

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

Deborah B. Goldberg
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

July 14, 2015

GEORGE DAVIS DBA TEDESCHI #481
12 JENNIFER ST
LITTLETON, MA 01460
LICENSE#: 062400011
VIOLATION DATE: 05/14/2015
HEARD: 07/14/2015

After a hearing on July 14, 2015, the Commission finds George Davis dba Tedeschi #481 in violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age.

The Commission **suspends the licensee's license for a total of two (2) days to be served. The suspension shall commence on Wednesday, September 2, 2015, and terminate on Thursday, September 3, 2015.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, September 2, 2015 at 9:00 A.M. It will be returned to the licensee Friday, September 3, 2015.

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
Brad Doyle, Investigator
Rose Bailey, Investigator
Administration
File



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DECISION

GEORGE DAVIS DBA TEDESCHI #481
12 JENNIFER ST
LITTLETON, MA 01460
LICENSE#: 062400011
VIOLATION DATE: 05/14/2015
HEARD: 07/14/2015

George Davis dba Tedeschi #481 (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 14, 2015, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Doyle's Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report dated May 14, 2015; and
2. Licensee's Stipulation of Facts.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

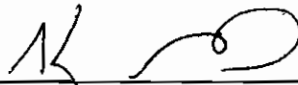
1. On Thursday, May 14, 2015, at approximately 6:59 p.m., Investigators Bailey and Doyle conducted an investigation of the business operation of George Davis dba Tedeschi #481.
2. While on the licensed premises an underage operative working with investigators purchased from the Licensee an alcoholic beverage, a twenty-four ounce (24 oz.) can of Twisted Tea hard iced tea, for three dollars (\$3.00). The underage operative was not asked for identification.

CONCLUSION

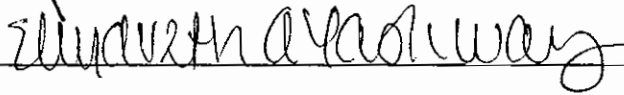
Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license for 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

Kim S. Gainsboro, Chairman



Elizabeth A. Lashway, Commissioner



Dated: July 14, 2015

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
Rose Bailey, Investigator
Administration
File