



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

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

NOTICE OF SUSPENSION

May 21, 2014

**NORTHEAST PACKAGE STORE LLC DBA GPS WINE & SPIRITS**  
**1198 BOYLSTON STREET**  
**BROOKLINE, MA 02446**  
**LICENSE#: 014800125**  
**VIOLATION DATE: 12/31/2013**  
**HEARD: 05/20/2014**

After a hearing on May 20, 2014, the Commission finds Northeast Package Store LLC dba GPS Wine & Spirits in 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.

The Commission **suspends the licensee's license for a total of one (1) day to be served. The suspension shall commence on Wednesday, July 9, 2014, and terminate on Wednesday, July 9, 2014.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, July 9, 2014 at 9:00 A.M. It will be returned to the licensee Thursday, July 10, 2014.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by 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**

Kim S. Gainsboro  
Chairman

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Christopher Temple, Investigator  
Caroline Wilichoski, Investigator  
Quincy Police Officer Tara Waters  
John P. Connell Esq. via fax 617-227-3222  
Administration  
File



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**DECISION**

**NORTHEAST PACKAGE STORE LLC DBA GPS WINE & SPIRITS**  
**1198 BOYLSTON STREET**  
**BROOKLINE, MA 02446**  
**LICENSE#: 014800125**  
**VIOLATION DATE: 12/31/2013**  
**HEARD: 05/20/2014**

Northeast Package Store LLC dba GPS Wine & Spirits (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 20, 2014, 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 which occurred on December 31, 2013, according to Investigator Kelleher's Report.

The following documents are in evidence:

1. Investigator Kelleher's Investigative Report dated December 31, 2013;
  2. RMV Printout for Underage Female; and
  3. Copy of Illinois Driver's License for Underage Female.
- A. Screenshot of Licensee's Advanced ID Detection Scan for Underage Female.

There is one (1) audio recording of this hearing, and one (1) witness testified.

**FACTS**

1. On Tuesday, December 31, 2013, Investigators Temple, Wilichoski and Kelleher conducted an investigation of the business operation of Northeast Package Store LLC dba GPS Wine & Spirits to determine the manner in which its business was being conducted.
2. At approximately 7:30 p. m. investigators observed a motor vehicle, containing two youthful looking individuals, pull in front of the licensed premises area. The passenger exited the vehicle and entered the store while the driver remained in the vehicle.
3. While outside the premises, Investigator Temple observed the transaction occur and signaled to the other investigators that a purchase of alcoholic beverages had taken place.
4. Investigators approached the vehicle and requested proof of legal drinking age.
5. Underage female passenger, actual date of birth [REDACTED] (age 16) presented investigators with a fraudulent Illinois Driver's License in her name with date of birth [REDACTED] (age 22).
6. Investigators reviewed the Illinois Driver's License and determined it to be fraudulent. When investigators advised the underage of their finding, she admitted her true identity.

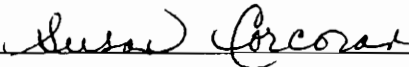
7. The underage female stated that she had purchased alcoholic beverages from the Licensee previously using the same fraudulent identification which is "why she came to this store to buy alcohol."
8. Investigators confiscated the alcoholic beverages which the underage has just purchased:
  - 1 – 750 ml bottle of Malibu Rum Pineapple Liqueur
  - 1 – 750 ml bottle of Korbel Champagne.
9. Investigators requested proof of legal drinking age from the driver of the motor vehicle, an underage female, actual date of birth [REDACTED] (age 17).
10. Investigators notified the parents of each underage female via telephone.
11. Investigators entered the premises and identified themselves to the manager on duty (and owner) Nicholas Young.
12. Investigators identified the underage female and her fraudulent identification to Mr. Young.
13. Mr. Young stated to investigators that he had purchased an Advanced ID Detection Scan machine to verify identifications.
14. Investigator Kelleher then ran the fraudulent identification through the scanner which alerted her that the identification was fraudulent, due to its expiration date which read as "never expires."
15. Investigators informed Mr. Young of the violation and that a report would be filed with the Chief Investigator for further action.

#### 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. Therefore, the Commission **suspends the license for eight (8) days of which one (1) day will be served and seven (7) 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**

Susan Corcoran, Commissioner



Kathleen McNally, Commissioner



Dated: May 21, 2014

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  
Christopher Temple, Investigator  
Caroline Wilichoski, Investigator  
Quincy Police Officer Tara Waters  
John P. Connell Esq. via fax 617-227-3222  
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