

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

LANPHER JOHN W DBA WEST STERLING PKG STORE
238 REDEMPTION ROCK TRAIL
STERLING, MA 01564
LICENSE#: 123400008
HEARD: 4/3/2012

Lanpher John W dba West Sterling Pkg Store (the "Licensee") holds an all-alcoholic beverages license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, April 3, 2012, regarding an alleged violation of M.G.L. c. 138, §34 (1 Count). Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Doyle's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Doyle's Compliance Check Field Report dated September 24, 2011; and
2. Licensee's Stipulation of Facts;

A. Letter dated April 2, 2012 from Licensee.

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

FACTS


1. On Saturday, September 24, 2011, at approximately 1:42 p.m., Investigators Jan Kujawski and Brad Doyle conducted an investigation of the business operation of Lanpher John W dba West Sterling Pkg Store.
2. An underage operative working with investigators purchased an alcoholic beverage, a twelve ounce (12 oz.) can of Bud Light beer, for one dollar and thirty-one cents (\$1.31). The underage operative was not asked for identification.

CONCLUSION

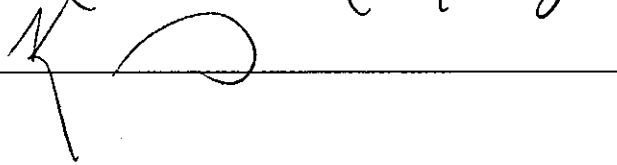
Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34 (1 Count). Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



Kim S. Gainsboro, Chairman



Dated: April 3, 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
Brad Doyle, Investigator
Administration
File