



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

MJ TUCKERS LLC DBA MJ TUCKERS
61 SOUTH MAIN ST., W. SIDE OF RTE. 8
SANDISFIELD, MA 01255
LICENSE#: 106800004
VIOLATION DATE: 02/12/2014
HEARD: 05/20/2014

MJ Tuckers LLC dba MJ Tuckers (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 20, 2014, 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 Keefe's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Keefe's Investigative Report dated February 12, 2014.

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

FACTS


1. On Wednesday, February 12, 2014, at approximately 5:12 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of M.J. Tuckers, LLC dba MJ Tuckers.
2. An underage operative, working with investigators, purchased an alcoholic beverage, a bottle of Budweiser Light beer for three (\$3.00) dollars. The underage operative was not asked for identification.

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 more than ten (10) years and has had no previous violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner 

Susan Corcoran, Commissioner 

Dated: May 20, 2014

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
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Administration
File