



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

ADOLFO'S RESTAURANT, INC. DBA ADOLFO'S RESTAURANT
254 WORTHINGTON ST
SPRINGFIELD, MA 01103
LICENSE#: 122600357
VIOLATION DATE: 09/14/2012
HEARD: 1/08/2013

Adolfo's Restaurant, Inc. dba Adolfo's Restaurant (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, January 8, 2013, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: c. 138, §34C- Possession of an alcoholic beverage by a person under 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 September 14, 2012;
2. Licensee's Stipulation of Facts; and
3. False New Jersey Driver's License for A. Signorelli.

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

FACTS

1. On Friday, September 14, 2012, at approximately 11:50 p.m., Investigators Kenny, Wilichoski, and Binienda, along with Springfield Police Officer Thomas Scanlon and Sergeant Roy Carter, investigated the business operation of Adolfo's Restaurant, Inc. dba Adolfo's Restaurant to determine the manner in which their business was being conducted.
2. Investigators and Officers entered the premises and observed a youthful looking individual in possession of an alcoholic beverage, later identified as a Budweiser Light beer.
3. Investigators asked the youthful looking individual for identification.
4. The male individual was identified as Anthony Signorelli, date of birth [REDACTED], age nineteen (19) years.
5. Mr. Signorelli presented investigators with a false New Jersey Driver's License bearing his name with date of birth [REDACTED] age twenty-two (22) years.
6. Mr. Signorelli stated that a female bartender served him and she did not ask him for identification.
7. Investigators spoke with the manager on duty, Amanda Hardy, informed her of the violation and that a report would be filed with the Chief Investigator for further action.

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CONCLUSION

Based on the evidence, the Commission finds the licensee violated 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 four (4) days of which four (4) days will be held in abeyance for a period of one (1) year provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner



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

Kathleen P. McNally, Commissioner



DATE: January 9, 2013

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
Jamie Binienda, Investigator
Daniel D. Kelly, Esq. via Facsimile 413-733-1245
Administration
File