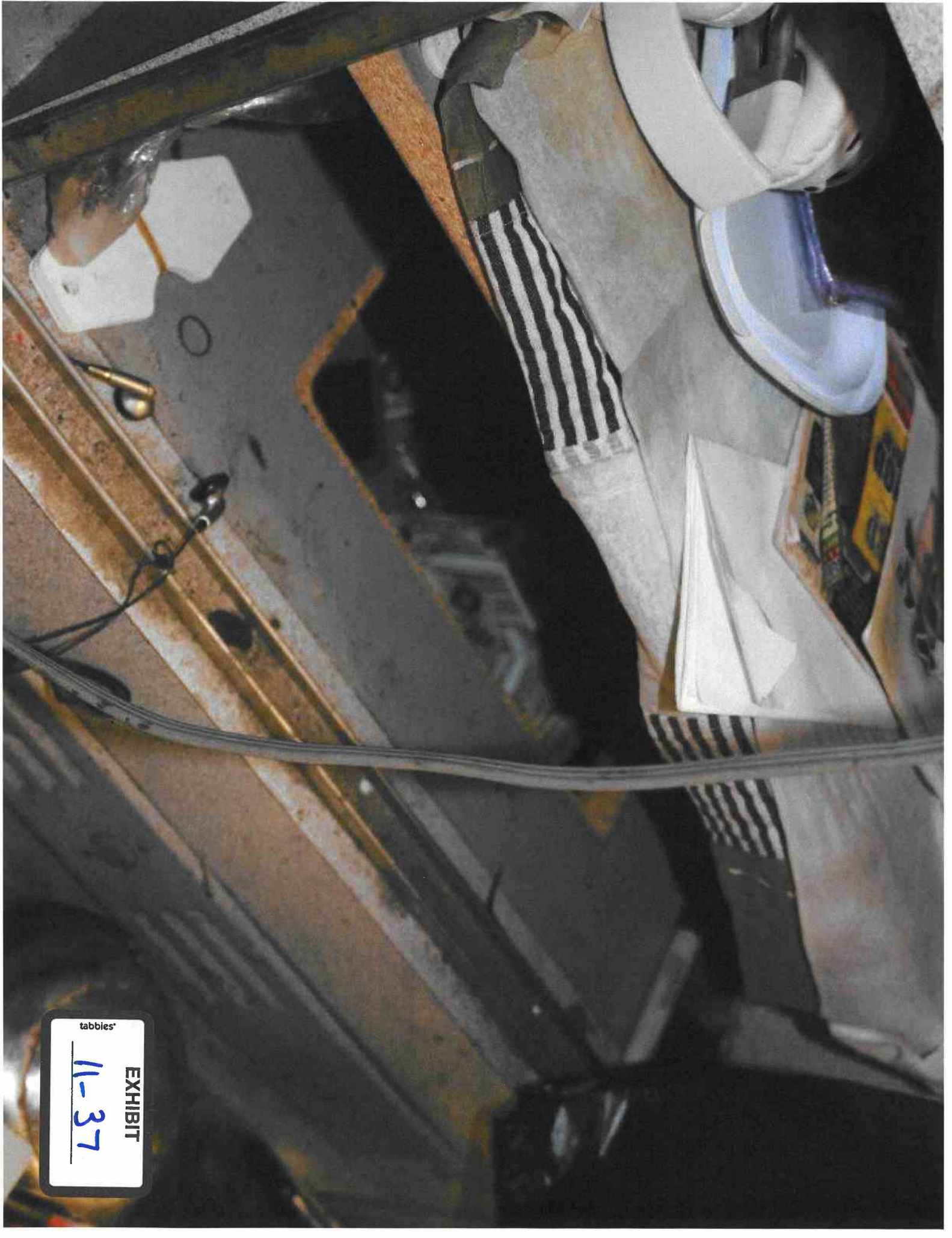
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EXHIBIT
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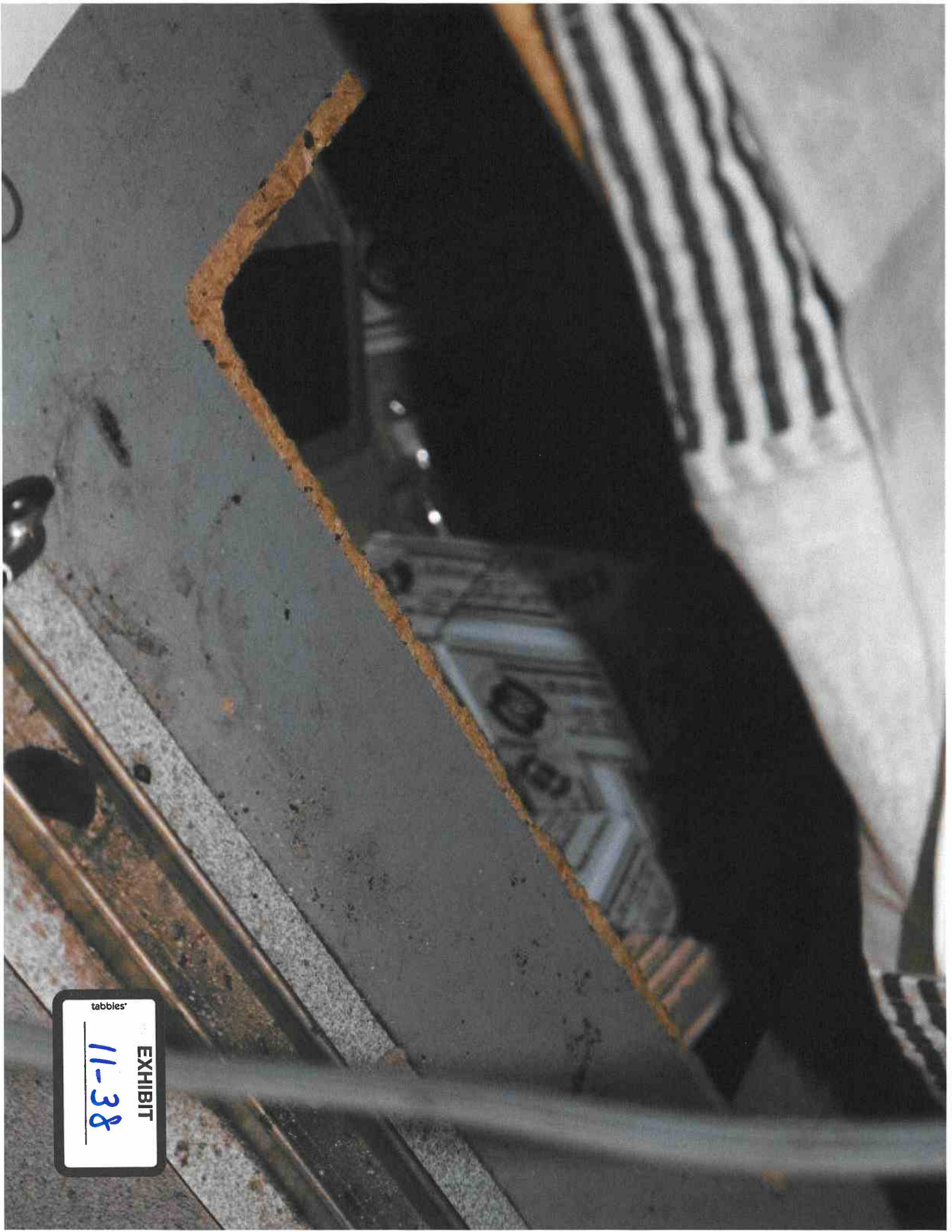
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EXHIBIT



