

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

Summary of Action Taken On
Wednesday, December 13, 2017

SECTION I

OFFERS IN COMPROMISE

Suspensions:

1. Simba Entertainment, LLC
T/A **Barcode**
3793 Samet Drive Suite 165
High Point, NC 27265
00231532AJ-999
AJ AL AY
ALE District V

Offer in Compromise – 10-day suspension, suspended upon payment of \$500.00 on charge of knowingly allowing persons to possess or use, a controlled substance or illegal drug in violation of Chapter 90 of the North Carolina General Statutes, while on the licensed premises.

2. Simba Entertainment, LLC
T/A **Barcode**
3793 Samet Drive Suite 165
High Point, NC 27265
00231532AJ-999
AJ AL AY
ALE District V

Offer in Compromise – 20-day suspension, suspended upon payment of \$500.00 on charge of selling alcoholic beverages without first obtaining the applicable ABC Permit and revenue license, while upon the licensed premises.

3. Black Mountain Bistro and Catering Inc.
T/A **Black Mountain Bistro**
203 East State Street
Black Mountain, NC 28711
00135623AJ-999
AJ AL AY
ALE District VIII

Offer in Compromise – 6-day suspension, suspended upon payment of \$600.00 on charge of possessing fortified wine upon premises where such possession is not authorized by law.

4. Ripe Runners, Inc.
T/A **Botanist and Barrel**
105 Persimmon Hill Lane
Cedar Grove, NC 27231
00248963CM-999
BZ BM BC
ALE District IV

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) failing to post each ABC permit held by the establishment in a prominent place on the premises and (2) permitting the possession or consumption of fortified wine and spirituous liquor upon premises where such possession or consumption is not authorized by law.

5. Dolgencorp, LLC
T/A **Dollar General Store 7476**
240 Airport Road
Greenville, NC 27834
Q11589-542
Pitt County ABC Board

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

6. Fiesta Azteca, Inc.
T/A **Dubai Sports Bar and Grill**
5317 East Independence Blvd. Suite A-2
Charlotte, NC 28212
00237228AJ-999
AJ AL AN AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) possessing a container of spirituous liquor not bearing a mixed beverage tax stamp, while upon the licensed premises, (2) failing to separate, store and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises, (3) failing 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) failing to limit the use of the private club facilities to only members and their guests.

7. Five Points of Greenville, Inc.
T/A **Five Points Food Mart**
205 South Memorial Drive
Greenville, NC 27834
00244526AK-999
AK AM AO
Pitt County ABC Board

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

8. Daughtridge Gas and Oil Company
T/A **Fuel Doc 12**
2403 North Memorial Drive
Greenville, NC 27834
Q11549-987
AK
Pitt County ABC Board

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

9. Soulshine Music Corp.
T/A **Gaffers Sports Pub**
1050 Irvin Garrish Hwy.
Ocracoke, NC 27960
00210226AJ-999
AJ AL AY
ALE District II

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charges of (1) knowingly sold alcoholic beverages to an intoxicated person, (2) did deliver more than one drink at one time to a single patron for his personal consumption, (3) failing to superintend in person or through a manager the business for which a permit was issued, and (4) failing to have food available at all times that alcoholic beverages are being served.

10. Algozy Happy Mart, LLC
T/A **Happy Mart**
2703 West Broad Street
Elizabethtown, NC 28337
00220845AK-999
AK AM
ALE District III

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of (1) selling to an underage person and failing to cooperate with an officer engaged in the performance of his duties.

11. Ingles Markets, Inc.
T/A **Ingles 77**
625 Spartanburg Hwy.
Hendersonville, NC 28792
Q11141-973
AK AM AO CE
ALE District VIII

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charges of selling to an underage person.

12. J B and Associates Restaurant Group, LLC
T/A **Juju Restaurant**
737 Ninth Street Suite 210
Durham, NC 27705
00224666AJ-999
AJ AL AN AY
Durham County ABC Board

Offer in Compromise – 5-day suspension, suspended upon payment of \$500.00 on charge of premixing beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval.

