

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

Summary of Action Taken On
Wednesday, February 8, 2017

SECTION I

OFFERS IN COMPROMISE

Suspensions:

1. Fidalgo, LLC
T/A **Black Mountain Ale House**
117-C Cherry Street
Black Mountain, NC 28711
00186306AJ-999
AJ AL AY
Audit Division

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of failure to file quarterly financial reports.

2. Ahmed Saleh Hauter
T/A **Bunn Pit Stop**
280 Main Street
Bunn, NC 27508
66231B-994
AK AO AM
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of transferring glass tubes or splitters without requiring and maintaining a sales log on the licensed premises.

3. **Marriott Hotel Services, Inc.**
T/A Charlotte Marriott City Center
100 West Trade Street
Charlotte, NC 28202
68388A-995
AJ AN AL AR BX CY
Mecklenburg County ABC Board

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00 on charges of (1) tax stamps not permanently defaced, (2) an off-premise permittee, failed to separate, store and provide for the collection for recycling of all recyclable beverage containers of all beverages and (3) failure to maintain on the premises, available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

4. **O H M Mahalaxmi 99, Inc.**
T/A Crossroad Grocery
3245 Bruce Garner Road
Creedmoor, NC 27522
00228249AK-999
AK AO AM
ALE District IV

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of possessing stolen property knowing the same to have been feloniously taken or carried away while upon the licensed premises.

5. **S P H, Inc.**
T/A Derita Amoco
2600 West Sugar Creek Road
Charlotte, NC 28262
69392B-998
AK AO AM
ALE District VI

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

6. **Dineworks Hospitality Group, Inc.**
T/A Enso Asian Bistro and Sushi Bar
210 East Trade Street Units A108, A102 and A103
Charlotte, NC 28202
00172953AJ-999
AJ AN AL AY
Mecklenburg County ABC Board

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00 on charges of (1) an on-premise permittee, failed to separate, store and provide for the collection for recycling of all recyclable beverage containers of all beverages, (2) tax stamps not permanently defaced and (3) failure to maintain on the premises, available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

7. Franklin Hotel Investors, LLC
T/A **Franklin Hotel**
311 West Franklin Street
Chapel Hill, NC 27517
00177193AJ-999
AJ AN AL CY
Chapel Hill Police Department

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

8. Sampson Bladen Oil Company, Inc.
T/A **Han Dee Hugos 30**
425 North College Road
Wilmington, NC 28405
Q11310-983
AK AO AM
New Hanover County Sheriff's Office

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

9. Circle K Stores, Inc.
T/A **Kangaroo Express 3102**
201 South Estes Drive
Chapel Hill, NC 27515
Q11434-629
AK AM
Chapel Hill Police Department

Offer in Compromise – 40-day suspension with the last 37 days suspended upon payment of \$3,000.00 on charge of selling to an underage person.

10. Korean House 122, LLC
T/A **Korean House**
122 College Street
Asheville, NC 28801
00214999AJ-999
AJ AN AL AY
ALE District VIII

Offer in Compromise – 32-day suspension with the last 29 days suspended upon payment of \$3,500.00 on charges of (1) refilling spirituous liquor containers having a mixed beverage tax stamp with other alcoholic beverages or added to the contents of such containers from other alcoholic beverages, (2) failure to clear tables/counters, (3) missing tax stamps and (4) possessing or knowingly allow the possession or consumption of alcoholic beverages, the possession of which is not authorized by the ABC laws or by the permits issued to that permittee on the licensed premises.

11. Capital Music, Inc.
T/A **Lincoln Theatre**
126 East Cabarrus Street
Raleigh, NC 27601
00105212AJ-999
AJ AL AZ
Wake County ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to superintend.

