

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

Summary of Action Taken On  
Wednesday, November 13, 2013

SECTION I  
CONTESTED CASES

Sanctions:

1. Two Brothers Food Market, Inc.  
T/A **Circle Mart**  
319 Howe Street  
Eden, NC 27288  
56845B-997  
AK AO AM  
ALE District VI

Imposition of Decision of Administrative Law Judge – 30-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.

Revocation:

2. Ola Celestine Morris  
T/A **Nitty Gritty Soul Café**  
3003 South Main Street  
Winston-Salem, NC 27127  
00147393AJ-999  
AJ AL  
ALE District VI

Imposition of Decision of Administrative Law Judge – All ABC Permits revoked on charges of (1) location occupied by the permittee is no longer suitable to hold ABC permits and the operation of the business with an ABC permit at that location is detrimental to the neighborhood, (2) performing services while or after consuming alcoholic beverages, (3) failure to superintend (two counts) and (4) interfering with or failure to cooperate with an officer engaged in the performance of duties.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

3. Henry Anderson Roberson  
T/A **Biker Station**  
5809 Hwy 87 North  
Gibsonville, NC 27249  
69600A-993  
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.

4. Wicked Smile, Inc.  
T/A **Five Star Restaurant**  
511 West Hargett Street  
Raleigh, NC 27603  
65515A-999  
AJ AN AL AY  
Wake County ABC Board

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

5. ESE Capital, LLC  
T/A **Apostrophe Lounge**  
1440 South Tryon Street, Unit 101  
Charlotte, NC 28203  
00185211AJ-999  
AJ AN AL AZ  
Mecklenburg County ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to purchase malt beverages and unfortified wine only from a wholesaler.

6. Green Apple, LLC  
T/A **Applebees Neighborhood Grill and Bar 30**  
205 Faith Road  
Salisbury, NC 28146  
Q11477-994  
AJ AL AY  
ALE District VIII

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of tax stamps not permanently defaced.

7. Kathy Marie Taylor  
T/A **Dreams 30 Plus Nite Club and Sports Bar**  
1308 Simmons Street  
New Bern, NC 28562  
00192321AJ-999  
AJ AZ  
ALE District II

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

8. 200 West Woodlawn Road, Inc.  
T/A **Gentlemans Club**  
200 West Woodlawn Drive  
Charlotte, NC 28217  
00103470AJ-999  
AJ AN AL AZ  
Mecklenburg County ABC Board

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

9. Partnership  
T/A **Mary Bills Café**  
801 Elm Street  
Fayetteville, NC 28303  
00167285AJ-999  
AJ AN AL  
Cumberland County ABC Board

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charges of failure to purchase malt beverages only from a wholesaler and tax stamps not permanently defaced.

10. Nichols Food Store, Inc.  
T/A **Nichols Food Store**  
9245 Wilkinson Boulevard  
Charlotte, NC 28208  
45036B-999  
AK AO AM  
Mecklenburg County ABC Board

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00 on charge of knowingly possessing gambling equipment on the licensed premises.

11. Reckin Crew Entertainment, LLC  
T/A **Tailgators Bar and Billiards 2**  
975 Peters Creek Parkway  
Winston-Salem, NC 27103  
00150630AJ-998  
AJ AL AZ  
ALE District VI

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

12. Terrace Café of Ballantyne, LLC  
T/A **Terrace Café of Ballantyne**  
14815 Ballantyne Village Way, Suite 150  
Charlotte, NC 28277  
00191939AJ-999  
AJ AN AL AY  
Mecklenburg County ABC Board

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00 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.

13. Tops Cigars and Tavern, Inc.  
T/A **Tops Cigars and Tavern**  
314 West Main Street  
Havelock, NC 28532  
00193828AJ-999  
AJ AZ  
ALE District II

Offer in Compromise – 26-day suspension, suspended upon payment of \$2,600.00 on charges of (1) offering for sale unfortified wine, the sale of which is not authorized by the ABC laws or by the permits issued to that permittee on the licensed premises, (2) allowing a person who is not a member or a guest of a member to purchase or possess alcoholic beverages on the premises and (3) possess alcoholic beverages, the sale or possession of which is not authorized by the ABC laws or by the permits issued to that permittee.