13. Jumas Food Mart, LLC
T/A **Jumas Food Mart**
1026 Holloway Street
Durham, NC 27701
00241350AK-999
AK AO
Mecklenburg County ABC Board

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) transferring glass tubes or splitters without requiring each transferee to sign his or her name verifying that the article purchased would not be used as drug paraphernalia, in a log maintained solely for that purpose, while on the licensed premises (two counts), (2) establishing or maintaining living quarters in or connected to the licensed premises, (3) selling to an underage person, (4) possessing counterfeit goods for resale while on the licensed premises, (5) establishing or maintaining living quarters in or connected to the license premises, (7) displayed the term “beer” on the exterior of the business, on a sign with letters exceeding 5 inches in height, on the licensed premises.

14. Kilted Buffalo Langtree, LLC
T/A **Kilted Buffalo Langtree**
119 Landings Drive Suite 101
 Mooresville, NC 28117
00221575AJ-999
AJ AL
ALE District VII

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of (1) advertised a promotion to deliver more than one drink at one time to a single patron for his or personal consumption and did cooperate in a joint effort to advertise a contest with an industry member as cosponsor or provider of a prize, without the prior written approval of the ABC Commission.

15. Lettys, LLC
T/A **Lettys**
2121 Shamrock Drive
Charlotte, NC 28205
00205047AJ-999
AJ AL AY BX
Audit Division

Offer in Compromise – 4-day suspension, suspended upon payment of \$400.00 on charge of failure to file financial reports.

16. Gas Mart, Inc.
T/A **Minuteman Food Mart 19**
118 Causeway Drive
Ocean Isle, NC 28459
Q11274-983
AK AM AO
ALE District I

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charge of selling to an underage person.

17. John Calvin Sheffield
T/A **Sheffields Seafood and Grocery**
57 Causeway Drive
Ocean Isle Beach, NC 28469
62209B-999
AK AM AO
ALE District I

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charge of selling to an underage person.

18. Fadhl Saleh Alhobishi
T/A **Smokes Plus**
6411Camden Road
Hope Mills, NC 28348
00132779AK-996
AK AM AO
Cumberland County ABC Board

Offer in Compromise – 7-day suspension, suspended upon payment of \$750.00 on charge of failing to keep the sales tickets and delivery receipts furnished by the wholesaler, as well as all other records of purchases of malt beverages and wine, filed separate and apart from all other records.

19. Speedway, LLC
T/A **Speedway 8221**
715 South Memorial Drive
Greenville, NC 27834
Q11615-803
AK AM
Pitt County ABC Board

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

20. Trawick Enterprises, LLC
T/A **Starbar**
1731 Trawick Road
Raleigh, NC 27604
00181339AJ-999
AJ AL AN AY
Wake County ABC Board

Offer in Compromise – 40-day suspension, with the remaining 37 days avoided upon payment of \$3,500.00 on charges of (1) failing to superintend in person or through a manager the business for which a permit was issued, (2) altering or defacing the mixed beverage tax stamps required to be affixed to liquor containers before the containers had been emptied, and (3) failing to file financial reports.

21. Ali Abdo Saleh Ali
T/A **Tobacco Express and More**
1112 Julian R Allsbrook Hwy.
Roanoke Rapids, NC 27870
00135711AK-997
AK AM AO
ALE District II

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charges of (1) establishing or maintaining living quarters in or connected to the licensed premises (two counts), (2) failing to keep sales tickets and delivery receipts of alcoholic beverages separate and apart from all other records, (3) failing to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers and to avoid any undue hazards to patrons (two counts), (4) failing to qualify for an off-premise fortified wine permit by maintaining less than \$1,500.00 inventory of staple foods, while on licensed premises (two counts), and (5) transferring splitters without requiring each transferee to sign his or her name verifying that article purchased would not be used as drug paraphernalia, in a log maintained solely for that purpose, while on the licensed premises, and (8) failing to qualify for an off-premise fortified wine permit by maintaining less than \$1,500.00 inventory of staple foods while on licensed premises other than a wine shop. Permittee shall surrender its fortified wine permit for cancellation.