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EXHIBIT

OHLS

3120
e, WI 53201-3120

0001100279.01 AT 0.399 106481643248304 P
JALAL MOUJINE
560 UNIVERSITY AVE W
SAINT PAUL MN 55103-1939

PAY YOUR BILL ON
GO PAPERLESS AN

Register your card at
www.mykohlscharge.com

KOHL'S

KOHL'S

EXHIBIT

11-40

tabbles

SUPPLEMENTAL OFFENSE / INCIDENT REPORT

Complaint Number Reference CN

17270565

Date and Time of Report

01/24/2018 11:11:00

Primary offense:

DRUGS-SELLING SYNTHETIC NARCOTICS

Primary Reporting Officer: Sams, Jordan

Name of location/business:

Primary squad:

Location of Incident: 560 UNIVERSITY AV W

Secondary reporting officer:

ST PAUL, MN 55104

Approver:

District: Western

Date & time of occurrence: 11/22/2017 09:50:00 to

Site:

11/22/2017 10:50:00

Arrest made:

Secondary offense:

Police Officer Assaulted or Injured:

Police Officer Assisted Suicide:

Crime Scene Processed:

NARRATIVE

Jalal Mouine charged under CN 17-222-555 with 3 Felony Counts of Synthetic Marijuana Sales. Case Closed.

PUBLIC NARRATIVE

Last page of the report



REGISTER OF ACTIONS
CASE NO. 62-CR-18-130

State of Minnesota vs JALAL MOUINE

§
§
§
§
§

Case Type: **Crim/Traf Mandatory**
Date Filed: **01/05/2018**
Location: **Ramsey Criminal/Traffic/Petty
Downtown**
Judicial Officer: **Smith, Stephen L.**

RELATED CASE INFORMATION

Related Cases

- 62-CV-17-7563 (Companion Case)
- 62-CV-17-7564 (Companion Case)
- 62-CV-17-7565 (Companion Case)

PARTY INFORMATION

Defendant **MOUINE, JALAL**

Burnsville, MN 55337

Male
DOB: 05/14/1978

Lead Attorneys
CHARLES STEPHEN CLAS, Jr.
Retained
612-341-4570(W)

Jurisdiction **State of Minnesota**

HAO QUANG NGUYEN
651-266-3152(W)

CASE INFORMATION

Charges: MOUINE, JALAL	Statute	Level	Date	Disposition	Level of Sentence
1. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid	152.027.6(c)	Felony	09/20/2017		
2. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid	152.027.6(c)	Felony	09/25/2017		
3. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid	152.027.6(c)	Felony	10/03/2017		

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

- 03/12/2018 **Plea** (Judicial Officer: Frisch, Jennifer L)
 - 1. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid
Not guilty
 - 2. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid
Not guilty
 - 3. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid
Not guilty
- 04/30/2018 **Amended Plea** (Judicial Officer: Smith, Stephen L.) Reason: Plea agreement
 - 3. Drugs - Synthetic Cannabinoid - Sale of a synthetic cannabinoid
Guilty

OTHER EVENTS AND HEARINGS

- 01/05/2018 **E-filed Comp-Summons** Index # 1
- 01/05/2018 **Notice of Appearance** Index # 2
- 01/05/2018 **Interim Condition for MOUINE, JALAL**
- Released on own recognizance
- 01/12/2018 **Certificate of Representation** Index # 3
- 01/31/2018 **First Appearance** (1:20 PM) (Judicial Officer Bastian, Gary W.)
Result: Held
- 01/31/2018 **Court Clerk Minutes** Index # 4
- 01/31/2018 **Notice of Appearance** Index # 5
- 01/31/2018 **Notice of Evidence and Identification Procedures** Index # 6
- 02/11/2018 **Notice of Case Assignment** Index # 7
- 02/16/2018 **Discovery Disclosure** Index # 8
- 02/27/2018 **Hearing** (1:20 PM) (Judicial Officer Tilsen, Judith M.)
02/27/2018 Reset by Court to 02/27/2018
Result: Held
- 02/27/2018 **Court Clerk Minutes** Index # 9
- 02/27/2018 **Notice of Appearance** Index # 10
- 03/12/2018 **Omnibus Hearing** (1:20 PM) (Judicial Officer Frisch, Jennifer L)
03/12/2018 Reset by Court to 03/12/2018
Result: Held
- 03/12/2018 **Court Clerk Minutes** Index # 11



03/12/2018 **Pre-Trial Order Index # 12** (Judicial Officer: Frisch, Jennifer L.)
 03/12/2018 **Probable Cause Found**
 03/27/2018 **Pre-trial (1:30 PM)** (Judicial Officer Smith, Stephen L.)
 Result: Held
 03/27/2018 **Notice of Appearance Index # 13**
 03/28/2018 **Pre-Trial Order Index # 14**
 03/28/2018 **e-Service**
 MOUINE, JALAL Served 03/28/2018
 03/28/2018 **e-Service**
 State of Minnesota Served 03/28/2018
 03/28/2018 **e-Service**
 State of Minnesota Served 03/28/2018
 04/30/2018 **Plea Hearing (9:00 AM)** (Judicial Officer Smith, Stephen L.)
 Result: Held
 04/30/2018 **Petition to Enter Guilty Plea Index # 15**
 04/30/2018 **Notice of Appearance Index # 16**
 04/30/2018 **Order-Presentence Investigation Index # 17** (Judicial Officer: Smith, Stephen L.)
 06/19/2018 **Sentencing (9:00 AM)** (Judicial Officer Smith, Stephen L.)



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

April 17, 2018

NOTICE OF INTENT TO REVOKE LICENSE

Muhammed Ali Mohamud, Owner
Dollar Plus
560 University Avenue West
St. Paul, MN 55106



RE: Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus for the premises located at 560 University Avenue West in Saint Paul
License ID #: 20080000589

Dear Licensee:

The Department of Safety and Inspections will recommend revocation of the Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus for the premises located at 560 University Avenue West in Saint Paul. The recommendation is based on the following information:

On September 20, 2017 officers from the Saint Paul Police Department began investigating citizen complaints that the Dollar Plus Store, located at 560 University was selling synthetic marijuana. Complainants had reported that multiple overdoses and medical related problems were attributed to these illegal sales.

The investigation included an attempt to buy synthetic marijuana from the Licensee and owner of Dollar Plus, later identified as Muhammed Ali ("Licensee") on November 17, 2017. On this date, Narcotics Unit Officer Sahaal went into the store undercover and asked the Licensee for "K" (which is a term for synthetic marijuana). The Licensee told him "that's the other dude". Officer Sahaal asked the Licensee if this other person was in the store and the Licensee told Officer Sahaal to check in the morning. The Licensee told him that the other individual is at the store every morning except the weekends. The Licensee further volunteered that the other individual "doesn't even know that I know. I didn't even know that he does that. I heard from a customer. That's his own privacy." The Licensee also identified this other individual as "Jay".