14. A to Zee Corp.  
T/A **A to Zee Food Store**  
3201 Beatties Ford Road  
Charlotte, NC 28216  
00092876AK-999  
AK AO AM  
Mecklenburg County ABC Board

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

15. Abarrotera La Preferida, Inc.  
T/A **Abarrotera La Preferida**  
4534 North Cherry Street  
Winston-Salem, NC 27105  
00197855AK-999  
AK  
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.

16. New Apple, Inc.  
T/A **Applebees**  
5340 McFarland Drive  
Durham, NC 27707  
Q11531-978  
AJ AL AY  
ALE District IV

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

17. Mohammad Shafi Khan  
T/A **ASA Food Mart 3**  
7617 Poole Road  
Raleigh, NC 27610  
00177369AK-999  
AK AO AM  
Wake County ABC Board

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

18. So Co Diep  
T/A **Asia Grocery Store**  
880 Peters Creek Parkway  
Winston-Salem, NC 27103  
00134775AK-999  
AK  
Triad Municipal ABC Board

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

19. Gaur Associates, Inc.  
T/A **B's Mini Mart**  
1183 Yadkinville Road  
Mocksville, NC 27028  
00165924AK-999  
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.

20. Bragtown Enterprises of NC, Inc.  
T/A **Bragtown Shell**  
3615 North Roxboro Street  
Durham, NC 27704  
00193524AK-999  
AK 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.

21. Tekleberhan Kifleyesus Beraki  
T/A **Briar Creek Market**  
3348 Commonwealth Avenue  
Charlotte, NC 28205  
00148946AK-999  
AK AO AM  
Mecklenburg County ABC Board

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00 on charges of knowingly allowing a person under the age of 18 to sell alcoholic beverages on the licensed premises and selling to an underage person.

22. Phoenix Company, Inc.  
T/A **Char Restaurant**  
179 Howard Street  
Boone, NC 28607  
00170838AJ-999  
AJ AN AL AY  
Boone Police Department

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

23. Pepper Dining, Inc.  
T/A **Chili's Grill and Bar**  
1934 Blowing Rock Road  
Boone, NC 28607  
Q11561-981  
AJ AN AL AY  
Boone Police Department

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

24. Circle K Stores, Inc.  
T/A **Circle K Store 1510**  
4050 River Pointe Place  
High Point, NC 27265  
Q11434-896  
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.

25. Raleigh Social Club, LLC  
T/A **Coglins Raleigh**  
226 Fayetteville Street, Suite 100  
Raleigh, NC 27601  
00204971AJ-999  
AJ AL AZ  
Wake County ABC Board

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of (1) permitting a patron to possess spirituous liquor such possession of was not authorized by Chapter 18B, (2) missing tax stamps and (3) destroying, altering or defacing the mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied.

26. NC CVS Pharmacy, LLC  
T/A **CVS Pharmacy 4398**  
921 South State Street  
Yadkinville, NC 27055  
Q11572-932  
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. Downtown Brodys, Inc.  
T/A **Downtown Brodys**  
249 West Fourth Street  
Winston-Salem, NC 27101  
00200333AJ-999  
AJ AN AL AZ  
Triad Municipal ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of missing tax stamps.

28. El Agave Mexican Grill, Inc.  
T/A **El Agave Mexican Grill**  
4818 NC Hwy 55  
Durham, NC 27713  
00196695AJ-999  
AJ 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.

29. El Dorado 6, Inc.  
T/A **El Dorado Mexican Restaurant 6**  
4900 Hwy 55, Suite 140  
Durham, NC 27713  
61725A-999  
AJ 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.