12. Springer Eubank Company, Inc.
T/A **Phoenix Mart 775**
5314 Oleander Drive
Wilmington, NC 28403
00172504AK-994
AK AO AM
New Hanover County Sheriff's Office

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

13. Krating, Inc.
T/A **Sawasdee Thai Restaurant**
110 North Columbia Street
Chapel Hill, NC 27514
00133302AJ-996
AJ AL
Chapel Hill Police Department

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

14. Snug Harbor of Charlotte, LLC
T/A **Snug Harbor**
1228 Gordon Street
Charlotte, NC 28205
00152385AJ-999
AJ AL AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of (1) failure to limit the private club's facility to members and their guests on the licensed premises, (2) failure to require each prospective member to complete a written application while on the licensed premises, (3) failure to retain each completed application on the licensed premises and (4) failure to maintain a current alphabetical roster of all members and their complete addresses on the licensed premises.

15. Speedway, LLC
T/A **Speedway 7989**
10207 North Tryon Street
Charlotte, NC 28262
Q11615-847
AK AM
Mecklenburg County ABC Board

Offer in Compromise – 40-day suspension with the last 37 days suspended upon the payment of \$3,000.00 on charge of selling to an underage person.

16. Sunrise Food and Gas, LLC
T/A **Sunrise Food and Gas**
507 West 3rd Street
Siler City, NC 27344
00153140AK-999
AK
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of possessing adulterants that are intended to be used to adulterate a urine or other bodily fluid sample for the purpose of defrauding a drug or alcohol screening test on the licensed premises.

17. Thorndale, LLC
T/A **Thorndale Oaks**
105 West Quailridge Road
Oxford, NC 27565
00233573AJ-999
AJ AL AZ
ALE District IV

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00 on charges of tax stamps not permanently defaced and missing tax stamps.

18. Tomato Patch Pizzeria, Inc.
T/A **Tomato Patch Pizzeria**
803 Albacore Street
Corolla, NC 27927
00114099AJ-999
AJ AL AY
ALE District II

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

19. H and F Grocery, Corp.
T/A **Wow Foods Supermarket**
1230 West Roosevelt Blvd.
Monroe, NC 28110
00189995AK-998
AK
Monroe Police Department

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of possessing or knowingly allow the possession or consumption of alcoholic beverages, the sale or possession of which is not authorized by the ABC laws or by the permits issued to that permittee on the licensed premises.

20. Jay Mahakali, Inc.
T/A **A D's Convenience Store**
676 Hwy 22-42
Bennett, NC 27208
00146207AK-999
AK AO AM
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of possessing glass tubes for transfer without maintaining a log of sales on the licensed premises.

21. Asheville Yacht Club, LLC
T/A **Asheville Yacht Club**
87 Patton Avenue Unit 187
Asheville, NC 28801
00158231AJ-999
AJ AN AL AZ
ALE District VIII

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of allowing persons who were not members or guests of a member to use the private club's facility.

22. Dare Resorts, Inc.
T/A **Avalon Fishing Pier**
2111 North Virginia Dare Trail
Kill Devil Hills, NC 27948
40932A-999
AJ
ALE District II

Offer in Compromise – 26-day suspension, suspended upon payment of \$2,600.00 on charges of (1) performing services while or after consuming alcoholic beverages, (2) possessing or using a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises (two counts), (3) knowingly possessing or possessing with intent to use drug paraphernalia to inject, inhale or otherwise introduce into the body a controlled substance which would be unlawful to possess, while upon the licensed premises and (4) possessing spirituous liquor on premises where such possession or consumption is not authorized by law.

23. Brian Andrew Mayberry
T/A **Dixie Grill**
116 Market Street
Wilmington, NC 28401
00132095AJ-998
AJ AL AY
ALE District I

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of missing tax stamps.

24. Babylon Club, Inc.
T/A **Ibiza**
118 Market Street
Wilmington, NC 28401
00111136AJ-999
AJ AL AZ
ALE District I

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of allowing consumption by an intoxicated person on the licensed premises.