Additional attempts at controlled buys by a confidential reliable informant ("CRI") were made. Officers and the CRI were able to purchase a substance that was later confirmed by a forensic scientist from the Minnesota Bureau of Criminal Apprehension ("BCA") as synthetic marijuana on September 20, 2017, September 25, 2017, October 3, 2017 and November 6, 2017. A store employee named Jalal Mouine was identified as the individual who sold the CRI the synthetic marijuana during each of the controlled buys. Each of the controlled buys took place inside of the Dollar Plus Store. Officers were also able to confirm that Jalal Mouine uses the name "Jay". Jalal Mouine was subsequently arrested and charged with 3 counts of felony sale of synthetic marijuana under file Minnesota State Court File 62-CR-18-130.

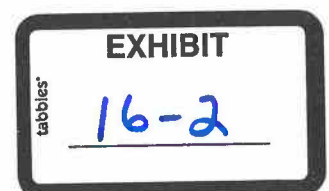
Following the controlled buys Officers were able to obtain a search warrant for the Dollar Plus Store. On November 21, 2017 at approximately 9:50 a.m., Saint Paul Police executed their search warrant (CN #17-270-565). During the search, officers found, photographed and recovered a 9 MM hand gun, a full magazine of ammunition, a black gun case for the hand gun, a ballistic vest, bullet proof vest inserts, 3 black 7.62x39 MM empty magazines, 2 black 7.62X39 MM full magazines, 2 live 7.62 ammunition rounds, an AK47 rifle, 37boxes of live 7.62x39 MM TulAmmo rounds, a large knife, 1 black magazine full of live 9MM rounds and a rifle case for an AK47. Photographs show that these items were unsecured.

Saint Paul Legislative Code Section 310.05 (m) contains a matrix with presumptive penalties for certain violations. The presumptive penalty for 310.05 (m) (6) commission of a felony on the property is \$2,000 for the first offense and revocation for the second.

Saint Paul Legislative Code Section 310.06 also provides that adverse action may be taken against your license based on any one or more of the following grounds:

Section 310.06 (b) (6) (a): *"The license or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provision of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith;"*

Section 310.06 (b) (6) (c): *"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."*



Section 310.06 (b) (7): *“The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.”*

Section 310.06 (b) (8): *“The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.”*

Due to the seriousness nature of the illegal activity you allowed at the licensed premises, the licensing office will recommend revocation of your Cigarette/Tobacco license.

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 **Friday, April 27, 2018**, I will presume that you have chosen not to contest the proposed adverse action and the matter will be placed on the next available City Council Agenda for approval of the proposed remedy.
2. If you wish to admit the facts but 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 the facts and requesting a public hearing no later than **Friday, April 27, 2018**. The matter will then be scheduled before the City Council to determine whether to revoke your Cigarette/Tobacco 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, 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 **Friday, April 27, 2018**. 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. If you no longer wish to do business in the City of Saint Paul, you will need to complete and return the enclosed REQUEST TO CANCEL LICENSE with the CITY OF SAINT PAUL to the Department of Safety and Inspections, at 375 Jackson Street, Ste. 220, St. Paul, Minnesota 55101-1806 no later than **Friday, April 27, 2018**.



If you have not contacted me by Friday, April 27, 2018, I will assume that you do not contest the revocation of your Cigarette/Tobacco license. In that case, the matter will be placed on the next available City Council Consent Agenda for approval of the recommended penalty.

If you have questions about these four (4) options, please contact Julie Kraus, my Legal Assistant at (651) 266-8776.

Sincerely,



Therese Skarda
Assistant City Attorney

Cc: Muhammed Ali Mohamud, 1615-4th Street, Minneapolis, MN 55454
Muhammed Ali Mohamud, 1472-66th Avenue NE, Fridley, MN 55432
Jens Werner, Executive Director, Summit-University Planning Council
627A Selby Avenue, St. Paul, MN 55104
State of Minnesota/Department of Transportation, 1500 County Road B2 West
Roseville, MN 55113-3174



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 17th day of April she served the attached **NOTICE OF INTENT TO REVOKE LICENSE** and a correct copy thereof in an envelope addressed as follows:

Muhammed Ali Mohamud, Owner
Dollar Plus
560 University Avenue West
St. Paul, MN 55106

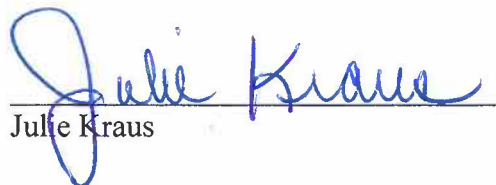
Muhammed Ali Mohamud
1615-4th Street
Minneapolis, MN 55454

Muhammed Ali Mohamud
1472-66th Avenue NE
Fridley, MN 55432

Jens Werner, Executive Director
Summit-University Planning Council
627A Selby Avenue
St. Paul, MN 55104

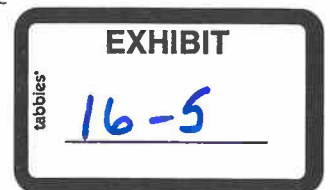
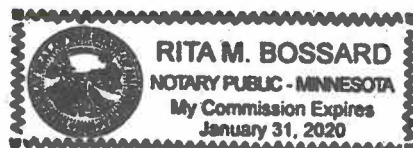
State of Minnesota/Department of Transportation
1500 County Road B2 West
Roseville, MN 55113-3174

(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 17th day of April, 2018


Notary Public





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*

June 6, 2018

**NOTICE OF PREHEARING CONFERENCE
and
NOTICE OF ADMINISTRATIVE HEARING**

Muhammed Ali Mohamud, Owner
Dollar Plus
560 University Avenue West
St. Paul, MN 55103-1939

RE: Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus for the premises located at 560 University Avenue West in Saint Paul
License ID #: 20080000589
OAH Docket No.: 82-6020-5305

Dear Mr. Mohamud:

Please take notice that a Prehearing Conference and an Administrative Hearing have been scheduled on the following dates, times and location concerning the Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus for the premises located at 560 University Avenue West in Saint Paul:

PREHEARING CONFERENCE

Date: Friday, June 15, 2018
Time: 9:30 a.m.
Location: Office of Administrative Hearings
600 Robert Street North
St. Paul, MN 55101

ADMINISTRATIVE HEARING

Date: Tuesday, July 31, 2018
Time: 9:30 a.m.
Location: Office of Administrative Hearings
600 Robert Street North
St. Paul, MN 55101



The hearing will be presided over by an Administrative Law Judge from the State of Minnesota Office of Administrative Hearings:

Name: Judge Barbara Case
Office of Administrative Hearings
600 North Robert Street
St. Paul, MN 55101

Telephone: (651) 361-7888

The Council of the City of Saint Paul has the authority to provide for hearings concerning adverse action against such licenses, under Chapter 310, including sections 310.05 and 310.06, of the Saint Paul Legislative Code. Adverse action may include revocation, suspension, denial, fines and other penalties or conditions.

