

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

Summary of Action Taken On
Wednesday, October 14, 2015

SECTION I
CONTESTED CASES

Suspensions:

1. Woodlawn Restaurant and Lounge, LLC
T/A **O'Hara's Restaurant and Lounge**
212 West Woodlawn Road
Charlotte, NC 28217
00196385AJ-999
AJ AN AL AY
Audit Division

Imposition of Decision of Administrative Law Judge – Suspension of Mixed Beverages Restaurant ABC permit beginning November 13, 2015 for one year on charge of failure to file annual financial and inventory reports.

2. Ortez Corp., Inc.
T/A **Pollo Royal Restaurant**
5322 South Blvd.
Charlotte, NC 28217
00164849AJ-999
AJ
Mecklenburg County ABC Board

Imposition of Decision of Administrative Law Judge – Suspension of Mixed Beverages Restaurant ABC permit beginning November 13, 2015 for one year *and* payment of \$500.00 on charges of failure to purchase malt beverages only from a wholesaler and owning more than one licensed retail establishment and transferred alcoholic beverages between establishments without getting prior approval in writing from the ABC Commission.

3. Partnership
T/A **Poor Boys**
7368 Main Street
Wade, NC 28395
29883B-999
AK AO AM
Cumberland County ABC Board

Imposition of Decision of Administrative Law Judge – 15-day suspension *and* payment of \$500.00 on charge of failure to determine age.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

4. Dobbs Place of Lumberton, Inc.
T/A **Dobbs Place Exxon**
2806 West 5th Street
Lumberton, NC 28358
00113244AK-999
AK AO AM
ALE District III

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

5. I Mart, LLC
T/A **I Mart**
501 Spring Branch Road
Dunn, NC 28334
00156136AK-999
AK AO
Dunn Police Department

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

6. Stallings Brothers Convenient Stores, LLC
T/A **Kountry Kwik Pik**
10762 Liles Road
Bailey, NC 27807
00133701AK-998
AK AO AM
ALE District II

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

7. La Esquina, Inc.
T/A **La Zima**
111 Eastway Drive
Charlotte, NC 28213
00191511AJ-999
AJ
Mecklenburg County ABC Board

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of permitting to possess spirituous liquor on the licensed premises where such possession or consumption of spirituous liquor was not authorized by Chapter 18B.

8. Leather and Lace, Inc.
T/A **Leather and Lace North**
7321-D North Tryon Street
Charlotte, NC 28269
48089A-999
AJ AN AL AZ
Mecklenburg County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of performing services while or after consuming alcoholic beverages (three counts).

9. CC Poon, Inc.
T/A **Mingfu**
8139-B Kensington Drive
Waxhaw, NC 28173
00154048AL-999
AJ AL
Waxhaw Police Department

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

10. Hiep Thi Le
T/A **Monroe Stop N Shop**
1299 East Sunset Drive
Monroe, NC 28112
70585B-999
AK AO AM
Monroe Police Department

Offer in Compromise – Three-day suspension of Malt Beverage Off Premise and Unfortified Wine Off Premise, suspended upon payment of \$250.00 and cancellation of Fortified Wine Off Premise ABC permit on charges of failure to qualify for an Fortified Wine Permit and 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.

11. Radhey, Inc.
T/A **Quick Corner**
5940 South Blvd.
Charlotte, NC 28217
00133177AK-999
AK AM
Mecklenburg County ABC Board

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

12. Studio 99, Corp.
T/A **Studio 99**
864 West Northwest Blvd
Winston-Salem, NC 27101
00180603AJ-999
AJ AZ
ALE District V

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 on charge of allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

13. Texicali Taco Bar, LLC
T/A **Texicali Taco Bar**
900 NC Music Factory Blvd.
Charlotte, NC 28206
Mecklenburg County ABC Board

Permits Cancelled

14. I95 Shiv Two, LLC
T/A **Travelers BP**
1906 Carthage Road
Lumberton, NC 28358
00133485AK-999
AK AM
ALE District III

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

15. Lambretta, Inc.
T/A **Vespa Ristorante**
306 West Franklin Street, Suite D
Chapel Hill, NC 27516
00198199AJ-999
AJ AN AL AY
Chapel Hill Police Department

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of failure to superintend.

16. Wadsworth House Foundation, Inc.
T/A **Wadsworth House**
400 South Summit Avenue
Charlotte, NC 28208
00110132AJ-999
AJ AL BU
Mecklenburg County ABC Board

Offer in Compromise – 26-day suspension, suspended upon payment of \$2,600.00 on charges of (1) tax stamps not permanently defaced, (2) missing tax stamps, (3) possessing alcoholic beverages, the sale or possession of which is not authorized by the ABC laws or by the permits issued to that permittee, (4) failure to purchase malt beverages and unfortified wine only from a wholesaler and (5) 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.

