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

Summary of Action Taken On Wednesday, March 9, 2016

SECTION I

OFFERS IN COMPROMISE

Zack and Nael, Inc.
 T/A City Gas
 1799 North Greene Street
 Greenville, NC 27834
 00227170AK-999
 AK AO 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.

2. Country Club of North Carolina, Inc.

T/A Country Club of North Carolina 1600 Morganton Road Pinehurst, NC 28370 09444J-999 AJ AN AL AR AS AZ BX Moore County Sheriff's Office

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

3. Ibrahim Mohamad Yabai

T/A Freddys Stop Foodmart 1548 Bingham Drive Fayetteville, NC 28304 00142034AK-999 AK AO AM ALE District III

Offer in Compromise – Five-day suspension of Malt Beverage Off-Premise and Unfortified Wine Off-Premise permits, suspended upon payment of \$500.00, on charge of failure to maintain invoices. Cancellation of Fortified Wine Off-Premise permit on charge of failure to qualify by maintaining less than \$1,500.00 inventory of staple foods on licensed premises.

4. Beverly Haddock Thorburn

T/A **Haddocks Barbecue** 10795 County Home Road Ayden, NC 28513 00183113AJ-999

AJ

Pitt County ABC Board

Offer in Compromise – Eight-day suspension, suspended upon payment of \$750.00 on charge of permitting the possession or consumption of spirituous liquor upon premises where such possession or consumption is not authorized by law.

5. SMSHI, LLC

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

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to maintain a record of transfers of glass tubes as required on the licensed premises.

6. Parth, Inc.

T/A K and M Corner Stop 440 Kerr Street Concord, NC 28205 00083727AK-998 AK AO AM ALE District VI

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00 on charges of (1) failure to post each ABC permit, (2) 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 (3) failure to maintain at least one exterior sign stating the trade name of the licensed premises as it appears on the permit.

7. Circle K Stores, Inc.

T/A **Kangaroo Express 3971** 10000 North Tryon Street Charlotte, NC 28262 Q11434-675 AK AM Mecklenburg County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$2,000.00 on charge of selling to an underage person.

8. All Investments Company, Inc.

T/A **Mambo 69**2221 New Hope Church Road
Raleigh, NC 27604
00216782AJ-999
AJ AL AZ
Wake County ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of failure to post the appropriate county beer and wine retail license and failure to require each prospective member to complete a written application that contains questions directly related to the applicant's interest in the social, patriotic, fraternal or recreational purpose of the private club on the licensed premises.

9. Intended Consequences, LLC T/A McPhersons Bar and Grill 5710 High Point Road, Suite N Greensboro, NC 27407 00215910AJ-999 AJ AN AL AY Greensboro Police Department

Offer in Compromise – 27-day suspension, suspended upon payment of \$2,700.00 on charge of knowingly possessing gambling equipment on the licensed premises.

10. Lapjet, Inc.

T/A **Petro 66**498 West Bodenhamer Street
Kernersville, NC 27284
00150305AK-999
AK 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.

11. Sandbar Saloon, Inc.

T/A **Sandbar Saloon** 1713 North New River Drive Surf City, NC 28445 00154889AJ-999 AJ AN AL AZ 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. Speedway, LLC

T/A Speedway 7901

1016 North Brightleaf Blvd.

Smithfield, NC 27577

Q11615-869

ΑK

ALE District IV

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

13. DGJ Enterprises, LLC

Dismissed

T/A Ultra Lounge

2815 Crisman Street, Suites B-E

Charlotte, NC 28208

Mecklenburg County ABC Board

14. GP Carrboro, Inc.

T/A Amante Gourmet Pizza

300 East Main Street, Suite F

Carrboro, NC 27510

00131999AJ-998

AJ AL

Carrboro 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.

15. New Apple, Inc.

T/A Applebees Neighborhood Grill and Bar 37

1909-A Hwy. 421

Wilkesboro, NC 28697

Q11531-999

AJ AL AY

ALE District VII

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

16. Bathtub Gins, Inc.

T/A Bathtub Gin

166 North Main Street

Mooresville, NC 28115

00175261AJ-999

AJ AL AZ

Audit Division

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

17. Ali Azkar Alizada

Continued T/A Big Boys Market BP Gas Station

5401-A West Market Street Greensboro, NC 27409 Greensboro Police Department

18. RL Tipper, LLC

T/A Blind Elephant 21 North Front Street, Unit F Wilmington, NC 28401 00207267AJ-999 AJ AL AZ ALE District I

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charges of (1) allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises, (2) failure to destroy immediately the unconsumed portion of an alcoholic beverage left by a customer, (3) failure to maintain a current alphabetical roster of all members and their complete addresses on the premises, and (4) failure to retain each application in the organization's permanent records on the licensed premises.

