



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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

NOTICE OF SUSPENSION

July 18, 2012

WOODY'S, INC. DBA WOODY'S LIQUORS
523 BROADWAY
SOMERVILLE, MA 02144
LICENSE#: 113000085
HEARD: 07/10/2012

After a hearing on July 10, 2012 the Commission finds Woody's, Inc. dba Woody's Liquors in violation of 204 CMR 2.05 (2), to wit: M. G. L. c.138, §34 (1 count).

The Commission suspends the licensee's license for a total of fifteen (15) days to be served. The suspension shall commence on Wednesday, September 5, 2012 and terminate on Wednesday, September 19, 2012. The license will be delivered to the Local Licensing Board or its designee on Wednesday, September 5, 2012 at 9:00 A.M. It will be returned to the licensee Thursday, September 20, 2012.

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. All checks must be certified and accompanied by the enclosed form, which must be signed by a Massachusetts Licensed Accountant.

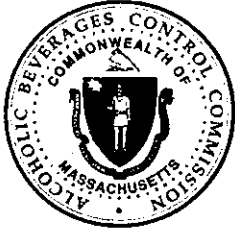
You are advised that you have the right to appeal this decision under M.G.L. c. 30A to Superior Court within thirty (30) days upon receipt of this notice.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro
Chairman

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Chris Temple, Investigator
Administration
File

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The Commonwealth of Massachusetts
Department of the State Treasurer
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DECISION

WOODY'S, INC. DBA WOODY'S LIQUORS
523 BROADWAY
SOMERVILLE, MA 02144
LICENSE#: 113000085
HEARD: 07/10/2012

Woody's, Inc. dba Woody's Liquors (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 10, 2012, 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 (1 Count). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Temple's Amended Investigative Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Temple's Amended Investigative Report dated March 6, 2012; and
3. Fake California Driver's License for C. Ring.

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

FACTS

1. On Thursday, March 01, 2012, at approximately 10:04 p.m., Investigators Teehan and Temple conducted an investigation of the business operation of Woody's, Inc. dba Woody's Liquors to determine the manner in which its business is conducted.
2. Outside the licensed premises, investigators observed a youthful looking male, later identified as Mr. Connor Ring, date of birth September 13, 1991, age twenty (20) years, exiting the licensed premises in possession of alcoholic beverages.
3. Investigators observed Mr. Ring in possession of a six (6) pack of Hibernator Long Trail bottles and a 1.75 liter bottle of Barton's Gin.
4. Mr. Ring stated that he was not asked for identification to purchase the alcoholic beverages.
5. After further questioning Mr. Ring provided to investigators a fraudulent California identification, and he reiterated that he was not asked for identification.
6. Investigators informed the female clerk on duty, later identified as Ms. Sara LaRoche, of the violation.
7. Ms. LaRoche stated she could not recall if she had carded Mr. Ring.
8. Investigators informed Ms. LaRoche that a report would be submitted to the Chief Investigator for further action.

CONCLUSION

Based on the evidence, the Commission finds the licensee violated 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 (1 Count). Based on the licensee's prior history of violations, the Commission suspends the license for twenty-five (25) days of which fifteen (15) days will be served and ten (10) 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

Susan Corcoran, Commissioner *Susan Corcoran*

I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kathleen McNally, Commissioner *Kathleen McNally*

Dated: July 18, 2012

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
Chris Temple, Investigator
Administration
File