Evidence will be presented to the administrative law judge that may lead to adverse action against the Cigarette/Tobacco license held by Dollar Plus, Inc. d/b/a Dollar Plus:

On September 20, 2017 officers from the Saint Paul Police Department began investigating citizen complaints that the Dollar Plus Store, located at 560 University was selling synthetic marijuana. Complainants had reported that multiple overdoses and medical related problems were attributed to these illegal sales.

The investigation included an attempt to buy synthetic marijuana from the Licensee and owner of Dollar Plus, later identified as Muhammed Ali ("Licensee") on November 17, 2017. On this date, Narcotics Unit Officer Sahaal went into the store undercover and asked the Licensee for "K" (which is a term for synthetic marijuana). The Licensee told him "that's the other dude". Officer Sahaal asked the Licensee if this other person was in the store and the Licensee told Officer Sahaal to check in the morning. The Licensee told him that the other individual is at the store every morning except the weekends. The Licensee further volunteered that the other individual "doesn't even know that I know. I didn't even know that he does that. I heard from a customer. That's his own privacy." The Licensee also identified this other individual as "Jay".

Additional attempts at controlled buys by a confidential reliable informant ("CRI") were made. Officers and the CRI were able to purchase a substance that was later confirmed by a forensic scientist from the Minnesota Bureau of Criminal Apprehension ("BCA") as synthetic marijuana on September 20, 2017, September 25, 2017, October 3, 2017 and November 6, 2017. A store employee named Jalal Mouine was identified as the individual who sold the CRI the synthetic marijuana during each of the controlled buys. Each of the controlled buys took place inside of the Dollar Plus Store. Officers were also able to confirm that Jalal Mouine uses the name "Jay". Jalal Mouine was subsequently arrested and charged with 3 counts of felony sale of synthetic marijuana under file Minnesota State Court File 62-CR-18-130.



Following the controlled buys Officers were able to obtain a search warrant for the Dollar Plus Store. On November 21, 2017 at approximately 9:50 a.m., Saint Paul Police executed their search warrant (CN #17-270-565). During the search, officers found, photographed and recovered a 9 MM hand gun, a full magazine of ammunition, a black gun case for the hand gun, a ballistic vest, bullet proof vest inserts, 3 black 7.62x39 MM empty magazines, 2 black 7.62X39 MM full magazines, 2 live 7.62 ammunition rounds, an AK47 rifle, 37boxes of live 7.62x39 MM TulAmmo rounds, a large knife, 1 black magazine full of live 9MM rounds and a rifle case for an AK47. Photographs show that these items were unsecured.

Saint Paul Legislative Code Section 310.05 (m) contains a matrix with presumptive penalties for certain violations. The presumptive penalty for 310.05 (m) (6) commission of a felony on the property is \$2,000 for the first offense and revocation for the second.

Saint Paul Legislative Code Section 310.06 also provides that adverse action may be taken against your license based on any one or more of the following grounds:

Section 310.06 (b) (6) (a): *“The license or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provision of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith;”*

Section 310.06 (b) (6) (c): *“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.”*

Section 310.06 (b) (7): *“The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.”*

Section 310.06 (b) (8): *“The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.”*

Due to the seriousness nature of the illegal activity you allowed at the licensed premises, the licensing office will recommend revocation of your Cigarette/Tobacco license.

The licensee has the right to be represented by an attorney before and during the hearing or can represent him/herself. The licensee may also have a person of his/her choice representing his/her interests, to the extent not prohibited as unauthorized practice of law.



The hearing will be conducted in accordance with the requirements of Minnesota Statutes sections 14.57 to 14.62 and such parts of the procedures under section 310.05 of the Saint Paul Legislative Code as may be applicable.

At the hearing, the Administrative Law Judge will have all parties identify themselves for the record. The City will then present its witnesses and evidence, each of whom the licensee or attorney may cross-examine. The licensee may then offer in rebuttal any witnesses or evidence it may wish to present, each of whom the City's attorney may cross-examine. The Administrative Law Judge may in addition hear relevant and material testimony from persons not presented as witnesses by either party who have a substantial interest in the outcome of the proceeding; for example, the owners or occupants of property located in close proximity to the licensed premises may have substantial interest in the outcome of the proceeding. Concluding arguments may be made by the parties. Following the hearing, the Judge will prepare Findings of Fact, Conclusions of Law, and a specific recommendation for action to be taken by the City Council.

The licensee should bring to the hearing all documents, records and witnesses which may be needed to support its position. Subpoenas may be available to compel the attendance of witnesses or the production of documents in conformity with Minnesota Rules, part 1400.7000.

If you think that this matter can be resolved or settled without a formal hearing, please contact the undersigned. If a stipulation or agreement can be reached as to the facts, that stipulation will be presented to the Administrative Law Judge for incorporation into his or her recommendation for Council action.

If you fail to appear at the hearing, your ability to challenge the allegations will be forfeited and the allegations against you which have been stated earlier in this notice may be taken as true. If non-public data is received into evidence at the hearing, it may become public unless objection is made and relief requested under Minnesota Statutes, Section 14.60, subdivision 2.

If you have any questions, you can call me at 266-8710.

Sincerely,



Therese Skarda
Assistant Saint Paul City Attorney
License No.: 024989

cc: Judge Barbara Case, Office of Administrative Hearings, P.O. Box 64620, St. Paul, MN 55164-0620
Muhammed Ali Mohamud, 1472-66th Avenue NE, Fridley, MN 55432
Jens Werner, Executive Director, Summit-University Planning Council
627A Selby Avenue, St. Paul, MN 55104
State of Minnesota/Department of Transportation, 1500 County Road B2 West
Roseville, MN 55113-3174



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 8th day of June she served the attached **NOTICE OF PREHEARING CONFERENCE AND NOTICE OF ADMINISTRATIVE HEARING** and a correct copy thereof in an envelope addressed as follows:


Muhammed Ali Mohamud, Owner
Dollar Plus
560 University Avenue West
St. Paul, MN 55103-1939

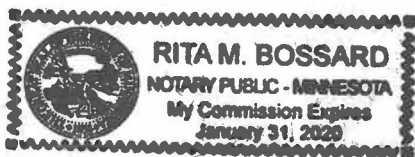
USPS TRACKING # **9114 9999 4431 3547 1233 76**
& CUSTOMER RECEIPT
For Tracking or inquiries go to USPS.com
or call 1-800-222-1811.

