



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**JOHNNY'S QUIK PIK, INC. D/B/A JOHNNY'S MARKET
1758 RIVER ST.
BOSTON, MA 02136
LICENSE#: 01025-PK-0116
VIOLATION DATE: 6/29/2024
HEARD: 10/01/2024**

Johnny's Quik Pik, Inc. d/b/a Johnny's Market ("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, October 1, 2024, regarding an alleged violation of M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (6 Counts) which occurred on June 29, 2024, according to Investigator Teehan's Report. Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Investigative Report of M Teehan;
 2. ABCC Form 43, Transfer of License Approval, 1/21/2016;
 3. Licensee's Stipulation of Facts.
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- A. Photographs (2) of Signage at Licensed Premises;
 - B. Photographs (2) of Fraudulent Licenses Seized by Licensee;
 - C. Letter from Licensee.

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

FINDINGS OF FACT

1. On Saturday, June 29, 2024, Investigators Cutter and Teehan ("Investigators") observed the business operation of Johnny's Quik Pik, Inc. d/b/a Johnny's Market ("Licensee" or "Johnny's Market").
2. While outside the licensed premises at approximately 6:50 p.m., Investigators observed a youthful appearing male individual exit the establishment in possession of alcoholic beverages: one 12-pack of Michelob Ultra beer and a Beat Box. Investigators approached, identified themselves and requested proof of legal age to purchase and/or possess alcoholic beverages.

3. Underage #1, actual date of birth 2/25/2007 (age 17), admitted that he was under 21 years of age and stated to Investigators he used a photo of a fraudulent Massachusetts drivers' license on his cellular phone to purchase the alcoholic beverages.
4. At approximately 7:55 p.m., Investigators observed a youthful appearing male individual exit the licensed premises in possession of alcoholic beverages: one 30-pack of Coors Light beer. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #2, actual date of birth 12/31/2006 (age 17), admitted he was under the age of 21 and stated to Investigators that he used a fraudulent Rhode Island driver's license to purchase the alcoholic beverages.
6. At approximately 8:00 p.m., Investigators observed a youthful appearing female individual exit the licensed premises in possession of alcoholic beverages: three 12-packs of High Noon Hard Seltzer and one 30-pack of Coors Banquet beer. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #3, actual date of birth 8/05/2004 (age 20), admitted that she was not over the age of 21.
8. At approximately 8:55 p.m., Investigators observed three youthful appearing male individuals exit the licensed premises in possession of alcoholic beverages: one 4-pack of Malibu Strawberry Daquiris; one 6-pack of Coors Banquet beer; one 4-pack of Sunny D Hard Seltzer; and one 4-pack of Cloud Candy IPA beer. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
9. Underage #4, actual date of birth 3/23/2006 (age 18), admitted he was under 21 years of age and informed Investigators he used a fraudulent Rhode Island driver's license to purchase the alcoholic beverages.
10. Underage #5, actual date of birth 11/20/2005 (age 18), admitted he was under 21 years of age and stated to Investigators he used a fraudulent Rhode Island driver's license to purchase the alcoholic beverages.
11. Underage #6, actual date of birth 4/18/2006 (age 18), admitted he was under 21 years of age and informed Investigators he used a fraudulent Connecticut driver's license to purchase the alcoholic beverages.
12. Investigators informed the clerk of the violations and that a report would be submitted to the Chief Investigator for further action.
13. Devyani Patel, Licensee, appeared at the Commission hearing. The Commission was informed the Licensee no longer accepts out of state identification or photographs of identification.

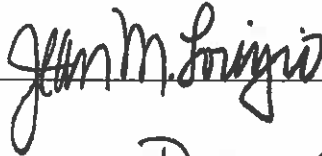
14. The Licensee has held a license under M.G.L. c. 138, § 12 since 2016 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (6 Counts). Therefore, the Commission **suspends the license for a period of eight (8) days of which four (4) days will be served and four (4) days 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

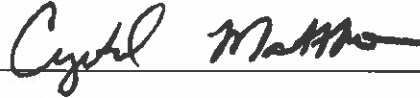


Deborah Baglio, Commissioner



I, the undersigned, certify I have reviewed the hearing record:

Crystal Matthews, Commissioner



Dated: January 23, 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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2024-000159-ad-enf

cc: Local Licensing Board
Katherine McCormick, Esq., Associate General Counsel
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Alicia Cutter, Investigator
S. Craig Herndon, Esq.
Administration, File



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
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Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

January 23, 2025

JOHNNY'S QUIK PIK, INC. D/B/A JOHNNY'S MARKET
1758 RIVER ST.
BOSTON, MA 02136
LICENSE#: 01025-PK-0116
VIOLATION DATE: 6/29/2024
HEARD: 10/01/2024

After a hearing on October 1, 2024, the Commission finds Johnny's Quik Pik, Inc. d/b/a Johnny's Market violated M.G.L. Ch. 138 § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (6 Counts).

The Commission suspends the license for a period of eight (8) days of which four (4) days will be served and four (4) days 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 commence on Monday, March 10, 2025, and terminate on Thursday, March 13, 2025. The license will be delivered to the Local Licensing Board or its designee on Monday, March 10, 2025, at 9:00 A.M. It will be returned to the licensee on March 14, 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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