



*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

August 10, 2018

**SHREE SWAMI CORP. D/B/A E-Z MART
339 CENTER AVENUE
ROCKLAND, MA 02307
LICENSE#: 1034-00055
VIOLATION DATE: 5/11/2018
HEARD: 8/7/2018**

After a hearing on August 7, 2018, 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: Ch. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (4 counts).

The Commission suspends the license for sixteen (16) days of which ten (10) days will be served and six (6) 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, October 3, 2018 and terminate on Friday, October 12, 2018. The license will be delivered to the Local Licensing Board or its designee on Wednesday, October 3, 2018 at 9:00 A.M. It will be returned to the Licensee on October 13, 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.

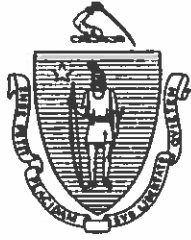
ALCOHOLIC BEVERAGES CONTROL COMMISSION

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

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Michael Teehan, Investigator
Mark Kenny, Investigator
Gregory Demarkis, Esq. via facsimile 781-592-4990
Administration, File



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DECISION

**SHREE SWAMI CORP. D/B/A E-Z MART
339 CENTER AVENUE
ROCKLAND, MA 02307
LICENSE#: 1034-00055
VIOLATION DATE: 5/11/2018
HEARD: 8/7/2018**

Shree Swami Corp. d/b/a E-Z Mart (the "Licensee" or "Super Liquors") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission" or "ABCC") held a hearing on Tuesday, August 7, 2018, 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 years of age (4 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Teehan's Report

The following documents are in evidence:

1. Investigator Teehan's Investigative Report;
2. Licensee Stipulation of Facts; and
3. Photocopies of Fraudulent Driver's Licenses.

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, May 11, 2018, Investigators Kenny and Teehan ("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 5:40 p.m., Investigators observed a youthful-looking male subject exit the licensed premises with a 30-pack of Bud Light beer. Investigators identified themselves and asked to see proof of legal age.

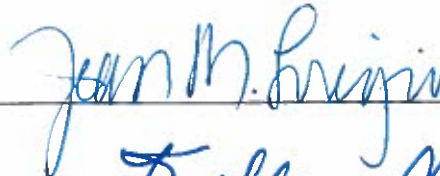
3. Underage #1, actual date of birth 11/12/1998 (age 19) presented to Investigators a fraudulent Connecticut driver's license which he stated that he used to purchase the alcoholic beverages.
4. At approximately 5:55 p.m., Investigators observed a youthful appearing female subject exit the store in possession of one 6-pack and one 24-ounce can of Arnold Palmer Spiked beverage. Investigators identified themselves and asked to see proof of legal age.
5. Underage #2, actual date of birth 1/21/1998 (age 20) stated to Investigators that she was not asked for identification when she purchased the alcoholic beverages.
6. At approximately 6:00 p.m., Investigators observed a youthful-looking male subject exit the licensed premises with an 18-pack of Bud Light beer and a 12-pack of Bud Light Lime beer. Investigators identified themselves and asked to see proof of legal age.
7. Underage #3, actual date of birth 11/2/1999 (age 18), presented to Investigators a fraudulent Connecticut driver's license which he used to purchase the alcoholic beverages.
8. At approximately 6:35 p.m., Investigators observed a youthful-looking male subject exit the licensed premises with a 24-pack of Corona Light beer and a 12-pack of Miller Lite beer. Investigators identified themselves and asked to see proof of legal age.
9. Underage #4, actual date of birth 9/11/1998 (age 19), stated to Investigators that he was not asked for identification when he purchased the alcoholic beverages.
10. Investigators informed owner/manager, Yogesh Bhavser, of the violations and that a report would be filed with the Chief Investigator for further action.

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 years of age (4 counts). Therefore, the Commission **suspends the license for a period of sixteen (16) days of which ten (10) days will be served and six (6) 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



Kathleen McNally, Commissioner



Dated: August 10, 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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