

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

Summary of Action Taken On
Wednesday, June 18, 2014

SECTION I
CONTESTED CASES

Suspensions:

1. Hoa Van Tran
T/A **BP 4**
531 Roosevelt Blvd
Monroe, NC 28110
00138563AK-999
AK AO AM
Monroe Police Department

Imposition of Decision of Administrative Law Judge – 24-day suspension of Malt Beverage Off Premise, Fortified Wine Off Premise and Unfortified Wine Off Premise permits *and* payment of \$1,000.00 on charge of selling to an underage person (two counts).

2. Jada Holdings, LLC
T/A **Tipsy McStaggers Pub**
3319 Raeford Road, Suite E-F
Fayetteville, NC 28303
00201128AJ-999
AJ AN AL AZ
ALE District V

Imposition of Decision of Administrative Law Judge – One-year suspension of Mixed Beverages Private Club permit on charge of failure to file annual financial reports.

3. Earl L. Pickett Enterprises, Inc.
T/A **Town N Country 7**
3101 University Drive
Durham, NC 27707
37667B-997
AK AO AM
ALE District IV

Imposition of Decision of Administrative Law Judge – (1) Cancellation of Fortified Wine Off Premise permit for failure to qualify for an off-premise fortified wine permit by maintaining less than \$1,500 inventory of staple foods, and (2) 10-day suspension of Malt Beverage Off Premise and Unfortified Wine Off Premise permits on charge of transferring glass tubes without maintaining a log of the buyer's name and address.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

4. So Co Diep
T/A **Asia Grocery Store**
880 Peters Creek Parkway
Winston-Salem, NC 27103
00134775AK-999
AK
ALE District VI

Offer in Compromise – 60-day suspension with the last 45 days suspended upon payment of \$5,000.00 on charge of selling to an underage person.

5. GHCM, Inc.
T/A **Central Station**
2131 Central Avenue
Charlotte, NC 28205
00177439AJ-999
AJ AZ
Mecklenburg ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of tax stamp not permanently defaced.

6. PC Enterprise, LLC
T/A **Circle D Food Mart 9**
1013 North Road Street
Elizabeth City, NC 27909
00119000AK-999
AK AO AM
ALE District I

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

7. Jay Mataji 1, Inc.
T/A **Cleveland Food Mart**
815 West Warren Street
Shelby, NC 28150
00181498AK-999
AK AO AM
Shelby Police Department

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

8. 2000 Food Corp, Inc.
T/A **Compare Foods**
2000 Avondale Drive
Durham, NC 27704
00148515AK-999
AK AO AM
ALE District IV

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

9. NC CVS Pharmacy, LLC
T/A **CVS Pharmacy 5341**
1142 North Broome Street
Waxhaw, NC 28173
Q11572-965
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.

10. Beaches International, Inc.
T/A **East End Oyster and Martini Bar**
201-C East Franklin Street
Chapel Hill, NC 27514
00171729AJ-999
AJ AN AL AZ
ALE District IV

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 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.

11. Farmers Foods of NC, LLC
T/A **Farmers Foods**
300-C Virginia Road
Edenton, NC 27932
00134519AK-999
AK AO AM
ALE District I

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

12. Mahamed Saleh Hanshali
T/A **Five Points Grocery Store**
1110 Goldsboro Street
Wilson, NC 27893
54774B-998
AK AM
ALE District II

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00 on charge of selling to an underage person.

13. Fuse Buffet, Inc.
T/A **Fuse Buffet**
8302 University Executive Park Drive
Charlotte, NC 28262
00201487AJ-999
AJ AL
Mecklenburg ABC Board

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

14. Ingles Markets, Inc.
T/A **Ingles Markets 147**
2115 Shelby Road
Kings Mountain, NC 28086
Q11141-912
AK AO AM AP
Kings Mountain Police Department

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

15. Nely May Ascencio
T/A **Joyeria Nely**
145 South Main Street
Candor, NC 27229
00176783AK-999
AK
ALE District V

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00 on charge of selling to an underage person.

