

Jean M. Lorizio, Esq.  
Chairman

*Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
239 Causeway Street  
Boston, MA 02114  
Telephone: 617-727-3040  
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NOTICE OF SUSPENSION

April 25, 2018

**SINEAD ENTERPRISES INC. D/B/A OWEN O'LEARY'S  
1280 BELMONT STREET  
BROCKTON, MA 02301  
LICENSE#: 0144-00152  
VIOLATION DATE: 10/12/2017  
HEARD: 04/24/2018**

After a hearing on April 24, 2018, the Commission finds Sinead Enterprises Inc. d/b/a Owen O'Leary's violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (3 counts).

Therefore, the Commission **suspends the license for eleven (11) days of which one (1) day will be served and ten (10) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

**The suspension shall commence on Wednesday, June 13, 2018 and terminate on Wednesday, June 13, 2018.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, June 13, 2018 at 9:00 A.M. It will be returned to the Licensee on June 14, 2018.

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.

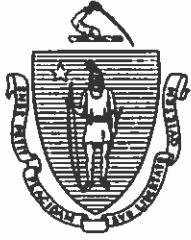
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

A handwritten signature in cursive script, reading "Jean M. Lorizio".

Jean M. Lorizio  
Chairman

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这份文件是重要的，应立即进行翻译.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jack Carey, Investigator  
Caroline Guarino-Wilichoski, Investigator  
Louis Cassis, Esq. via facsimile 617-472-9028  
Administration, File



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## **DECISION**

**SINEAD ENTERPRISES INC. D/B/A OWEN O'LEARY'S  
1280 BELMONT STREET  
BROCKTON, MA 02301  
LICENSE#: 0144-00152  
VIOLATION DATE: 10/12/2017  
HEARD: 04/24/2018**

Sinead Enterprises Inc. d/b/a Owen O'Leary's (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, April 24, 2018, regarding an alleged violation of M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (3 counts). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Carey's report.

The following documents are in evidence:

1. Investigator Carey's Investigative Report;
2. Licensee's Stipulation of Facts; and
3. Fraudulent Driver's Licenses.

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

The Commission took Administrative Notice of the Licensee's record.

## **FINDINGS OF FACT**

1. On Thursday, October 12, 2017, at approximately 10:58 p.m., Investigators Wilichoski and Carey ("Investigators") conducted an investigation of the business operation of Sinead Enterprises Inc. d/b/a Owen O'Leary's to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and observed a table, with three youthful appearing individuals, all in possession of alcoholic beverages.
3. Investigators approached the table, identified themselves, and asked for proof of legal age.

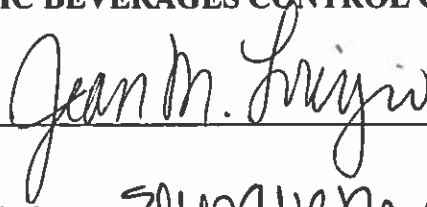
4. Underage #1, actual date of birth 4/11/1997 (age 20), was in possession of a bottle of Bud Light beer. He presented to Investigators a fraudulent Pennsylvania driver's license.
5. Underage #2, actual date of birth 1/12/1998 (age 19), was drinking from a bottle of Bud Light beer and had another bottle of Bud Light in her possession. She presented to Investigators a fraudulent Pennsylvania driver's license.
6. Underage #3, actual date of birth 5/20/1998 (age 19), was drinking from a bottle of Bud Light beer. She presented to Investigators a fraudulent New York driver's license.
7. Investigators spoke to the manager, Kevin Gill, and identified the underage patrons. Mr. Gill stated that the doorman checks identifications when patrons enter the premises. When out of state identification is presented, the doorman requests a backup identification as well.
8. Investigators informed Mr. Gill of the violations and that a report would be filed with the Chief Investigator for further action.
9. Administrative review of the Licensee's Commission file indicates Owen O'Leary's has been in business more than 25 years with only one prior violation which occurred in 2005.

#### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, § 34 Sale or Delivery of an alcoholic beverage to a person under twenty-one (21) years of age (3 counts). Therefore, the Commission **suspends the license for eleven (11) days of which one (1) day will be served and ten (10) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

#### ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: April 25, 2018

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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