(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 8th day of June, 2018


Notary Public



License Group Comments Text

02/23/2018

Licensee: DOLLAR PLUS INC

DBA: DOLLAR PLUS

License #: 20080000589

2/23/18 To CAO for adverse action on Cn 17270565 for a search and seizure of narcotics and wepons on the licensed premises..KS
11/21/17 accomp. SPPD on search warrant for this location. More reports may be forthcoming that will result in adverse action. Notify KS if any changes to this license. KS

06/27/2017 Passed tobacco compliance checks BLB

03/17/2017 Sent delinquent letter. Response deadline date is April 07, 2017. Max

8/03/2016 Passed Tobacco Compliance Check BLB

07/17/15 Passed cigarette Compliance check BLB

03/16/2015 Sent delinquent letter. Response deadline date is April 06, 2015. Max

12/29/2014 Passed tobacco compliance check. AAJ

3/28/13 Passed Cig. Comp.Ck. KS

08/15/2012 Passed tobacco compliance check. TPF

07/10/2012 Passed tobacco comp. re-check. JWF

03/22/2012 OK to waive \$54.00 late fee per Kris. ES

02/08/2012 Rcvd \$200.00 for cig sales violation. AMW

01/13/2012 Notice of violation underage purchased tobacco, \$200 matrix, respond by 01/23/2012. NM

01/10/2012 To CAO for adverse action. CAR

12/29/2011 Failed tobacco compliance check. \$200 matrix penalty. TF/CAR

10/20/2011 Passed tobacco compliance check. TF

10/22/2010 Passed tobacco compliance check. TF

4/8/10 Passed Cig.Comp.Ck.KS

07/15/2009 Passed tobacco compliance check. PF

10/21/08 Passed cig.comp ck.KS



License Query

Address License Contact License Cardholder

Licensee Name: DOLLAR PLUS INC

DBA: DOLLAR PLUS

Sales Tax Id:

Find Now
OK
Cancel
New Search
Help



SEARCH WINDOW

License #	Tag #	Licensee Name	DBA	License Type	Status	Reason	Effective	Expiration	License Address	City	Ward	Bus. Phone #	Home Phone #	Unmet Req	Hold	Contact Last Name	First Name	Title
080000589	0	DOLLAR PLUS INC	DOLLAR PLUS	Cigarette/Tobacco	Active Pending Ren	*Approaching Renewal Date	03/07/2008	03/07/2013	560 UNIVERSITY AVE W			(651) 224-1174		2	N			560
18417	0	DOLLAR PLUS INC	DOLLAR PLUS	Alarm Permit (New)	Active Pending Ren	*Approaching Renewal Date	03/07/2008	03/07/2018	560 UNIVERSITY AVE W			(651) 224-1174		0	N			560
0	0	DOLLAR PLUS INC	DOLLAR PLUS	Retail Fd (B) - Grocery 101-1000 sq ft	Canceled	MDA/MDH has licensing aut	03/07/2008	03/07/2014	560 UNIVERSITY AVE W			(651) 224-1174		0	N			560
				False Alarms	Complete	License Expiration date has	01/01/2015	12/31/2015	560 UNIVERSITY AVE W			(651) 224-1174		0	N			560
							01/01/2017	12/31/2017	560 UNIVERSITY AVE W			(651) 224-1174		0	N			560
							01/01/2012	12/31/2012	560 UNIVERSITY AVE W			(651) 224-1174		0	N			560
							01/01/2011	12/31/2011	560 UNIVERSITY AVE W			(651) 224-1174		0	N			560

tabbies*

18-2

EXHIBIT

Licensee: DOLLAR PLUS INC
 DBA: DOLLAR PLUS

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

Property
 Licensee
 Unofficial

Street #: 560
 Street Name: UNIVERSITY
 Street Type: AVE Direction: W
 Unit Ind: Unit #:
 City: ST PAUL
 State: MN Zip: 55106
 Ward: 1
 Dist Council: 08

Project Facilitator: ZANGS, LAWRENCE (LARRY)

Adverse Action Comments:

License Group Comments:
 2/23/18 To CAO for adverse action on Cn 17270565 for a search and seizure of narcotics and weapons on the licensed premises. KS
 11/21/17 accomp. SPPD on search warrant for this location. More reports may be forthcoming that will result

Licensee: DOLLAR PLUS INC
 DBA: DOLLAR PLUS
 Sales Tax Id: ***** Bus Phone: (651) 224-1174

Licensee Comments:

License Type	Class	Effective	Expiration	Conditions	License Fee
False Alarms	R	01/01/2015	12/31/2015	N	\$0.00
False Alarms	R	01/01/2017	12/31/2017	N	\$0.00
False Alarms	R	01/01/2011	12/31/2011	N	\$0.00

License # 080000589 Save Changes to History



Properties For License 560 UNIVERSITY AVE W

Licensee: DOLLAR PLUS INC
DBA: DOLLAR PLUS

License Licensee Lic. Types Insurance Bond Requirements

License Name: DOLLAR PLUS INC [Browse...]
DBA: DOLLAR PLUS
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

Addr. Type	Active	Inactive	Last Name	First Name	Title	Bus. Phone	Ho	Mail License To:
Business/M	03/07/2008	00/00/0000				(651) 224-1174		<input checked="" type="radio"/> Mail To Contact <input type="radio"/> License Address
Other	03/07/2008	00/00/0000	MOHAMUD	MUHAMMED	OWNER	() - (612)		<input checked="" type="radio"/> Mail To Contact <input type="radio"/> License Address

Background Check Required Contact Properties...

License # 080000589 Save Changes to History [OK] [Cancel] [Help]



Licensee: DOLLAR PLUS INC
 DBA: DOLLAR PLUS

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

License Type: Cigarette/Tobacco
 License Class: R
 Effective: 03/07/2008 Expiration: 03/07/2018
 Status: Active Pending Ren
 Apply Discount: Remove Discount: Discount Rec'd:
 Status Changed: 01/08/2018
 Replace Fee: # of Units: 1
 Application Date: 03/07/2008

Inspector Name	Type	Phone #	
HAWKINS, JEFFREY	Zoning	(651) 288-9083	<input type="button" value="Add"/> <input type="button" value="Remove"/>
BERGMANN, DAVE	Fire	(651) 228-6238	<input type="button" value="Add"/> <input type="button" value="Remove"/>

Name	Trade Type	Card #	Card Type	Expiration	
					<input type="button" value="Add"/> <input type="button" value="Remove"/>

Tag #: 0
 Fields: License Type Comments(long):

Counter Sales:
 # of Machines:

License # 080000589 Save Changes to History



Sec. 310.05. - Hearing procedures.

- (a) *Adverse action; notice and hearing requirements* . In any case where the council may or intends to consider any adverse action, including the revocation or suspension of a license, the imposition of conditions upon a license, or the denial of an application for the grant, issuance or renewal of a license, or the disapproval of a license issued by the State of Minnesota, the applicant or licensee shall be given notice and an opportunity to be heard as provided herein. The council may consider such adverse actions when recommended by the inspector, by the director, by the director of any executive department established pursuant to Chapter 9 of the Charter, by the city attorney or on its own initiative.
- (b) *Notice*. In each such case where adverse action is or will be considered by the council, the applicant or licensee shall have been notified in writing that adverse action may be taken against the license or application, and that he or she is entitled to a hearing before action is taken by the council. The notice shall be served or mailed a reasonable time before the hearing date, and shall state the place, date and time of the hearing. The notice shall state the issues involved or grounds upon which the adverse action may be sought or based. The council may request that such written notice be prepared and served or mailed by the inspector or by the city attorney.
- (c) *Hearing*. Where there is no dispute as to the facts underlying the violation or as to the facts establishing mitigating or aggravating circumstances, the hearing shall be held before the council. Otherwise the hearing shall be conducted before a hearing examiner appointed by the council or retained by contract with the city for that purpose. The applicant or the licensee shall be provided an opportunity to present evidence and argument as well as meet adverse testimony or evidence by reasonable cross-examination and rebuttal evidence. The hearing examiner may in its discretion permit other interested persons the opportunity to present testimony or evidence or otherwise participate in such hearing.
- (c-1) *Procedure; hearing examiner*. The hearing examiner shall hear all evidence as may be presented on behalf of the city and the applicant or licensee, and shall present to the council written findings of fact and conclusions of law, together with a recommendation for adverse action.

