

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

July 24, 2012

RICCIS LIQUOR MART, INC.
834 MAIN ST
MALDEN, MA 02148
LICENSE#: 064600061
HEARD: 07/24/2012

After a hearing on July 24, 2012, the Commission finds Riccis Liquor Mart, Inc. in violation of 204 CMR 2.05 (2), to wit: c.138, §34 (1 count).

The Commission suspends the licensee's license for a total of six (6) days to be served. The suspension shall commence on Wednesday, September 12, 2012 and terminate on Monday, September 17, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, September 12, 2012 at 9:00 A.M. It will be returned to the licensee Tuesday, September 18, 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.

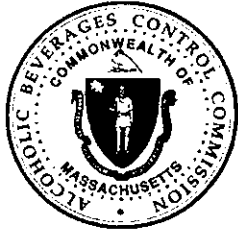
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Tim Hooton, Investigator
Christopher G. Fallon, Esq., via facsimile
Administration
File

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

RICCIS LIQUOR MART, INC.
834 MAIN ST
MALDEN, MA 02148
LICENSE#: 064600061
HEARD: 07/24/2012

Riccis Liquor Mart, Inc. (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 24, 2012, regarding an alleged violation of 204 CMR 2.05 (2), to wit: c.138, §34 (1 count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Hooton's Investigative Report.

The following documents are in evidence:

1. Investigator Hooton's Investigative Report dated May 5, 2012;
2. Licensee's Stipulation of Facts; and
3. RMV Printout for Underage.

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

FACTS

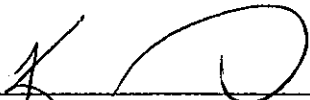
1. On Saturday, May 05, 2012, at approximately 07:35 p.m., Investigators Carey and Teehan conducted an investigation of the business operation of Riccis Liquor Mart, Inc., to determine the manner in which its business is conducted.
2. Investigators observed a youthful looking male exit the licensed premises with alcoholic beverages.
3. Investigators identified themselves and asked for his identification.
4. The youthful looking male was identified as Mr. Anthony Ferretti, date of birth October 31, 1993, age eighteen (18) years.
5. Mr. Ferretti was in possession of a thirty (30) pack of Keystone Light [beer] and he informed investigators that the clerk did not ask for him for identification.
6. Investigators entered the licensed premises with Mr. Ferretti, and identified themselves to the clerk, Mr. Jerry Constantino.
7. Mr. Constantino admitted that he did not ask Mr. Ferretti for any identification.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: c.138, §34 (1 count). Therefore the Commission **suspends the license for twelve (12) days of which six (6) days will be served and six (6) 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



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

Susan Corcoran, Commissioner



Dated: July 24, 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
Tim Hooton, Investigator
Christopher G. Fallon, Esq., via facsimile
Administration
File