

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

DJVP RAM CORPORATION, INC. DBA THE CORNER CUPBOARD STORE
149R GORHAM STREET
CHELMSFORD, MA 01824
LICENSE#: 02000046
HEARD: 10/02/2012

DJVP Ram Corporation, Inc. dba The Corner Cupboard Store (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, October 2, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: c. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Guarino's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Guarino's Investigative Report dated June 2, 2012; and
3. RMV Printout of Underage.

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

FACTS

1. On Saturday, June 2, 2012, at approximately 9:10 p.m., Investigators Hooton and Guarino, during an Enhanced Liquor Enforcement operation in the city of Chelmsford, conducted a surveillance investigation of DJVP Ram Corporation, Inc. dba The Corner Cupboard Store to determine the manner in which their business was being conducted.
2. Investigators observed a youthful looking male sitting in the driver's seat of a motor vehicle.
3. Investigators observed a second youthful looking male, carrying a twelve (12) pack of Coors Light beer, exit the licensed premises and place the alcoholic beverages in the trunk of the said motor vehicle.
4. Investigators approached the youthful looking male individuals and asked to see proof of age.
5. Both males admitted to being under twenty-one (21) years of age.
6. The underage male who purchased the Coors Light beer stated that the clerk did not request proof of age at the time of the sale.
7. The underage male who purchased the beer had a date of birth January 4, 1992, age twenty (20).
8. Investigators brought the underage male back into the licensed premises.
9. The clerk on duty, identified as Mr. Sam Patel, admitted that he did not ask the underage male for proof of age before selling him the alcoholic beverages.

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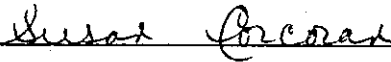
10. Investigators informed Mr. Patel of the violation, and that a report would be submitted to the Chief Investigator for review.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: 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 three (3) days of which 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 occur.**

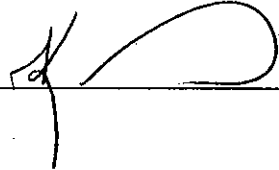
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kim S. Gainsboro, Chairman



DATE: October 2, 2012

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
Caroline Guarino, Investigator
Timothy Hooton, Investigator
Administration
File