



## License and Variance Board Meeting - Final

September 13, 2023  
10:00 AM

- 
- A. **2023-190** Show Cause Hearing – Alcohol Beverage Violation – Chen Group Inc. dba The Juicy Crab - 2524 Cobb Parkway SE – Smyrna, GA 30080 – Ming Lou, Agent  
**Councilmember Ward 1 – Glenn Pickens**



# City of Smyrna

## Issue Sheet

A Max Bacon City Hall  
2800 King Street  
Smyrna, GA 30080

File Number: 2023-190

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**Agenda Date: 09/13/2023**

**In Control:** License and Variance Board

**File Type:** General ID

**Agenda Section:**  
Formal Business

**Agenda Number: A.**

**Department: Police Department**

**Agenda Title:**

Show Cause Hearing – Alcohol Beverage Violation – Chen Group Inc. dba The Juicy Crab - 2524 Cobb Parkway SE – Smyrna, GA 30080 – Ming Lou. Agent

***Ward 1 Councilmember – Glenn Pickens***

**ISSUE AND BACKGROUND:**

The Smyrna Police Department Special Operations Unit conducted compliance checks throughout the City on March 3, 2023 and this business failed the compliance check by selling alcohol to a minor.

As per the Incident Report at approximately 1814 an underage agent acting on behalf of the Smyrna Police Department entered The Juicy Crab (2524 South Cobb Drive SE, Smyrna) in an attempt to purchase alcohol.

Alanna Fair allowed the agent to purchase the beverage without requiring a show of identification. The agent purchased the product using cash in official City of Smyrna funds and exited the store. Officer Colburn and Major Defense entered the store and made contact with the employee and issued citation #ME0727131 for FURNISH/SELL ALCOHOL TO PERSON UNDER 21.

Body worn camera was activated during the investigation.

**RECOMMENDATION / REQUESTED ACTION:**

Staff recommends review and action for the Alcohol Beverage Violation – Chen Group Inc. dba The Juicy Crab - 2524 Cobb Parkway SE – Smyrna, GA 30080 – Ming Lou. Agent

City of Smyrna  
A Max Bacon City Hall  
2800 King Street  
Smyrna, Georgia 30080



www.SmyrnaGa.com  
www.twitter.com/SmyrnaNews  
www.facebook.com/CityofSmyrnaGA  
PH 770-434-6600

June 5, 2023

## CHANGE OF APPEARANCE DATE

Ming Luo  
The Juicy Crab / Chen Group Inc.  
2524 Cobb Parkway SE  
Smyrna, GA 30080  
917-826-8884

SENT VIA CERTIFIED MAIL / IN PERSON DELIVERY

### RE: License and Variance Board Show Cause Hearing

Greetings:

This is to advise that a show cause hearing with the City of Smyrna License and Variance Board has been rescheduled for Wednesday, September 13, 2023 at 10:00AM to consider the suspension or revocation of the alcoholic beverage license for The Juicy Crab / Chen Group Inc. This date has been moved in order to complete the Court arraignment date of August 29, 2023. This Show Cause hearing has been scheduled pursuant to Section 6-163 of the alcoholic beverage ordinance for the violation of selling or offering to sell alcoholic beverages to an underage person.

You are hereby ordered to be and appear at the City Hall, H.R. Training Room, 2800 King Street, Smyrna, Ga. 30080 on the above stated date and time as a witness / representative of the business for this meeting.

Sincerely,

Heather K. Peacon-Corn  
City Clerk

RECVD BY:

\_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

PRINTED NAME

SERVED BY OFFICER: \_\_\_\_\_ BADGE # \_\_\_\_\_

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Mayor – Derek Norton  
Mayor Pro Tem – Tim Gould  
City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley  
Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – VACANT

City Administrator – Joseph Bennett / Dep. City Administrator – Penny Mocerri / Asst. City Administrator Kristin Robinson  
City Clerk – Heather K. Peacon-Corn / City Attorney – Scott Cochran  
Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams

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**Mayor Pro Tem – Tim Gould**

**City Council: Ward 1 – Glenn Pickens / Ward 2 – Austin Wagner / Ward 3 – Travis Lindley**  
**Ward 4 – Charles (Corkey) Welch / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Lewis Wheaton**

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City Clerk – Heather K. Peacon-Corn / City Attorney – Scott Cochran  
Chief Municipal Court Judge – Phyllis Gingrey Collins / Municipal Court Solicitor – Tim Williams



# IDENT/INVESTIGATION REPORT

Smyrna Police Department

Case # 23-030060

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

	IBR	Status	Quantity	Type Measure	Suspected Type	
D R U G S						

Assisting Officers

Suspect Hate / Bias Motivated: *NONE (NO BIAS)*

NARRATIVE

**REPORTING OFFICER NARRAT**

*Smyrna Police Department*

OCA
23-030060
Date / Time Reported
Fri 03/03/2023 18:14

Victim

*Society*

Offense

*FURNIS/SELL ALCOHOL TO PERSON UNDER*

Date / Time Reported

*Fri 03/03/2023 18:14*

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On Friday March 3rd, 2023 at approximately 1754 at the business of Juicy Crab Pizza (2524 Cobb Pkwy SE) an alcohol compliance check was conducted.