16. AP Capital, Inc.
T/A **JP Shelby**
1210 Fallston Road
Shelby, NC 28150
Q11573-991
AK AO AM
ALE District VII

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

17. JYB Investments, LLC
T/A **Liberty Food Mart 2**
702 West Horah Street
Salisbury, NC 28144
00209764AK-999
AK AM
ALE District VIII

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

18. Shree Aum Shiv, Inc.
T/A **Linwood Family Mart**
511 Linwood Road
Kings Mountain, NC 28086
00198266AK-999
AK AO AM
Kings Mountain Police Department

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

19. Kelly Aumon Cummings
T/A **Mambo Club**
503 Brogden Road
Smithfield, NC 27577
57490A-993
AJ
ALE District IV

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charges of delivering more than one drink at one time to a single patron for personal consumption and giving away or selling alcoholic drinks at a price that is different from the usual price to a segment of the population.

20. Pepperoni Grill NC, LLC
T/A **Pepperoni Grill**
3156-1 George II Hwy
Southport, NC 28461
00163270AJ-999
AJ AL
ALE District III

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of performing services while or after consuming alcoholic beverages and 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.

21. Angela Perry
T/A **Perrys Fast Mart**
2493 Schloss Road
Louisburg, NC 27549
00125750AK-999
AK
ALE District IV

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of allowing consumption of malt beverages while upon premises having only an Off Premise Malt Beverage permit.

22. Souphab Restaurant Group, Inc.
T/A **Soups Place Vietnamese Restaurant and Bar**
271 West 4th Street
Winston-Salem, NC 27101
00125724AJ-999
AJ AN AL AY
Triad Municipal ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of tax stamps not permanently defaced and missing tax stamps.

23. Kalindri, Inc.
T/A **SP Food Mart**
4418 Lawndale Drive
Greensboro, NC 27455
00141132AK-999
AK AO AM
Greensboro Police Department

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

24. Swank The Bistro, LLC
T/A **Swank Thebistro**
1907 North Pine Street
Lumberton, NC 28358
00165376AJ-999
AJ AN AL AY BX
ALE District V

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of employee was or became intoxicated on the licensed premises.

25. Alnamer, Inc.
T/A **Tobacco House and Grocery**
947 Raleigh Road
Wilson, NC 27896
00180532AK-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.

26. Mary Adwang Deng
T/A **Tommys Food Market**
117 Brentwood Street
High Point, NC 27260
00201447AK-999
AK AO AM
High Point Police Department

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

27. Erwin Oil Company, Inc.
T/A **Airport Boulevard Mobil**
960 Airport Boulevard
Morrisville, NC 27560
15846A-989
AK AM
Wake County ABC Board

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

28. Cherie DeLoria Parsons
T/A **Alibi**
819 West Avenue
Lenoir, NC 28645
00177244AJ-999
AJ AL AY
ALE District VII

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) premixing mixed beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval, (2) tax stamp not permanently defaced and (3) missing tax stamp.

29. CNCY, Corp.
T/A **Apple Tree Grocery**
1105 East Green Drive
High Point, NC 27260
00099024AK-999
AK AO AM
High Point Police Department

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

30. KJ and P Enterprises, Inc.
T/A **Brentwood Grocery**
1804 Wade Place
High Point, NC 27260
00099025AK-999
AK AO AM
High Point Police Department

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

31. Campus Store, LLC
T/A **Campus Store**
316 East 10th Street
Greenville, NC 27858
00196701AK-999
AK AM
ALE District II

Offer in Compromise – 24-day suspension with the last 12 days suspended upon payment of \$1,200.00 on charge of selling to an underage person (two counts).

32. Casa Mexicana, Inc.
T/A **Casa Mexicana**
165 Montgomery Crossing
Biscoe, NC 27209
00162857AJ-999
AJ AY
ALE District V

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

33. Partnership
T/A **Clayton Mart**
208 East Main Street
Clayton, NC 27520
00188093AK-999
AK AO 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.

34. Wilfredo Santo Acosta
T/A **Club 301**
1688 South Pollock Street
Selma, NC 27576
00204907AJ-999
AJ AN AL AZ
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.