22. **Krun Ksor**
T/A **Ve NGuon Cafe**
2913-D North Church Street
Greensboro, NC 27405
00236242AJ-998
AJ
Greensboro Police Department

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of knowingly possessing gambling equipment while upon the licensed premises.

23. **Walgreen Company**
T/A **Walgreens 7749**
852 Sunset Blvd. North
Sunset Beach, NC 28468
Q11617-949
AK AM AO
ALE District I

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

24. **Banan 123, LLC**
T/A **W C Market**
4010 Dr M L King Jr. Blvd.
New Bern, NC 28562
00225830AK-999
AK AM AO
ALE District I

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) failure to post each ABC permit held by the establishment in a prominent place on the premises, (2) transferring glass tubes or splitters without requiring each transferee to sign his or her name verifying that the article purchased would not be used as drug paraphernalia, in a log maintained solely for that purpose, while on the licensed premises, (3) possessing counterfeit goods resale, while on the licensed premises, (4) failing to allow alcohol law enforcement agents or officers to view the entire premises during a lawful inspection, and (5) failing to keep the sale tickets and delivery receipts furnished by the wholesaler, as well as all other records of purchases of malt beverages and wine, filed separate and apart from all other records.

25. **Davidson Ventures, LLC**
T/A **Wine and Canvas**
8320 Pineville Matthews Road Unit 602
Charlotte, NC 28226
00238021AJ-999
AJ AL AZ
Audit Division

Offer in Compromise – 4-day suspension, suspended upon payment of \$400.00 on charge of failure to file financial reports.

26. Piney Grove Grocery, Inc.
T/A **AAA Quick Mart**
744 Piney Grove Road
Kernersville, NC 27284
00230642AK-999
AK AM AO
ALE District V

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charge of selling to an underage person.

27. Erma Danielle Lancaster-Massey
T/A **Alley**
113 South Raiford Street
Selma, NC 27576
00253668AJ-999
AJ
ALE District IV

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

28. M M Fowler, Inc.
T/A **Cliffdale B P 178**
6891 Cliffdale Road
Fayetteville, NC 28314
Q11390-969
AK AM AO
ALE District III

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

29. Club One CLT, LLC
T/A **Club 1**
950 NC Music Factory Blvd.
Charlotte, NC 28206
00237550AJ-999
AJ AL AN AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise – 7-day suspension, suspended upon payment of \$750.00 on charge of knowingly allowed violations of the controlled substance statues to occur upon the license premises.

30. Hartford Rice, LLC
T/A **Clays Place**
3603 South Tryon Street
Charlotte, NC 28217
00214071AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise – 5-day suspension, suspended upon payment of \$500.00 on charges of (1) failing to limit the private club's facility to members of the private club and their guests, while on the license premises, (2) failing to maintain on the premises a current alphabetical roster of all members and their complete addresses, and (3) failing to file financial reports on an annual basis.

31. Dos Perros Restaurant, LLC
T/A **Dos Perros Restaurant**
200 North Mangum Street Suite 101
Durham, NC 27701
00172667AJ-999
AJ AL AN AY
Durham County ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of (1) did display point of sale advertising, an advertising specialty item or a price board in a manner designed to advertise mixed beverages on the outside of the establishment on other than a food menu, on the licensed premises and (2) failing to obtain or post the appropriate city/county beer and wine retail license.

32. Lakulesh, Inc.
T/A **Eagle Mart**
500 South Hughes Blvd.
Elizabeth City, NC 27909
00179702AK-999
AK AM AO
ALE District II

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charge of selling to an underage person.

