

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

Summary of Action Taken On
Wednesday, January 15, 2014

SECTION I
CONTESTED CASES

Summary Judgment:

1. Alvin Boyd Turner
T/A **Community Store**
106 South Guthrie Avenue
Durham, NC 27703
00123565AK-999
AK AO
ALE District IV

Imposition of Decision of Administrative Law Judge – Cancel ALL ABC Permits on charge of permittee no longer eligible to hold permits (convicted of Failing to Supervise and Possession of Stolen Goods in Durham County District Criminal Court).

Suspension:

2. Art in a Pickle, LLC
T/A **Neal's Deli**
100-C East Main Street
Carrboro, NC 27510
00160595AJ-999
AJ AL
Carrboro Police Department

Imposition of Decision of Administrative Law Judge – 20-day suspension of Malt Beverage On Premise and Unfortified Wine On Premise Permits *and* payment of \$500.00 on charge of selling to an underage person.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

3. Shree Maruti, LLC
T/A **Amoco Food Shop 4**
725 South Tarboro Street
Wilson, NC 27893
00132142AK-999
AK AO
ALE District II

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

4. Eneyda Cespedes
T/A **El Tucanazo Bar**
2400 Paula Street
Raleigh, NC 27608
00175941AJ-998
AJ AL AZ
Wake ABC Board

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,500.00 on charge of transferring mixed beverage tax stamps from one spirituous liquor container to another.

5. Khodal Business, Inc.
T/A **Food Mart 2**
6407 Ward Boulevard
Wilson, NC 27893
00163837AK-998
AK AO AM
ALE District II

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

6. SMSHI, LLC
T/A **Haroon Food Mart**
2824 Hwy 301 South
Wilson, NC 27893
00170946AK-999
AK AM
ALE District II

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

7. Pantry, Inc.
T/A **Kangaroo Express 386**
500 Jones Ferry Road
Carrboro, NC 27510
Q11443-855
AK AO AM
Carrboro Police Department

Offer in Compromise – 24-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

8. Chamberlin International, LLC
T/A **Lidos the Euro Spot**
102 Person Street, Suite A-B
Fayetteville, NC 28301
00178112AJ-999
AJ AL AY
Cumberland ABC Board

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charges of (1) performing services while or after consuming alcoholic beverages (two counts), (2) premixing mixed beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval, (3) failure to allow alcohol law enforcement agents/officers to view the entire premises during a lawful inspection and (4) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

9. On the Run, Inc.
T/A **On the Run**
739 Ward Boulevard
Wilson, NC 27893
00188768AK-999
AK AO AM
ALE District II

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

10. Hameed Ali Mozeb
T/A **Sam's Tobacco Shop**
3332 A-3 Airport Boulevard
Wilson, NC 27896
00109592AK-996
AK AO AM
ALE District II

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

11. J Nyce, Inc.
T/A **Sandy's Convenience 2**
300 Herring Avenue
Wilson, NC 27893
00185499AK-999
AK AO AM
ALE District II

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

12. Yeman Food Mart, Inc.
T/A **Yeman Food Mart**
803 US Hwy 301 North
Wilson, NC 27893
00149028AK-999
AK AO AM
ALE District II

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

13. Bernardins, Inc.
T/A **Bernardins Restaurant**
901 West Fourth Street
Winston-Salem, NC 27101
56584A-998
AJ AN AL AY
Triad Municipal ABC Board

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of failure to have a key available on the premises at all times to unlock a designated storage area for spirituous liquor.

14. MM Fowler, Inc.
T/A **Bragtown BP 130**
3101 Roxboro Road
Durham, NC 27704
Q11390-976
AK AO AM
ALE District IV

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

15. Carlie C's of Owen Drive, LLC
T/A **Carlie C's IGA 850**
1790 Owen Drive
Fayetteville, NC 28304
00138439AK-999
AK AO AM
Cumberland ABC Board

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

16. Armada Inn, Inc.
T/A **Comfort Inn Ocean Front South**
8031 Old Oregon Inlet Road
Nags Head, NC 27959
49948A-998
AJ AL CY
ALE District I

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charges of allowing the illegal sell of alcoholic beverages on the licensed premises and missing tax stamps.

