



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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

September 17, 2013

P & M LIQUORS, LLC DBA STATE ROAD LIQUORS & FOOD MARKET
116 STATE RD.
REVERE, MA 02151
LICENSE#: 102200074
VIOLATION DATE: 06/08/2013
HEARD: 09/17/2013

After a hearing on September 17, 2013, the Commission finds P & M Liquors, LLC dba State Road Liquors & Food Market in violation of c.138, §34 – Sale or Delivery of an alcoholic beverage to a person under 21 years of age (1 Count).

The Commission **suspends the licensee's license for a total of eight (8) days to be served. The suspension shall commence on Wednesday, November 6, 2013 and terminate on Wednesday, November 13, 2013.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, November 6, 2013 at 9:00 A.M. It will be returned to the licensee Thursday, November 14, 2013.

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. 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 thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
 Chairman

- cc: Local Licensing Board
 Frederick G. Mahony, Chief Investigator
 Christopher Temple, Investigator
 Rose Bailey, Investigator
 Dennis Keefe, Investigator
 Administration
 File

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DECISION

P & M LIQUORS, LLC DBA STATE ROAD LIQUORS & FOOD MARKET
116 STATE RD.
REVERE, MA 02151
LICENSE#: 102200074
VIOLATION DATE: 06/08/2013
HEARD: 09/17/2013

P & M Liquors, LLC dba State Road Liquors & Food Market (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 17, 2013, regarding an alleged violation of c.138, §34 – Sale or Delivery of an alcoholic beverage to a person under 21 years of age (1 Count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Temple's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Temple's Investigative Report dated June 8, 2013.

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

FACTS

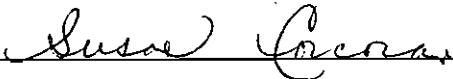
1. On Saturday, June 8, 2013, at approximately 9:10 p.m., Investigators Bailey, Keefe, and Temple investigated the business operation of P & M Liquors, LLC dba State Road Liquors & Food Market to determine the manner in which their business was being conducted.
2. While outside of the licensed premises, investigators observed a youthful looking male subject exiting the premises in possession of alcoholic beverages.
3. The male subject was identified as Paul Norton, actual date of birth [REDACTED] (age 20).
4. Investigators observed Mr. Norton in possession of a 12-pack of Natural Light beer and a 1.75 liter bottle of Bacardi Rum.
5. Mr. Norton stated to investigators that he was not asked for identification to purchase the alcoholic beverages and that, in the past, he has used a fake identification to purchase alcoholic beverages at this location.
6. Investigators informed the manager on duty, Paul Truong, of the violation.
7. Mr. Truong stated that he had not asked Mr. Norton for identification but has seen him in the past.
8. Investigators informed Mr. Truong that a report would be filed with the Chief Investigator for further action.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated of c.138, §34 – Sale or Delivery of an alcoholic beverage to a person under 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.**

By decision dated November 3, 2011, the Commission had previously ordered a six (6) day license suspension to be held in abeyance for a period of two (2) years provided no further violations occurred. Based on the violation found above, the licensee violated the conditions of that six (6) day suspension being held in abeyance. The Commission hereby orders that suspension to be served on and after the two (2) day suspension. The licensee will serve a total eight (8) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner 

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

Kathleen McNally, Commissioner 

DATE: September 17, 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
- Christopher Temple, Investigator
- Rose Bailey, Investigator
- Dennis Keefe, Investigator
- Administration
- File