17. Billiard Concepts, Inc.
T/A **Break Time Billiards and Sports Bar**
420-N Jonestown Road
Winston-Salem, NC 27104
52460A-999
AJ AL AZ
ALE District V

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00 on charges of (1) missing tax stamps, (2) participating in or allowing the operation of a game of chance where money, property or other thing of value was bet and (3) performing services while or after consuming alcoholic beverages.

18. Win Tex Corp. of America
T/A **Catamount Travel Center**
4776 Little Savannah Road
Cullowhee, NC 28723
00199253AK-998
AK AM
ALE District VIII

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

19. Shree Yamunaji Enterprises, Inc.
T/A **Eagle Mart**
1450 Baptist Childrens Home Road
Thomasville, NC 27360
00218872AK-999
AK 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.

20. El Campesino, LLC
T/A **El Campesino**
205 East Mills Street
Columbus, NC 28722
00198480AJ-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 and inventory reports.

21. Tequila 1977, LLC
T/A **El Parian Mexican Restaurant**
1009 Hwy 17 South
Elizabeth City, NC 27909
00221452AJ-999
AJ AL AY
ALE District II

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of selling to an underage person (two counts) and giving to an underage person.

22. Shri Laxmi, Inc.
T/A **Express Stop**
10022 University City Blvd.
Charlotte, NC 28213
00100229AK-999
AK AO AM
Mecklenburg County ABC Board

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

23. Fat Cats Grill and Oyster Bar, Inc.
T/A **Fat Cats Grill and Oyster Bar**
2331 East Ozark Avenue
Gastonia, NC 28054
66662A-999
AJ AY
Audit Division

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00 on charges of failure to file quarterly financial and inventory reports and possessing a slot machine.

24. Food Lion, LLC
T/A **Food Lion 1**
123 Mahaley Avenue
Salisbury, NC 28144
Q11473-999
AK AO AM CE
ALE District VI

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

25. Food Lion, LLC
T/A **Food Lion 2607**
1243 East Cumberland Street
Dunn, NC 28334
Q11473-522
AK AO AM CE DF
Dunn Police Department

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

26. Green Drive, Inc.
T/A **GDI Food Mart**
910 Lake Road
Thomasville, NC 27360
00214565AK-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.

27. Howl Charlotte, LLC
T/A **Howl at the Moon**
210 East Trade Street, Suite A-308
Charlotte, NC 28202
00162696AJ-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 private club's facilities to members or guests of members on the licensed premises.

28. Fikre Sebhat
T/A **Hwy 64 BP**
3820 New Bern Avenue
Raleigh, NC 27610
00136640AK-998
AK AO
ALE District IV

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of employee consuming malt beverages while upon premises having only Off Premise Malt Beverage and Off Premise Fortified Wine permits and interfering with or failure to cooperate with an officer engaged in the performance of his duties.

29. ASE Enterprise, Inc.
T/A **In N Out Mart**
509 National Hwy.
Thomasville, NC 27360
00206709AK-999
AK AO
ALE District V

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

30. Jeffrey Warren Younger
T/A **Kimbers**
230 West Main Street
Gibsonville, NC 27249
22824A-999
AJ AN AL AY
ALE District V

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

31. La Carreta Cary, Inc.
T/A **La Carreta Mexican Restaurant**
2711 NC Hwy. 55
Cary, NC 27519
00214959AJ-999
AJ AL AY
Audit Division

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

32. Bossa Perdomo Group, Inc.
T/A **La Fogata**
500 North McPherson Church Road
Fayetteville, NC 28303
00218052AJ-999
AJ AY
Cumberland County ABC Board

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of missing tax stamps.

33. William Charlie Lee
T/A **Lizard Lick Pub**
2901 NC 97
Wendell, NC 27591
00216783AJ-999
AJ AZ
Wake County ABC Board

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00 on charge of missing tax stamps.

34. Steel Horse Saloon, LLC
T/A **Locked and Loaded Grill**
305 McCormick Street
Garner, NC 27529
00224224AJ-999
AJ AL AY
Wake County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of missing tax stamps and failure to obtain or post the appropriate county beer and wine retail license.

35. Davidson Investments of Randolph II, Inc.
T/A **Mid Town Dixie Express Fuel**
455 West Salisbury Street
Asheboro, NC 27203
00176365AK-999
AK
ALE District V

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

36. Mi Pueblo No. 5, Inc.
T/A **Mi Pueblo**
111 North Point Avenue
High Point, NC 27262
67992A-999
AJ AN AL AY
ALE District V

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

37. Gas Mart, Inc.
T/A **Minuteman Food Mart 25**
3905 Martin Luther King Drive
Lumberton, NC 28358
Q11274-979
AK AO
Lumberton Police Department

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

38. Shri Umiya, Inc.
T/A **Poole Road Mart**
2121 Poole Road
Raleigh, NC 27610
00206237AK-999
AK AO AM
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to allow alcohol law enforcement agents or officers to view the entire premises during a lawful inspection.