25. CoDylan Investment Group, Inc.
T/A **J McCroskeys Irish Pub and Grill**
1423 29th Avenue Drive NE
Hickory, NC 28601
00205362AJ-999
AJ AN AL AY
ALE District VII

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) delivering more than one drink at one time to a single patron for personal consumption, (2) giving away or selling alcoholic drinks at a price different from the usual price and (3) displaying point of sale advertising in a manner designed or intended to advertise alcoholic beverages on the outside of the establishment on the licensed premises.

26. George Willie Ervin
T/A **Jayes Lounge by George**
2700 North Liberty Street
Winston Salem, NC 27105
44124A-999
AJ AZ
ALE District V

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to purchase malt beverages only from a wholesaler.

27. Circle K Stores, Inc.
T/A **Kangaroo Express 818**
2015 Old NC 86
Hillsborough, NC 27278
Q11434-632
AK AO AM
ALE District IV

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charge of selling to an underage person (two counts).

28. Morehead Mini Mart, LLC
T/A **Morehead Mini Mart**
1601 Morehead Avenue
Durham, NC 27707
00134136AK-999
AK AO AM
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of possessing glass tubes for transfer without maintaining a log of sales on the licensed premises.

29. Teriyaki Box, Inc.
T/A **Oishii Japanese Restaurant**
1129-M Weaver Dairy Road
Chapel Hill, NC 27514
00129201AJ-999
AJ AL
Chapel Hill Police Department

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of giving to an underage person.

30. Avantika Enterprise, Inc.
T/A **Sanford Grocery and Produce**
1206 Woodland Avenue
Sanford, NC 27330
00235531AK-999
AK AO AM
ALE District III

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) possessing for sell goods having a counterfeit mark on the licensed premises, (2) establishing or maintaining living quarters in or connected to the licensed premises, (3) transferring glass tubes or splitters without maintaining a record of all sales on the licensed premises and (4) selling adulterants that are intended to be used to adulterate a urine or other bodily fluid sample for the purpose of defrauding a drug or alcohol screening test on the licensed premises.

31. Ahoskie Tobacco House, Inc.
T/A **Ahoskie Tobacco House**
102 Catherine Creek Road
Ahoskie, NC 27910
00221945AK-999
AK
ALE District II

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00 on charges of possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises and carrying a gun into an establishment in which alcoholic beverages are sold and consumed.

32. A M O Convenient Stores, Inc.
T/A **A M O Convenient Store**
2014 Ramsey Street
Fayetteville, NC 28301
00214215AK-999
AK AO AM
ALE District III

Offer in Compromise – 19-day suspension, suspended upon payment of \$1,900.00 on charges of allowing consumption of malt beverages while upon premises having only an Off Premise Malt Beverage permit and failure to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers and to avoid any undue hazards to patrons.

33. Capri Ristorante Limited
T/A **Capri Restaurant**
6325-18 Falls of Neuse Road
Raleigh, NC 27615
00090155AJ-999
AJ AN AL AV
ALE District IV

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of failure to purchase malt beverages only from a wholesaler.

34. Ideal Trading, Inc.
T/A **Creedmoor Food Store**
107 North Durham Avenue
Creedmoor, NC 27522
00221896AK-999
AK AO AM
ALE District IV

Offer in Compromise – Seven-day suspension, suspended upon payment of \$750.00 on charge of possessing stolen property knowing the same to have been feloniously taken or carried away while upon the licensed premises.

35. Family Dollar Stores of NC, Inc.
T/A **Family Dollar 450**
148 3rd Street
Ayden, NC 28513
Q11605-879
AK AM
Pitt County ABC Board

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to underage persons.

