

*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**

**DANIEL P. SPRING DBA JT'S CORNER STORE**  
**238 MILLBURY AVE**  
**MILLBURY, MA 01527**  
**LICENSE#: 071200018**  
**HEARD: 10/30/2012**

Daniel P. Spring dba JT's Corner Store (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, October 30, 2012, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: M.G.L. Ch.138 §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age, according to Investigator Keefe's Compliance Check Report.

The following documents are in evidence:

1. Investigator Keefe's Compliance Check Field Report dated May 21, 2012; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Monday, May 21, 2012, at approximately 6:54 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of Daniel P. Spring dba JT's Corner Store.
2. An underage operative working with investigators purchased an alcoholic beverage, a twenty-four ounce (24 oz.) can of Budweiser Light beer for two dollars and forty cents (\$2.40). The underage operative was not asked for identification.

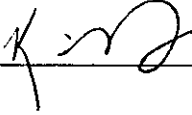
CONCLUSION

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. Ch.138 §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of one (1) year provided no further violations of Chapter 138 or Commission Regulations occur.**

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ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



Susan Corcoran, Commissioner



Dated: October 30, 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  
Dennis Keefe, Investigator  
Jan Kujawski, Investigator  
Administration  
File