

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

Summary of Action Taken On
Wednesday, May 4, 2016

SECTION I
CONTESTED CASE

Suspension:

1. Mazatlan of Williamston, Inc.
T/A **Mazatlan Mexican Restaurant**
303 East Blvd.
Williamston, NC 27892
00216569AJ-999
AJ AL AY
Audit Division

Imposition of Decision of Administrative Law Judge – Suspension of Mixed Beverage Restaurant ABC permit for three months beginning June 3, 2016 on charge of failure to file monthly financial and inventory reports (two counts).

SECTION II

OFFERS IN COMPROMISE

2. Henry Lee Lloyd
T/A **Comfort Zone Private Club**
228 North Main Street
Laurinburg, NC 28352
00191818AJ-999
AJ AZ
ALE District III

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of failure to dispose of bottles of spirituous liquor as soon as the bottles were empty and tax stamps not permanently defaced.

3. H D O S, Inc.
T/A **Fairway One Stop 21**
1600 South Elm Eugene Street
Greensboro, NC 27406
00216613AK-999
AK AO AM
ALE District V

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

4. Food Lion, LLC
T/A **Food Lion 486**
3136 East 10th Street
Greenville, NC 27834
Q11473-825
AK AO AM CE
Pitt County ABC Board

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

5. B V M K, Inc.
T/A **Kwik Buy**
3104 Randleman Road
Greensboro, NC 27406
00127248AK-999
AK AO AM
ALE District V

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

6. Frixia, LLC
T/A **Nefelies**
145 Brevard Court
Charlotte, NC 28202
00186974AJ-999
AJ AL AY
Mecklenburg County ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of employee possessing a controlled substance in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises.

7. Said Sarraa
T/A **Quick Stop**
611 North Bickett Blvd.
Louisburg, NC 27549
00132572AK-999
AK AO AM
ALE District IV

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

8. Sheetz of NC, LLC
T/A **Sheetz 409**
650 Whitley Drive
Winterville, NC 28590
Q11557-984
AK AO AM
Pitt County ABC Board

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

9. Speedway, LLC
T/A **Speedway 8654**
5068 NC Hwy 33 East
Greenville, NC 27858
Q11615-795
AK
Pitt County ABC Board

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

10. Artist Bloc, LLC
T/A **Artist Bloc**
1020 West Lee Street
Greensboro, NC 27403
00222100AJ-999
AJ AL
ALE District V

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of interfering with or failure to cooperate with an officer engaged in the performance of duties.

11. Miller Zoo, LLC
T/A **Bistro 127 and Bootleggers Whiskey Bar**
2039 North Center Street
Hickory, NC 28601
00161536AJ-998
AJ AL AY
ALE District VII

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of selling or possessing fortified wine for sale without first obtaining the applicable ABC Permit and revenue license on the licensed premises and missing tax stamp.

12. Circle K Stores, Inc.
T/A **Circle K 1884**
701 North Graham Street
Charlotte, NC 28202
Q11434-951
AK AO AM
Mecklenburg County ABC Board

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

13. James Douglas Barrett
T/A **Club Climax**
1375 Hwy 258 South
Kinston, NC 28504
00212084AJ-999
AJ AL AZ
ALE District II

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to limit the use of the private club facilities to only members and their guests on the licensed premises.

14. Top Shelf Entertainment, LLC
T/A **Club Onyx**
5300 Old Pineville Road, Suite 126
Charlotte, NC 28217
00134789AJ-999
AJ AN AL AZ
Mecklenburg County ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of cooperating in a joint effort to advertise an event with another industry member without prior written approval of the ABC Commission.

15. James Burke and Associates, LLC
T/A **Corner Pub**
335 North Graham Street
Charlotte, NC 27823
00157101AJ-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 limit the use of the private club facilities to only members and their guests on the licensed premises.

16. Lauren Elizabeth Cobb
T/A **Crossroads Tavern**
874 Browns Chapel Road
Gibsonville, NC 27249
00212040AJ-998
AJ AZ
ALE District V

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of missing tax stamp and failure to purchase malt beverages only from a wholesaler.

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

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of failure to maintain a current alphabetical roster of all members and their complete addresses on the premises and failure to limit the use of the private club facilities to only members and their guests on the licensed premises.

