



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

LPS, INC. DBA DILLONS PACKAGE STORE
589 HIGH ST
HOLYOKE, MA 01040
LICENSE#: 054000075
HEARD: 05/31/2011

LPS, Inc. dba Dillon's Package Store (the "Licensee") holds an all alcohol license issued pursuant to Massachusetts General Laws chapter 138, §15. The Alcoholic Beverages Control Commission ("the Commission") held a hearing on Tuesday, May 31, 2011, 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 Brad Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Compliance Check Field Report of Investigator Brad Doyle.

There is one (1) tape of this hearing.

FACTS

1. On, April 20, 2011 at approximately 6:00 p.m., Commission Investigators investigated the business operation LPS, Inc. dba Dillon's Package Store.
2. An underage operative, working with the investigators, purchased a can of Bud Light for two dollars and ten cents (\$2.10). The underage operative was not asked for identification.

DISCUSSION

The licensee testified that he is trying to get his clerks to check for identification and that he was not at the desk when this occurred. He was also going to have his employees trained in so that this does not reoccur.

CONCLUSION

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

Susan Corcoran

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

Robert Cronin, Commissioner

Robert H Cronin

Dated: August 17, 2011

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
Brad Doyle, Investigator
Timothy Hooton, Investigator
Administration
File