



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

RICHARD'S WINE AND SPIRITS, INC.
14 NORTH PARK AVE
PLYMOUTH, MA 02360
LICENSE#: 098400126
VIOLATION DATE: 06/04/2013
HEARD: 09/10/2013

Richard's Wine And Spirits, 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, September 10, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Compliance Check Field Report dated June 4, 2013; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Tuesday, June 4, 2013, at approximately 6:40 p.m., Investigators Kenny and Velez conducted an investigation of the business operation of Richard's Wine And Spirits, Inc.
2. An underage operative working with investigators purchased an alcoholic beverage, a 6-pack of Budweiser Light beer, for six dollars and ninety-nine cents (\$6.99). The underage operative was not asked for identification.

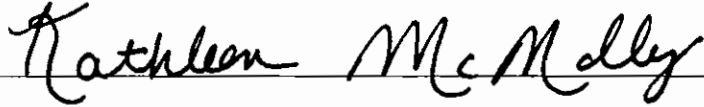
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CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2) Permitting an Illegality on the licensed premises, to wit: c. 138 §34 Sale or Delivery of an Alcoholic Beverage to a person under twenty-one (21) years of age. As the licensee has been in business for fifteen (15) years and has had no previous violations, the Commission issues a **WARNING**.

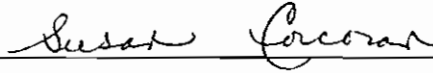
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Susan Corcoran, Commissioner



Dated: September 10, 2013

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
Nicholas Velez, Investigator
Mark Kenny, Investigator
Tara Kelleher, Investigator
Esq. via facsimile
Administration
File