

North Carolina
Alcoholic Beverage Control Commission
400 East Tryon Road
Raleigh, NC 27610

Summary of Action Taken On
Wednesday, February 11, 2015

SECTION I
CONTESTED CASES

Suspension:

1. AMH Diana Market, Corp.
T/A **Green's Market**
604 1st Avenue SW
Hickory, NC 28602
00187154AK-999
AK
ALE District VII

Imposition of Decision of Administrative Law Judge – 15-day suspension of Malt Beverage Off Premise permit *and* payment of \$500.00 on charge of selling to an underage person.

Cancellation:

2. M and K Investments, Inc.
T/A **Mick's Bar and Grill**
5115 Bragg Boulevard
Fayetteville, NC 28303
65978A-999
AJ AN AL AY
ALE District V

Imposition of Decision of Administrative Law Judge – Cancellation of Malt Beverage On Premise, Fortified Wine On Premise, Unfortified Wine On Premise and Mixed Beverages Restaurant Permits on charges of (1) operation of the business with an ABC permit at that location is detrimental to the neighborhood, (2) dispensing a prescription drug without being a licensed pharmacist and (3) knowingly allowing violations of the controlled substance statutes to occur on the licensed premises (15 counts).

SECTION II

OFFERS IN COMPROMISE

3. Aldi NC, LLC
T/A **Aldi 96**
413 Earl Road
Shelby, NC 28151
Q11518-992
AK AM
Shelby Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling to an underage person.

4. Apple Gold, Inc.
T/A **Applebees Neighborhood Grill and Bar**
2239 West Roosevelt Boulevard
Monroe, NC 28110
Q11379-980
AJ AL AY
Monroe Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of giving to an underage person and selling to an underage person.

5. Strategic Restaurant Concepts, LLC
T/A **Bubbas 33**
500 Westwood Shopping Center
Fayetteville, NC 28314
00185097AJ-999
AJ AN AL AY BX
Cumberland ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to superintend.

6. Calamari Enterprises, Inc.
T/A **Café Parizade**
2200 West Main Street, Suite B-100
Durham, NC 27705
58917A-999
AJ AN AL AY BX
ALE District IV

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of failure to maintain Purchase-Transportation Permit / Invoices for three years on the licensed premises and missing tax stamp.

7. Captain Johns Dockside, Inc.
T/A **Captain Johns Dockside**
11550 US 15-501 North
Chapel Hill, NC 27517
57802A-999
AJ AL
ALE District IV

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of possessing alcoholic beverages without first obtaining the applicable ABC Permit and revenue license on the licensed premises.

8. Carolina Brewery, Inc.
T/A **Carolina Brewery**
462 West Franklin Street, Unit B
Chapel Hill, NC 27516
00120903AJ-999
AJ AL AY
Chapel Hill Police Department

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of giving to an underage person.

9. EGF Enterprises II, Inc.
T/A **Easy Shop II**
5724-A East WT Harris Boulevard
Charlotte, NC 28215
00122079AK-999
AK AO AM
Mecklenburg ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of knowingly sold alcoholic beverages to an intoxicated person.

10. R and M Snack Shack, Inc.
T/A **EZ Food Mart**
832 Ridgeway Avenue
Durham, NC 27701
00203753AK-999
AK AO
ALE District IV

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of receiving stolen property knowing or having reasonable grounds to believe that the property was stolen while on the licensed premises (two counts).

11. Brewwood, LLC
T/A **Goodfellows**
149 East Franklin Street-Downstairs
Chapel Hill, NC 27514
00139068AJ-999
AJ AL AZ
Chapel Hill Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling to an underage person.

12. Hong Kong No 1, LLC
T/A **Hong Kong Buffet**
1742 North Fordham Boulevard
Chapel Hill, NC 27514
00193007AJ-999
AJ
Chapel Hill Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of giving to an underage person.