18. Benita Ballentine
T/A **44**
7361 Six Forks Road
Raleigh, NC 27615
00216032AJ-999
AJ AN AL AZ
ALE District IV

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

19. Food Lion, LLC
T/A **Food Lion 1099**
2930 West Main Street
Durham, NC 27705
Q11473-955
AK AO AM CE
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. 1411 Southend Partners, LLC
T/A **Gin Mill**
1411 South Tryon Street
Charlotte, NC 28203
00214194AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to limit the use of the private club facilities to only members and their guests on the licensed premises.

21. Li Wei, LLC
T/A **Gourmet Kingdom**
301 and 303 East Main Street
Carrboro, NC 27510
00181742AJ-999
AJ AL
Carrboro Police Department

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

22. T and B Concepts of Pinehurst, LLC
T/A **Hickory Tavern**
9735 US 15-501 Hwy., Suite 170
Southern Pines, NC 28374
00178088AJ-999
AJ AL AY
Moore County Sheriff's Office

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00 on charge of missing tax stamp.

23. La Fiesta Entertainment, LLC
T/A **La Fiesta Club**
1000 East Geer Street
Durham, NC 27704
00226223AJ-999
AJ AL AZ
ALE District IV

Offer in Compromise – 32-day suspension, suspended upon payment of \$3,200.00 on charges of (1) failure to limit the use of the private club facilities to only members and their guests on the licensed premises, (2) failure to determine age and (3) allowing consumption by an intoxicated person.

24. Bowman Enterprise, LLC
T/A **Quicky Mart**
718 West Market Street
Greensboro, NC 27407
00201156AK-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.

25. Ricky Carlson
T/A **Sammy's**
12744 Lancaster Hwy., Suite A
Pineville, NC 28134
00101130AJ-999
AJ AZ
Mecklenburg County ABC Board

Offer in Compromise – 40-day suspension with the last 25 days suspended upon payment of \$3,500.00 on charge of failure to limit the use of the private club facilities to only members and their guests on the licensed premises.

26. G P M Southeast, LLC
T/A **Scotchman 3182**
5200 Wrightsville Avenue
Wilmington, NC 28403
Q11608-998
AK AO AM
New Hanover County Sheriff's Office

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.

27. Peyatt Enterprise, LLC
T/A **Visions Martini Bar and Lounge**
247 First Avenue NW
Hickory, NC 28601
00207899AJ-999
AJ AL AZ
ALE District VII

Offer in Compromise – 15-day suspension with the last 8 days suspended upon payment of \$1,500.00 on charge of failure to superintend (two counts).

28. Gianni Cinelli
T/A **Vivo Ristorante Pizzeria**
7400 Six Forks Road, Suite 2
Raleigh, NC 27615
00205506AJ-999
AJ AL
Wake County ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charges of failure to obtain or post the appropriate city and county beer and wine retail licenses and permitting the possession of fortified wine upon premises where such possession or consumption is not authorized by law.

29. American Roadside Ally, LLC
T/A **American Roadside Burgers**
440 South Church Street, Suite 105
Charlotte, NC 28202
00229573AJ-999
AJ AL
ALE District VI

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of selling alcoholic beverages on Sunday between the hours of 2:00/2:30 AM and 12:00 Noon on the licensed premises.

30. Ahmed Mohammed Abadi
T/A **Atkin Grocery**
359 Hwy 24-27
Cameron, NC 28326
00154295AK-999
AK AM
ALE District IV

Offer in Compromise – 70-day suspension with the last 60 days suspended upon payment of \$5,000.00 on charges of employees possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises and failure to superintend.

31. Big C, Inc.
T/A **Club Nikkis**
3001 Little Rock Road
Charlotte, NC 28214
00171373AJ-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 require each prospective member to complete a written application and retain each completed application in the organization’s permanent records on the licensed premises.

32. Roger Dale Willard
T/A **Dales Superette**
7304 Wilkinson Blvd.
Belmont, NC 28012
00124893AK-999
AK AM
ALE District VI

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of possessing a video gaming machine on the licensed premises.

33. Loyal Order of Moose
T/A **Eden Moose Lodge 864**
626 Forbes Street
Eden, NC 27288
14601J-999
AJ AL
ALE District V

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of participating in or allowing the operation of a game of chance where money, property, or other thing of value was bet and failure to post each ABC permit.

34. Enthalpy Petrochemicals, LLC
T/A **Franks Food Center**
1002 McReynolds Street
Carthage, NC 28327
00229015AK-999
AK 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.