36. K B B International, Inc.
T/A **Garrison Express Mart**
937 East Garrison Blvd.
Gastonia, NC 28054
00202222AK-996
AK AO AM
ALE District VI

Offer in Compromise – 22-day suspension with 5 days credit given for suspension served while on temporary permits with the remaining 17-day suspension avoided upon payment of \$1,750.00 on charges of (1) possessing adulterants intended to be used to adulterate urine or other bodily fluid samples for the purpose of defrauding a drug or alcohol screening test on the licensed premises (two counts), (2) possessing counterfeit goods for resale on the licensed premises and (3) possessing 5 boxes of prescription contact lenses for sale to the general public without being a licensed pharmacist or optometrist.

37. Cesrok, LLC
T/A **Grillin Crab**
4812 Main Street
Shallotte, NC 28470
00235100AJ-999
AJ AN AL AY
ALE District I

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charge of performing services while or after consuming alcoholic beverages.

38. Hup, Inc.
T/A **Hup In**
1900 Milton Road
Charlotte, NC 28215
61872B-999
AK AO AM
Mecklenburg County ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of transferring glass tubes or splitters without requiring each transferee to sign his or her name verifying that the article purchased would not be used as a drug paraphernalia in a log maintained for that purpose on the licensed premises.

39. Circle K Stores, Inc.
T/A **Kangaroo Express 3301**
11495 Hwy 15-501 and 211
Aberdeen, NC 28315
Q11434-664
AK AO AM
Moore County Sheriff's Office

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

40. Cynthia Joyce Johnson
T/A **K and V Grocery**
307 Mangrove Drive
Emerald Isle, NC 28594
00199224AK-999
AK AM
ALE District I

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of possessing nontaxpaid alcoholic beverages on the licensed premises.

41. Katherine Winner Davis
T/A **Kats Korner Stop**
11 T Model Jones Road
Castalia, NC 27816
00210365AJ-999
AJ
ALE District IV

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of failure to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers and to avoid any undue hazards to patrons and failure to superintend.

42. Yolanda Herrera
Alberto Herrera
T/A **La Guerrerence**
1514 South Saunders Street
Raleigh, NC 27603
00134919AK-999
AK
ALE District IV

Offer in Compromise –Five-day suspension, suspended upon payment of \$500.00 on charge of allowing prescription medications to be dispensed without being a licensed pharmacist.

43. Las Munecas M K P, Inc.
T/A **Las Munecas**
4322 Central Avenue
Charlotte, NC 28205
00224201AJ-999
AJ AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise – 49-day suspension, suspended upon payment of \$4,900.00 on charges of (1) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises, (2) failure to limit the use of the private club facilities to only members and their guests on the licensed premises, (3) failure to clear tables/counters and (4) failure to determine the age of persons consuming alcoholic beverages.

44. Florence Boakye
T/A **Liberty Food Mart**
638 West Sugar Creek Road
Charlotte, NC 28213
00199349AK-999
AK AO AM
Mecklenburg County ABC Board

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00 on charges of (1) transferring glass tubes or splitters without requiring each transferee to sign his or her name verifying that the article purchased would not be used as drug paraphernalia, (2) possessing for resale prescription drugs without being a licensed pharmacist and (3) possessing spirituous liquor upon premises where such possession is not authorized by law.

45. Ali Yahya Hezam Al Amri
T/A **Northwest Discount**
201 Northwest Blvd.
Winston Salem, NC 27105
00195546AK-999
AK AO AM
ALE District V

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of possessing counterfeit goods for resale on the licensed premises and failure to superintend.

46. Oxford Billiard Club, LLC
T/A **Oxford Billiard Club**
116 Hillsboro Street
Oxford, NC 27565
00232971AJ-999
AJ AL AZ
ALE District IV

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

47. Phoenix Rising Lounge, LLC
T/A **Phoenix Lounge**
14 South Gaston Street
Brevard, NC 28712
00200313AJ-999
AJ AL AY BX
ALE District VIII

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00 on charge of failure to file monthly financial reports.

48. Pierros Italian Bistro, Inc.
T/A **Pierros Italian Bistro**
217 Hay Street
Fayetteville, NC 28301
00133909AJ-999
AJ AN AL AY BX
Cumberland County ABC Board

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charges of performing services while or after consuming alcoholic beverages and tax stamp not permanently defaced.

