

Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

January 28, 2025

PUNTA CANA LLC D/B/A PUNTA CANA
342 RANTOUL STREET
BEVERLY, MA 01915
LICENSE#: 05662-RS-0100
VIOLATION DATE: 5/24/2024
HEARD: 10/08/2024

After a hearing on October 8, 2024, the Commission finds Punta Cana LLC d/b/a Punta Cana violated 204 CMR 2.05 (2) Permitting an illegality on the Licensed Premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts).

The Commission **SUSPENDS the license for a period of two (2) days of which one (1) day will be served and one (1) day 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.**

The suspension shall be served on Monday, March 24, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, March 24, 2025, at 9:00 A.M. It will be returned to the licensee on March 25, 2025.

You are advised that pursuant to the provisions of M.G.L. c. 138 § 23, you may petition the Commission to accept an offer in compromise in lieu of suspension within twenty (20) calendar days following such notice of such suspension. If accepted, you may pay a fine using the enclosed form which must be signed by the Licensee and a Massachusetts Licensed Accountant.

You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio
Chairman

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Dokiman sa a enpòtan epi li ta dwe tradwi touswit
‘Đây là tài liệu quan trọng và cần được dịch ngay’
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000126-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Katherine McCormick, Esq., Associate General Counsel
Katelyn Quinn, Investigator
Michael Teehan, Investigator
Administration, File



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
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DECISION

PUNTA CANA LLC D/B/A PUNTA CANA
342 RANTOUL STREET
BEVERLY, MA 01915
LICENSE#: 05662-RS-0100
VIOLATION DATE: 5/24/2024
HEARD: 10/08/2024

Punta Cana LLC d/b/a Punta Cana ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, October 8, 2024, regarding alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the Licensed Premises, to wit: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Quinn's Report.

The following documents are in evidence:

1. Investigative Report of K. Quinn;
2. ABCC Licensing Authority Certification, New License Approved 7/24/2020;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Friday, May 24, 2024, at approximately 10:30 p.m., Investigators Teehan and Quinn ("Investigators") inspected the business operation of Punta Cana LLC d/b/a Punta Cana ("Licensee" or "Punta Cana").
2. As Investigators were walking by the licensed premises, they observed through the large front window youthful appearing individuals in possession of alcoholic beverages.
3. Investigators entered the premises, identified themselves to two female individuals and requested proof of legal age to possess an alcoholic beverage.
4. Underage #1, actual date of birth 12/31/2003 (age 20), was in possession of a Bud Light beer.

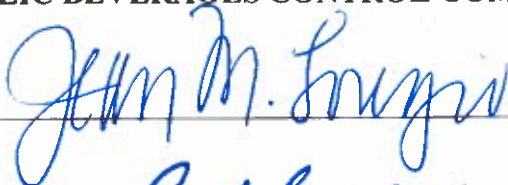
5. Underage #2, actual date of birth 2/18/2005 (age 18), was in possession of a Sangria. She provided to Investigators an imposter Massachusetts driver's license.
6. Investigators then spoke to Rodolfo Cepeda, the manager on duty. Investigators advised Mr. Cepeda of the violations and that a report would be submitted to the Chief Investigator for review.
7. Mr. Cepeda appeared at the Commission hearing.
8. The Licensee has held a license under M.G.L. c. 138, § 12 since 2020.

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: Ch. 138, § 34C – Possession of an alcoholic beverage by a person under twenty-one (21) years of age (2 counts). Therefore, the Commission **SUSPENDS the license for a period of two (2) days of which one (1) day will be served and one (1) day 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

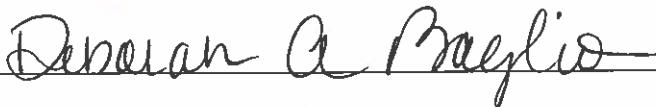
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: January 28, 2025

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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