A 20 year old undercover agent acting on behalf of the Smyrna Police Department entered the restaurant and attempted to purchase alcohol. The undercover agent was sold alcohol by Alanna Fair and exited the restaurant. At this time myself and Maj Defense entered the restaurant and made contact with Alanna Fair. I issued Alanna Fair Citation #E727131 for FURNIS/SELL ALCOHOL TO PERSON UNDER 21. A receipt was collected and placed into evidence at the Smyrna Police Department.

The change from the transaction was \$15.71, which was placed into evidence at the Smyrna Police Department for safekeeping.

During this investigation my department issued body worn camera was activated.

# Incident Report Suspect List

Smyrna Police Department

OCA: 23-030060

<b>1</b>	Name (Last, First, Middle) <i>FAIR, ALANNA D.</i> [REDACTED]					Also Known As					Home Address [REDACTED] 30126				
	Business Address														
DOB [REDACTED]		Age 25	Race B	Sex F	Eth N	Hgt 506	Wgt 140	Hair BLK	Eye BRO	Skin MBR	Driver's License / State [REDACTED]				
Scars, Marks, Tattoos, or other distinguishing features															
<b>Reported Suspect Detail</b>															
Suspect Age					Race	Sex	Eth	Height	Weight			SSN			
Weapon, Type		Feature		Make		Model			Color		Caliber		Dir of Travel		
													Mode of Travel		
Veh Yr / Make / Model			Drs	Style			Color		Lic Plate / State			VIN			
Notes							Physical Char								

**Ident Report Related Property ----**

Smyrna Police Department

OCA: 23-030060
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<b>1</b>	Property Description <b>RECEIPT</b>				Make		Model		Caliber		
	Color		Serial No.		Value <b>\$0.00</b>		Qty <b>1.000</b>		Unit <b>XX</b>	Jurisdiction <b>Locally</b>	
	Status <b>Evidence</b>		Date <b>03/03/2023</b>	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) <b>* No name *</b>					DOB		Age	Race	Sex	

Notes

<b>2</b>	Property Description <b>MONEY</b>				Make		Model		Caliber		
	Color <b>Multicolored</b>		Serial No.		Value <b>\$15.71</b>		Qty <b>1.000</b>		Unit <b>XX</b>	Jurisdiction <b>Locally</b>	
	Status <b>Evidence</b>		Date <b>03/03/2023</b>	NIC #		State #		Local #		OAN	
	Name (Last, First, Middle) <b>* No name *</b>					DOB		Age	Race	Sex	

Notes

**Submitted as Safekeeping.**

GEORGIA UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION

GA0330400

E727131

Court Case Number

NCIC No.

Citation Number

CITY OF SMYRNA POLICE DEPARTMENT

Upon Month March (Day) 3 (Year) 2023 at 06:23 AM

Operator License No. [Redacted]

License Class or Type C State GA Endorsements Expires

Name FAIR ALANNA (First) (Middle)

Address [Redacted] City [Redacted] State GA Zip Code 30126

DOB [Redacted] Hair BLK Hgt 5'06 Wgt 140 Sex F Eyes BRO

Veh Yr Make Style Color

Registration No Yr State

CDL YES NO ACCIDENT YES NO INJURIES YES NO FATALITIES YES NO

2-LANE ROAD DRIVER REQUESTED ACCURACY CHECK VASCAR LASER RADAR

Within the State of Georgia, did commit the following offense SPEEDING - Clocked by PATROL VEHICLE OTHER

(Serial # Calibration/Check ) at MPH in a zone

DUI (Test Administered BLOOD BREATH URINE OTHER ) DUI Test Results

TEST ADMINISTERED BY (If Applicable)

OFFENSE (Other than above) FURNIS/SELL ALCOHOL TO PERSON UNDER 21

In Violation of Code Section T3-3-23A1 of State Law Local Ordinance

REMARKS Said accused sold alcohol to an underage UC.

Table with 5 columns: WEATHER, (A) ROAD, (B), TRAFFIC, LIGHTING, COMMERCIAL VEHICLE INFORMATION. Includes checkboxes for conditions like Clear, Rain, Dry, Wet, etc.