35. Shivom, Inc.
T/A **County Line**
5700 Randleman Road
Randleman, NC 27317
00151876AK-998
AK AM
ALE District VI

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

36. Crows Nest Yacht Club, Inc.
T/A **Crows Nest Yacht Club**
407 Atlantic Beach Causeway
Atlantic Beach, NC 28512
00131340AJ-999
AJ AL
ALE District II

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of permitting the possession of spirituous liquor on premises where such possession is not authorized by law.

37. Dolgencorp, LLC
T/A **Dollar General Store 7810**
22712 NC 903
Robersonville, NC 27871
Q11589-612
AK AM
ALE District I

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

38. Felix, Inc.
T/A **El Sombrero Mexican Restaurant**
5079 University Parkway
Winston-Salem, NC 27106
67539A-999
AJ AN AL AY
Triad Municipal ABC Board

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of (1) failure to purchase malt beverages only from a wholesaler, (2) failure to maintain an accurate inventory reflecting withdrawals from spirituous liquor stock for purposes of premixing, (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 and (4) missing tax stamps.

39. Loyal Order of Moose
T/A **Elizabeth City Lodge 1847**
1101 West Ehringhaus Street
Elizabeth City, NC 27909
15550J-999
AJ AR AS
ALE District I

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) participating in or did allow the operation of a game of chance where money, property, or other thing of value was bet, (2) failure to see that a locker storing a member's alcoholic beverages was locked when that member was not on the licensed premises, (3) failure to destroy immediately the unconsumed portion of an alcoholic beverage left by a customer on the licensed premises, (4) allowing a person who is not a member or a guest or a member to purchase or possess alcoholic beverages on the premises and (5) failure to superintend.

40. Ibrahim Mohamed Alhaj
T/A **Ellis Avenue Food Mart**
1100 North Ellis Avenue
Dunn, NC 28334
00149925AK-999
AK AO AM
Cumberland ABC Board

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

41. Mucho Mexico Sizzlin, Inc.
T/A **Fajitas Mexican Restaurant**
650 Firetower Road, Suite F
Winterville, NC 28590
00102391AJ-998
AJ AL AY
Pitt ABC Board

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

42. Galway Hooker Irish Pub, LLC
T/A **Galway Hooker Irish Pub**
17044 Kenton Drive
Cornelius, NC 28031
00118163AJ-999
AJ AN AL AY BX
Mecklenburg ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises and failure to clear tables/counters.

43. EJ Pope and Son, Inc.
T/A **Handy Mart 47**
1605 Herring Avenue
Wilson, NC 27893
Q11210-955
AK AO AM
ALE District II

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

44. MH Holdings, Inc.
T/A **Hush**
3500 East Independence Boulevard
Charlotte, NC 28205
00201941AJ-999
AJ AL AZ
Mecklenburg ABC Board

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

45. Hina Shrina, LLC
T/A **Indian Valley Mini Mart**
609 Greenwood Drive
Burlington, NC 27217
00176298AK-999
AK
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.

46. Emad Khalaf Samy
T/A **Ingleside Grocery**
3573 Hwy 39 North
Louisburg, NC 27549
00165647AK-999
AK 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.

47. Ali Noaman Mohamed
T/A **K and A Convenience Store**
1000-A West 5th Street
Greenville, NC 27834
00085680AK-999
AK AO AM
ALE District II

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of (1) possessing for sale glass tubes without maintaining on the licensed premises a record of the sales, (2) transferring a glass tube without collecting the information required and (3) sold an adulterant that is intended to be used to adulterate a urine or other bodily fluid sample for the purpose of defrauding a drug test.

48. Kathy Marie Hodgson
T/A **Kathys Mini Mart**
936 Washington Street
Eden, NC 27288
57869B-999
AK AO AM
ALE District VI

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

49. Alfonso Gaona
T/A **La Cosecha**
103 Church Street
Biscoe, NC 27209
00186824AK-999
AK
ALE District V

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

50. La Esquina Latina NC, Inc.
T/A **Latin Corner**
421 Chapanoke Road, Suite 105
Raleigh, NC 27603
00209697AJ-999
AJ
ALE District IV

Offer in Compromise – 21-day suspension, suspended upon payment of \$2,100.00 on charges of (1) possessing alcoholic beverages, the possession of which is not authorized by the ABC laws or by the permits issued to the permittee, (2) selling alcoholic beverages between the hours of 2:00 AM and 12:00 Noon, (3) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 12:00 Noon on the licensed premises and (4) failure to clear tables/counters.