19. Breezeway Café, LLC

T/A Breezeway Café 100 East Divine Street Dunn, NC 28334 00205937AJ-999 AJ AL **Dunn Police Department**

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

20. Hala, Inc.

T/A Champions Bar and More 5563 Western Blvd., Suite 8A-9 Raleigh, NC 27606 61013A-999 AJ AL AZ Wake County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) displaying point of sale advertising, specialty item or a price board to advertise malt beverages / wine / mixed beverages on the outside of the establishment on other than a food menu, (2) failure to maintain a current alphabetical roster of all members and their complete addresses, (3) giving away or selling alcoholic drinks at a price that is different from the usual price for less than the entire business day to a segment of the population and (4) failure to retain a complete application in the club's permanent records on the licensed premises.

21. Brinker North Carolina, Inc.

T/A Chilis Grill and Bar 1534 1201 Market Center Drive Morrisville, NC 27560 Q11408-938 AJ AN AL AY Wake County ABC Board

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of missing tax stamps.

22. Carlos Ines Galdamez

T/A Chino Latino 2900 Holloway Street Durham, NC 27703 00217159AJ-999 AZ ALE District IV

Offer in Compromise -20-day suspension, suspended upon payment of \$2,000.00 on charges of allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises and selling and possessing alcoholic beverages for sale without first obtaining the applicable ABC permit and revenue license on the licensed premises.

23. Coyote Joes, Inc.

T/A Coyote Joes 4621 Wilkinson Blvd. Charlotte, NC 28208 52871A-999 AJ AN AL AZ ALE District VI

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to maintain a current alphabetical roster of all members and their complete addresses on the premises.

24. Delhi Darbar, Inc.

T/A **Delhi Darbar Indian Cuisine** 962-B Airport Blvd. Morrisville, NC 27560 00217107AJ-999 AJ AL AY Wake County ABC Board

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00 on charges of missing tax stamp and tax stamp not permanently defaced.

25. Los Tapatios of Washington, Inc.

T/A El Tapatio Mexican Restaurant

1302 Carolina Avenue Washington, NC 27889 00177649AJ-999 AJ AL AY

Beaufort County ABC Board

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

26. Greene Street Entertainment, Inc.

T/A Greene Street 113 North Greene Street Greensboro, NC 27401 00110551AJ-999 AJ AN AL AZ Greensboro Police Department

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of failure to submit to Commission an application for substitution of a manager within 30 days after employment as manager and failure to superintend.

27. Elizabeth Juanita Kline

T/A Just One More 5801 Castle Hayne Road, Suite 2 Castle Hayne, NC 28429 18965A-994 AJAZ

New Hanover County Sheriff's Office

Offer in Compromise - Five-day suspension, suspended upon payment of \$500.00 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 maintain on the premises, available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

28. Circle K Stores, Inc.

T/A Kangaroo Express 3104 1301 Arlington Blvd. Greenville, NC 27834 O11434-621 AK AO 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.

29. Aharmish, LLC

T/A Mollys Market

800 Mills Gap Road

Fletcher, NC 28732

00208225AK-999

AK AM

ALE District VIII

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

30. Monterrey Mexican Rest. of Chapel Hill, Inc.

T/A Monterrey Mexican Restaurant 43

237 South Elliott Road

Chapel Hill, NC 27514

67040A-999

AJ AN AL AY

Chapel Hill Police Department

Offer in Compromise – 30-day suspension with the last 25 days suspended upon payment of \$3,500.00 on charge of selling to an underage person.

31. Noir, LLC

T/A Noir Bar and Lounge

425 Glenwood Avenue

Raleigh, NC 27603

00173373AJ-999

AJ AN AL AZ

ALE District IV

Offer in Compromise -40-day suspension, suspended upon payment of \$4,000.00 on charges of (1) selling to an underage person, (2) failure to determine the age 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.

Continued

32. Priyanka, Inc.

T/A Pantry Shop 5

500 National Hwy.

Thomasville, NC 27360

ALE District V

33. Pizza Hut of Hillsborough, Inc.

T/A Pizza Hut

370 South Churton Street

Hillsborough, NC 27278

50903A-999

AJ

ALE District IV

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

34. Roxboro Express, Inc.

T/A **Roxboro Fuel Time** 1528 North Main Street Roxboro, NC 27573 00221955AK-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.

35. JNP Foodnara, LLC

T/A **Seoul Garden Restaurant** 5318-C West Market Street Greensboro, NC 27409 00193444AJ-999 AJ AL ALE District V

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of failure to purchase unfortified wine from a wholesaler and possessing fortified wine for sale without first obtaining the applicable ABC permit and revenue license on the licensed premises.

