

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

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

**DECISION**

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

**PJD ENTERTAINMENT OF WORCESTER, INC. D/B/A CENTERFOLDS II**  
**229 SOUTHWEST CUTOFF**  
**WORCESTER, MA 01608**  
**LICENSE#: 150800187**  
**VIOLATION DATE: 12/19/2015**  
**HEARD: 03/01/2016**

PJD Entertainment of Worcester, Inc. d/b/a Centerfolds II (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, March 1, 2016, regarding an alleged violation of M.G.L. c. 138, §69- Sale or delivery of an alcoholic beverage to an intoxicated person (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the violation alleged in Investigator Temple's report.

The following documents are in evidence:

1. Investigator Temple's Investigative Report dated December 22, 2015; 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 Saturday, December 19, 2015, at approximately 9:00 p.m., Investigators Velez, DiCicco, and Temple ("Investigators") investigated the business operation of PJD Entertainment of Worcester, Inc. d/b/a Centerfolds II to determine the manner in which their business was being conducted.
2. Investigators entered the licensed premises. At approximately 10:23 p.m., Investigators observed a bald male individual, Vinny, sitting at the corner of the bar, who had his eyes closed for an extended period of time.
3. When Vinny opened his eyes, Investigators observed his eyes were glassy, he blinked his eyes very slowly, and it took more than one second for his eyes to open and close.

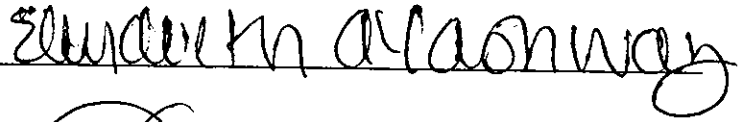
4. At approximately 10:28 p.m., Investigators observed Vinny get up from his chair. Vinny's legs appeared as if they were buckling beneath him, and he wobbled as he walked. Vinny left the premises with an unidentified dancer.
5. He then returned, and Investigators observed that he Vinny was unsteady on his feet as he walked to the rest room.
6. Investigators observed that the previously mentioned unidentified dancer ordered two Bud Light beers from the female bartender on duty. Investigators heard the dancer tell the bartender to put it on Vincent's tab.
7. When Vinny returned from the restroom, Investigators observed the unidentified dancer hand a beer to Vinny.
8. Investigators observed Vinny appeared very sloppy, falling into the dancer as he tried to kiss her.
9. At approximately 11:37 p.m., Vinny entered the restroom again, and Investigators followed him to make further observations. Investigators observed that while standing at the urinal, Vinny fell forward and caught himself against the wall with his left shoulder.
10. At approximately 11:40 p.m., Vinny returned to the bar and ordered a beer. Investigators observed that Vinny had difficulty keeping his eyes open, and they were predominantly half-open.
11. At approximately 11:41 p.m., Investigators observed a female bartender, Danielle, serve Vinny a Bud Light beer.
12. At approximately 11:42 p.m., Investigators observed Vinny as he swayed back and forth, and grabbed the chair to support his balance.
13. Based on their training and experience, Investigators formulated the opinion that Vinny was intoxicated.
14. Investigators spoke to the manager, Robert McCabe, and informed him of their observations of service to an intoxicated person.
15. Investigators identified Vinny to Mr. McCabe, who then spoke to Vinny. Investigators, with the assistance of Worcester Police Officer Rutherford, escorted Vinny and McCabe outside the premises.
16. Mr. McCabe assured Investigators that he would arrange for a taxi to drive Vinny home.
17. Investigators informed Mr. McCabe of the violation and that a report would be filed with the Chief Investigator for further review.

#### CONCLUSION

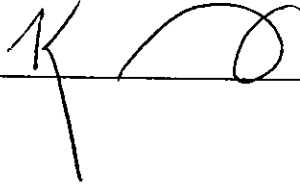
Based on the evidence, the Commission finds the Licensee violated M.G.L. c. 138, §69- Sale or delivery of an alcoholic beverage to an intoxicated person (1 count). As the Licensee has had no previous violations, the Commission issues a **WARNING**.

**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Elizabeth A. Lashway, Commissioner



Kim S. Gainsboro, Chairman



Dated: March 8, 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  
Dennis Keefe, Investigator  
Nicholas Velez, Investigator  
Administration  
File