



Jean M. Lorizio, Esq.
Chairman

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

PATRIOT SPIRITS INC. D/B/A LIQUOR 'N MORE
2568 ROUTE 6
WELLFLEET, MA 02667
LICENSE#: 88925-PK-1348
VIOLATION DATE: 07/27/2017
HEARING DATE: 11/07/2017

Patriot Spirits Inc. d/b/a Liquor 'N More¹ [formerly Wellfleet Wine & Spirits Inc.] (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission (the "Commission" or "ABCC") held a hearing on Tuesday, November 7, 2017, 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. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Velez's Report.

The following documents are in evidence:

1. Investigator Velez's Compliance Check Field Report; and
2. Licensee's Stipulation of Facts.

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

The Commission took Administrative Notice of the Licensee's record.

FACTS

1. On Thursday, July 27, 2017, at approximately 6:50 p.m., Investigators Binienda and Velez ("Investigators") investigated the business operation Patriot Spirits Inc. d/b/a Liquor 'N More.

¹ Patriot Spirits Inc. d/b/a Liquor 'N More is the Licensee whom Investigators found in violation on 7/27/2017. Patriot Spirits Inc. purchased the § 15 license from Wellfleet Wine & Spirits Inc., license# 1348-00023, and submitted its transfer application in September 2016. The Commission approved the transfer on 12/9/2016. Therefore, the notice of hearing addressed to Wellfleet Wine & Spirits was a scrivener's error.

2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Bud Light beer for eight dollars and twenty-nine cents (\$8.29). The underage operative was not asked for identification.

CONCLUSION

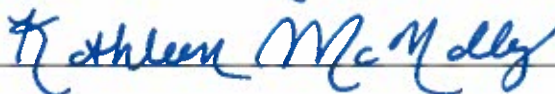
Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. As the Licensee has had no prior violations, the Commission issues a **WARNING**.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Jean M. Lorizio, Chairman



Kathleen McNally, Commissioner



Dated: November 8, 2017

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.

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Nick Velez, Investigator
Jamie Binienda, Investigator
Daniel Chamberlain, Esq. via facsimile 508-362-6060
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Administration, File