



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

Steven Grossman
Treasurer and Receiver General

Kim S. Gainsboro, Esq.
Chairman

DECISION

114 LIQUORS, INC. DBA 114 LIQUORS
80 WINTHROP AVE
LAWRENCE, MA 01843
LICENSE#: 059400111
HEARD: 09/25/2012

114 Liquors, Inc. dba 114 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, September 25, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: 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 Bailey's Compliance Check Field Report.

The following documents are in evidence:

1. Investigator Bailey's Compliance Check Field Report dated May 29, 2012;
2. Licensee's Stipulation of Facts;
3. Compliance Check Guidelines;
4. Photograph of Underage Operative;
5. Compliance Check Underage Breathalyzer Results; and
6. One (1) bottle of Budweiser beer.

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

FACTS

1. On Wednesday, May 9, 2012, at approximately 7:53 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of 114 Liquors, Inc. dba 114 Liquors.
2. An underage operative working with investigators purchased an alcoholic beverage, one (1) forty ounce (40 oz.) bottle of Budweiser beer for three dollars (\$3.00). The underage operative was not asked for identification.

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CONCLUSION

Based on the evidence, the Commission finds the licensee violated of 204 CMR 2.05(2), to wit: 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

Susan Corcoran, Commissioner *Susan Corcoran*

Kim S. Gainsboro, Chairman *KS*

Dated: September 25, 2012

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.

cc: Local Licensing Board
Frederick G. Mahony, Chief Investigator
Paul Capurso, Investigator
Chris Temple, Investigator
✓ Stephen V. Miller, Esq. 617-946-4624
Administration
File