30. Partnership  
T/A **For Petes Sake**  
328 East Bodenhamer Street  
Kernersville, NC 27284  
00209626AK-999  
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.

31. Samra Malik  
T/A **Handi Foods**  
518 East Trinity Drive  
Durham, NC 27702  
00123563AK-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.

32. **Kenneth Lance Wagoner**  
**T/A Horney Town Country Store**  
5280 High Point Road  
Kernersville, NC 27284  
00165628AK-999  
AK  
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.

33. **Easy Busy Essentials, LLC**  
**T/A I 40 Shell**  
700 Hwy 66 South  
Kernersville, NC 27284  
00204625AK-999  
AK  
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.

34. **J Peppers, Inc.**  
**T/A J Peppers**  
841 Old Winston Road  
Kernersville, NC 27284  
Triad Municipal ABC Board

**Continued**

35. **Pantry, Inc.**  
**T/A Kangaroo Express 3926**  
4336 Park Road  
Charlotte, NC 28209  
Q11443-593  
AK AM  
Mecklenburg County ABC Board

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

36. Kroger Limited Partnership I  
T/A **Kroger R-332**  
3457 Hillsborough Road  
Durham, NC 27705  
Q11459-982  
AK AO AM CE DF  
ALE District IV

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

37. Kwons Family Enterprise, Inc.  
T/A **Kwons Family Enterprise**  
4820 Old Rural Hall Road  
Winston-Salem, NC 27105  
00157744AK-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.

38. La Carreta 3, Inc.  
T/A **La Carreta Mexican Restaurant 3**  
137 Jonestown Road  
Winston-Salem, NC 27104  
00088411AJ-999  
AJ AL AY  
Triad Municipal ABC Board

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of failure to maintain the spirituous liquor inventory required of a permittee's pre-mixing alcoholic beverages on the licensed premises.

39. Degollado, Inc.  
T/A **Los Arcoiris Mexican Restaurant**  
172 Boone Heights Drive  
Boone, NC 28607  
65557A-997  
AJ AL AY  
Boone Police Department

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

40. Lotus Thai Grill, Inc.  
T/A **Lotus Thai Grill**  
13500 NC Hwy 50, Suite 107  
Surf City, NC 28445  
00197332AJ-999  
AJ AL AY  
ALE District III

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

41. Midstreet Gas and Grill, Inc.  
T/A **Midtown Gas N Grill**  
120 East Main Street  
Boonville, NC 27011  
00194869AJ-999  
AJ  
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.

42. Ramallah Properties, LLC  
T/A **Mister Tobacco of Wilmington**  
2158 Carolina Beach Road  
Wilmington, NC 28401  
00187631AK-999  
AK AO AM  
ALE District III

Offer in Compromise – 37-day suspension, suspended upon payment of \$3,700.00 on charges of (1) failure to have within 60 days of receipt of permit, at least one exterior sign stating the trade name of the licensed premises as it appears on the permit, (2) displaying the point of sale advertising in a manner designed to advertise malt beverages on the outside of the establishment on other than a food menu and (3) possessing a slot machine.

43. MSWG Chapel Hill, LLC  
T/A **Moes Southwest Grill**  
5332 McFarland Drive  
Durham, NC 27707  
00189955AJ-999  
AJ  
ALE District IV

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

44. Erwin Oil Company, Inc.  
T/A **North Durham Mobil**  
5100 Guess Road  
Durham, NC 27712  
15846A-985  
AK 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.

45. Ali Yahya Hezam Al Amri  
T/A **Northwest Discount**  
201 Northwest Boulevard  
Winston-Salem, NC 27105  
00195546AK-999  
AK AO AM  
Triad Municipal ABC Board

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

46. GMRI, Inc.  
T/A **Olive Garden Italian Restaurant 1831**  
12600 Capital Boulevard  
Wake Forest, NC 27587  
Q11441-954  
AJ AN AL AY  
Wake County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of destroying, altering or defacing the mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied and missing tax stamps.