The council shall consider the evidence contained in the record, the hearing examiner's recommended findings of fact and conclusions, and shall not consider any factual testimony not previously submitted to and considered by the hearing examiner. After receipt of the hearing examiner's findings, conclusions, and recommendations, the council shall provide the applicant or licensee an opportunity to present oral or written arguments alleging error on the part of the examiner in the application of the law or interpretation of the facts, and to present argument related to the recommended adverse action. Upon conclusion of that hearing, and after considering the record, the examiner's findings and recommendations, together with such additional arguments presented at the hearing, the council shall determine what, if any, adverse action shall be taken, which action shall be by resolution. The council may accept, reject or modify the findings, conclusions and recommendations of the hearing examiner.

- (c-2) *Ex-parte contacts*. If a license matter has been scheduled for an adverse hearing, council members shall not discuss the license matter with each other or with any of the parties or interested persons involved in the matter unless such discussion occurs on the record during the hearings of the matter or during the council's final deliberations of the matter. No interested person shall, with knowledge that a license matter has been scheduled for adverse hearing, convey or attempt to convey, orally or in writing, any information, argument or opinion about the matter, or any issue in the matter, to a council member or his or her staff until the council has taken final action on the matter; provided, however, that nothing herein shall prevent an inquiry or communications regarding status, scheduling or procedures concerning a license matter. An interested person, for the purpose of this paragraph, shall mean and include a person who is an officer or employee of the licensee which is the subject of the scheduled adverse hearing, or a person who has a financial interest in such licensee.
- (d) *Licensee or applicant may be represented*. The licensee or applicant may represent himself or choose to be represented by another.
- (e) *Record; evidence*. The hearing examiner shall receive and keep a record of such proceedings, including testimony and exhibits, and shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs.

- (f) *Council action, resolution to contain findings.* Where the council takes adverse action with respect to a license, licensee or applicant for a license, the resolution by which such action is taken shall contain its findings and determination, including the imposition of conditions, if any. The council may adopt all or part of the findings, conclusions and recommendations of the hearing examiner, and incorporate the same in its resolution taking the adverse action.
- (g) *Additional procedures where required.* Where the provisions of any statute or ordinance require additional notice or hearing procedures, such provisions shall be complied with and shall supersede inconsistent provisions of these chapters. This shall include, without limitation by reason of this specific reference, Minnesota Statutes, Chapter 364 and Minnesota Statutes, Section 340A.415.
- (h) *Discretion to hear notwithstanding withdrawal or surrender of application or license.* The council may, at its discretion, conduct a hearing or direct that a hearing be held regarding revocation or denial of a license, notwithstanding that the applicant or licensee has attempted or purported to withdraw or surrender said license or application, if the attempted withdrawal or surrender took place after the applicant or licensee had been notified of the hearing and potential adverse action.
- (i) *Continuances.* Where a hearing for the purpose of considering revocation or suspension of a license or other disciplinary action involving a license has been scheduled before the council, a continuation of the hearing may be granted by the council president or by the council at the request of the licensee, license applicant, an interested person or an attorney representing the foregoing, upon a showing of good cause by the party making the request.
- (j) If the council imposes an adverse action as defined in section 310.01 above, a generic notice of such action shall be prepared by the license inspector and posted by the licensee so as to be visible to the public during the effective period of the adverse action. The licensee shall be responsible for taking reasonable steps to make sure the notice remains posted on the front door of the licensed premises, and failure to take such reasonable precautions may be grounds for further adverse action.
- (k) *Imposition of costs.* The council may impose upon any licensee or license applicant some or all of the costs of a contested hearing before an independent hearing examiner. The costs of a contested hearing include, but are not limited to, the cost of the administrative law judge or independent hearing examiner, stenographic and recording costs, copying costs, city staff and attorney time for which adequate records have been kept, rental of rooms and equipment necessary for the hearing, and the cost of expert witnesses. The council may impose all or part of such costs in any given case if (i) the position, claim or defense of the licensee or applicant was frivolous, arbitrary or capricious, made in bad faith, or made for the purpose of delay or harassment; (ii) the nature of the violation was serious, or involved violence or the threat of violence by the licensee or employees thereof, or involved the sale of drugs by the licensee or employees thereof, and/or the circumstances under which the violation occurred were aggravated and serious; (iii) the violation created a serious danger to the public health, safety or welfare; (iv) the violation involved unreasonable risk of harm to vulnerable persons, or to persons for whose safety the licensee or applicant is or was responsible; (v) the applicant or licensee was sufficiently in control of the situation and therefore could have reasonably avoided the violation, such as but not limited to, the nonpayment of a required fee or the failure to renew required insurance policies; (vi) the violation is covered by the matrix in section 409.26 of the Legislative Code; or (vii) the violation involved the sale of cigarettes to a minor.
- (l) *Imposition of fines.* The council may impose a fine upon any licensee or license applicant as an adverse license action. A fine may be in such amount as the council deems reasonable and appropriate, having in mind the regulatory and enforcement purposes embodied in the particular licensing ordinance. A fine may be in addition to or in lieu of other adverse action in the sole discretion of the council. To the extent any other provision of the Legislative Code provides for the imposition of a fine, both provisions shall be read together to the extent possible; provided, however, that in the case of any conflict or inconsistency, the other provision shall be controlling.

- (m) *Presumptive penalties for certain violations.* The purpose of this section is to establish a standard by which the city council determines the amount of fines, the length of license suspensions and the propriety of revocations, and shall apply to all license types, except that in the case of a violation involving a liquor license § 409.26 shall apply where a specific violation is listed. In the case of an adverse action filed for a violation of chapter 331A, the licensee shall be given a fine for each individual violation of chapter 331A. The total fine amount for violations of chapter 331A may exceed the maximum fine outlined below due to multiple violations in one (1) appearance. All penalty recommendations for chapter 331A violations shall be based on the food penalty guideline referred to in chapter 331A. These penalties are presumed to be appropriate for every case; however the council may deviate therefrom in an individual case where the council finds and determines that there exist substantial and compelling reasons making it more appropriate to do so. When deviating from these standards, the council shall provide written reasons that specify why the penalty selected was more appropriate.

