



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

February 11, 2014

KUMAR & ANDY, INC. DBA ONE STOP LIQUOR STORE
145 BOSTON RD
SPRINGFIELD, MA 01109
LICENSE#: 122600173
VIOLATION DATE: 10/24/2013
HEARD: 01/21/2014

After a hearing on January 21, 2014, the Commission finds Kumar & Andy, Inc. dba One Stop Liquor Store in 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 (5 counts).

The Commission **suspends the licensee's license for a total of ten (10) days to be served. The suspension shall commence on Wednesday, April 2, 2014, and terminate on Friday, April 11, 2014.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, April 2, 2014 at 9:00 A.M. It will be returned to the licensee Saturday, April 12, 2014.

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
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Benjamin Coyle, Esq. via fax 413-739-7740
Administration
File

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The Commonwealth of Massachusetts
Department of the State Treasurer
Alcoholic Beverages Control Commission
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DECISION

KUMAR & ANDY, INC. DBA ONE STOP LIQUOR STORE
145 BOSTON RD
SPRINGFIELD, MA 01109
LICENSE#: 122600173
VIOLATION DATE: 10/24/2013
HEARD: 01/21/2014

Kumar & Andy, Inc. dba One Stop Liquor 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, January 21, 2014, 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 (5 counts). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Keefe's Report.

The following documents are in evidence:

1. Investigator Keefe's Investigative Report dated October 24, 2013;
 2. Licensee's Stipulation of Facts; and
 3. Photocopy of Six Confiscated Fraudulent Driver's Licenses.
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- A. Advanced ID Detection LLC Subscription Invoice dated October 28, 2013;
 - B. Photograph of Advanced ID Detection Machine;
 - C. Photograph of Computer Screen Displaying Valid Identification;
 - D. Photograph of Computer Screen Displaying Fraudulent Identification;
 - E. Close-up of Screen in Exhibit D Displaying Fraudulent Identification;
 - F. Photograph of Surveillance Camera Views Outside and Inside Licensed Premises;
 - G. Stop Access Springfield Coalition Card; and
 - H. TIPS Certificate of Completion for J. Martinez.

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

FACTS

1. On Thursday, October 24, 2013, at approximately 6:00 p.m., Investigators Kujawski and Keefe conducted an investigation of the business operation of Kumar & Andy, Inc. dba One Stop Liquor Store to determine the manner in which its business was being conducted.
2. While outside the licensed premises, within a space of approximately 15 minutes, investigators observed three separate groups of youthful looking individuals enter the store and exit with what appeared to be alcoholic beverages.
3. Investigators asked these individuals for proof of age and they all produced fake identifications.

4. Group #1 included male underage, actual date of birth [REDACTED] (age 19) who presented a false Rhode Island license, and female underage, actual date of birth [REDACTED] (age 19) who presented a false Connecticut license. These underage persons were in possession of 1 bottle of Fireball Cinnamon whiskey and 1 bottle of Pink Moscato Barefoot wine.
5. Group #2 included male underage no.1, actual date of birth [REDACTED] (age 20) who presented a false Connecticut license, and male underage no.2, actual date of birth [REDACTED] (age 20) who presented a false Connecticut license. These underage persons were in possession of one 30-pack of Budweiser Light beer, one 30-pack of Natural Light beer, one 30-pack of Keystone beer, and two bottles of Craft beer.
6. Group #3 consisted of an underage female, actual date of birth [REDACTED] (age 17) who presented a false Connecticut license. She was in possession of one 30-pack of Coors Light beer, one 12-pack of Smirnoff, and one bottle of Smirnoff Mango vodka.
7. Investigators entered the licensed premises with the underage individuals so that the underage persons could identify the clerks from whom they purchased the alcoholic beverages. The underage identified Ravinder Arora and Naren Patel as the clerks.
8. Both Mr. Arora and Mr. Patel stated to investigators that they scanned the identifications presented to them and that the identifications came back valid.
9. Investigators informed Mr. Arora and Mr. Patel of the violations and that a report would be submitted to 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 (5 counts). Therefore the Commission **suspends the license for twenty (20) days of which ten (10) 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.**

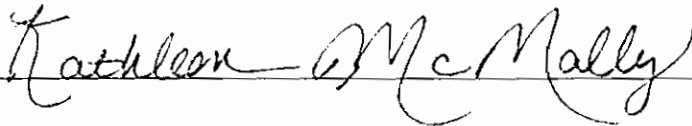
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman



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

Kathleen McNally, Commissioner



Dated: February 11, 2014

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
Dennis Keefe, Investigator
Jan Kujawski, Investigator
Benjamin Coyle, Esq. via fax 413-739-7740
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