47. Obleo, Inc.  
T/A **Opera Room Bar and Gallery**  
119 Grace Street  
Wilmington, NC 28401  
00176628AJ-999  
AJ AL AZ  
ALE District III

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

48. ASEFAW, Inc.  
T/A **Queen Sheba Ethiopian Bar and Restaurant**  
4808 Central Avenue  
Charlotte, NC 28205  
00205836AJ-999  
AJ AN AL AY  
Mecklenburg County ABC Board

Offer in Compromise – 23-day suspension, suspended upon payment of \$2,300.00 on charges of failure to purchase malt beverages only from a wholesaler and missing tax stamps.

49. Somo, LLC  
T/A **Quickie Mart**  
255 South Churton Street  
Hillsborough, NC 27278  
00206568AK-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.

50. Ruby Tuesday, Inc.  
T/A **Ruby Tuesday 3185**  
210 NC Hwy 54  
Durham, NC 27713  
Q11469-988  
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.

51. Rushco Food Stores, Inc.  
T/A **Rushco Food Store 8**  
1532 Yadkinville Road, Hwy 601  
Mocksville, NC 27028  
Q11404-987  
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.

52. Eliza Jean Miller  
T/A **Seahorse**  
1311 Dawson Street  
Wilmington, NC 28401  
33190A-999  
AJ  
ALE District III

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

53. Sophan, Inc.  
T/A **Sunny Food Express**  
1800 Walkup Avenue  
Monroe, NC 28110  
00171147AK-999  
AK AO AM  
Monroe Police Department

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of knowingly possessing drug paraphernalia to inject, inhale or otherwise introduce into the body a controlled substance which would be unlawful to possess on the licensed premises.

54. Andraos Brothers Corp.  
T/A **2 Brothers 2**  
5000 University Parkway  
Winston-Salem, NC 27106  
65005B-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.

55. Moran Espaillat Restaurant Group, LLC  
T/A **Three Amigos Mexican Grill and Cantina**  
2917-A Central Avenue  
Charlotte, NC 28205  
00178293AJ-999  
AJ AY  
Mecklenburg County ABC Board

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of advertising a sweepstakes promoting tequila, including an offer of a prize where a purchase of the advertised alcoholic beverage was required.

56. Ramon Santiago  
T/A **Tienda Don Ramon**  
3900 South Main Street  
Winston-Salem, NC 27127  
00145589AK-998  
AK  
Triad Municipal ABC Board

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.

57. Gonzalo Urena Torres  
T/A **Tienda Mexicana Rosy**  
338 Waughtown Street  
Winston-Salem NC 27107  
00196211AK-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.

58. Arias and Baldovinos II, Inc.  
T/A **Toreros Mexican Restaurant 4**  
4600 Durham-Chapel Hill Blvd.  
Durham, NC 27707  
66923A-998  
AJ AN AL AY  
ALE District IV

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

59. WilcoHess, LLC  
T/A **Wilco 136**  
104 West NC Hwy 67 Bypass  
East Bend, NC 27018  
Q11485-711  
AK  
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.

60. WilcoHess, LLC  
T/A **Wilco 284**  
1256 Blowing Rock Road  
Boone, NC 28607  
Q11485-896  
AK  
Boone Police Department

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

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

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charges of failure to purchase malt beverages only from a wholesaler and tax stamps not permanently defaced.

Reconsideration:

62. ClubCorp Golf of North Carolina, LLC  
T/A **Devils Ridge Golf Club**  
5107 Linksland Drive  
Holly Springs, NC 27540  
00090881AJ-997  
AJ AN AL BT  
Wake County ABC Board

Offer in Compromise – 30-day suspension, suspended upon payment of \$5,000.00 on charge of missing tax stamps. The Final Agency Decision dated October 16, 2013, was rescinded.