

Re: DELUKES, INC.
d.b.a.: Luke's Liquors
Premises: 167 Market Street
City/Town: Rockland, MA 02370
Heard: August 4, 2009

DECISION

A Commission hearing was held to determine whether DELUKES, Inc. d.b.a. Luke's Liquors violated 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: Ch. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 count).

The licensee stipulated to the Rockland Police Department's Compliance Check Field Report and the A.B.C.C. Investigator's Report. Investigator Wilichoski testified that on May 20, 2009, an underage male operative (d.o.b. 5/21/1989) entered Luke's Liquors and purchased a six-pack of Budweiser beer. During the transaction the underage was never asked for any type of identification.

An administrative review of the licensee's file reveals that this was the first violation. The Commission finds the licensee in violation of 204 CMR 2.05 (2)- Permitting an illegality on the licensed premises, to wit: Ch. 138, §34- Sale or delivery of an alcoholic beverage to a person under twenty-one years of age (1 count), therefore, **issues a warning.**

ALCOHOLIC BEVERAGES CONTROL COMMISSION

Susan Corcoran, Commissioner _____

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

Robert H. Cronin, Commissioner _____

Dated in Boston, Massachusetts this 11th day of September 2009.

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: Local Licensing Board;
Frederick G. Mahony, Chief Investigator;
Rockland Police Department;
File