

*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150-2358*

Jean M. Lorizio, Esq.
Chairman

DECISION

**97 MARKET INC. D/B/A RICHDALE
143 TOPSFIELD ROAD
WENHAM, MA 01984
LICENSE#: 89062-PK-1354
VIOLATION DATE: 4/26/2024
HEARD: 8/13/2024**

97 Market Inc. d/b/a Richdale ("Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("ABCC" or "Commission") held a remote hearing via Microsoft Teams on Tuesday, August 13, 2024, regarding alleged violation of M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Anderson's Report.

The following documents are in evidence:

1. Investigative Report of M. Anderson;
2. ABCC Form 43, Transfer of License Approval, 5/26/2017;
3. Licensee's Stipulation of Facts;

A. Employee's TIPS Certificate of Completion.

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

FINDINGS OF FACT

1. On Friday, April 26, 2024, at approximately 7:50 p.m., Investigators Bolcome and Anderson ("Investigators") conducted surveillance of 97 Market Inc. d/b/a Richdale ("Licensee" or "Richdale").
2. At approximately 7:55 p.m., Investigators observed a youthful appearing male individual exit the passenger side of a Toyota 4-Runner motor vehicle and enter the licensed premises. Minutes later, the youthful appearing male individual exited the establishment carrying alcoholic beverages which he placed in the motor vehicle. Investigators approached the individual, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

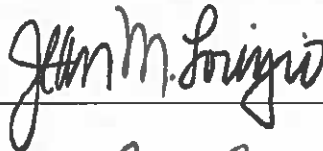
3. Underage #1, actual date of birth 10/01/2004 (age 19), was in possession of one 6-pack of Coors Light beer, one pint of Smirnoff Ice Smash, and one pint of Four Loko.
4. Investigators asked Underage #1 his age and he stated he was nineteen years old. Underage #1 provided Investigators with a fraudulent Maine driver's license bearing his name but a different birth date.
5. At approximately 8:05 p.m., Investigators entered the licensed premises, identified themselves, and spoke with the clerk on duty and advised him of the violation. The clerk then called the Licensee, Albert Abdenmalak. Investigators advised Mr. Abdenmalak that a violation report would be submitted to the Chief Investigator for further action.
6. Mr. Abdenmalak appeared at the Commission hearing.
7. The Licensee has held a license under M.G.L. c. 138, § 15 since 2017 with no prior violations.

CONCLUSION

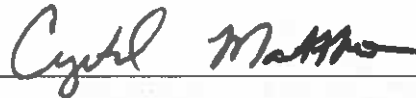
Based on the evidence, the Commission finds the Licensee violated M.G.L. Ch. 138, § 34 – Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for a period of one (1) day which will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations are found by this Commission.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION


Jean M. Lorizio, Chairman



Crystal Matthews, Commissioner



Deborah Baglio, Commissioner



Dated: January 24, 2025

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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immediatamente.

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这份文件是重要的，应立即进行翻译。

यह दस्तावेज़ महत्वपूर्ण है और इसका तुरंत अनुवाद किया जाना चाहिए

Dokiman sa a enpòtan epi li ta dwe tradwi touswit

‘Đây là tài liệu quan trọng và cần được dịch ngay’

ឯកសារនេះសំខាន់ណាស់ ហើយត្រូវបកប្រែជាបន្ទាន់។

2024-000121-ad-enf

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Melissa Anderson, Investigator
David Bolcome, Investigator
Administration, File