



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

August 26, 2024

**MILLERCO CORP. D/B/A COURTYARD RESTAURANT
1337 COUNTY ROAD
BOURNE, MA 02532
LICENSE#: 00057-RS-0118
VIOLATION DATE: 7/14/2023
HEARD: 12/12/2023**

After a hearing on December 12, 2023, the Commission finds Millerco Corp. d/b/a Courtyard Restaurant 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 21 years of age. (3 Counts).

The Commission suspends the license for a period of four (4) days of which one (1) will be served and three (3) 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 be served on Monday, October 7, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday October 7, 2024, at 9:00 A.M. It will be returned to the licensee on Tuesday, October 8, 2024.

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

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000195-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nick Velez, Investigator
Brian Gould, Investigator
Mail to: P.O. Box 6 Cataumet, MA 02534
Administration, File



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

Jean M. Lorizio, Esq.
Chairman

DECISION

**MILLERCO CORP. D/B/A COURTYARD RESTAURANT
1337 COUNTY ROAD
BOURNE, MA 02532
LICENSE#: 00057-RS-0118
VIOLATION DATE: 7/14/2023
HEARD: 12/12/2023**

Millerco Corp. d/b/a Courtyard Restaurant ("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, December 12, 2023, regarding an 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 21 years of age (3 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Report;
 2. ABCC Form 43, New License Approval, 5/12/1993;
 3. ABCC Decision, 4/12/2006;
 4. Licensee's Stipulation of Facts;
 5. Photograph of Imposter Passport and Fraudulent Identifications Confiscated.
-
- A. Employees' Alcohol Service Training Certificates of Completion;
 - B. Photograph of Driver's Licenses (46) Confiscated by Licensee.

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

FINDINGS OF FACT

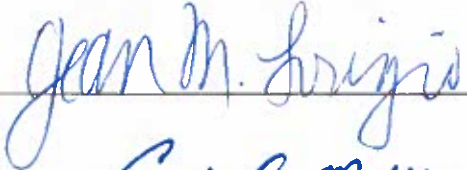
1. On Friday July 14, 2023, at approximately 9:30 p.m., Investigators Gould and Velez ("Investigators") inspected Millerco Corp. d/b/a Courtyard Restaurant ("Licensee") to determine the way its business was being conducted.
2. Investigators observed three youthful appearing male individuals seated at a table in the dining room in possession of what appeared to be alcoholic beverages. Investigators approached these patrons, identified themselves and requested proof of legal age to possess alcoholic beverages.

3. Underage #1, actual date of birth 9/25/2003 (age 19), was in possession of a Coors Light beer. He presented to Investigators his older brother's United States passport which he used to enter the licensed premises.
4. Underage #2, actual date of birth 1/04/2004 (age 19), was in possession of a Coors Light beer. He presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date.
5. Underage #3, actual date of birth 9/22/2002 (age 20), was in possession of a Coors Light beer. He presented to Investigators a fraudulent Massachusetts driver's license bearing his name but a different birth date.
6. Investigators informed the night manager of the violations and that a report would be filed with the Chief Investigator for further action.
7. Paula Miller, Manager, appeared at the Commission hearing and testified that the Licensee's policies and procedures directed that a 2nd form of identification is requested of any patron appearing to be under 30 years of age. She stated proper protocol was not followed on the night of July 14, 2023. Ms. Miller stated that the Licensee has amended its policy. If a patron appears to be under 30 years of age, a server must now request assistance from a manager to assess any identification presented.
8. The licensee has held a license under M.G.L. c. 138, § 12 since 1993.

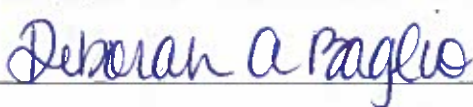
CONCLUSION

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 21 years of age (3 Counts). Therefore, the Commission **suspends the license for a period of four (4) days of which one (1) will be served and three (3) 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 

Crystal Matthews, Commissioner 

Deborah Baglio, Commissioner 

Dated: August 26, 2024

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.

This document is important and should be translated immediately.
Este documento es importante y debe ser traducido inmediatamente.
Este documento é importante e deve ser traduzido imediatamente.
Ce document est important et devrait être traduit immédiatement.
Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。
यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए
Dokiman sa a enpòtan epi li ta dwe tradwi touswit
'Đây là tài liệu quan trọng và cần được dịch ngay'
ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2023-000195-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nick Velez, Investigator
Brian Gould, Investigator
Mail to: P.O. Box 6 Cataumet, MA 02534
Administration, File