17. Mary Delores Springs
T/A **Crystal on the Plaza**
3018 The Plaza
Charlotte, NC 28205
00099773AJ-999
AJ AL AZ
Mecklenburg ABC Board

Offer in Compromise – Seven-day suspension, suspended upon payment of \$750.00 on charges of premixing mixed beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval and failure to clear tables/counters.

18. Dinas Grill and Taco Bar, Inc.
T/A **Dinas Grill and Taco Bar**
6406 Old Pineville Road
Charlotte, NC 28217
00182462AJ-999
AJ AY
Mecklenburg ABC Board

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

19. Diver Down, Inc.
T/A **Dive Restaurant Bar and Grill**
6 North Lake Park Boulevard, Unit C
Carolina Beach, NC 28428
00161696AJ-999
AJ AL AY
ALE District III

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to have food available at all times that alcoholic beverages were being served.

20. Enan Omar Albarati
T/A **5 Star Mini Mart 2**
2101 Cedar Creek Road
Fayetteville, NC 28301
00155337AK-999
AK AO
Cumberland ABC Board

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of failure to keep the sales tickets and delivery receipts furnished by the wholesaler, as well as other records of purchases of malt beverages and wine, filed separate and apart from all other records.

21. Beroth Oil Company
T/A **4 Brothers Food Stores**
800 South State Street
Yadkinville, NC 27055
Q11367-965
AK
Triad Municipal ABC Board

Offer in Compromise – 24-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

22. Harris Teeter, Inc.
T/A **Harris Teeter 331**
3430 Ten Ten Road
Cary, NC 27518
Q11307-766
AK AO AM CE DF
Wake ABC Board

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

23. Hye Sook Lee
T/A **Iguana**
5873 Albemarle Road
Charlotte, NC 28212
00117935AJ-999
AJ AY
Mecklenburg ABC Board

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

24. Oasis Latin Club Corp.
T/A **Johnny and Junes Ultra Saloon**
2105 Peters Creek Parkway
Winston-Salem, NC 27127
00157110AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of delivering more than one drink at one time to a single patron for personal consumption and knowingly selling alcoholic beverages to an intoxicated person (two counts).

25. King Neptune WB, LLC
T/A **King Neptune**
11 North Lumina Avenue
Wrightsville Beach, NC 28480
00195840AJ-999
AJ AN AL AY
ALE District III

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of delivering more than one drink at one time to a single patron for consumption and failure to have food available at all times that alcoholic beverages are being served.

26. Seung Kook Lee
T/A **Lees Grocery**
4609 North Cherry Street
Winston-Salem, NC 27105
66636B-999
AK AO AM
Triad Municipal ABC Board

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

27. Mata Grocery, Inc.
T/A **Mata III Sav Go**
913 West Main Street
Yadkinville, NC 27055
00162166AK-998
AK AO AM
Triad Municipal ABC Board

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

28. **Murphy's, Inc.**
T/A Murphy's Restaurant
747 West King Street
Boone, NC 28607
67390A-999
AJ AL AY
Boone Police Department

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

29. **Quality Oil Company, LLC**
T/A Quality Mart 32
1580 Hwy 66
Kernersville, NC 27284
Q11541-986
AK AM
Triad Municipal ABC Board

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

30. **Red Robin International, Inc.**
T/A Red Robin Americas Gourmet Burgers and Spirits
5324 Durham Chapel Hill Boulevard
Durham, NC 27707
Q11560-994
AJ AN AL AY
ALE District IV

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

31. **Get N Go, Inc.**
T/A 3 Brothers 2
413 East Main Street
Boonville, NC 27011
00141417AK-997
AK AM
Triad Municipal ABC Board

