

A. D. "ZANDER" GUY, JR.
CHAIRMAN

AGNES C. STEVENS
ADMINISTRATOR



State of North Carolina

ALCOHOLIC BEVERAGE CONTROL COMMISSION
400 East Tryon Road
Raleigh, NC 27610

NORMAN A. MITCHELL, SR.
COMMISSIONER

KAREN L. STOUT
COMMISSIONER

Commission Meeting Summary

February 12, 2020

ABC Commission Office Complex
Hearing Room 101 – 10:00 AM

SECTION I

CONTESTED CASES

ALJ Decision:

1. **T/A Metropolitan Cafe and Catering**
TST International Trade, LLC
138 Brevard Court
Charlotte, NC 28202
00178265AJ-999
AJ AL AY
Mecklenburg ABC Board

Offer in Compromise: 25-day suspension, and payment of \$500.00 on the charges of (1) premixing mixed beverages without prior authorization, (2) failing to maintain beer and wine invoices from wholesaler, (3) failing to have food available at all times alcoholic beverages were served, and (4) delivering more than one drink at a time to a single patron for his personal consumption.

SECTION II

OFFERS IN COMPROMISE

Suspension:

2. **T/A 74 Stop and Shop**
Arjun Enterprises, Inc.
1776 East Dixon Blvd.
Shelby, NC 28152
00173193AK-999
AK

ALE District VI

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charge of possessing gambling equipment.

3. **T/A Bartaco**
Bartaco Chapel Hill, LLC
201 South Estes Drive, Suite E-3
Chapel Hill, NC 27514
00254015AJ-999
AJ AL AN AY
Chapel Hill Police Department

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of selling an alcoholic beverage to an underage person.

4. **T/A C Mart 1**
Gwaltney Oil and Gas Company, Inc.
2407 East Club Blvd.
Durham, NC 27704
43975A-998
AK
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of selling or possessing unfortified wine for sale without the proper ABC permit and revenue license.

5. **T/A Crossroads Grill**
Heng Sokun, Inc.
315 North Broome Street
Waxhaw, NC 28173
00204774AK-999
AK AM AO
Waxhaw Police Department

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

6. **T/A Heafner's Superette**
Virpa, LLC
1410 East Church Street
Cherryville, NC 28021
00248118AK-999
AK AM AO
ALE District VI

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on charge of possessing a video gaming machine.

7. **T/A La Revolucion**
La Revolucion, LLC
900 NC Music Factory Blvd.
Charlotte, NC 28206
00236288AJ-999
AJ AL AN AY
Charlotte-Mecklenburg Police Department

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charges of (1) failing to qualify as restaurant by failing to meet basic requirements and (2) selling an entire bottle of spirituous liquor.

8. **T/A La Tea Da's**
La Tea Da's, Inc.
3401 Commonwealth Avenue
Charlotte, NC 28205
00114728AJ-997
AJ AL AY BX
Mecklenburg County ABC Board

Offer in Compromise: 9-day suspension, avoided upon payment of \$900.00 on the charges of (1) possessing multiple containers of spirituous liquor not bearing mixed beverage tax stamps and (2) failing to deface tax stamp on a bottle once empty.

9. **T/A Las Dos Rosas**
Las Dos Rosas, Inc.
42 East Cheek Street
Sparta, NC 28675
00277566AK-999
AK
ALE District VII

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) selling or possessing for sale an alcoholic beverage product that had not first been approved by the ABC Commission for sale in this State and (2) dispensing prescription medication without being a licensed pharmacist.

10. **T/A Lighthouse Food Mart**
Abdrabo Nasser Alwahishi
301 South Pollock Street
Selma, NC 27576
00110543AK-997

AK AM AO
ALE District IV

Continued

11. **T/A Outback Steakhouse**
Outback Steakhouse of Florida, LLC
505 North McPherson Church Road
Fayetteville, NC 28303
Q11596-982
AJ AL AN AY
Cumberland County ABC Board

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charge of failing to deface tax stamp on bottles once empty.

12. **T/A Scotchman 3066**
GPM Southeast, LLC
267 Western Blvd.
Jacksonville, NC 28540
Q11608-980
AK AM AO
Jacksonville Police Department

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of employee intoxicated.

13. **T/A Wal Mart Supercenter 2058**
Wal Mart Stores East, LP
1725 New Hope Church Road
Raleigh, NC 27609
Q11492-934
AK AM AO
Wake County ABC Board

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling an alcoholic beverage to an underage person.

