



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

NOTICE OF SUSPENSION

May 14, 2014

J & S BLUE INC. DBA SINNIS PUB
6 CHASE AVENUE
DUDLEY, MA 01571
LICENSE#: 029600023
VIOLATION DATE: 12/05/2013

After a hearing on April 15, 2014, the Commission finds J & S Blue Inc. dba Sinnis Pub in violation of M.G.L. c. 138 §69-Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 count).

The Commission **suspends the licensee's license for a total of two (2) days to be served. The suspension shall commence on Wednesday, July 2, 2014, and terminate on Thursday, July 3, 2014.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, July 2, 2014 at 9:00 A.M. It will be returned to the licensee Friday, July 4, 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
Michael Teehan, Investigator
Mark Kenny, Investigator
Administration
File



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DECISION

J & S BLUE INC. DBA SINNIS PUB
6 CHASE AVENUE
DUDLEY, MA 01571
LICENSE#: 029600023
VIOLATION DATE: 12/05/2013
HEARD: 04/15/2014

J & S Blue Inc. dba Sinnis Pub (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 15, 2014, regarding an alleged violation of M.G.L. c. 138 §69-Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Teehan's Violation Report dated December 5, 2013.

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

FACTS

1. On Thursday, December 5, 2013, at approximately 10:20 p. m., Investigators Kenny and Teehan conducted an investigation of the business operation of J & S Blue Inc. dba Sinnis Pub, to determine the manner in which its business was being conducted.
2. Investigators entered the licensed premises and observed an individual, who appeared to be intoxicated, in possession of a bottle of Budweiser beer.
3. This individual was identified as Richard White, actual date of birth [REDACTED] (age 23).
4. Investigators observed Mr. White and a female individual sitting at the bar, each person in possession of a bottle of Budweiser beer.
5. At approximately 10:50 p.m., investigators observed Mr. White order two shots from the female bartender on duty, Melissa Barr.
6. At approximately 11:15 p.m., investigators observed Ms. Barr serve Mr. White a shot of Southern Comfort Liquor.
7. Investigators observed Mr. White while he was standing at the bar. Mr. White was unsteady on his feet, his movements appeared to be slow, his speech was slurred, and his eyes were glassy.

Based on their training and experience, investigators formulated the opinion that Mr. White was intoxicated.


8. At approximately 11:30 p.m., investigators observed Ms. Barr serve Mr. White a shot of Sambuca liqueur. They then observed Mr. White drink it.
9. Investigators identified themselves to the owner, Jeff Sinni.
10. Investigators, while visibly displaying their identification badges, identified themselves to Mr. White, and asked him for identification.
11. Mr. White responded, "Fuck you."
12. Mr. Sinni told Mr. White to provide his identification to the investigators. Mr. Sinni had an opportunity to observe Mr. White and he indicated that Mr. White was intoxicated.
13. Investigators informed Mr. Sinni of the violation and that a report would be filed with the Chief Investigator for further action.

CONCLUSION

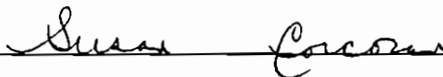
Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138 §69-Sale or Delivery of an Alcoholic Beverage to an Intoxicated Person (1 count). Therefore, the Commission **suspends the license for four (4) days of which two (2) days will be served and two (2) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Susan Corcoran, Commissioner



Dated: May 14, 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
Michael Teehan, Investigator
Mark Kenny, Investigator
Administration
File