39. Ruby Tuesday, Inc.
T/A **Ruby Tuesday 4851**
1512 Winkler Mill Extension
Wilkesboro, NC 28697
Q11469-970
AJ AN AL AY
ALE District VII

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

40. 7 Eleven, Inc.
T/A **7 Eleven Store 35543H**
6233 Albemarle Road
Charlotte, NC 28212
Q11347-954
AK AO AM
Mecklenburg County ABC Board

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

41. Stancil Oil Company, Inc.
T/A **7th Street Marketplace**
703-A East Market Street
Smithfield, NC 27577
05731B-993
AK 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.

42. Salsa and Beer, Inc.
T/A **Salsa and Beer**
231 Skyland Plaza
Spring Lake, NC 28390
00190569AJ-999
AJ AN 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.

43. Faiz Ali Shahbain
T/A **S and J Tobacco and Food Mart**
128 South Reilly Road, Suite 1
Fayetteville, NC 28314
00152344AK-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 requiring the purchaser to present identification and without requiring the purchaser to enter his name and address in a record maintained by the retailer solely for that purpose.

44. Silver Moon Productions, Inc.
T/A Silver Moon Saloon
632 North Trade Street
Winston-Salem, NC 27101
00185641AJ-999
AJ AL AZ
ALE District V

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of selling alcoholic beverages between the hours of 2:00 AM and 7:00 AM (two counts) and allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

45. Marbra, LLC
T/A SIP
200 North Tryon Street, Suite 100
Charlotte, NC 28202
00206261AJ-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 private club facilities to members or guests of a member.

46. RAL of Raleigh, LLC
T/A Super Mart
1943 Hwys. 87 and 24
Cameron, NC 28326
00164949AK-999
AK AM
ALE District IV

Offer in Compromise – 27-day suspension, suspended upon payment of \$2,700.00 on charge of possessing a video gaming machine.

47. Dina Bahhur Ali
T/A Travel Store 8
13883 NC 33 East
Blounts Creek, NC 27814
00188953AK-996
AK AO AM
ALE District II

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of possessing a controlled substance included in Schedule VI of the North Carolina Controlled Substances Act on the licensed premises and failure to keep the sales tickets and delivery receipts furnished by the wholesaler, as well as all other records of purchases, filed separate and apart from all other records.

48. Golden Creek Corp.
T/A **Value Mart**
5231 Hwy. 87 South
Sanford, NC 27332
00222929AK-999
AK AM
ALE District IV

Offer in Compromise – 27-day suspension, suspended upon payment of \$2,700.00 on charge of possessing a slot machine.

49. Wal Mart Stores East, LP
T/A **Wal Mart Supercenter 1322**
160 Lowes Blvd.
Lexington, NC 27292
Q11492-920
AK AO AM CE DF
ALE District V

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

50. Patel Retail, LLC
T/A **X Press Mart**
404 South Main Street
Mooresville, NC 28115
00215268AK-999
AK AO AM
Mooresville Police Department

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charges of selling to an underage person (two counts) and possessing a controlled substance in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises (two counts).

51. Jupiter Oils, LLC
T/A **Save Mart**
1201 Union Road
Gastonia, NC 28054
00197500AK-999
AK AO AM
Gastonia Police Department

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of knowingly possessing gambling equipment on the licensed premises.

52. Farrington Farm Restaurant, Inc.
T/A **La Residence**
202 West Rosemary Street
Chapel Hill, NC 27516
ALE District IV

Continued

Cancellation:

53. Marten Ghazie Nasrawin
T/A **Sams Mini Mart 2**
101 East Parker Street
Graham, NC 27253
00198461AK-999
AK AO AM
ALE District V

Offer in Compromise – Cancel ALL ABC Permits on charge of knowingly receiving stolen goods on the licensed premises (two counts).

Add On Cases

Suspensions:

54. Food Lion LLC
T/A **Food Lion 818**
151 Westwood Shopping Center
Fayetteville, NC 28314
Q11473-743
AK AO AM CE
Cumberland County ABC Board

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

55. Taylors Enterprises, Inc.
T/A **Food Store and Sandwich Shop**
3241 Sam Drenan Street
Charlotte, NC 28205
00168764AK-999
AK AO AM
Mecklenburg County ABC Board

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of did knowingly use, transfer, acquire, alter and/or possess electronic food and nutrition benefits or access devices in a manner contrary to the authorization of the statute.