County of COBB and miles of (city) SMYRNA

on 2524 COBB PKWY SE at or near mile post or within (city) SMYRNA

at/on (secondary location)

OFFICER (Print) COLBURN, P. Badge # 1422 Div UNIF

You are hereby ordered to appear in Court to answer to this charge on the 23 day of May 2023 at 10:00 AM PM in the Smyrna Municipal Court

at 2800 King Street

City Smyrna, GA 30080 Phone 770-431-2804

NOTICE: This citation shall constitute official notice to you that failure to appear in Court at the date and time stated on this citation to dispose of the cited charges against you may cause the designated Court to forward your driver's license number to the Department of Driver Services, and your driver's license may be suspended.

LICENSE DISPLAYED IN LIEU OF BAIL YES NO RELEASED TO COPY

SIGNATURE ACKNOWLEDGES SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME

SIGNATURE [Signature] ARRESTING OFFICER'S CERTIFICATION

The undersigned has just and reasonable grounds to believe, and does believe, that the person named herein has committed the offense set forth contrary to law.

SIGNATURE [Signature] Signature of Arresting Officer Badge # 1422

AUTHORIZED AND APPROVED PURSUANT TO CODE 40-13-1 - D.D.S. REG. 375-3-4-01

COURT COPY

DATE COURT ACTION AND OTHER ORDERS

The within complaint has been examined and there is probable cause for filing the same. Leave is hereby granted to file the complaint.

Complaint filed

Bail fixed at \$ or cash deposit of \$

Signature of person taking bail Signature of person giving bail

Fine in the amount of \$ received as required by court schedule

Signature of Clerk

Continuance to Reason

Continuance to Reason

Warrant issued Warrant Served

Waives Trial by Jury

ON ARRAIGNMENT, THE DEFENDANT PLEADS

APPEARANCE, PLEA OF GUILTY AND WAIVER

I, have been advised that I am being charged with and that the maximum punishment that I can receive is mos imprisonment and/or a \$ fine.

I have been advised of my rights to be represented by counsel and have counsel appointed to represent me if I am indigent, plead not guilty and be tried by a jury or a judge, confront the witnesses against me, and not give incriminating evidence against myself. I hereby waive these rights, state that I have not been induced by any threat or promise to enter this plea and do freely and voluntarily enter my plea of Guilty.

This day of

Accused

I, have advised the above-named accused as indicated above of his/her rights, the nature of the case against him/her and the possible consequences of the plea as entered. I am satisfied that there is a factual basis for the guilty plea which the accused has entered and that it was entered freely and voluntarily with understanding of the nature of the charge and the consequences of the plea.

JUDGE

DISPOSITION AND SENTENCE

Court City

Defendant Pleads: (3) Guilty Not Guilty (4) Nolo Cont'd

Trial: Jury Court Adjudicated (1) Guilty Not Guilty

Other Action: (2) Bond Forfeiture Nolle Prossed No Bill No Record

Sentence: Amount Fine/Forfeiture \$

Days (Months) in jail Traffic School Days (Months) probation

Community Service Hrs/Days Other Order

Appeal Bond of \$ filed (for)

Appeal to Court

As provided by law, I hereby certify that the information on this ticket is a true abstract of the record of this court or bureau in this case.

DISPOSITION DATE

Signature of Judge or Clerk



# INCIDENT/INVESTIGATION REPORT

Smyrna Police Department

Case # 23-030060

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

	IBR	Status	Quantity	Type Measure	Suspected Type	
D R U G S						

Assisting Officers

Suspect Hate / Bias Motivated: *NONE (NO BIAS)*

NARRATIVE

# REPORTING OFFICER NARRATIVE

Smyrna Police Department

OCA 23-030060
Date / Time Reported Fri 03/03/2023 18:14

Victim Society	Offense FURNIS/SELL ALCOHOL TO PERSON UNDER
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On Friday March 3rd, 2023 at approximately 1754 at the business of Juicy Crab Pizza (2524 Cobb Pkwy SE) an alcohol compliance check was conducted.

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OCA: 23-030060

<b>1</b>	Name (Last, First, Middle) <i>FAIR, ALANNA DANAE</i>					Also Known As					Home Address <i>490 BENSON HURST DR SW MABLETON, GA 30126 732-207-5792</i>				
	Business Address														
DOB	Age	Race	Sex	Eth	Hgt	Wgt	Hair	Eye	Skin	Driver's License / State					
<i>09/27/1997</i>	<i>25</i>	<i>B</i>	<i>F</i>	<i>N</i>	<i>506</i>	<i>140</i>	<i>BLK</i>	<i>BRO</i>	<i>MBR</i>	<i>058655365 GA</i>					
Scars, Marks, Tattoos, or other distinguishing features															
<b>Reported Suspect Detail</b>															
Suspect Age		Race	Sex	Eth	Height		Weight		SSN						
Weapon, Type	Feature	Make		Model			Color	Caliber	Dir of Travel Mode of Travel						
Veh Yr / Make / Model		Drs	Style		Color		Lic Plate / State			VIN					
Notes										Physical Char					

