

# *The Commonwealth of Massachusetts*

*Department of the State Treasurer*

*Alcoholic Beverages Control Commission*

*Boston, Massachusetts 02114*

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

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

## **DECISION**

**PANTH INC. D/B/A TEMPLE LIQUORS**

**42 TEMPLE ST**

**WHITMAN, MA 02382**

**LICENSE#: 146200018**

**VIOLATION DATE: 03/28/2016**

**HEARING DATE: 05/31/2016**

Panth Inc. d/b/a Temple Liquors (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, May 31, 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. Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Carey's Report.

The following documents are in evidence:

1. Investigator Carey's Compliance Check Field Report dated March 28, 2016; 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**

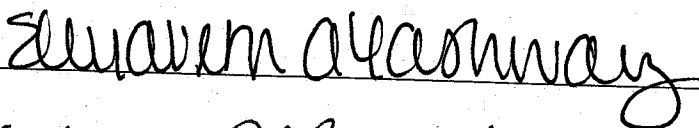
1. On Monday, March 28, 2016, at approximately 5:49 p.m., Investigator Carey investigated the business operation of Panth Inc. d/b/a Temple Liquors.
2. An underage operative, working with Investigators, purchased from the Licensee an alcoholic beverage, a 6-pack of Budweiser Light beer, for nine dollars and twenty-five cents (\$9.25). The underage operative was not asked for identification.

## CONCLUSION

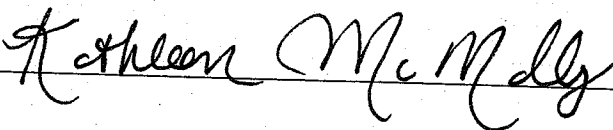
Based on the evidence the Commission finds the Licensee violated 204 CMR 2.05 (2) - Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, §34 - Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age. Therefore, the Commission **suspends the license 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

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: June 1, 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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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Jack Carey, Investigator  
Administration, File