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Chairman

Commonwealth of Massachusetts  
Department of the State Treasurer  
Alcoholic Beverages Control Commission  
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## DECISION

**ASHADEEP INC. D/B/A UNION STREET WINE & LIQUORS**  
**317 UNION ST.**  
**FRANKLIN, MA 02038**  
**LICENSE#: 0430-00034**  
**VIOLATION DATE: 4/27/2018**  
**HEARD: 6/26/2018**

Ashadeep Inc. d/b/a Union Street Wine & 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, June 26, 2018, regarding an alleged violation of 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Prior to the commencement of the hearing, the Licensee stipulated to the facts alleged in Investigator Di Cicco's Report.

The following documents are in evidence:

1. Investigator Di Cicco's Investigative Report;
2. Licensee's Stipulation of Facts;
3. Fraudulent Florida driver's license; and
4. True Identification of Underage.
  - A. Compilation of Licensee's History for Compliance Checks.

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

The Commission took Administrative Notice of the Licensee's record.

## FINDINGS OF FACT

1. On Friday, April 27, 2018, Investigators Keefe and Di Cicco ("Investigators") conducted an investigation of the business operation of Ashadeep Inc. d/b/a Union Street Wine & Liquors to determine the manner in which its business was being conducted.
2. While in the parking lot of the premises, at approximately 5:25 p.m., Investigators observed a youthful appearing individual exit the licensed premises holding a brown paper bag, and enter an SUV motor vehicle occupied by three other youthful appearing individuals.
3. Investigators identified themselves and asked to see proof of legal age.

4. Underage #1, actual date of birth 12/21/1997 (age 20) was in possession of eight (8) small bottles of Evan Williams Honey Bourbon whisky. She presented to Investigators a fraudulent Florida driver's license.
5. The three other occupants in the vehicle were all under the age of 21.
6. Investigators entered the premises and spoke to the clerk on duty and informed him of the incident. The clerk then called the owner, Mr. Patel.
7. Investigators spoke to Mr. Patel and informed him of the violation and that a report would be filed with the Chief Investigator for review.

#### CONCLUSION

Based on the evidence, the Commission finds the Licensee violated 204 CMR 2.05 (2) Permitting an illegality on the licensed premises, to wit: M.G.L. c. 138, § 34 Sale or delivery of an alcoholic beverage to a person under twenty-one (21) years of age (1 count). Therefore, the Commission **suspends the license for a period of three (3) 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

Elizabeth A. Lashway, Commissioner



Kathleen McNally, Commissioner



Dated: June 27, 2018

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.

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cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Joseph Di Cicco, Investigator  
Dennis Keefe, Investigator  
Administration, File