



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

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

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**KOCC CORP. D/B/A ROUTE 6A CONVENIENCE STORE**  
**422 RTE 6A**  
**SANDWICH, MA 02537**  
**LICENSE#: 107400030**  
**VIOLATION DATE: 05/20/2016**  
**HEARD: 11/01/2016**

KOCC Corp. d/b/a Route 6a Convenience Store (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, November 1, 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 May 20, 2016;
  2. Licensee's Stipulation of Facts;
  3. Photo of Fraudulent North Carolina driver's license; and
  4. RMV Printout for Underage.
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- A. Photo of Licensee's Scanning System; and
  - B. Photo of Licensee's Scanner.

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

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

**FACTS**

1. On Friday, May 20, 2016, at approximately 8:57 p.m., Investigator Binienda along with Sandwich Police Officer Gilrein ("Investigators") investigated the business operation of KOCC Corp. d/b/a Route 6a Convenience Store to determine the manner in which their business was being conducted.

2. Investigators parked their vehicle outside the licensed premises to make observations. Investigators observed a youthful looking male individual exit a vehicle and enter the store.
3. Shortly after, Investigators observed this individual exit the store in possession of an alcoholic beverage, a 30-pack of Coors Light beer, and get into a vehicle which had another youthful looking individual inside.
4. Investigators asked the male individual to see proof of legal drinking age.
5. Underage #1, actual date of birth of 08/26/1996 (age 19) stated to Investigators that he had used a fraudulent North Carolina driver's license to purchase the alcoholic beverage.
6. Investigators entered the premises and spoke to the clerk on duty, Hem Ray Chalise, and identified the underage individual to him.
7. Investigators informed Mr. Chalise 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 four (4) days of which four (4) 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 A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: November 2, 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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jamie Binienda, Investigator  
Sandwich Police Officer Lauren Gilrein  
Matthew S. Porter, Esq. via facsimile 508-238-2309  
Administration, File