



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

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

NOTICE OF SUSPENSION

December 8, 2015

**JAI OM SAI, INC. D/B/A DEN ROCK LIQUOR MART**  
**54 PETERS STREET**  
**NORTH ANDOVER, MA 01845**  
**LICENSE#: 082600023**  
**VIOLATION DATE: 09/10/2015**  
**HEARD: 12/08/2015**

After a hearing on December 8, 2015, the Commission finds Jai Om Sai, Inc. d/b/a Den Rock Liquor Mart violated M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count).

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.

The suspension shall commence on Wednesday, January 27, 2016, and terminate on Thursday, January 28, 2016. The license will be delivered to the Local Licensing Board or its designee on Wednesday, January 27, 2016 at 9:00 A.M. It will be returned to the licensee on Friday, January 29, 2016.

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 which must be signed by the Licensee and 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**

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Kim S. Gainsboro  
Chairman

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这份文件是重要的，应立即进行翻译。

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



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**DECISION**

**JAI OM SAI, INC. D/B/A DEN ROCK LIQUOR MART**  
**54 PETERS STREET**  
**NORTH ANDOVER, MA 01845**  
**LICENSE#: 082600023**  
**VIOLATION DATE: 09/10/2015**  
**HEARD: 12/08/2015**

Jai Om Sai, Inc. d/b/a Den Rock Liquor Mart 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 8, 2015, regarding an alleged violation of M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). 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 Investigative Report dated September 10, 2015;
2. Licensee's Stipulation of Facts; and
3. Printout of Massachusetts Driver's License.

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

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

**FACTS**

1. On Thursday, September 10, 2015 at approximately 4:30 p.m., Investigators Doyle and Bailey ("Investigators") conducted an investigation of the business operation of Jai Om Sai, Inc. d/b/a Den Rock Liquor Mart to determine the manner in which the business was being conducted.
2. While conducting parking lot surveillance, Investigators observed two youthful appearing males exit the licensed premises in possession of alcoholic beverages (12-pack of

Budweiser Light beer, and 1.75 liter bottle of Rubinoff Ruby Red Vodka) and place the beverages in the trunk of a white GMC SUV bearing a New Jersey Registration.

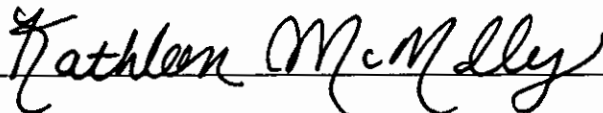
3. In addition to the two youthful males that Investigators observed exiting the licensed premises, they observed two male passengers seated in the vehicle.
4. Investigators, with neck badges visible, approached the vehicle, identified themselves, and asked to see identification from the youthful appearing males.
5. The vehicle operator, actual date of birth 03/11/1996 (age 19); the purchaser of the alcoholic beverages, actual date of birth 04/16/1996 (age 19); passenger #1, actual date of birth 02/08/1996 (age 19) and passenger #2, actual date of birth (05/26/1996) age 19.
6. Investigator Doyle asked how old they were and each stated he was nineteen years old.
7. Investigator Doyle asked the underage male purchaser if he had been asked for identification to purchase the alcoholic beverages.
8. The underage male purchaser stated that the clerk did not ask for his identification and that he has purchased alcohol from the store in the past.
9. Investigator Doyle asked the underage male purchaser if he had a fake identification card.
10. The underage male purchaser handed over a fake Rhode Island driver's license to Investigator Doyle.
11. With the underage male purchaser, Investigators entered the licensed premises and spoke with the clerk on duty, Daniel Conroy.
12. Mr. Conroy stated that he did not ask the underage male purchaser for identification at the time of the sale but that he had asked for identification in the past.
13. While Investigators spoke with Mr. Conroy, a male approached, identified himself as Hiren Patel, an owner and license manager.
14. Investigators informed Mr. Patel of the violation and that a report would be submitted to the Chief Investigator for review and further action.

#### CONCLUSION

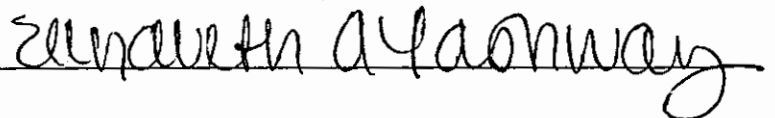
Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, §34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Therefore, the Commission **suspends the license for four (4) days of which two (2) days will be served and two (2) 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**

Kathleen McNally, Commissioner



Elizabeth A. Lashway, Commissioner



Dated: December 8, 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.

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