

Re: U. L. Enterprises, Inc.
DBA: dba South Liquor Mart
Premise: 431 South Street
City/Town: Plainville, MA 02762
License #: License Number: 097800018
Heard: Heard: July 27, 2010

NOTICE

After a hearing on July 27, 2010 the Commission finds U.L.Enterprises, Inc. dba South Liquor Mart in violation of Massachusetts General Laws c. 138, §23.

The Commission **suspends the licensee's license for a total of one hundred and nine (109) days of which thirty (30) days will be served.** The suspension shall commence on **Wednesday, January 26, 2011 and terminate on Thursday, February 24, 2011.** The license will be delivered to the Plainville Licensing Board or its designee on Wednesday, January 26, 2011 at 9:00 A.M. It will be returned to the licensee Friday, February 25, 2011.

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 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 30 days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION



Kim S. Gainsboro
Chairman

Dated at Boston, Massachusetts this 10th day of December 2010.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jack Carey, Investigator
File

**U. L. Enterprises, Inc.
dba South Liquor Mart
431 South Street
Plainville, MA 02762
License Number: 097800018
Heard: July 27, 2010**

DECISION

U.L. Enterprises, Inc. dba South Liquor Mart (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on July 27, 2010 regarding an alleged violation of M.G.L. c.138, §23 (109 counts) which occurred on June 2, 2010 according to Investigator John Carey's Report.

The following documents are in evidence:

1. Investigator Report of John Carey; and
2. Photographs of alcohol the licensee purchased.

There is one (1) tape of this hearing.

FACTS

1. On June 2, 2010, Investigators Carey, Hooton, and Kujawski investigated the business operation of U.L. Enterprises, Inc. dba South Liquor Mart in response to a complaint filed with the Investigative Enforcement Division.
2. Upon entering the establishment the Investigators inquired as to the ordering practice of the licensee and were informed that he orders beer and other alcohol "cooperatively" from a store whose owner bought at a "deep post" and in turn distributed cases to the other stores.
3. The licensee also stated that he bought alcohol from a person who came into his store with a rented truck and had alcohol loaded in the back of the truck.
4. The Investigators left the premises and made plans to return later.
5. Upon returning, the licensee again reiterated the same version of the purchase transactions he had given earlier to the Investigators.
6. He again acknowledged buying "cooperatively" with other stores and also purchasing from an unidentified individual.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §23. The Commission **suspends the license for one hundred and nine (109) days of which thirty (30) days will be served and seventy-nine (79) 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 _____

Robert Cronin, Commissioner _____

Dated in Boston, Massachusetts this 6th day of December 2010.

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 days of receipt of this decision.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Jack Carey, Investigator
File