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

32. Walgreen Company
T/A **Walgreens 02540**
2184 Blowing Rock Boulevard
Boone, NC 28607
Q11588-993
AK AM
Boone Police Department

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

33. Jose Elias Bautista
T/A **Bar Mexico Lindo**
2705 Walkup Avenue
Monroe, NC 28110
00161531AJ-999
AJ AZ
Monroe Police Department

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of (1) failure to separate, store and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises, (2) failure to keep the sales tickets and delivery receipts furnished by the wholesaler, as well as all other records of purchases of malt beverages and wine on the premises for three years and (3) displaying point of sale advertising in a manner designed to advertise malt beverages on the outside of the establishment on other than a food menu on the licensed premises.

34. B and R, Inc.
T/A **C Mart 10**
1523 Rouse Road
Kinston, NC 28504
00198267AK-999
AK AO AM
ALE District II

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

35. Brinker North Carolina, Inc.
T/A **Chilis Grill and Bar**
348 East Hanes Mill Road
Winston-Salem, NC 27105
Q11408-959
AJ AN AL AY
Triad Municipal ABC Board

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

36. ERD, Inc.
T/A **Devines**
904 West Main Street
Durham, NC 27701
34308A-999
AJ AN AL AY
ALE District IV

Offer in Compromise – 24-day suspension, suspended upon payment of \$2,400.00 on charge of selling to underage persons.

37. Marco Antonio Ramos, Jr.
T/A **Due Bambini Pizza**
3800 Reynolda Road, Suite 350
Winston-Salem, NC 27106
00208425AJ-999
AJ
ALE District VI

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

38. Jay Shree Varahi, Inc.
T/A **Dueys Stop and Shop 4**
315 West South Main Street
Waxhaw, NC 28173
00157498AK-999
AK AO AM
Waxhaw Police Department

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

39. El Nevado Mini Super, LLC
T/A **El Nevado Mini Super**
4719 Central Avenue
Charlotte, NC 28205
00207342AK-999
AK
Mecklenburg ABC Board

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

40. Elizabeths Pizza Oak Ridge, LLC
T/A **Elizabeths Pizza Oak Ridge**
2205 Oak Ridge Commons, Suite U-V
Oak Ridge, NC 27310
00115531AJ-999
AJ AL AV
Triad Municipal ABC Board

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

41. Haran, Inc.
T/A **Food Circus Store**
3801 Wake Forest Hwy
Durham, NC 27703
00209205AK-999
AK AO AM
ALE District IV

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

42. Food Lion, LLC
T/A **Food Lion 142**
602 Jones Ferry Road
Carrboro, NC 27510
Q11473-699
AK AO AM
Carrboro Police Department

Offer in Compromise – 24-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

43. Greg Bradshaw, LLC
T/A **Greg's Food Mart**
314 North Piedmont Avenue
Kings Mountain, NC 28086
00177821AK-999
AK
Kings Mountain Police Department

Offer in Compromise – 24-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

44. Jerry Lee Caton
T/A **Jerry's Texaco Service**
8700 Mount Holly Road
Charlotte, NC 28214
21617B-998
AK AO AM
Mecklenburg ABC Board

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00 on charge of possessing a slot machine on the licensed premises.

45. Pantry, Inc.
T/A **Kangaroo Express 818**
2015 Old NC 86
Hillsborough, NC 27278
Q11443-923
AK AO AM
ALE District IV

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

46. Pantry, Inc.
T/A **Kangaroo Express 823**
5801 Tryon Road
Cary, NC 27511
Q11443-967
AK AM
Wake ABC Board

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

47. Mazatlan of Williamston, Inc.
T/A **Mazatlan Mexican Restaurant**
303 East Boulevard
Williamston, NC 27892
00092203AJ-999
AJ AL AY
ALE District I

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

48. Mebs Mart, Inc.
T/A **On the Road**
812 North Charlotte Avenue
Monroe, NC 28110
00188197AK-999
AK AO AM
Monroe Police Department

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

49. Ashley Su-Zan Cox
T/A **Parkway Tavern**
1512 M-N-O Zoo Parkway
Asheboro, NC 27205
00200068AJ-999
AJ AZ
Asheboro Police Department

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

50. Sharif Anan Hassan
T/A **Quick Shop**
2461 Carolina Beach Road
Wilmington, NC 28401
00194309AK-998
AK AO AM
ALE District III

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of transferring a glass tube or splitter without maintaining a record of transactions on the licensed premises.