13. Golden Triangle Enterprises, Inc.
T/A **Hunam Chinese Restaurant**
790 Martin Luther King Jr. Boulevard
Chapel Hill, NC 27514
28503A-998
AJ AN AL
Chapel Hill Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of giving to an underage person.

14. Good Brothers, Inc.
T/A **Ichibar**
901 South Beckford Drive, Suite G-H
Henderson, NC 27536
00211369AJ-999
AJ AN AL AY BX
ALE District IV

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of missing tax stamps.

15. HAFCO, Inc.
T/A **Jolly Roger**
405 East 14th Street
Greenville, NC 27858
00215140AK-999
AK AO AM
Pitt ABC Board

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charge of selling to an underage person.

16. Clara Garcia Zamora
T/A **La Raza**
810 South Pollock Street
Selma, NC 27576
00206250AK-999
AK
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of possessing for sale items with a counterfeit mark while on the licensed premises.

17. Ruby Tuesday, Inc.
T/A **Lime Fresh Mexican Grill 6330**
140 West Franklin Street, Suite 110
Chapel Hill, NC 27516
Q11469-939
AJ AN AL AY
Chapel Hill Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of giving to an underage person.

18. Loyal Order Of Moose
T/A **Loyal Order Of Moose Brevard Lodge 1769**
1769 Fisher Road
Brevard, NC 28712
59105J-999
AJ AZ
ALE District VIII

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00 on charge of performing services while or after consuming alcoholic beverages and allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

19. Prayosha Five, Inc.
T/A **Quick Mart**
7615 US Hwy 70
Mebane, NC 27302
00199933AK-999
AK AM
ALE District IV

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling to an underage person.

20. Raleigh Racquet Club, Inc.
T/A **Raleigh Racquet Club**
5516 Falls of Neuse Road
Raleigh, NC 27609
42597A-998
AJ AL
ALE District IV

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of failure to post each ABC permit and failure to purchase malt beverages and unfortified wine only from a wholesaler.

21. Savan Enterprises, Inc.
T/A **Stop N Shop**
100 South Virginia Dare Trail
Kill Devil Hills, NC 27984
00203288AK-999
AK AO AM
Dare ABC Board

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charge of selling to an underage person.

22. Yasmin Nazly
T/A **Stop N Shop**
801 West Lee Street
Greensboro, NC 27403
00194644AK-999
AK AO AM
ALE District V

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of selling to an underage person.

23. Taqueria La Unica, Inc.
T/A **Taqueria La Unica**
1621-F Walkup Avenue
Monroe, NC 28110
00089583AJ-999
AJ AY
Monroe Police Department

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of selling to an underage person.

24. Topsail Ventures, Inc.
T/A **Trailer Bar**
1701 North New River Drive
Surf City, NC 28445
00181853AJ-999
AJ AL AZ
ALE District I

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of (1) failure to destroy immediately the unconsumed portion of an alcoholic beverage left by a customer while on the licensed premises, (2) delivering more than one drink at one time to a single patron for personal consumption, (3) admitting a person who is not a member or a guest of a member on the premises as a house guest and (4) allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises.

25. Jarvis Food Markets, Inc.
T/A **Village Market 1**
71 Sparta Road
North Wilkesboro, NC 28659
27703B-998
AK AO AM
ALE District VII

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling to an underage person.

26. West Mount Food Mart, LLC
T/A **West Mount Food Mart**
8206 West Mount Drive
Rocky Mount, NC 27803
00214792AK-999
AK AO AM
Nash ABC Board

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charge of selling to an underage person.

27. Charlotte 002, LLC
T/A **Bar**
300 North College Street, Suite 104
Charlotte, NC 28202
00119177AJ-999
AJ AN AL AZ
Mecklenburg ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling or giving alcoholic beverages to an intoxicated person.

28. Real Advantage NC, Inc.
T/A **Bar B Que House**
5002 East Oak Island Drive
Oak Island, NC 28465
00187748AJ-999
AJ
ALE District I

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of possessing alcoholic beverages for sale without first obtaining the applicable ABC Permit and revenue license on the licensed premises.

