

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

CLERKS, INC.
247A PLYMOUTH STREET
HOLBROOK, MA 02343
LICENSE#: 053200023
HEARD: 2/28/2012

Clerks, Inc. (the "Licensee") holds an all-alcoholic beverages license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 28, 2012, regarding an alleged violation of M.G.L. c. 138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator John Carey's Compliance Check Field Report.

The following documents and physical items are in evidence:

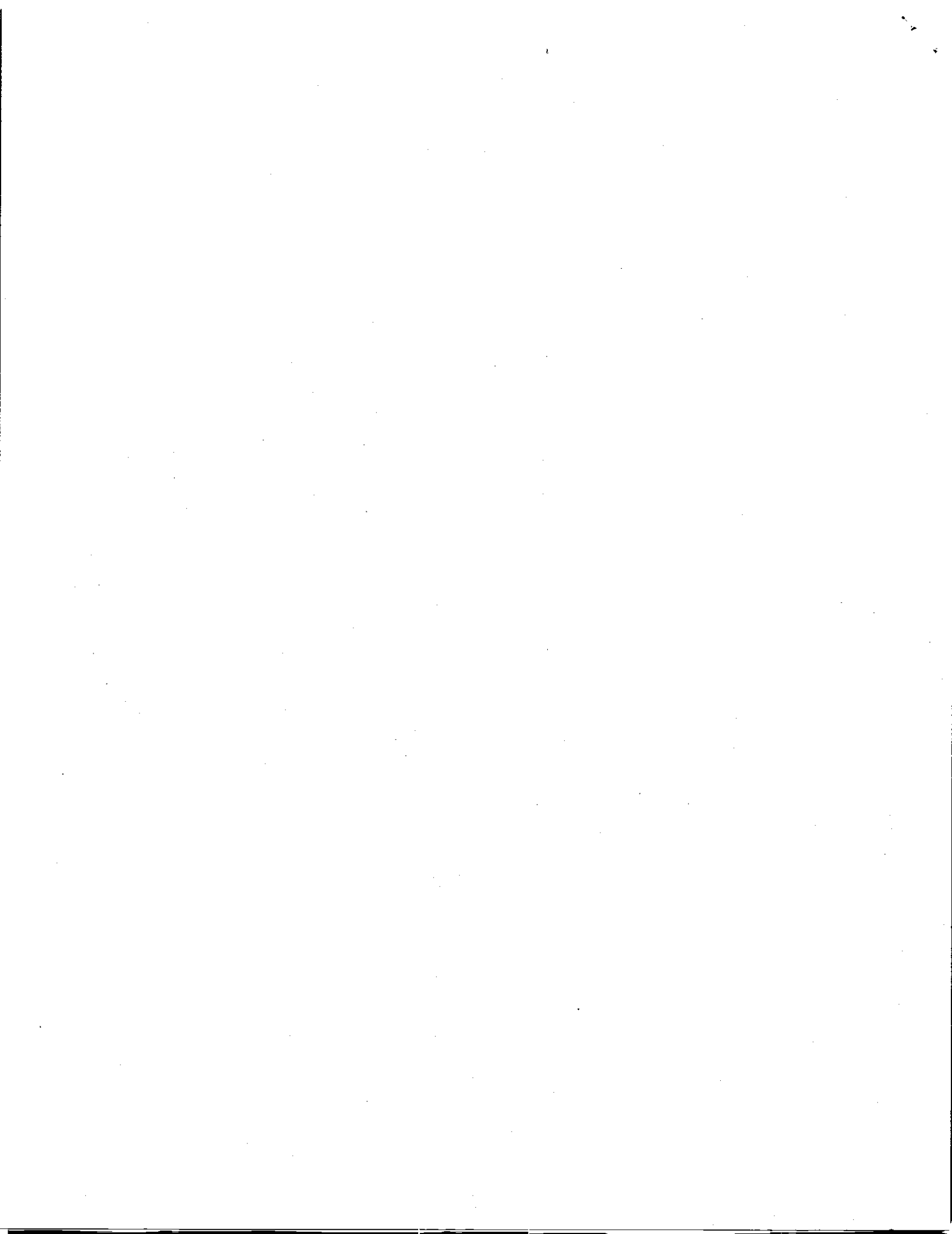
1. Investigator Carey's Compliance Check Field Report dated August 29, 2011; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On August 29, 2011, at approximately 6:59 p.m., Investigators John Carey and Michael Teehan conducted an investigation of the business operation of Clerks, Inc.
2. An underage operative working with investigators purchased an alcoholic beverage, a twelve ounce (12 oz.) can of Bud Light beer, for one dollar and fifty cents (\$1.50). The underage operative was not asked for identification.

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CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. 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

Kim S. Gainsboro, Chairman

Kathleen McNally, Commissioner

Dated: March 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
John Carey, Investigator
Administration
File

