



*Commonwealth of Massachusetts  
Alcoholic Beverages Control Commission  
95 Fourth Street, Suite 3  
Chelsea, Massachusetts 02150-2358*

**Jean M. Lorizio, Esq.**  
*Chairman*

**DECISION**

**MAGUIRE ENTERPRISES INC. D/B/A LIAM MAGUIRE'S IRISH PUB  
273 MAIN STREET  
FALMOUTH, MA 025400  
LICENSE#: 00116-RS-0390  
VIOLATION DATE: 12/22/2022  
HEARD: 4/25/2023**

Maguire Enterprises Inc. d/b/a Liam Maguire's Irish Pub (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, April 25, 2023, 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 facts alleged in Investigator Cutter's report.

The following documents are in evidence:

1. Investigator Cutter's Violation Report;
2. ABCC Form 43, New License approval, 6/3/1994;
3. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Thursday, December 22, 2022, at approximately 10:20 p.m., Investigators Terasconi and Cutter ("Investigators") inspected Maguire Enterprises Inc. d/b/a Liam Maguire's Irish Pub ("Licensee" or "Maguires") to determine the way its business was being conducted.
2. Investigators Terasconi and Cutter entered the licensed premises in an undercover capacity and observed an unknown male individual ("UM") who appeared to be intoxicated, standing directly in front of the bar, seemingly in clear view of several bartenders.
3. Investigators observed UM's eyes were glassy and bloodshot and he had a dazed look, as he swayed while standing in place. UM then yelled at an older patron and shoved him. Security staff de-escalated the situation. When UM was questioned by security staff, he seemed unsure and gave them a delayed reply.

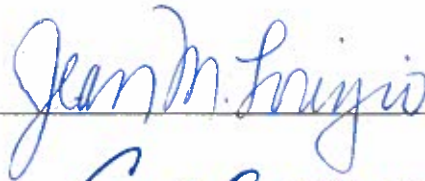
4. Investigators observed UM's speech was slurred. Based on their training and experience, Investigators determined that UM was intoxicated.
5. At approximately 10:55 p.m., Investigators observed the bartender, deliver to UM a shot of dark liquor. UM accepted the shot of alcoholic beverage and consumed it.
6. Investigators Terasconi and Cutter then informed Investigator Binienda of the violation. Shortly thereafter, UM exited the premises.
7. Investigator Binienda was outside and observed that UM appeared disoriented as he stumbled and walked into the street. UM then walked over to a friend's vehicle.
8. Investigator Binienda advised both the bartender and the doorman of the violation and that a report would be filed with the Chief Investigator for further review.
9. Investigator Binienda spoke to the UM to ensure he had safe transport home.
10. Rory McGuire, Licensee, appeared at the Commission hearing. The Commission was informed as to changes implemented to prevent future violations. One such change was to require TIPS certification for bar backs in an effort to have additional trained employees watching patrons.
11. The Licensee has held a license under M.G.L. c. 138, § 12 since 1994 with no previous violations.

#### 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). As a result, the Commission issues a **WARNING**.

#### **ALCOHOLIC BEVERAGES CONTROL COMMISSION**

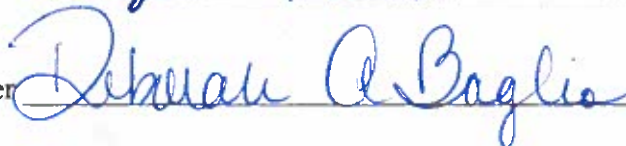
Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: May 30, 2023

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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2023-000022-ad-enf

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Kyle E. Gill, Esq., Associate General Counsel  
Alicia Cutter, Investigator  
Jamie Binienda, Investigator  
Nicole Terasconi, Investigator  
Administration, File