



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

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim S. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

August 9, 2016

**ABDUL HAFEEZ MIAN D/B/A SANDWICH MART AND SPIRITS**  
**152 ROUTE 6A**  
**SANDWICH, MA 02563**  
**LICENSE#: 107400046**  
**VIOLATION DATE: 03/11/2016**  
**HEARD: 07/26/2016**

After a hearing on July 26, 2016, the Commission finds Abdul Hafeez Mian d/b/a Sandwich Mart and Spirits violated M.G.L. c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count).

The Commission **suspends the license for a period of six (6) days of which four (4) 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.**

The suspension shall commence on **Wednesday, October 5, 2016 and terminate on Saturday, October 8, 2016.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, October 5, 2016 at 9:00 A.M. It will be returned to the licensee Sunday, October 9, 2016.

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**

Kim S. Gainsboro  
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  
Jamie Binienda, Investigator  
Jack Carey, Investigator  
Administration, File



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**DECISION**

**ABDUL HAFEEZ MIAN D/B/A SANDWICH MART AND SPIRITS**  
**152 ROUTE 6A**  
**SANDWICH, MA 02563**  
**LICENSE#: 107400046**  
**VIOLATION DATE: 03/11/2016**  
**HEARD: 07/26/2016**

Abdul Hafeez Mian d/b/a Sandwich Mart and Spirits (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, July 26, 2016, regarding an alleged violation of M.G.L. c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Binienda's report.

The following documents are in evidence:

1. Investigator Binienda's Investigative Report dated March 11, 2016;
2. Licensee's Stipulation of Facts;
3. RMV Printout for Underage; and
4. Photocopy of Fake Identification.

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

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

**FACTS**

1. On Friday, March 11, 2016, at approximately 8:20 p.m., Investigators Carey and Binienda ("Investigators") investigated the business operation of Abdul Hafeez Mian d/b/a Sandwich Mart and Spirits to determine the manner in which their business was being conducted.
2. Investigators parked their vehicle to conduct surveillance outside Sandwich Mart and Spirits and observed a youthful looking female individual exit the licensed premises in possession of alcoholic beverages: two 40 ounce Bush Light beers, and one 18-pack of

Miller Lite beer. The female individual got into a vehicle which contained three more youthful looking individuals inside.

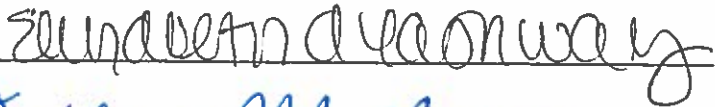
3. Investigators approached the car, identified themselves, and asked the female individual who purchased the alcoholic beverages for identification.
4. Underage female had an actual date of birth 05/25/1998 (age 17). Underage female stated she showed the clerk inside the store a fraudulent Rhode Island driver's license.
5. Investigators determined that all 4 individuals in the vehicle were underage, and notified all of the parents.
6. Investigators entered the store and identified the underage female to the clerk on duty, Mohammad Zaheer.
7. Investigators informed Mr. Zaheer of the violation 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 M.G.L. c. 138, §34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 Count). Therefore the Commission **suspends the license for a period of six (6) days of which four (4) days will be served, and two (2) day 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 A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: August 9, 2016

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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