

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

Steven Grossman
Treasurer and Receiver General

Kim J. Gainsboro, Esq.
Chairman

DECISION

BROOKLINE LIQUORS INC. DBA MALL DISCOUNT LIQUORS
525 HARVARD ST.
BROOKLINE, MA 02446
LICENSE#: 014800061
HEARD 2/14/2012

Brookline Liquors Inc. dba Mall Discount Liquors (the "Licensee") holds an all alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, February 14, 2012, regarding an alleged violation of M.G.L. c. 138 §34 (1 count). Prior to the commencement of the hearing, the licensee stipulated to the violations alleged in Investigator Michael Teehan's Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts;
2. Investigator Teehan's Investigative Report dated November 22, 2011; and
3. Photocopy of fake California Driver's License.

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

FACTS

1. On Saturday, November 19, 2011, at approximately 5:30: p. m., Investigators Keefe and Teehan, investigated the business operation of Brookline Liquors Inc. dba Mall Discount Liquors.
2. Outside of the licensed premises, investigators observed a male subject in possession of alcoholic beverages: a thirty (30) pack of Natural Light, a six (6) pack of Heineken, a bottle of Smirnoff Vodka, and a bottle of Rubinoff Vodka.
3. The male subject was later identified as Mr. Joseph A. Pompili, age nineteen (19), with date of birth of June 4, 1992.
4. Investigators asked Mr. Pompili for identification.
5. Mr. Pompili stated to investigators that he used a fake California Driver's License bearing his own name and with a date of birth of June 4, 1988 to purchase the alcoholic beverages.
6. Investigators informed the clerk on duty, later identified as Marcio Silva, of the violation, and that a report would be filed with the Chief Investigator for further action.

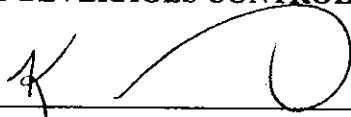
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CONCLUSION

Based on the evidence, the Commission finds the licensee violated M.G.L. c. 138 §34 (1 count). Therefore, the Commission **suspends the license for four (4) days which 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

Kim S. Gainsboro, Chairman



Kathleen McNally, Commissioner



Dated: February 14, 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
Michael Teehan, Investigator
Administration
File