49. S R I Ganapahi, LLC
T/A **Quality Food Mart of Fuquay Varina**
1325 Broad Street
Fuquay Varina, NC 27526
00116026AK-999
AK AO AM
ALE District IV

Offer in Compromise – 40-day suspension with the last 37 days suspended upon payment of \$3,000.00 on charge of selling to an underage person.

50. Richard Landas Barefoot
T/A **Railroad Street Steakhouse**
102 SW Railroad Street
Roseboro, NC 28382
00183832AJ-999
AJ AL AY
ALE District III

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of knowingly selling or giving alcoholic beverages to an intoxicated person.

51. Ronak Patel
T/A **7 Eleven Store 36993A**
718-A West Trade Street Unit 1
Charlotte, NC 28202
00234697AK-999
AK AO AM
Mecklenburg County ABC Board

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00 on charge of selling to an underage person.

52. Plaza Azteca Raleigh, Inc.
T/A **San Jose Tacos and Tequila**
7961 Skyland Ridge Parkway, Suite 125
Raleigh, NC 27617
00208164AJ-999
AJ AL AY
ALE District IV

Offer in Compromise – 45-day suspension, suspended upon payment of \$4,500.00 on charges of (1) destroying, altering or defacing the mixed beverage tax stamps required to be affixed to liquor containers before the containers had been emptied, (2) missing tax stamps, (3) tax stamp not permanently defaced, (4) failure to dispose of a bottle of spirituous liquor as soon as the bottle was empty, (5) premixing mixed beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval and (6) failure to have food available at all times that alcoholic beverages are being served.

53. East Main Moonlight, LLC
T/A **Shophe and Calavera**
370 East Main Street, Suite 180
Carrboro, NC 27510
00226003AJ-999
AJ AL AY BX
Carrboro Police Department

Offer in Compromise – 20-day suspension with 3 days credit given for suspension served while on temporary permits with the remaining 17-day suspension avoided upon payment of \$2,000.00 on charge of giving to an underage person.

54. Stache House, LLC
T/A **Stache House**
1520 South Blvd., Suite 120
Charlotte, NC 28203
00205135AJ-999
AJ AN AL AZ
Mecklenburg County ABC Board

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00 on charges of failure to limit the use of the private club facilities to only members and their guests on the licensed premises and failure to superintend.

55. Town Food Mart, Inc.
T/A **Town Food Mart**
200 Linden Avenue
Oxford, NC 27565
00193100AK-999
AK AO AM
ALE District IV

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,250.00 on charges of transferring glass tubes or splitters without requiring each transferee to sign his or her name verifying that the article purchased would not be used as drug paraphernalia in a log maintained for that purpose on the licensed premises and possessing counterfeit goods for resale on the licensed premises.

56. Village Supermarket, LLC
T/A **Village Market**
520 Causeway Drive
Wrightsville Beach, NC 28480
00161370AK-996
AK AM
ALE District I

Offer in Compromise – 40-day suspension with the last 37 days suspended upon payment of \$3,000.00 on charge of selling to an underage person.

57. Loyal Order of Moose
T/A **Washington Moose Lodge 1800**
322 Flanders Filter Road
Washington, NC 27889
08919J-998
AJ AS AZ
Beaufort County ABC Board

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of (1) destroying, altering or defacing the mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied, (2) missing tax stamps and (3) failure to limit the use of the private club facilities to only members and their guests on the licensed premises.

Cancellation:

58. Nantahla Brewing Company, Inc.
T/A **Nantahla Brewing Company**
61 Depot Street
Bryson City, NC 28713
00185746AJ-999
AJ AZ
ALE District VIII

Offer in Compromise – Cancel Mixed Beverages Private Club permit on charge of failure to maintain a current alphabetical roster of all members and their complete addresses on the premises.