51. Abdulgaber Abdulla Alfalahy
T/A **Lucky Seven**
7603 Raeford Road
Fayetteville, NC 28314
00140791AK-999
AK AO AM
ALE District V

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00 on charges of selling to an underage person (two counts) and advertising the availability of malt beverages on a mechanical sign on the outside of the establishment.

52. Southern Sales of Aberdeen, Inc.
T/A **Macs Food Store 4**
735 Sandpit Road
Aberdeen, NC 28315
03651B-997
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.

53. Mikes Food Store, Inc.
T/A **Mikes**
805 Earl Road
Shelby, NC 28150
65273B-995
AK
ALE District VII

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

54. Art in a Pickle, LLC
T/A **Neals Deli**
100-C East Main Street
Carrboro, NC 27510
00160595AJ-999
AJ AL
Carrboro Police Department

Offer in Compromise – 27-day suspension, suspended upon payment of \$2,700.00 on charges of engaging in disorderly conduct on the licensed premises and selling to an underage person.

55. Adof Entertainment Group, Inc.
T/A **935**
935 South Summit Avenue
Charlotte, NC 28208
00166830AJ-999
AJ AN AL AZ
Mecklenburg ABC Board

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

56. PK Mart, LLC
T/A **PK Mart 2**
4945 Raleigh Road
Wilson, NC 27896
00121125AK-997
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.

57. Cosmos Venture, LLC
T/A **Pantry Shop 4**
3000 West English Road
High Point, NC 27262
00128542AK-999
AK AO AM
High Point Police Department

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

58. Haji Sonia, Inc.
T/A **Pauls Food Mart**
920 Benjamin Benson Street
Greensboro, NC 27406
00203267AK-999
AK AO AM
ALE District VI

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00 on charge of selling to an underage person.

59. Mehul Patel
T/A **Quality Food Mart**
2321 Battleground Avenue
Greensboro, NC 27408
00191335AK-999
AK AO AM
ALE District VI

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00 on charge of selling to an underage person.

60. United Fuels, LLC
T/A **Quik Chek**
103 South Main Street
Candor, NC 27229
Q11553-990
AK
ALE District V

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

61. Richard Brooks Ward
T/A **Smokers Haven and Beverage Shop**
110 East Strawberry Boulevard
Chadbourn, NC 28431
00086859AK-998
AK
ALE District III

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of transferring splitters without maintaining a record of the sale, while on the licensed premises.

62. Snow Hill Corner Store, LLC
T/A **Snow Hill Corner Store**
108 Kingold Boulevard
Snow Hill, NC 28580
00210463AK-999
AK
ALE District II

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

63. JJ's Drive Thru, Inc.
T/A **Speed Drive Thru**
357 Henderson Drive
Jacksonville, NC 28540
00188634AK-999
AK AO AM
ALE District III

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) failure to qualify for an off-premise fortified wine permit by maintaining less than \$1,500 inventory of staple foods, (2) possessing for sale to the general public prescription contact lenses without being a licensed physician or optometrist, (3) failure to maintain a registry for the sale of glass tubes on the licensed premises and (4) possessing for sale and/or sold items with a counterfeit mark on the licensed premises.

64. Gill Company
T/A **Turner Mini Mart 3**
1029 Benvenue Road
Rocky Mount, NC 27804
00170888AK-999
AK AO AM
ALE District I

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

65. Walgreen Company
T/A **Walgreens 09987**
3601 Rogers Road
Wake Forest, NC 27587
Q11588-859
AK AM
Wake ABC Board

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

66. Wal Mart Stores East LP
T/A **Wal Mart Supercenter 4459**
1205 Eastern Avenue
Nashville, NC 27856
Q11492-897
AK AO AM
Nash ABC Board

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

67. James Leonard Jacobs
T/A **Zero Degreez Nite Club**
4350 Cumberland Road
Fayetteville, NC 28306
00195129AJ-999
AJ AL AZ
Cumberland ABC Board

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00 on charge of employee consuming alcoholic beverages upon the licensed premises while wearing employee uniform.