36. Russell Wesley Craig

T/A **Twin Oaks Sports Bar and Grill** 5242 Slanting Bridge Road Denver, NC 28037 47922A-994 AJ AL AY Audit Division

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to qualify as a restaurant by maintaining less than 30% of total gross receipts from food and nonalcoholic beverages.

37. BBG and Sons, Inc.

T/A **2 Exprezit 2** 305 East Mountain Street Kernersville, NC 27284 00208341AK-999 AK ALE District V

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

38. Talleywhacker, Inc.

T/A Arizona Petes 2900-A Patterson Street Greensboro, NC 27407 62464A-997 AJ AL AZ ALE District V

Offer in Compromise - 35-day suspension, suspended upon payment of \$3,500.00 on charges of failure to limit the use of the private club facilities to only members and their guests on the licensed premises (two counts) and failure to superintend.

39. Loyal Order of Moose

T/A Asheboro Moose Lodge 1659 688 Crestview Church Road Asheboro, NC 27205 00140022AS-999 AS

ALE District V

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of selling alcoholic beverages without first obtaining the applicable ABC permit and revenue licenses on the licensed premises and storing alcohol belonging to different members in the same storage locker on the licensed premises.

40. Tawfik Kaid Alahwas

T/A Atex Funny Mart 114 Strawberry Blvd. Chadbourn, NC 28431 00087506AK-996 AK AO AM ALE District I

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of knowingly allowing violations of the controlled substance statutes to occur on the licensed premises and performing services while or after consuming alcoholic beverages.

Mr Stix Billiards, Inc. 41.

T/A BB's Sports Bar 1569 West 5th Street Washington, NC 27889 00111027AJ-995 AJAZALE District II

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

42. Grubberia, LLC

T/A Big Als Pub and Grubberia

9306 Albemarle Road Charlotte, NC 28227 00225119AJ-999 AJ AN AL AY

Mecklenburg County ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of allowing the consumption of alcoholic beverages in an area of the premises other than those specifically approved by the Commission.

43. Rivers Parish, LLC

T/A **Bourbon Street** 35 North Front Street Wilmington, NC 28401 00226215AJ-999 AJ AL AY ALE District I

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of performing services while or after consuming alcoholic beverages (two counts).

44. Meng Dong Wang

T/A **China Fuji**615-7 Hampton Point Drive
Hillsborough, NC 27278
00226405AJ-999
AJ

ALE District IV

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

45. Noble Interstate Management Group, LLC

T/A Courtyard by Marriott Chapel Hill 100 Marriott Way Chapel Hill, NC 27514 00194052AJ-993 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.

46. D and M Enterprise, Inc.

T/A **DM's Sports and Spirits**4808 Ramsey Street, Suite 111
Fayetteville, NC 28311
00134553AJ-999
AJ AL AZ
Cumberland County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of failure to maintain a current alphabetical roster of all members and their complete addresses on the premises and allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises.

47. Mahfood A Al Montaser

T/A **Donnies Mini Mart**3381 US Hwy. 117 South
Burgaw, NC 28425
00128612AK-998
AK
ALE District I

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charges of possessing for sale counterfeit goods on the licensed premises and dispensing a prescription drug without being a licensed pharmacist.

48. Marco Antonio Leon

T/A El Rey Sports Bar 3205 University Drive Durham, NC 27707 00218956AJ-999 AJ AL ALE District IV

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of failure to clear tables/counters and possessing for sale spirituous liquor without first obtaining the applicable ABC permit and revenue license on the licensed premises.

49. Los Tapatios of Washington, Inc.

T/A El Tapatio Mexican Restaurant 1302 Carolina Avenue Washington, NC 27889 00177649AJ-999 AJ AL AY Beaufort County ABC Board

Offer in Compromise - 10-day suspension, suspended upon payment of \$1,000.00 on charges of a person who was not at least 21 years old, was left in charge of the licensed premises and persons under the age of 21, mixed drinks containing spirituous liquor on the licensed premises.

50. Beroth Oil Company

T/A Four Brothers Food Store 216

831 South Main Street Kernersville, NC 27284 Q11367-974

ΑK

ALE District V

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

51. CWD Restaurant Corp.

T/A Harveys

13812 Cinnabar Place Huntersville, NC 28078 00171600AJ-999 AJ AL AY

Audit Division

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

52. T and B Concepts of Carrboro, LLC

T/A Hickory Tavern

370 East Main Street, Suite 110 Carrboro, NC 27570

00214718AJ-999

AJ AL AY

Carrboro Police Department

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

53. Indomable Sport Bar, LLC

T/A Indomable Sports Bar

225 East Sugar Creek Road

Charlotte, NC 28213 00224359AJ-999

AJ

Mecklenburg County ABC Board

Offer in Compromise -20-day suspension, suspended upon payment of \$2,000.00 on charges of permitting the possession of one bottle of spirituous liquor upon premises where such possession is not authorized by law and possessing cocaine on the licensed premises.

