



*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Deborah B. Goldberg*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**NOTICE OF SUSPENSION**

October 13, 2016

**MOGALKRUPA LLC D/B/A FOUR MILE COUNTRY STORE  
1230 RUSSELL ROAD  
WESTFIELD, MA 01085  
LICENSE#: 144000089  
VIOLATION DATE: 04/29/2016  
HEARD: 10/11/2016**

After a hearing on October 11, 2016, the Commission finds Mogalkrupa LLC d/b/a Four Mile Country Store 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 (1 count).

**The Commission suspends the license for a period of five (5) days of which two (2) days will be served, and 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.**

**The suspension shall commence on Wednesday, December 7, 2016 and terminate on Thursday, December 8, 2016.** The license will be delivered to the Local Licensing Board or its designee on Wednesday, December 7, 2016 at 9:00 A.M. It will be returned to the licensee Friday, December 9, 2016.

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 which must be signed by the Licensee and 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

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这份文件是重要的，应立即进行翻译。

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Joseph Di Cicco Investigator  
Jan Kujawski, Investigator  
Administration, File



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**DECISION**

**MOGALKRUPA LLC D/B/A FOUR MILE COUNTRY STORE**  
**1230 RUSSELL ROAD**  
**WESTFIELD, MA 01085**  
**LICENSE#: 144000089**  
**VIOLATION DATE: 04/29/2016**  
**HEARD: 10/11/2016**

Mogalkrupa LLC d/b/a Four Mile Country 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, October 11, 2016, 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 (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Di Cicco's report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative Report dated April 29, 2016; and
  2. Licensee's Stipulation of Facts.
- A. Westfield Police Department letters showing Licensee's History of Passed Compliance Checks.

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

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

**FACTS**

1. On Friday, April 29, 2016, Investigators Kujawski and Di Cicco ("Investigators") investigated the business operation of Mogalkrupa LLC d/b/a Four Mile Country Store to determine the manner in which their business was being conducted. Investigators were conducting a "Cops in Shops" operation.

2. At approximately 7:10 p.m., Investigators observed a white Chevy sedan pulled into the parking lot, and one youthful appearing individual entered the store while two other youthful appearing individuals remained in the vehicle.
3. At approximately 7:20 p.m., Investigators observed a youthful looking individual exit the store with a brown paper bag and get into the vehicle.
4. Investigators approached the vehicle and observed several large cans of Natural Ice beer in the bag. Investigators asked to see identification from all individuals.
5. Underage #1, actual date of birth 07/13/1997 (age 18), had used a fake Rhode and driver's license bearing his own name with a false date of birth to purchase the alcoholic beverages.
6. The other individuals in the vehicle were: Underage #2, actual date of birth 09/14/21995 (age 20) and Underage #3, actual date of birth 02/25/1997 (age 19).
7. Investigators looked inside the brown paper bag and observed six 25-ounce cans of Natural Ice beer and one 1.75 liter bottle of Rubinoff Blueberry vodka.
8. Investigators then entered the licensed premises with Underage #1 and identified him to the clerk on duty, Pragneskkuma Patel. Investigators informed Mr. Patel of the above violation and that a report would be filed with the Chief Investigator for review.

#### 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 (1 count). Therefore the Commission **suspends the license for a period of five (5) days of which two (2) days will be served, and 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



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

Kim S. Gainsboro, Chairman



Dated: October 13, 2016

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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