

Jean M. Lorizio, Esq.
Chairman

*Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
Telephone: 617-727-3040
Facsimile: 617-727-1510*

NOTICE OF SUSPENSION

June 26, 2018

**RK RESTAURANT ASSOCIATES INC. D/B/A T-BONES ROADHOUSE
22 MAIN ST.
PLYMOUTH, MA 02360
LICENSE#: 0984-00110
VIOLATION DATE: 4/01/2018
HEARD: 5/22/2018**

After a hearing on May 22, 2018, the Commission finds RK Restaurant Associates Inc. d/b/a T-Bones Roadhouse violated M.G.L. Ch. 138 § 69-Sale or delivery of an alcoholic beverage to an intoxicated person (1 count).

The Commission suspends the license for four (4) days of which one (1) day will be served and three (3) 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, August 15, 2018 and terminate on Wednesday, August 15, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, August 15, 2018 at 9:00 A.M. It will be returned to the licensee on August 16, 2018.

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.

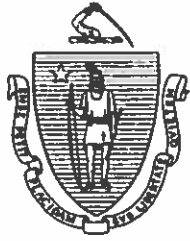
ALCOHOLIC BEVERAGES CONTROL COMMISSION

A handwritten signature in cursive script, reading "Jean M. Lorizio".

Jean M. Lorizio
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
Christopher Temple, Investigator
Nicholas Velez, Investigator
Stephen V. Miller, Esq. via email
Administration, File



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DECISION

**RK RESTAURANT ASSOCIATES INC. D/B/A T-BONES ROADHOUSE
22 MAIN ST.
PLYMOUTH, MA 02360
LICENSE#: 0984-00110
VIOLATION DATE: 4/01/2018
HEARD: 5/22/2018**

RK Restaurant Associates Inc. d/b/a T-Bones Roadhouse (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, May 22, 2018, regarding alleged violation of M.G.L. Ch. 138 § 69-Sale or delivery of an alcoholic beverage to an intoxicated person (1 count). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Temple's report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report; and
2. Licensee's Stipulation of Facts.
 - A. Licensee's Employee Handbook.
 - B. Addendum to Handbook; and
 - C. Server Training Roster.

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

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

FINDINGS OF FACT

1. On Saturday, April 1, 2018, at approximately 10:00 p.m., Investigators Velez and Temple ("Investigators") conducted an investigation of the business operation of RK Restaurant Associates Inc. d/b/a T-Bones Roadhouse to determine the manner in which its business was being conducted.
2. The attention of the Investigators was drawn to an intoxicated male individual, Tim Reilly, who was wearing a red Harvard shirt and was stood at the corner of the bar, closest to the door.

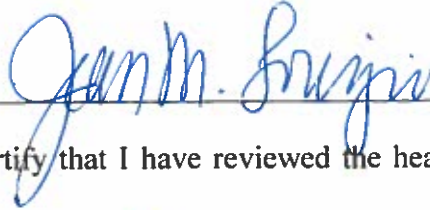
3. Investigators stood within close proximity of Reilly and made the following observations.
4. Reilly was standing and talking to a female at the bar who was seated to his right. Investigators observed that Reilly had glassy and watery eyes, and appeared to be unsteady on his feet, swaying back and forth.
5. Investigators observed that Reilly appeared overly animated. Reilly spoke in a louder voice than the rest of the group he was with, and Investigators could hear that his speech was slurred.
6. Based on their training and experience, Investigators formed the opinion that Reilly was intoxicated.
7. At approximately 12:20 a.m., Investigators observed Reilly consume a shot of an alcoholic beverage, which had been purchased for him by another individual. After consuming the shot, Investigators observed Reilly stumble backwards.
8. At approximately 12:31 a.m., Investigators observed Reilly signal to the bartender on duty, Julie Brewster, and speak to her. Investigators then observed Brewster deliver two Bud Light beers to Reilly.
9. Investigators observed that Reilly had difficulty removing his credit card from his wallet. When Reilly signed the bill, he continued his signature from the receipt on to the wood clip board.
10. Investigators spoke to Reilly and his friend, Matt Patrick. Patrick stated that he would ensure safe transport home for Reilly.
11. Investigators identified themselves to the manager on duty, Kevin Radley, and identified Reilly to him. Radley agreed with Investigators that Reilly was intoxicated. Mr. Radley informed Investigators that he would talk to the owners and his staff to address the issue of overservice.
12. Investigators informed Mr. Radley of the violation and that a report would be filed with the Chief Investigator for further review.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138 § 69-Sale or delivery of an alcoholic beverage to an intoxicated person (1 count). Therefore, the **Commission suspends the license for four (4) days of which one (1) day will be served and three (3) 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

Jean M. Lorizio, Chairman



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

Kathleen McNally, Commissioner



Dated: June 26, 2018

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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