# Incident Report Related Property List

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OCA: 23-030060
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	Status <b>Evidence</b>	Date <b>03/03/2023</b>	NIC #	State #
			Local #	OAN
	Name (Last, First, Middle) <b>* No name *</b>		DOB	Age
			Race	Sex

Notes

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	Status <b>Evidence</b>	Date <b>03/03/2023</b>	NIC #	State #
			Local #	OAN
	Name (Last, First, Middle) <b>* No name *</b>		DOB	Age
			Race	Sex

Notes

*Submitted as Safekeeping.*

SMYRNA MUNICIPAL COURT  
TICKET INFORMATION SHEET

Court Address 2800 KING STREET  
SMYRNA GA 30080

NCIC Number GA033041J  
Phone Number 770-431-2804  
Fax Number 770-631-5410

Ticket ME0727131 Status C Case 2023000985 Docket 2023000182

Name ALANNA D [REDACTED] FAIR

Dob [REDACTED] Height 5 FT. 6 IN.

Haircolor BLK

Sex F Race B Weight 140

Eyecolor BRO

Address [REDACTED] 30126-

OBTS/OTN#

FBI#

Drivers License [REDACTED]

Class C CDL N

SID#

Phone [REDACTED]

Expiration Date

Vehicle 0

Tag

Violation 3-3-23A1 FURNISH/SELL ALCOHOL TO PERSON UNDER 21  
Count 1

Officer PHILLIP COLBURN BADGE: 1422

Agency SPD LOCATION: 2524 COBB PKWY SE SMYRNA

Ticket Date 03/03/2023 06:23 PM

Must Appear N

Original Court Date 05/23/2023

Accident N

Newest Court Date 08/29/2023 1000

ARRAIGNMNT

School Zone N

Disposition Date 08/29/2023

Commercial Vehicle N

Close Date 08/29/2023

Hazardous Material N

Attorney

Send-to-State Y

Solicitor

Plea G GUILTY

Comm Service Hrs

Finding G GUILTY AS CHARGED

Probation

Bonding

Cash Bond Amount 1,000.00

Forfeited Amount

Total Judgment 1,000.00

Fine Amount 1,000.00

Total Payments 1,000.00

Processing Fee

Refunds

Suspended Amount

Balance

Other Amounts

Surcharges 461.12 (included in fine)

Total Judgment 1,000.00

Sentence



City of Smyrna  
A Max Bacon City Hall  
2800 King Street  
Smyrna, Georgia 30080



www.SmyrnaGa.com  
www.twitter.com/SmyrnaNews  
www.facebook.com/CityofSmyrnaGA  
PH 770-434-6600

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## LICENSE AND VARIANCE BOARD WITNESS SUBPOENA

**DATE: August 30, 2023**

**TO: Ofc. Phillip Colburn**  
**ADDRESS: Smyrna Police Department**  
**2646 Atlanta Road SE**  
**Smyrna, Ga 30080**

**You are hereby commanded, that laying all other business aside, you be and appear at the City of Smyrna License and Variance Board Hearing on Wednesday, September 13, 2023 at 10:00am in the Council Chambers at A. Max Bacon City Hall, 2800 King Street, Smyrna. Ga. to be sworn in as a witness regarding the violation of selling or offering to sell alcoholic beverages to an underage person at the establishment known The Juicy Crab on March 3, 2023.**

**A pre-meeting will take place at the same day at 9:00AM in the Admin Conference Room (2nd Floor) at A. Max Bacon City Hall, 2800 King Street, Smyrna, Ga. with the City Attorney.**

**Heather K. Peacon-Corn, City Clerk**  
**City of Smyrna, Ga.**

**Please call 678-631-5303 with any questions regarding your appearance.**

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Mayor – Derek Norton

Mayor Pro Tem – Tim Gould

City Council: Ward 1 – Glenn Pickens / Ward 2 – Latonia P. Hines / Ward 3 – Travis Lindley  
Ward 4 – Charles (Corkey) Weich / Ward 5 – Susan Wilkinson / Ward 6 – Tim Gould / Ward 7 – Kathy Young

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PH 770-434-6600

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## LICENSE AND VARIANCE BOARD WITNESS SUBPOENA

**DATE: August 30, 2023**

**TO: Major Louis Defense**  
**ADDRESS: Smyrna Police Department**  
**2646 Atlanta Road SE**  
**Smyrna, Ga 30080**

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