33. East African Cuisine, Inc.
T/A **East African Cuisine**
3200 Monroe Road
Charlotte, NC 28205
00222186AJ-999
AJ AL AY
Charlotte-Mecklenburg Police Department

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of (1) failing 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) failing 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, (3) failing to clear all tables and counters of all alcoholic beverages, bottles, cans, glasses and containers by 2:30 AM, and (4) sold alcoholic beverages between the hours of 2:00 AM and 7:00 AM, while on the licensed premises. Permittee shall surrender its Mixed Beverage Restaurant permit for cancellation.

34. Duck Sunsets, Inc.
T/A **Fishbones Sunset Grille and Raw Bar**
1264 Duck Road
Duck, NC 27949
00121627AJ-999
AJ AL AN AY
ALE District II

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charge of selling to an underage person (two counts).

35. Sloane Realty of Ocean Isle Beach, Inc.
T/A **Jinks Creek Waterfront Grille**
16 Causeway Drive
Ocean Isle Beach, NC 28469
00093638AJ-998
AJ AL AN AY
ALE District I

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

36. Circle K Stores, Inc.
T/A **Kangaroo Express 929**
559 Queens Street
Grifton, NC 28530
Q11434-624
AK AM AO
Pitt County ABC Board

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

- 37a. Circle K Stores, Inc.
T/A **Kangaroo Express 3102**
201 South Estes Drive
Chapel Hill, NC 27515
Q11434-629
AK AM

Offer in Compromise – 35-day suspension, suspended upon payment of \$3,500.00 on charge of failure to superintend in person or through a manager the business for which a permit was issued.

- 37b. Circle K Stores, Inc.
T/A **Kangaroo Express 3102**
201 South Estes Drive
Chapel Hill, NC 27515
Q11434-629
AK AM
Chapel Hill Police Department

Offer in Compromise – 60-day suspension, with the remaining 52-day suspension avoided upon payment of \$5,000.00 on charge of selling to an underage person.

- 37c. Circle K Stores, Inc.
T/A **Kangaroo Express 3102**
201 South Estes Drive
Chapel Hill, NC 27515
Q11434-629
AK AM
Chapel Hill Police Department

Offer in Compromise – 60-day suspension, with the remaining 53-day suspension avoided upon payment of \$5,000.00 on charge of selling to an underage person.

37d. Circle K Stores, Inc.
T/A **Kangaroo Express 3102**
201 South Estes Drive
Chapel Hill, NC 27515
Q11434-629
AK AM
Chapel Hill Police Department

Offer in Compromise – 60-day suspension, with the remaining 53-day suspension avoided upon payment of \$5,000.00 on charge of selling to an underage person

37e. Circle K Stores, Inc.
T/A **Kangaroo Express 3102**
201 South Estes Drive
Chapel Hill, NC 27515
Q11434-629
AK AM
Chapel Hill Police Department

Offer in Compromise – 35-day suspension, suspended upon payment of \$3,500.00 on charge of failing to superintend in person or through a manager the business for which a permit was issued.

38. Las Palmeras of Seaside, Inc.
T/A **Las Palmeras Mexican Restaurant**
1780-4 Chandlers Lane
Sunset Beach, NC 28468
00111884AJ-999
AJ AL AY
ALE District I

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of selling to an underage person.

39. Neeraj Patel
T/A **S A R Express**
280 Asheville Hwy.
Sylva, NC 28779
00180650AK-999
AK AM AO
ALE District VIII

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of performing services on the licensed premises while or after having consumed alcoholic beverages (two counts).

40. S and H Sports Bar, Inc.
T/A **Sparkys Sports Bar and Pub**
740 Bragg Blvd.
Fayetteville, NC 28301
64978A-999
AJ AL AN AZ
ALE District III

Offer in Compromise – 6-day suspension, suspended upon payment of \$650.00 on charge of performing services on the licensed premises while or having consumed alcoholic beverages.