14. **T/A Wal Mart Supercenter 3595**
Wal Mart Stores East, LP
7701 South Raeford Road
Fayetteville, NC 28304
Q11492-957
AK AM AO CE DF
Cumberland County ABC Board

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling an alcoholic beverage to an underage person.

15. **T/A Walmart 6814**
Wal Mart Stores East, LP
5175 Brookberry Park Avenue
Winston Salem, NC 27104
Q11492-809
AK AM AO CE DF
ALE District V

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling to an intoxicated person.

16. **T/A Walnut Creek Amphitheater**
Winston Salem Legends Hospitality, LLC
3801 Rock Quarry Road
Raleigh, NC 27610
00177778AJ-998
AJ AL AN BN
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of possessing non-taxpaid alcoholic beverages.

17. **T/A Dragway Concession Services**
Dragway Concession Services, LLC
2153 US 1 North
Rockingham, NC 28379
00151618AJ-999
AJ
ALE District III

Offer in Compromise: 30-day suspension, avoided upon payment of \$3,000.00 on the charge of failing to superintend.

18. **T/A Three Stacks Distilling Company**
Three Stacks Distilling Company, LLC
905 West Atlantic Avenue, Suite 200
Kinston, NC 28501
00253575CM-999
BF DH SE
ALE District II

Offer in Compromise: 8-day suspension, avoided upon payment of \$800.00 on the charge of selling or allowing possession or consumption of alcohol not authorized by permits.

19. **T/A 301 Market**
Abdulkareem A. Mubarez
521 South McDaniel Street
Enfield, NC 27823
00179456AK-999
AK AM AO
ALE District II

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) failing to maintain minimum food inventory to qualify for an off-premise fortified wine permit (2 counts).

20. **T/A Applebee's Grill and Bar**
Applebee's Restaurants Mid Atlantic, LLC
1961 Skibo Road
Fayetteville, NC 28314
Q11653-968
AJ AL AN AY
Cumberland County ABC Board

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charges of (1) possessing a container of spirituous liquor not bearing mixed beverage tax stamps and (2) failing to deface tax stamp on bottles once empty.

21. **T/A Atkinsons Cigarette Land**
Geeta, LLC
3005 West 5th Street
Lumberton, NC 28358
00209244AK-999
AK AM
ALE District III

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of possessing gambling equipment.

22. **T/A Backstage Pub**
Bandit Holdings, Inc.
401 Ashville Avenue
Cary, NC 27518
00241924AJ-999
AJ AL AZ
ALE District IV

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charges of (1) cooperative advertising between an industry member and retailer and (2) promoting an

alcoholic beverage product by giving prizes, premiums or merchandise to individuals in exchange for purchase of an alcoholic beverage.

23. **T/A Bakadi Lounge**
VIP Club, LLC
4205 Monroe Road
Charlotte, NC 28205
00183286AJ-999
AJ AL AN AZ
ALE District VI

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) failing to comply with private club membership requirements and (2) performing services after having consumed alcoholic beverages.

24. **T/A Carolina Premium Beverage**
Carolina Premium Beverage, LLC
151 Odell School Road
Concord, NC 28027
7652WT-997
BA
ALE District VI

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charge of wholesaler providing a thing of value to a retailer.

25. **T/A Cumberland Harnett Oil and Gas Company**
Stuart Watson Lewis
2999 Lillington Hwy.
Spring Lake, NC 28390
16545B-999
AK AM
Cumberland County ABC Board

Offer in Compromise: 35-day suspension, avoided upon payment of \$3,500.00 on the charge of selling an alcoholic beverage to an underage person.

26. **T/A D and C Mini Mart**
Noraldin Mohammed Abdulwahab
1007 East Elm Street
Goldsboro, NC 27530
68676B-998
AK AM AO
ALE District II

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charge of possessing video gaming machines.

27. **T/A Dollar General Store 12456**

DolgenCorp, LLC
115 North 2nd Avenue
Mayodan, NC 27027
Q11589-565
AK AM
ALE District V

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

28. **T/A Downeast Travel Centers**

GPG Enterprises, Inc.
2600 US 117 South
Goldsboro, NC 27530
00232997AK-999
AK AM AO
Wayne County ABC Board

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

29. **T/A Good Stop**

LCC, Inc.
301 East Fairfield Road
High Point, NC 27263
00196736AK-999
AK AM AO
ALE District V

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of allowing consumption at business with only off-premise permits.

