



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

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

July 23, 2024

**JAY SEDHIMA LLC D/B/A GIBBONS LIQUORS
68 STAFFORD STREET
WORCESTER, MA 01603
LICENSE#: 89964-PK-1508
VIOLATION DATE: 9/23/2023
HEARD: 2/06/2024**

After a hearing on February 6, 2024, the Commission finds Jay Sedhima LLC d/b/a Gibbons Liquors violated M. G. L. Ch. 138, § 34 – Sale of delivery of an alcoholic beverage by a person under 21 years of age (10 Counts).

The Commission **suspends the license for a period of 15 days, of which eight (8) days will be served and seven (7) days 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.**

The suspension shall commence on Monday, September 9, 2024, and terminate on Monday September 16, 2024. The license will be delivered to the Local Licensing Board or its designee on Monday, September 9, 2024, at 9:00 A.M. It will be returned to the licensee on September 17, 2024.

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

Jean M. Lorizio
Chairman

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cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Brian Gould, Investigator
Jan Kujawski, Investigator
Matthew Porter, Esq.
Administration, File



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Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
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Jean M. Lorizio, Esq.
Chairman

DECISION

**JAY SEDHIMA LLC D/B/A GIBBONS LIQUORS
68 STAFFORD STREET
WORCESTER, MA 01603
LICENSE#: 89964-PK-1508
VIOLATION DATE: 9/23/2023
HEARD: 2/06/2024**

Jay Sedhima LLC d/b/a Gibbons Liquors ("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, February 6, 2024, regarding alleged violations M. G. L. Ch. 138, § 34 – Sale of delivery of an alcoholic beverage by a person under 21 years of age (10 Counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Gould's report.

The following documents are in evidence:

1. Investigator Gould's Report;
2. Photographs of Driver's Licenses (9) Confiscated;
3. ABCC Licensing Authority Certification, Transfer Approved, 3/17/2021;
4. Licensee's Stipulation of Facts.

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

FINDINGS OF FACT

1. On Saturday September 23, 2023, at approximately 6:30 p.m., Investigators Kujawski and Gould ("Investigators") began conducting surveillance outside of Jay Sedhima LLC d/b/a Gibbons Liquors ("Licensee" or "Gibbons Liquors") to determine the way its business was being conducted.
2. At approximately 6:40 p.m., Investigators observed a youthful appearing male individual enter Gibbons Liquors and exit minutes later in possession of alcoholic beverages. Investigators approached the male, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

3. Underage #1, actual date of birth 7/21/2003 (age 20), provided to Investigators his older brother's Massachusetts driver's license which he stated he had taken without his brother's knowledge. He eventually provided Investigators with his valid Massachusetts driver's license. Investigators confiscated two 4-packs of Downeast Hard Cider.
4. At approximately 6:40 p.m., Investigators observed a youthful appearing female individual enter the licensed premises and exit minutes later in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
5. Underage #2, actual date of birth 6/25/2003 (age 20), provided Investigators with her true Massachusetts driver's license. Investigators confiscated one case of Michelob Ultra beer.
6. At approximately 7:00 p.m., Investigators observed a youthful appearing female individual enter the licensed premises and exit minutes later in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
7. Underage #3, actual date of birth 9/17/2003 (age 20), provided to Investigators a fraudulent Connecticut driver's license bearing her name but a different date of birth which she used to purchase alcoholic beverages. Investigators confiscated one bottle of Tito's vodka.
8. At approximately 7:50 p.m., Investigators observed a youthful appearing female individual enter the licensed premises and exit minutes later in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
9. Underage #4, actual date of birth 10/01/2002 (age 20), stated that she was asked for identification inside the establishment and provided the clerk on duty with her true Under 21 Massachusetts driver's license. Investigators confiscated four sleeves of assorted nips.
10. At approximately 8:35 p.m., Investigators observed three youthful appearing male individuals enter the licensed premises and exit minutes later in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
11. Underage #5, actual date of birth 10/17/2004 (age 18), provided to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
12. Underage #6, actual date of birth 11/17/2003 (age 19), provided to Investigators a fraudulent Rhode Island driver's license bearing his name but a different birth date.
13. Underage #7, actual date of birth 5/07/2004 (age 19), provided to Investigators a fraudulent New York driver's license bearing his name but a different birth date.
14. Investigators confiscated two cases of Twisted Tea, a bottle of Tito's vodka, and two 30-packs of Coors Light beer.
15. At approximately 8:40 p.m., Investigators observed a youthful appearing male individual enter the licensed premises and exit minutes later in possession of alcoholic beverages.

Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.

16. Underage #8, actual date of birth 1/17/2004 (age 19), provided to Investigators a fraudulent South Carolina driver's license bearing his name but a different birth date. Investigators confiscated one 6-pack of Bud Light Lime beer and one 18-pack of Natural Ice beer.
17. At approximately 8:45 p.m., Investigators observed a youthful appearing female individual and a youthful appearing male individual enter the licensed premises and exit minutes later in possession of alcoholic beverages. Investigators approached, identified themselves and asked to see proof of legal age to purchase and/or possess alcoholic beverages.
18. Underage #9, actual date of birth 11/19/2004 (age 18), provided to Investigators a fraudulent Massachusetts driver's license bearing her name but a different birth date.
19. Underage #10, actual date of birth 7/25/2005 (age 18), provided to Investigators a fraudulent Connecticut driver's license bearing his name but a different birth date.
20. Investigators confiscated Tito's vodka, one 8-pack of High Noon, one 18-pack of Bud Light Lime beer, one 12-pack of Truly Hard Seltzer, one 12-pack of Corona Premier beer, and two 6-packs of Smirnoff.
21. At approximately 8:55 p.m., Investigators entered the licensed premises and spoke to the clerks on duty. Investigators informed the clerks of the violations and that a report would be filed with the Chief Investigator for further review.
22. Rohit Patel, Licensee, appeared at the Commission hearing. The Commission was informed all employees are now required to obtain TIPS certification, and the Licensee has since installed an identification scanner
23. The Licensee has held a license under M.G.L. c. 138, § 15 since 2021 with no prior violations.

CONCLUSION

Based on the evidence, the Commission finds the Licensee violated M. G. L. Ch. 138, § 34 – Sale of delivery of an alcoholic beverage by a person under 21 years of age (10 Counts). Therefore, the Commission **suspends the license for a period of 15 days, of which eight (8) days will be served and seven (7) days 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

Crystal Matthews, Commissioner

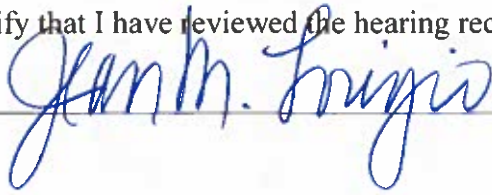


Deborah Baglio, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record.

Jean M. Lorizio, Chairman



Dated: July 23, 2024

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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2023-000236-ad-enf

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