

*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**Luke's of Brewster, Inc. dba Luke's Super Liquors**  
**15 Lower Road**  
**Brewster, MA 02631**  
**License #: 013400018**  
**Heard: 8/2/2011**

Luke's of Brewster, Inc. dba Luke's Super Liquors (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §15. The Alcoholic Beverages Control Commission ("the Commission") held a hearing on Tuesday, August 2, 2011, regarding an alleged violation of M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Jamie Binienda's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Compliance Check Field Report of Investigator Jamie Binienda; and
  - A. Letter from (Retired) Chief of Police in Yarmouth.

There is one (1) tape of this hearing.

**FACTS**

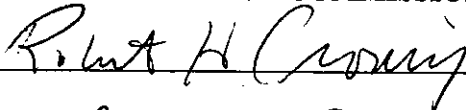
1. On, May 13, 2011 at approximately 3:35 p.m., Commission Investigators investigated the business operation Luke's of Brewster, Inc. dba Luke's Super Liquors.
2. An underage operative, working with the investigators, purchased a can of Bud Light for eight dollars and twenty-nine cents (\$8.29). The underage operative was not asked for identification.
3. Administrative review of the file indicates that this is the first violation for this licensee in thirty (30) years of existence.

CONCLUSION

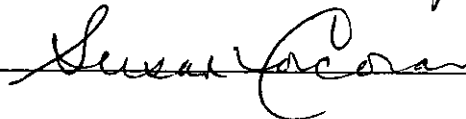
Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. Therefore, the Commission issues a **WARNING**.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Robert Cronin, Commissioner



Susan Corcoran, Commissioner



Dated: September 23, 2011

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.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jamie Binienda, Investigator  
Administration  
File