Type of Violation	Appearance			
	1st	2nd	3rd	4th
(1) Violations of conditions placed on the license	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(2) Violation of provisions of the legislative code relating to the licensed activity	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(3) Violation of provisions of the legislative code relating to the licensed activity, other than violations of the food code	\$500.00 fine	\$1,000.00 fine	\$2,000.00 fine and 10-day suspension	Revocation
(4) Failure to permit entrance or inspection by DSI inspector or police	5-day suspension	10-day suspension	15-day suspension	Revocation
(5) Commission of a crime other than a felony on the premises by a licensee or employee	\$700.00	\$1,500.00	5-day suspension	Revocation
(6) Commission of a felony on the premises by a licensee or employee	\$2,000.00	Revocation	n/a	n/a
(7) Death or great bodily harm in establishment related to violation of law or license conditions	30-day suspension	60-day suspension	Revocation	n/a
(8) Failure to pay license fees	Suspension	Revocation		
(9) Critical violations under 331A	\$250.00	\$500.00	\$1,000.00, 5-day suspension	Revocation

(10) Non-critical violation under 331A	\$150.00	\$250.00	\$500.00	\$1,000.00
(11) Taxi fail to display driver's license as required by 376.16(f)	\$100.00	\$250.00	\$500.00	Revocation
(12) Taxi fail to display number of information and complaint office as required by 376.11(v)	\$100.00	\$250.00	\$500.00	Revocation
(13) Violation of restrictions upon sidewalk café license under 106.01(b)	\$200.00	\$400.00	\$800.00	Revocation

(i) *Fines payable without hearing.*

- A. Notwithstanding the provisions of section 310.05(c), a licensee who would be making a first or second appearance before the council may elect to pay the fine to the department of safety and inspections without a council hearing, unless the notice of violation has indicated that a hearing is required because of circumstances which may warrant deviation from the presumptive fine amount. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations.
- B. For adverse action initiated under chapter 331A of this Code, a fine may be paid without a hearing regardless of how many prior appearances that licensee has made before the council. The above council hearing requirement applies to violations under chapter 331A unless the fine recommended by the department of safety and inspections is equal to or less than the fine amount outlined in the above matrix. Payment of the recommended fine will be considered to be a waiver of the hearing to which the licensee is entitled, and will be considered an "appearance" for the purpose of determining presumptive penalties for subsequent violations. A non-critical violation under chapter 331A shall not be considered an "appearance" for purposes of determining presumptive penalties for non-331A violations. A council hearing is required if the department of safety and inspections recommends a fine that is an upward departure for the amount outlined above.
- (ii) *Multiple violations.* At a licensee's first appearance before the city council, the council shall consider and act upon all the violations that have been alleged and/or incorporated in the notices sent to the licensee under the administrative procedures act up to and including the formal notice of hearing. The council in that case shall consider the presumptive penalty for each such violation under the "1st Appearance" column in paragraph (b) above. The occurrence of multiple violations shall be grounds for departure from such penalties in the council's discretion.
- (iii) *Violations occurring after the date of the notice of hearing.* Violations occurring after the date of the notice of hearing that are brought to the attention of the city attorney prior to the hearing date before an administrative law judge (or before the council in an uncontested facts hearing) may be added to the notice(s) by stipulation if the licensee admits to the facts, and shall in that case be treated as though part of the "1st Appearance." In all other cases, violations occurring after the date of the formal notice of hearing shall be the subject of a separate proceeding and dealt with as a "2nd Appearance" before the council. The same procedures shall apply to a second, third or fourth appearance before the council.
- (iv) *Subsequent appearances.* Upon a second, third or fourth appearance before the council by a particular licensee, the council shall impose the presumptive penalty for the violation or violations giving rise to the subsequent appearance without regard to the particular violation or violations that were the subject of the first or prior appearance. However, non-critical violations of chapter 331A shall not be counted as an "appearance" before the council in relation to any violation other than another violation of chapter 331A.

(v) *Computation of time.*

- (1) *Second appearance.* A second violation within twelve (12) months shall be treated as a second appearance for the purpose of determining the presumptive penalty.
- (2) *Third appearance.* A third violation within eighteen (18) months shall be treated as a third appearance for the purpose of determining the presumptive penalty.
- (3) *Fourth appearance.* A fourth violation within twenty-four (24) months shall be treated as a fourth appearance for the purpose of determining the presumptive penalty.
- (4) Any appearance not covered by subsections (1), (2) or (3) above shall be treated as a first appearance. Measurement of the twelve-, eighteen-, or twenty-four-month period shall be as follows: The beginning date shall be the earliest violation's date of appearance before the council, and the ending date shall be the date of the new violation. In case of multiple new violations, the ending date to be used shall be the date of the violation last in time.
- (5) Notwithstanding subsections (iv)(1), (2), (3) or (4) above, a second appearance before the council regarding a death or great bodily harm in a licensed establishment that is related to a violation of the law or license conditions shall be counted as a second appearance, regardless of how much time has passed since the first appearance if the first appearance was also regarding a death or great bodily harm in a licensed establishment. A third appearance for the same shall be counted as a third appearance regardless of how much time has passed since the first or second appearance.
- (6) For the purpose of a second, third or fourth appearance under this section, "violation" shall mean either one of those violations listed in paragraph (m) or a violation of section 409.26(b).

(Code 1956, § 510.05; Ord. No. 17551, § 2, 4-19-88; Ord. No. 17559, §§ 1, 2, 5-17-88; Ord. No. 17659, § 1, 6-13-89; Ord. No. 17911, § 1, 3-10-92; C.F. No. 94-46, § 7, 2-2-94; C.F. No. 94-898, §§ 2, 3, 7-13-94; C.F. No. 94-1340, § 2, 10-19-94; C.F. No. 95-473, § 4, 5-31-95; C.F. No. 05-180, § 1, 4-6-05; C.F. No. 06-954, § 1, 11-8-06; C.F. No. 06-1072, § 1, 12-27-06; C.F. No. 07-149, § 73, 3-28-07; C.F. No. 07-1053, § 1, 11-28-07; C.F. No. 08-1208, § 1, 12-17-08; C.F. No. 10-665, § 1, 7-28-10; Ord. No. 11-93, § 1, 9-28-11; Ord. No. 11-94, § 1, 10-12-11; Ord 12-42, § 1, 8-22-12; Ord 12-85, § 1, 1-23-13)

Sec. 310.06. - Revocation; suspension; adverse actions; imposition of conditions.

- (a) *Council may take adverse action.* The council is authorized to take adverse action, as defined in section 310.01 above, against any or all licenses or permits, licensee or applicant for a license, as provided in and by these chapters. Adverse actions against entertainment licenses issued under chapter 411 of the Legislative Code may be initiated for the reasons set forth in subsection (b) below, or upon any lawful grounds which are communicated to the license holder in writing prior to the hearing before the council. Such actions shall be initiated and carried out in accordance with the procedures outlined in section 310.05; provided, however, that the formal notice of hearing shall be used to initiate the adverse action without the use of prior procedural steps.
- (b) *Basis for action.* Such adverse action may be based on one (1) or more of the following reasons, which are in addition to any other reason specifically provided by law or in these chapters:
- (1) The license or permit was procured by misrepresentation of material facts, fraud, deceit or bad faith.
 - (2) The applicant or one acting in his or her behalf made oral or written misstatements or misrepresentations of material facts in or accompanying the application.
 - (3) The license was issued in violation of any of the provisions of the zoning code, or the premises which are licensed or which are to be licensed do not comply with applicable health, housing, fire, zoning and building codes and regulations.
 - (4) The license or permit was issued in violation of law, without authority, or under a material mistake of fact.
 - (5) The licensee or applicant has failed to comply with any condition set forth in the license, or set forth in the resolution granting or renewing the license.
 - (6)
 - a. The licensee or applicant (or any person whose conduct may by law be imputed to the licensee or applicant) has violated, or performed any act which is a violation of, any of the provisions of these chapters or of any statute, ordinance or regulation reasonably related to the licensed activity, regardless of whether criminal charges have or have not been brought in connection therewith;
 - b. The licensee or applicant has been convicted of a crime that may disqualify said applicant from holding the license in question under the standards and procedures in Minnesota Statutes chapter 364; or
 - c. 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.
 - (7) The activities of the licensee in the licensed activity created or have created a serious danger to the public health, safety or welfare, or the licensee performs or has performed his or her work or activity in an unsafe manner.
 - (8) The licensed business, or the way in which such business is operated, maintains or permits conditions that unreasonably annoy, injure or endanger the safety, health, morals, comfort or repose of any considerable number of members of the public.
 - (9) Failure to keep sidewalks or pedestrian ways reasonably free of snow and ice as required under chapter 114 of the Saint Paul Legislative Code.

