



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

**CASEY'S BILLIARDS EMPORIUM LLC
501 DALTON AVENUE
PITTSFIELD, MA 01201
LICENSE#: 097400076
VIOLATION DATE: 05/30/2014
HEARD: 08/19/2014**

Casey's Billiards Emporium LLC (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, August 19, 2014, regarding an alleged violation of 204 CMR 2.16 (1) - Failure to post cover charge outside of licensed premises and failure to provide a numbered printed receipt. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Teehan's Report.

The following documents are in evidence:

1. Investigator Teehan's Investigative Report dated May 30, 2014; and
2. Licensee's Stipulation of Facts.

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

FACTS

1. On Friday, May 30, 2014, at approximately 10:40 p.m., Investigators Kenny and Teehan, along with members of the Pittsfield Police Department, conducted an investigation of the business operation of Casey's Billiards Emporium LLC to determine the manner in which its business was being conducted.
2. Investigators entered the premises and identified themselves to the owner, Carol Donahue.
3. Upon entry to the building, investigators observed that there was a cover charge for admission into the licensed premises.
4. Investigators also observed that the Licensee had failed to post the cover charge outside the licensed premises, and they did not provide a numbered printed receipt.
5. Ms. Donahue stated that the cover charge was five dollars (\$5.00).
6. Investigators informed Ms. Donahue 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 204 CMR 2.16 (1) - Failure to post cover charge outside of licensed premises and failure to provide a numbered printed receipt. Therefore the Commission issues a **WARNING**.

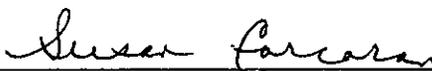
ALCOHOLIC BEVERAGES CONTROL COMMISSION

Kathleen McNally, Commissioner



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

Susan Corcoran, Commissioner



Dated: August 26, 2014

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
Mark Kenny, Investigator
Administration
File