41. Town Food Mart, Inc.
T/A **Town Food Mart**
200 Linden Avenue
Oxford, NC 27565
00193100AK-999
AK AM AO
ALE District IV

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charges of (1) failing 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 (2) 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, while on the licensed premises.

42. Tryon Distributing, LLC
T/A **Tryon Distributing**
120 Old US 70 Suite 100
Black Mountain, NC 28711
00103373CM-997
BL BM
ALE District VIII

Offer in Compromise – 5-day suspension, suspended upon payment of \$500.00 on charge of selling unfortified or fortified wine permit to a person who did not hold a retail or wholesale unfortified or fortified wine permit.

43. Wills Social Bistro and Lounge, LLC
T/A **Wills Social Bistro and Lounge**
5400 South Miami Blvd. Suite 112
Durham, NC 27703
00235795AJ-999
AJ AL AY
ALE District VIII

Continued

44. Roger Moore Meyland
T/A **Bank Bistro**
216 West Main Street
Washington, NC 27889
00213565AJ-998
AJ AL AN AY
ALE District II

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

45. Greatday Green, LLC
T/A **Connollys On Fifth**
115 East Fifth Street
Charlotte, NC 28202
00107405AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of failing to limit the use of the private club's facilities solely to club members and their guests, while on the licensed premises.

46. Fiesta Mexicana V, LLC
T/A **Fiesta Mexicana Restaurante**
505 Retail Way Suite 122
Louisburg, NC 27549
00189826AJ-999
AJ AL AY
ALE District IV

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

47. Food Lion, LLC
T/A **Food Lion 198**
106 Rebecca Drive
Hillsborough, NC 27278
Q11473-701
AK AM AO CE DF
ALE District IV

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charge of selling to an underage person.

48. Nav G, Inc. **Continued**
T/A **JJ Mart**
570 Cornelius Street
Hillsborough, NC 27278
00168968AK-999
AK AM AO
ALE District IV

49. U N C Mint, Inc.
T/A **Mint**
504 West Franklin Street
Chapel, Hill NC 27516
00170045AJ-999
AJ AL AY
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.

50. Kingsbury Food Group, Inc. **Continued**
T/A **Pazzo**
700 Market Street
Chapel Hill, NC 27516
00151393AJ-999
AJ AL AN AY
ALE District V

51. Tecele Tesfzgi Gebremussie
T/A **Red Sea Restaurant and Bar**
4301 Monroe Road
Charlotte, NC 28205
00105178AJ-998
AJ AL AY
Charlotte-Mecklenburg Police Department

Offer in Compromise – 3-day suspension, on charges of (1) failing to have food available at all times that alcoholic beverages are being served, (2) failing 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, (3) allowing the sale, possession, consumption or storage of alcoholic beverages in an area of the premises other than those specifically approved by the Commission. Credit has been given for the 3-day suspension of Permittee’s temporary permits.

52. Goes to 11, LLC
T/A **Atomic Fern**
108 East Parish Street
Durham, NC 27701
00225384AJ-999
AJ AL AZ
Audit Division

Offer in Compromise – 5-day suspension, suspended upon payment of \$500.00 on charge of failure to file financial reports.

53. Beyu Caffè, LLC
T/A **Beyu Caffè**
341 West Main Street
Unit 1
Durham, NC 27701
00175471AJ-998
AJ AL AY
Durham County ABC Board

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of possessing a container of spirituous liquor not bearing a mixed beverage tax stamp, while upon the licensed premises.

54. Piece of Havana II, Inc.
T/A **Piece of Havana**
11126 South Tryon Street
Charlotte, NC 28273
00214636AJ-999
AJ AL AY
Mecklenburg County ABC Board

Offer in Compromise – 5-day suspension, suspended upon payment of \$500.00 on charge of displaying the brand names of malt beverages on the licensed premises.