51. Jacksonville Group, Inc.
T/A **Rays Market**
110 Liberty Drive
Jacksonville, NC 28546
00191865AK-998
AK AO AM
Jacksonville Police Department

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

52. Entertainment Group, Inc.
T/A **Red Dogs**
5 North Lumina Avenue
Wrightsville Beach, NC 28480
10072A-999
AJ AL AZ
ALE District III

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00 on charge of allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises.

53. Betty Fay Riley
T/A **Rileys Convenient Mart**
1012 Orange Street
Wilmington, NC 28401
00174897AK-999
AK AO
ALE District III

Offer in Compromise – Seven-day suspension, suspended upon payment of \$1,000.00 on charges of transferring glass tubes without maintaining a record required by law on the licensed premises and failure to qualify for an off-premise fortified wine permit by maintaining less than \$1,500.00 inventory of staple foods on licensed premises other than a wine shop.

54. Genovese Drug Stores, Inc.
T/A **Rite Aid Store 11312**
1485 River Ridge Drive
Clemmons, NC 27012
00131548AK-998
AK AM
Triad Municipal ABC Board

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

55. Partnership
T/A **SRV Food Mart**
1500 East Sprague Street
Winston-Salem, NC 27107
00101236AK-999
AK AO AM
Triad Municipal ABC Board

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of selling alcoholic beverages on Sunday between the hours of 2:00 AM and 12:00 Noon on the licensed premises and selling to an underage person.

56. 7 Eleven, Inc.
T/A **7 Eleven Store 36069**
2375 Lewisville Clemmons Road
Clemmons, NC 27012
Q11347-899
AK AM
Triad Municipal ABC Board

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

57. Sherefe Restaurants, Inc.
T/A **Sherefe**
114 Gillespie Street
Fayetteville, NC 28301
00200004AJ-999
AJ AL AY
Cumberland ABC Board

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00 on charges of (1) permitting the possession or consumption of fortified wine, spirituous liquor or mixed beverages upon premises where such possession or consumption is not authorized by law, (2) tax stamps not permanently defaced and (3) missing tax stamps.

58. Andraos Brothers Corp.
T/A **2 Brothers 3**
100 Martin Luther King Drive
Winston-Salem, NC 27101
65005B-997
AK AO AM
Triad Municipal ABC Board

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

59. Weaver Street Market, Inc.
T/A **Weaver Street Market**
228 South Churton Street
Hillsborough, NC 27278
45096A-995
AJ AN AL
ALE District IV

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

Cancellations:

60. K Tran, LLC
T/A **Mi Cabana**
200 Eastway Drive
Charlotte, NC 28213
Mecklenburg ABC Board

Petition Filed

61. Mugs Away of Jacksonville, Inc.
T/A **Mugs Away**
1202 Gum Branch Road
Jacksonville, NC 28540
00188946AJ-999
AJ AL AZ
Jacksonville Police Department

Offer in Compromise – Cancel ALL ABC Permits on charges of (1) 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, (2) failure to superintend (two counts), (3) failure to restrict the private club premises to only members and their bona fide guests and (4) knowingly allowing violations of the controlled substance statutes to occur on the licensed premises.

62. Saleh O. Hamid
T/A Shop N Go Gas and Grill
11585 NC Hwy 42 East
Middlesex, NC 27557
00136070AJ-999
AJ AO AM AY
ALE District IV

Offer in Compromise – Cancel ALL ABC Permits on charge of location occupied is detrimental to the neighborhood.