

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

HOOKSLIDE KELLY'S, LLC
19 MERRIMACK ST.
LOWELL, MA 01852
LICENSE#: 063000069
HEARD: 06/21/2011

Hookslide Kelly's, LLC (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, June 21, 2011, regarding an alleged violation of M.G.L. c. 138, §34c. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Caroline Wilichoski's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Caroline Wilichoski's Report dated May 7, 2011;
3. CJIS Printout (1); and
4. CJIS Printout (2).

There is one (1) tape of this hearing.

FACTS

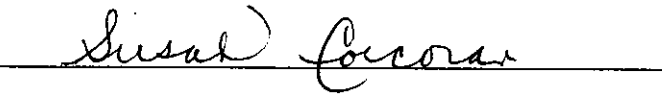
1. On Saturday, May 7, 2011 Investigators Capurso, Doyle and Detectives from the Lowell Police Department were conducting an Enhanced Liquor Enforcement Operation in the City of Lowell.
2. The Detectives and Investigator conducted an investigation into the business operations of Hookslide Kelly's, LLC.
3. Investigators walked into the back patio area.
4. Their attention was drawn to a group of youthful looking females.
5. The females were all in possession of alcoholic beverages.
6. They were checked for identification and proof of age.
7. One (1) female handed Investigator Capurso a valid Massachusetts Drivers License.
8. The Investigator knew immediately that the person in front of him was not the same person depicted on the license.
9. Upon further questioning, it was determined that the individual was only nineteen (19) years old.
10. She was observed drinking from a twelve (12) oz. bottle of Bud Light.
11. The manager of record was on the premises and was advised of the violation.

CONCLUSION

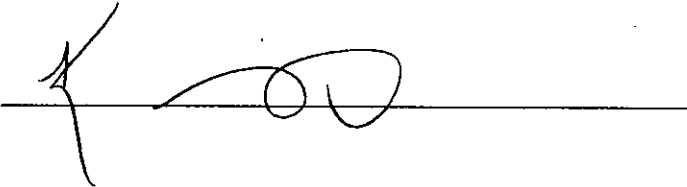
Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138, §34c and therefore **suspends the license for four (4) days of which four (4) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



Kim S. Gainsboro, Chairman



Dated: August 9, 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
 Caroline Wilichoski, Investigator
 Administration
 File