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Chairman

**Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

**JAY RAM KABIR INC. D/B/A LITTLETON CONVENIENCE
12 JENNIFER ST.
LITTLETON, MA 01460
LICENSE#: 88857-PK-0624
VIOLATION DATE: 08/10/2017
HEARING DATE: 12/5/2017**

Jay Ram Kabir Inc. d/b/a Littleton Convenience (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, December 7, 2017, regarding an alleged violation of 204 CMR 2.05 (2) – Permitting an illegality on the licensed premises, to wit: M.G.L. 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 Bailey's Report.

The following documents are in evidence:

1. Investigator Bailey's Compliance Check Field Report; 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, August 10, 2017, at approximately 7:16 p.m., Investigators Doyle and Bailey ("Investigators") investigated the business Jay Ram Kabir Inc. d/b/a Littleton Convenience.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a Bud Light beer, for two dollars and forty-six cents (\$2.46). 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: M.G.L. 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 three (3) days which 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

Kathleen McNally, Commissioner 

Elizabeth A. Lashway, Commissioner 

Dated: December 7, 2017

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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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Rose Bailey, Investigator
Brad Doyle, Investigator
Administration, File