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Kim S. Gainsboro, Esq.
Chairman

DECISION

Woody's, Inc. dba Woody's Liquors
523 Broadway
Somerville, MA 02144
License #: 113000085
Heard: April 12, 2011

Woody's, Inc. dba Woody's Liquors (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, April 12, 2011, regarding an alleged violation of M.G.L. c.138, §34C (1 count) detailed in Investigator Mark Kenny's report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
 2. Investigator Mark Kenny's Report.
- A. Confiscated Identification Cards.

There is one (1) tape of this hearing.

FACTS

1. On Thursday, December 30, 2010 at approximately 8:50 p.m., Investigators Kenny and Teehan observed the business operation of Woody's, Inc. dba Woody's Liquors.
2. They noticed a youthful looking male enter the premises.
3. The young man exited the store with one (1) bottle of Grey Goose Vodka.
4. The investigators asked the young man for his identification. The young patron stated he did not have his identification with him and was not asked for identification by the clerk.
5. The clerk admitted to the investigators that he did not ask the young man for identification.
6. Administrative review of the file indicates no previous violations in fifteen (15) years of ownership.

CONCLUSION

Based on the evidence, the commission finds the licensee violated M.G.L. Ch. 138 §34C (1 count). The Commission **suspends the license for six (6) days of which 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

Robert H. Cronin, Commissioner

Robert H. Cronin

Susan Corcoran, Commissioner

Susan Corcoran

Dated: June 30, 2011

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
Mark Kenny, Investigator
Administration
File