54. Ingles Markets, Inc.

T/A Ingles Markets 130 301 Long Shoals Road Arden, NC 28704 Q11141-926 AK AM CE DF ALE District VIII

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

55. Lakeside Food Mart, Inc.

T/A **Lakeside Food Mart** 843 Williamson Road Mooresville, NC 28117 00227177AK-999 AK AM

Mooresville Police Department

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

56. TFD Food Service, LLC

T/A Long Island Eatery 839 South Kerr Avenue Wilmington, NC 28403 00227538AJ-999 AJ AV ALE District I

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

57. Market Basket Food Stores, Inc.

T/A Market Basket 13 2321 West NC Hwy. 268 Wilkesboro, NC 28697 Q11380-975 AK AM ALE District VII

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

58. M and J Food Stores, Inc.

$\ensuremath{\mathrm{T/A}}$ M and J Food Stores 3

615 Swannanoa River Road Asheville, NC 28805 00145256AK-996

AK AM

ALE District VIII

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

59. Team FHK, LLC

T/A Noda 101

3205 North Davidson Street, Unit 101-102

Charlotte, NC 28205

00223809AJ-999

AJ AL AZ

Mecklenburg County ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to limit the use of the private club facilities to only members and their guests on the licensed premises.

60. ADC Brands, Inc.

T/A Revolution Ale House

3228 North Davidson Street

Charlotte, NC 28205

00212253AJ-999

AJ AN AL AY

Audit Division

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

61. Midnight Moon Beer and Billards, LLC

T/A Still

2645-B New Leicester Hwy.

Leicester, NC 28748

00186544AJ-999

AJ AL

ALE District VIII

Offer in Compromise - 10-day suspension, suspended upon payment of \$1,000.00 on charges of allowing a patron to possess a container of alcoholic beverages after 2:30 AM and did adulterate unfortified wine without approval from the ABC Commission on the licensed premises.

62. 401 North West Street Entertainment, LLC

T/A Still Life

401 North West Street, Suite 127 and 135A Raleigh, NC 27605 00196928AJ-999

AJ AL AZ

Wake County ABC Board

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00 on charge of destroying, altering or defacing the mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied.

63. Fidel Torres

T/A Texas Discotheque 5201 West Market Street, Suite 106 Greensboro, NC 27409 00209788AJ-999 AJAZALE District V

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

64. Raleigh Entertainment Vegas, Inc.

T/A Vegas Night Life 4030 Capital Blvd., Suite 142 Raleigh, NC 27604 00220671AJ-999 AJ AN AL AZ Wake County ABC Board

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) failure to obtain or post the appropriate county beer and wine retail license, (2) failure to dispose of bottles of spirituous liquor as soon as the bottles were empty, (3) refilling spirituous liquor containers having a mixed beverage tax stamp with other alcoholic beverages or added to the contents of containers from other alcoholic beverages and (4) destroying, altering or defacing the mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied.

65. Wal Mart Stores East, LP

T/A Walmart 7337 1826 East Arlington Blvd. Greenville, NC 27858 Q11492-792 AK AO AM CE DF Pitt County ABC Board

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

Wings and Things Sports Bar, LLC T/A Wings and Things
302 East Blvd.
Williamston, NC 27892
00142905AJ-999
AJ AZ
ALE District II

Offer in Compromise – 26-day suspension, suspended upon payment of \$2,600.00 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 limit the use of the private club facilities to only members and their guests on the licensed premises, (3) failure to maintain a current alphabetical roster of all members and their complete addresses on the premises and (4) tax stamps not permanently defaced.

67. Loyal Order of Moose
T/A Winston-Salem Lodge 466
1495 Old Salisbury Road
Winston-Salem, NC 27127
26690A-999
AJ AL AR AS AZ
ALE District V

Offer in Compromise -25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) knowingly possessing gambling equipment on the licensed premises, (2) possessing nontaxpaid alcoholic beverages, (3) participating in or did allow the operation of a game of chance where money, property or other thing of value was bet and (4) failure to insure that members' alcohol was stored in individual lockers that are labeled with the members' names, while on the licensed premises.

Add On Case

Suspension:

68. Rodeo Restaurant Group, Corp.
T/A **Brasilia Churrasco Steakhouse**26 East Walnut Street
Asheville, NC 28801
00216377AJ-999
AJ AL AY
Audit Division

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