



*Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, Massachusetts 02114
Tel. (617) 727-3040
Fax: (617) 727-1510*

Jean M. Lorizio, Esq.
Chairman

NOTICE OF SUSPENSION

July 23, 2019

**JEET INVESTMENTS INC. D/B/A G & M GROCERY
504 CAMBRIDGE STREET
WORCESTER, MA 01603
LICENSE#: 89406-PK-1508
VIOLATION DATE: 5/11/2019
HEARD: 7/16/2019**

After a hearing on July 16, 2019, the Commission finds Jeet Investments Inc. d/b/a G & M Grocery violated 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 counts).

The Commission suspends the license for a period of six (6) days of which three (3) 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 Monday, September 9, 2019 and terminate on Wednesday, September 11, 2019. The license will be delivered to the Local Licensing Board or its designee on Monday, September 9, 2019 at 9:00 A.M. It will be returned to the Licensee on Thursday, September 12, 2019.

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
Joseph Di Cicco, Investigator
Caroline Guarino Wilichoski, Investigator
Officer Patrick Harrington
Administration, File



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DECISION

**JEET INVESTMENTS INC. D/B/A G & M GROCERY
504 CAMBRIDGE STREET
WORCESTER, MA 01603
LICENSE#: 89406-PK-1508
VIOLATION DATE: 5/11/2019
HEARD: 7/16/2019**

Jeet Investments Inc. d/b/a G & M Grocery (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, § 15. The Alcoholic Beverages Control Commission ("Commission" or "ABCC") held a hearing on Tuesday, July 16, 2019, regarding an alleged violation of 204 CMR 2.05 (2)- Permitting an Illegality on the licensed premises, to wit: M.G.L. Ch. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 counts). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative Report;
 2. Licensee Stipulation of Fact;
 3. Licensee's New License Approval Form, 9/22/2018;
 4. Photocopies of Fraudulent Driver's Licenses; and
 5. Still Images from Licensee's Security Video.
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- A. Photos of Interior of Licensee's Premises of Notices Requiring Identification;
 - B. Receipt for Purchase of Identification Scanner; and
 - C. Email from ID Science Scanner Company.

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

FINDINGS OF FACT

1. On Saturday, May 11, 2019, Investigators Wilichoski and Di Cicco ("Investigators") along with Officer Patrick Harrington of the Worcester Police Department Alcohol Enforcement Unit, conducted an investigation of the business operation of Jeet Investments Inc. d/b/a G & M Grocery to determine the manner in which its business was being conducted.
2. At approximately 5:40 p.m., Investigators observed a youthful appearing male individual enter the licensed premises. Moment later, Investigators observed this same youthful appearing male individual exit the premises in possession of a case of Corona beer. Investigators observed the youthful male place the beer into a duffle bag.
3. Investigators observed the youthful appearing male join two other youthful appearing males inside a Wendy's Restaurant. The Wendy's is located in the same plaza as the licensed premises.
4. Investigator Di Cicco and Officer Harrington identified themselves to the group of youthful appearing individuals and inquired about the purchase of the case of beer.
5. Underage #1, actual date of birth 5/30/2000 (age 18), presented Investigators with a fraudulent Connecticut driver's license. The minor stated he used the fraudulent identification to purchase the alcoholic beverages. The other two individuals with Underage #1 were also 18 years old.
6. While Di Cicco and Harrington contacted Underage #1, Investigator Wilichoski observed a youthful appearing individual enter the licensed premises, exiting moments later carrying alcoholic beverages. Wilichoski observed this individual get into the rear passenger seat of a motor vehicle which was occupied by four other youthful appearing individuals.
7. Wilichoski approached the motor vehicle, identified herself, and inquired about the purchase of alcoholic beverages.
8. Underage #2, actual date of birth 9/02/1999 (age 19) was in possession of five cans of 4-LoCo malt beverage. He presented a fraudulent Maine driver's license to Investigator Wilichoski. All the other occupants of the motor vehicle were identified and were under the age of twenty-one.
9. While standing outside the licensed premises later in the evening, at approximately 8:45 p.m., Investigator Di Cicco observed two youthful appearing individuals enter the premises. Di Cicco observed one of the youthful individuals bring a case of Busch beer to the counter. Moments later the youthful appearing individuals exited the store in possession of a case of Busch beer. Di Cicco observed the youthful individuals make their way to a motor vehicle with Maryland registration tags and enter the vehicle.
10. Di Cicco approached the motor vehicle, identified himself, and asked to see proof of legal age.

11. Underage #3, actual date of birth 6/22/1998 (age 20) presented a fraudulent New York driver's license to Investigator Di Cicco. The underage admitted that he had purchased the alcoholic beverages and informed Di Cicco that he was not twenty-one years of age.
12. During this time Di Cicco was joined by Investigator Wilichoski and Officer Harrington. The other occupants inside the motor vehicle were identified and each was 20 years old.
13. At approximately 9:00 p.m., Investigators entered the licensed premises and made contact with the clerks on duty, Niravkuma Borad and Balvant Patel. Investigators informed Borad and Patel of the violations which has occurred. Borad and Patel stated that they had both been working during that time.
14. Investigators later met by the manager of record and owner, Rakesh Patel. Investigators informed Rakesh Patel of the violations, and then reviewed the video footage of the security cameras on the premises.
15. Review of the security footage indicates Underage #1 and #3 presented the employees with fraudulent out of state identification. It appeared that Underage #2 never showed any identification when he purchased the alcoholic beverages.
16. Investigators informed Mr. Patel of the violations, 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. Ch. 138, § § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (3 counts). Therefore, the Commission **suspends the license for a period of six (6) days of which three (3) 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

Elizabeth A. Lashway, Commissioner 

Kathleen McNally, Commissioner 

Dated: July 23, 2019

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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