



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

Jean M. Lorizio, Esq.
 Chairman

NOTICE OF SUSPENSION

February 22, 2017

SHREE SWAMI CORP. D/B/A E-Z- MART
339 CENTER AVENUE
ROCKLAND, MA 02307
LICENSE#: 103400055
VIOLATION DATE: 10/14/2016
HEARD: 02/21/2017

After a hearing on February 21, 2017, the Commission finds Shree Swami Corp. d/b/a E-Z- Mart violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 counts).

The Commission suspends the license for a period of nineteen (19) days of which ten (10) days will be served, and nine (9) 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, April 19, 2017 and terminate on Friday, April 28, 2017.~~ The license will be delivered to the Local Licensing Board or its designee on Wednesday, April 19, 2017 at 9:00 A.M. It will be returned to the licensee on Saturday, April 29, 2017.

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

Jean M. Lorizio
 Chairman

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Questo documento è importante e dovrebbe essere tradotto immediatamente.
Το έγγραφο αυτό είναι σημαντικό και θα πρέπει να μεταφραστούν αμέσως.
这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Nicholas Velez, Investigator
Administration, File



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Jean M. Lorizio, Esq.
Chairman

DECISION

**SHREE SWAMI CORP. DBA E-Z- MART
339 CENTER AVENUE
ROCKLAND, MA 02307
LICENSE#: 103400055
VIOLATION DATE: 10/14/2016
HEARD: 02/21/2017**

Shree Swami Corp. d/b/a E-Z- Mart (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, February 21, 2017, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 counts). Prior to the start of the hearing, the Licensee stipulated to the violation in Investigator Teehan's report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report;
2. Licensee's Stipulation of Facts;
3. RMV Printout of Underage #1;
4. RMV Printout of Underage #2;
5. RMV Printout of Underage #3;
6. RMV Printout of Underage #4; and
7. Photocopy of Fraudulent Expired Identifications.

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

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

FINDINGS OF FACT

1. On Friday, October 14, 2016, Investigators Velez, and Teehan, along with Chief Investigator Mahony ("Investigators") conducted an investigation of the business operation of Shree Swami Corp. d/b/a E-Z- Mart to determine the manner in which its business was being conducted.

2. At approximately 6:35 p.m., while outside the licensed premises, Investigators observed two youthful appearing individuals exit the store in possession of alcoholic beverages, two 12-packs of Twisted Tea [malt alcohol].
3. Underage #1, actual date of birth 1/09/1998 (age 18) was in possession of a 12-pack of Twisted Tea. He presented Investigators with a fake Vermont driver's license which he had used to purchase the alcoholic beverages.
4. Underage #2, actual date of birth 6/25/1998 (age 18) was in possession of a 12-pack of Twisted Tea. He stated that he had used a fake Rhode Island driver's license to purchase the alcoholic beverages.
5. At approximately 6:45 p.m., while outside the licensed premises, Investigators observed a youthful appearing male subject exit the store in possession of alcoholic beverages, two 6-packs of Covey Island beer.
6. Underage #3, actual date of birth 5/31/1999 (age 17) stated that he used the expired Massachusetts driver's license belonging to his brother (who was of legal age) to purchase the alcoholic beverages.
7. At approximately 7:05 p.m., while outside the licensed premises, Investigators observed a youthful appearing male subject exit the store in possession of alcoholic beverages, a 30-pack of Bud Light beer and an 18-pack of Budweiser beer.
8. Underage #4, actual date of birth 5/16/1996 (age 20) presented Investigators with a fake Maine driver's license which he had used to purchase the alcoholic beverages.
9. Investigators informed the manager on duty, Yogesh Bhausar, of the violations and that a report would be filed with the Commission for review.

CONCLUSION

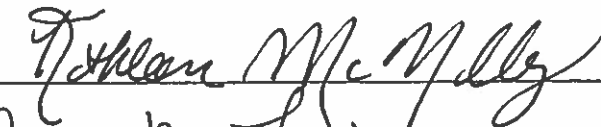
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (4 counts). Therefore the Commission **suspends the license for a period of nineteen (19) days of which ten (10) days will be served, and nine (9) 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

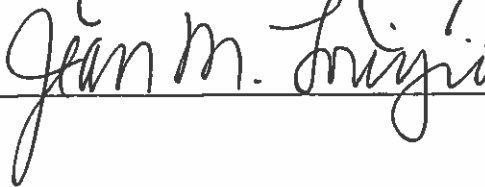
Elizabeth Lashway, Commissioner



Kathleen McNally, Commissioner



Jean M. Lorizio, Chairman



Dated: February 22, 2017

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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