- (10) The licensee or applicant has shown by past misconduct or unfair acts or dealings: physical abuse, assaults or violent actions done to others, including, but not limited to, actions meeting the definition of criminal sexual conduct pursuant to Minnesota Statutes sections 609.342 through 609.3451; sexual abuse, physical abuse or maltreatment of a child as defined in Minnesota Statutes section 626.556, subdivisions 2 and 10e, including, but not limited to, acts which constitute a violation of Minnesota Statutes sections 609.02, subdivision 10; 609.321 through 609.3451; or 617.246; neglect or endangerment of a child as defined in Minnesota Statutes section 626.557, subdivision 2; the manufacture, distribution, sale, gift, delivery, transportation, exchange or barter of a controlled substance as defined in Minnesota Statutes chapter 152; the possession of a controlled substance as defined in Minnesota Statutes chapter 152 in such quantities or under circumstances giving rise to a reasonable inference that the possession was for the purpose of sale or distribution to others; or by the abuse of alcohol or other drugs, that such licensee or applicant is not a person of the good moral character or fitness required to engage in a licensed activity, business or profession.
- (11) The licensee or applicant has materially changed or permitted a material change in the design, construction or configuration of the licensed premises without the prior approval of the city council in the case of Class N licenses, the director in the case of Class T licenses, and the inspector in the case of Class R licenses, or without first having obtained the proper building permits from the city.
- (12) The licensee or applicant has violated section 294.01 of the Legislative Code, or has made or attempted to make a prohibited ex parte contact with a council member as provided in section 310.05(c-2) of the Legislative Code.
- (13) The licensee violated the law or any license condition and that violation is related to a death or great bodily harm, as defined in Minnesota Statute section 609.02, subd. 8, in or near the establishment.
- (14) The licensee has failed to pay license fees within sixty (60) days of the date the fees are due. Licensee must pay any outstanding fees and delinquent fees in total. Failure to do so within sixty (60) days of the due date may result in revocation of the license. A revocation for this reason, however, is not considered a revocation resulting from misconduct or unfitness of the licensee, evidence of violations of law involving licensed premises, evidence that the applicant had been involved in the operation of a nuisance, or fraud or deception in the license application. Therefore, the requirement of § 310.02(d) prohibiting re-application within one year of revocation shall not apply to revocations under this paragraph.

The terms "licensee" or "applicant" for the purpose of this section shall mean and include any person who has any interest, whether as a holder of more than five (5) percent of the stock of a corporation, as a partner, or otherwise, in the premises or in the business or activity which are licensed or proposed to be licensed.

With respect to any license for activities entitled to the protection of the First Amendment, notwithstanding the foregoing provisions, neither the lack of good moral character or fitness of the licensee or applicant nor the content of the protected speech or matter shall be the basis for adverse action against the license or application.

- (c) *Imposition of reasonable conditions and/or restrictions.* When a reasonable basis is found to impose reasonable conditions and/or restrictions upon a license issued or held under these chapters, any one (1) or more such reasonable conditions and/or restrictions may be imposed upon such license for the purpose of promoting public health, safety and welfare, of advancing the public peace and the elimination of conditions or actions that constitute a nuisance or a detriment to the peaceful enjoyment of urban life, or promoting security and safety in nearby neighborhoods. Such reasonable conditions and/or restrictions may include or pertain to, but are not limited to:

- (1) A limitation on the hours of operation of the licensed business or establishment, or on particular types of activities conducted in or on said business or establishment;
- (2) A limitation or restriction as to the location within the licensed business or establishment where particular type of activities may be conducted;
- (3) A limitation as to the means of ingress or egress from the licensed establishment or its parking lot or immediately adjacent area;
- (4) A requirement to provide off-street parking in excess of other requirements of law;
- (5) A limitation on the manner and means of advertising the operation or merchandise of the licensed establishment;
- (6) Any other reasonable condition or restriction limiting the operation of the licensed business or establishment to ensure that the business or establishment will harmonize with the character of the area in which it is located, or to prevent the development or continuation of a nuisance.

The inspector may impose such conditions on Class R licenses with the consent of the license holder, or may recommend the imposition of such conditions as an adverse action against the license or licenses; the inspector has the same power with respect to Class T licenses. The council may impose such conditions on Class N licenses with the consent of the license holder, or upon any class of license as an adverse action against the license or licenses following notice and hearing as may be required. Such conditions may be imposed on a license or licenses upon issuance or renewal thereof, or upon and as part of any adverse action against a license or licenses, including suspension. Conditions imposed on a license or licenses shall remain on such licenses when renewed and shall continue thereafter until removed by the council in the case of conditions on Class N licenses or conditions imposed by adverse action, and by the inspector in the case of Class R and T licenses.

- (d) *Standards for multiple license determination.* In any case in which the council is authorized to take adverse action against less than all of the licenses held by a licensee, or applied for by an applicant, the following standards may be used:
- (1) The nature and gravity of the grounds found by the council to exist upon which the adverse action would be based;
 - (2) The policy and/or regulatory goals for the particular licenses involved, either as embodied in the Legislative Code or as found and determined by the council;
 - (3) The interrelationship of the licenses and their relative importance to the overall business enterprise of the licensee or applicant;
 - (4) The management practices of the licensee or applicant with respect to each of such licenses;
 - (5) The extent to which adverse action against less than all of the licenses or applications would result in difficulty in enforcing and monitoring the adverse action taken;
 - (6) The hardship to the licensee or applicant that would be caused by applying adverse action to all licenses or applications; and
 - (7) The hardship and/or danger to the public, or to the public health and welfare, that would result from adverse action against less than all of the licenses or applications.

(Code 1956, § 510.06; Ord. No. 17584, § 1, 8-25-88; Ord. No. 17657, § 15, 6-8-89; Ord. No. 17659, § 2, 6-13-89; Ord. No. 17901, §§ 2, 3, 1-14-92; Ord. No. 17917, §§ 2, 3, 3-31-92; Ord. No. 17922, § 1, 4-28-92; C.F. No. 94-500, § 3, 7-6-94; C.F. No. 94-1340, § 3, 10-19-94; C.F. No. 95-473, § 5, 5-31-95; C.F. No. 99-500, § 3, 7-7-99; C.F. No. 06-954, § 2, 11-8-06; C.F. No. 06-1072, § 2, 12-27-06)