29. Beau Rivage Foods, LLC
T/A **Beau Rivage Golf and Resort**
649 Rivage Promenade
Wilmington, NC 28412
00143141AJ-999
AJ AL BT
ALE District I

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of permitting the possession or consumption of fortified wine upon premises where such possession or consumption is not authorized by law and failure to purchase fortified wine only from a wholesaler.

30. DR Minimarket, Inc.
T/A **DR Minimarket**
404 Centre Street
Charlotte, NC 28216
00204627AK-999
AK AO AM
ALE District VI

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of employee consuming a malt beverage while upon premises having only an Off Premise ABC permit.

31. Food Lion, LLC
T/A **Food Lion 2650**
1460 South Main Street
China Grove, NC 28023
Q11473-507
AK AO AM DF
ALE District VI

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling to an underage person.

32. THECLA, LLC
T/A **Hannahs Haus**
900 Live Oak Street
Beaufort, NC 28516
00186377AJ-999
AJ AL AZ
ALE District I

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of missing tax stamps.

33. Noda 3213, LLC
T/A **Jack Beagles**
3213 North Davidson Street
Charlotte, NC 28205
00184766AJ-999
AJ AN AL AY
Audit Division

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to file quarterly financial and inventory reports.

34. Pantry, Inc.
T/A **Kangaroo Express 3841**
2120 Juniper Lake Road
West End, NC 27376
Q11443-556
AK AM
Moore County Sheriff's Office

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of selling to an underage person.

35. Pantry, Inc.
T/A **Kangaroo Express 3842**
7249 US Hwy 15-501
Carthage, NC 28327
Q11443-531
AK AM
Moore County Sheriff's Office

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of selling to an underage person.

36. Roldan A. Guerra
T/A **Las Amazonas Bar**
2000 Chapel Hill Road, Suite 14
Durham, NC 27707
00179022AJ-999
AJ AY
ALE District IV

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charges of (1) tax stamps not permanently defaced, (2) knowingly allowing a person under the age of 21 years, to possess alcoholic beverages while upon the licensed premises and (3) did knowingly allow sexual conduct or entertainment.

37. Smiley Mart, Inc.
T/A **Smiley Express Mart**
8920 Nations Ford Road
Charlotte, NC 28217
00170857AK-999
AK AO AM
Mecklenburg ABC Board

Offer in Compromise – 27-day suspension, suspended upon payment of \$2,700.00 on charge of possessing a slot machine.

38. Feest, Inc.
T/A **Spankys Sports Bar and Grill**
2532 Onslow Drive
Jacksonville, NC 28540
00120128AJ-999
AJ AN AL AZ
ALE District I

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) knowingly allowing violations of the ABC laws while on the licensed premises, (2) allowing consumption by an intoxicated person and (3) allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises.

39. Deborah Jean Ball
T/A **Starry Night Disco**
812 Statesville Road
North Wilkesboro, NC 28659
00194267AJ-999
AJ
ALE District VII

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of performing services while or after consuming alcoholic beverages.

40. John Saye Gbozah
T/A **Sun Rise Grocery**
4324 Hovis Road
Charlotte, NC 28208
00115913AK-999
AK AO AM
Mecklenburg ABC Board

Offer in Compromise – 45-day suspension, suspended upon payment of \$4,500.00 on charge of possessing a video gaming machine (two counts).

41. Aimar, Inc.
T/A **Twisters**
1300 South Brightleaf Boulevard
Smithfield, NC 27577
00178686AJ-999
AJ AL AZ
ALE District IV

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00 on charge of interfering with or failure to cooperate with an officer engaged in the performance of duties.

42. Cajara, LLC
T/A **Wings Etc.**
1910 East Dixon Boulevard
Shelby, NC 28152
00203525AJ-999
AJ AL AY
Shelby Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of giving to an underage person.