

Re: Tara Pub, Inc.
dba Tara Pub
Premise: 62 Green Street
City/Town: Worcester, MA 01608
License #: 150800045
Heard: August 24, 2010

DECISION

Tara Pub, Inc. dba Tara Pub (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c.138, §12. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on August 24, 2010 regarding an alleged violation of M.G.L. c.138, §34C. Prior to the commencement of the hearing, the licensee stipulated to the facts detailed in Investigator Dennis Keefe's report regarding the violations that occurred on May 15, 2010.

The following documents are in evidence:

1. Investigator Report of Dennis Keefe;
2. Licensee's Stipulation of Facts; and
3. Copy of John T. Ebert's License.

There is one (1) tape of this hearing.

Facts

1. On, May 15, 2010 at 1.00 a.m., Commission Investigators investigated the business operation of Tara Pub, Inc. dba Tara Pub.
2. Investigator's entered the premises and observed a male patron in possession of a Miller High Life bottle. Investigator Keefe approached the individual, identified himself and asked him for identification.
3. Investigator Keefe verified that John T. Ebert (age 20) was in possession of an alcoholic beverage and contacted the Worcester Police Department.
4. Mr. Ebert tried to flee and the Worcester Police Department placed Mr. Ebert under arrest. Mr. Ebert admitted to drinking five beers and stated he was never asked for identification.

Conclusion

Based on the evidence, the Commission finds the licensee violated Massachusetts General Laws c. 138, §34. The Commission **suspends the license for seven (7) days of which four (4) days will be served and three (3) will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.** The licensee has a suspended sentence from a Commission decision in January 2009, which held two (2) days of a license suspension in abeyance. As a result the total suspension the Licensee must serve is six (6) days.

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kim S. Gainsboro, Chairman _____

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

Susan Corcoran, Commissioner _____

Dated in Boston, Massachusetts this 23rd day of September 2010.

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 days of receipt of this decision.

cc: Worcester Licensing Board
Frederick G. Mahony, Chief Investigator
File