35. Linda Joyce Bradley
T/A **Glass House**
601 North McLewean Street
Kinston, NC 28501
64415A-999
AJ AL AZ
Lenoir County ABC Board

Offer in Compromise – Seven-day suspension, suspended upon payment of \$750.00 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.

36. Goat Enterprises, Inc.
T/A **Goat Bar**
5111 Western Blvd.
Raleigh, NC 27606
00120071AJ-999
AJ AN AL AZ
ALE District IV

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of allowing the use of the private club's facility to be open to the general public.

37. Jamal Atik Almontaser
T/A **J's Mini Mart**
1660 West Charity Road
Rose Hill, NC 28458
00227628AK-999
AK
ALE District I

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charges of (1) permitting the possession of spirituous liquor upon premises where such possession or consumption is not authorized by law, (2) establishing or maintaining living quarters in or connected to the licensed premises, (3) transferring a glass tube or splitter without requiring a member of a public to present a photo identification, name and current address, signature and maintain the record for at least two years on the licensed premises, (4) knowingly and willfully use or cause to be used a counterfeit mark on or in connection with goods or services intended for sale and (5) 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.

38. E T B, LLC
T/A **Lazy Turtle Bar and Grill**
601 Ocean Drive East
Oak Island, NC 28465
00209656AJ-999
AJ AN AL AY BX
ALE District I

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of displaying point of sale advertising in a manner designed to advertise mixed beverages on the outside of the establishment on other than a food menu and failure to superintend.

39. Montoya Brothers, Inc.
T/A **Montoya Brothers**
102 Airport Road
Greenville, NC 27834
00214170AK-999
AK
Pitt County ABC Board

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

40. Shree Laxmi Narayan of Vass, Inc.
T/A **Neighbors Country Store**
2511 Lobelia Road
Vass, NC 28394
00181942AK-999
AK 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.

41. Fathi Ali Muhssen
T/A **Point Convenient Mart**
3750-D Sterling Pointe Drive
Winterville, NC 28590
00166031AK-996
AK AO AM
Pitt County ABC Board

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 (two counts).

42. Hafeh Noor Addin Yahya Alrobye
T/A **Quick Mart**
517 East Andrews Avenue
Henderson, NC 27536
00212283AK-999
AK AO AM
ALE District IV

Offer in Compromise – 21-day suspension, suspended upon payment of \$2,100.00 on charges of performing services while or after consuming alcoholic beverages and permitting the possession or consumption of spirituous liquor or mixed beverages upon premises where such possession or consumption is not authorized by law.

43. G P M Southeast, LLC
T/A **Scotchman 3325**
901 South 3rd Street
Wilmington, NC 28401
Q11608-968
AK AO AM
ALE District I

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00 on charge of performing services while or after consuming alcoholic beverages.

44. Shogun Greenville, Inc.
T/A **Shogun Restaurant**
420 East Arlington Blvd., Suite F
Greenville, NC 27858
00206898AJ-999
AJ AL AY
Pitt County ABC Board

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of a person who was not at least 21, was left in charge of the licensed premises.

45. Speedway, LLC
T/A **Speedway 8287**
1110 North Memorial Drive
Greenville, NC 27834
Q11615-797
AK
Pitt County ABC Board

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

46. Loyal Order of Moose
T/A **Spencer Moose Lodge 2019**
1301 North Elizabeth Avenue
Spencer, NC 28159
08917J-999
AJ AN AL AR AS BU
ALE District VI

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of missing tax stamps 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.

47. 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 – Completion of a BARS or RASP class and 67-day suspension with the last 62 days suspended upon payment of \$5,000.00 on charges of (1) failure to superintend, (2) missing tax stamps 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.

48. Sycamore Brewing, LLC
T/A **Sycamore Brewing**
2161 Hawkins Street
Charlotte, NC 28203
00223527AJ-999
AJ AL
Mecklenburg County ABC Board

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of delivering more than one drink at one time to a single patron for personal consumption.

49. Tonys Bar, LLC
T/A **Tonys Bar**
10004 Moores Chapel Loop Road
Charlotte, NC 28214
00219191AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) employee 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, (2) possessing a slot machine and (3) failure to limit use of the private club facilities to members and their guests on the licensed premises.

50. Gabriel Jimenez
T/A **Vibe**
117 Odell Road
Spring Lake, NC 28390
00162012AJ-999
AJ AZ
Cumberland County ABC Board

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charges of allowing the use of the private club’s facility to be open to the general public and failure to maintain a current alphabetical roster of all members and their complete addresses on the premises.