

*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

February 14, 2012

**XAVIER'S PLACE, INC.**  
**245 LAWRENCE ST.**  
**LAWRENCE, MA 01840**  
**LICENSE#: 059400052**  
**HEARD 2/14/2012**

After a hearing on February 14, 2012, the Commission finds Xavier's Place, Inc. in violation of M.G.L. c. 138 §34 (2 counts).

The Commission **suspends the licensee's license for a total of five (5) days. The suspension shall commence on Wednesday, March 28, 2012 and terminate on Sunday, April 1, 2012.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, March 28, 2012 at 9:00 A.M. It will be returned to the licensee Monday, April 2, 2012.

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.

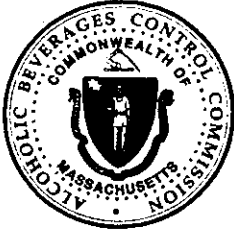
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Kim S. Gainsboro  
Chairman

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Caroline Guarino, Investigator  
Robert F. Kelley, Esq.  
✓ Administration  
File

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**DECISION**

**XAVIER'S PLACE, INC.**  
**245 LAWRENCE ST.**  
**LAWRENCE, MA 01840**  
**LICENSE#: 059400052**  
**HEARD 2/14/2012**

Xavier's Place, Inc. (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 14, 2012, regarding an alleged violation of M.G.L. c. 138 §34 (2 counts). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Caroline Guarino's Investigative Report.

The following documents are in evidence:

1. Investigator Guarino's Investigative Report dated November 12, 2011; and
2. Licensee's Stipulation of Facts;

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

**FACTS**

1. On Saturday, November 5, 2011, at approximately 11:30: p. m., Investigators Paul Capurso, Brad Doyle and Caroline Guarino investigated the business operation of Xavier's Place, Inc.
2. Investigators observed two (2) youthful looking females in actual possession of an alcoholic beverage, specifically each had a twelve ounce (12 oz.) bottle of Corona.
3. Investigators attempted to speak with the two (2) youthful looking females.
4. The two (2) youthful looking females stated they did not speak English, and ran into the woman's restroom.
5. Investigators contacted the Lawrence Police Department and requested a Spanish speaking officer [come to the licensed premises].
6. Office Ivan Melendez of the Lawrence Police Department arrived on scene and assisted investigators in determining the age of both youthful looking females.
7. Neither youthful looking female had identification on her.
8. Both youthful looking females stated several times that they were twenty-one (21) years old.



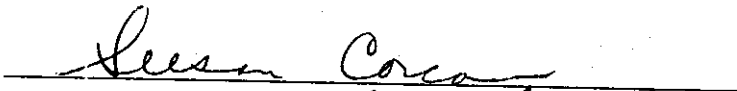
9. Officer Melendez search for one of the females in the Registry of Motor Vehicles database as the female stated she held a Massachusetts Identification card.
10. This female was later identified as Miss Yuberkis Rodriquez, of 210 Lawrence St., Lawrence, date of birth March 16, 1992, age nineteen (19) years old.
11. Officer Melendez informed Miss Rodriquez that she was under arrest.
12. The other female, later identified as Miss Stephani Geronimo-Deleon, of 4 Cedar St. Lawrence, date of birth September 18, 1991, stated she was twenty (20) years old.
13. Officer Melendez arrested both females, charging them as Minors in Possession [of Alcoholic Beverage], and [Giving a] False Age to a Police Officer while on a licensed premises.
14. Investigators informed the owner, Mr. Yagual, 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 M.G.L. c. 138 §34 (2 counts). Therefore, the Commission **suspends the license for ten (10) days with five (5) days to be served and five (5) days to 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



Kathleen McNally, Commissioner



Dated: February 14, 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  
Robert F. Kelley, Esq.  
Administration  
File

