



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150*

Jean M. Lorizio, Esq.
Chairman

DECISION

**AMJ MARKET INC. D/B/A COZY MINI MART
1 NORTH AVENUE
ATTLEBORO, MA 02703
LICENSE#: 89967-PK-0050
VIOLATION DATE: 5/12/2023
HEARD: 9/26/2023**

AMJ Market Inc. d/b/a Cozy Mini Mart (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, September 26, 2023, regarding alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator David's Report.

The following documents are in evidence:

1. Investigator David's Report;
2. ABCC Licensing Authority Certification, Transfer of License Approved, 3/22/2021;
3. Photographs of Fraudulent Connecticut Driver's License Confiscated (Front & Back);
4. Licensee's Stipulation of Facts.

There is one (1) audio recording of this hearing.

FINDINGS OF FACT

1. On Friday, May 12, 2023, Investigators Teehan and David ("Investigators") inspected the business operation of AMJ Market Inc. d/b/a Cozy Mini Mart ("Licensee" or "Cozy Mini Mart").
2. At approximately 6:40 p.m., while conducting surveillance of the licensed premises, Investigators observed a youthful appearing female individual enter the licensed premises and exit shortly thereafter in possession of what appeared to be alcoholic beverages.
3. Investigators approached the female, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

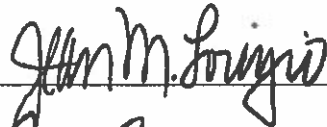
4. Underage #1, actual date of birth 10/16/2002 (age 20), was in possession of one 1.5 milliliter bottle of LIQs Margarita. She admitted to Investigators that she was under twenty-one years of age. She produced a fraudulent Connecticut driver's license bearing her own name but a different birth date which she stated she used to purchase the alcoholic beverages. Investigators confiscated the fraudulent identification and alcoholic beverage.
5. Investigators entered the licensed premises and spoke with Mr. Amira Soryal, President of the Licensee corporation and Manager of Record. Investigators advised Mr. Soryal of the violation, and that a report would be submitted to the Chief Investigator for further action.
6. Mr. Soryal appeared at the Commission hearing. The Commission was informed all employees are TIPS certified, and the Licensee has since ordered an identification scanner which should be in place soon.
7. The Licensee has held a license under M.G.L. c. 138, § 15 since 2021 with no prior violations.

CONCLUSION


Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

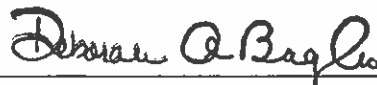
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: January 18, 2023

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

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2023-000186-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
John David, Investigator
Michael Teehan, Investigator
Matthew S. Porter, Esq.
Administration, File