30. **T/A HillBilly's Private Club**

Billy Blue Harvey
623-D East Mountain Street
Kernersville, NC 27284
00165268AJ-999
AJ AL AZ
ALE District V

Offer in Compromise: 50-day suspension, avoided upon payment of \$5,000.00 on the charges of (1) employee wearing uniform while consuming alcoholic beverages (2) selling to an intoxicated person and (3) allowing an intoxicated person to consume.

31. **T/A HillBilly's Private Club**

Billy Blue Harvey
623-D East Mountain Street
Kernersville, NC 27284
00165268AJ-999
AJ AL AZ
ABC Commission

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of failing to superintend.

32. **T/A La Fogata**

Bossa Perdomo Group, Inc.
500 North McPherson Church Road
Fayetteville, NC 28303
00218052AJ-999
AJ AY
Cumberland County ABC Board

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charges of (1) failing to maintain beer and wine invoices from wholesaler, (2) failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages and (3) failing to recycle beverage containers.

33. **T/A Lenny Boy Brewing Company**

Lenny Boy, LLC
3000 South Tryon Street
Charlotte, NC 28217
00211628CM-998
AE BL DG
Mecklenburg County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of wholesaler delivering malt beverages to retailer without proper permit.

34. **T/A Liberty Mart 1**
Liberty Mart 1, Inc.
1100 North Ellis Avenue
Dunn, NC 28334
00252455AK-999
AK AM AO
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) performing services after having consumed alcoholic beverages and (2) possessing counterfeit goods for resale.

35. **T/A Local Joes**
Local Joes, Inc
135 South Steele Street
Sanford, NC 27330
00088901AJ-999
AJ AL AN AY
ALE District III

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of performing services after having consumed alcoholic beverages.

36. **T/A Lucky Stop Food Mart**
Sadek M. Ali
6402-B Market Street
Wilmington, NC 28405
00152341AK-998
AK AM AO
New Hanover County Sheriff's Office

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

37. **T/A M and M General Store**
M and M General Store, LLC
602 East Trade Street, Suite B
Dallas, NC 28034
00255483AK-998
AK AM AO
ALE District VI

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of selling or transferring glass tubes or splitters without proper records.

38. **T/A Olive Garden Italian Restaurant 1682**

GMRI, Inc.
8225 Northlake Commons Blvd.
Charlotte, NC 28216
Q11441-962
AJ AL AN AY
Mecklenburg County ABC Board

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

39. **T/A Ribeyes of Henderson**

Ribeyes of Vance, LLC
2002 Graham Avenue
Henderson, NC 27536
00264433AJ-999
AJ AL AN AY
ALE District IV

Removed from Agenda

40. **T/A Salty Caper**

Salty Caper, LLC
115 South Lee Street
Salisbury, NC 28144
00144307AJ-999
AJ AL
ALE District VI

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of selling an alcoholic beverage to an underage person.

41. **T/A Scotchman 3022**

GPM Southeast, LLC
900 Lake Park Blvd.
Carolina Beach, NC 28428
Q11608-973
AK AM AO
ALE District I

Offer in Compromise: 35-day suspension, avoided upon payment of \$3,500.00 on the charge of selling an alcoholic beverage to an underage person.

42. **T/A Short Stop Food Mart 40**

Lil Thrift Food Marts, Inc.
2227 Bingham Drive

Fayetteville, NC 28304
Q11146-899
AK AM AO
Cumberland County ABC Board

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

43. **T/A Triangle Mini Mart**
Shihab Hazza Al-Kubati
4003 Fayetteville Street
Durham, NC 27713
00194929AK-999
AK AM AO
ALE District IV

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on charges of possessing counterfeit goods for resale.

44. **T/A VIP Club**
Winston Salem Legends Hospitality, LLC
707 Pavilion Blvd.
Charlotte, NC 28262
00177778AJ-995
AJ AL AN AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of failing to comply with private club membership requirements.

45. **T/A Windy City Sundries**
Windy City Partners, Inc.
1129 2nd Street NE
Hickory, NC 28601
00258953AJ-999
AJ AL AZ
ALE District VII

Offer in Compromise: 25-day suspension, avoided upon payment of \$2,500.00 on the charge of failing to comply with private club membership requirements.

46. **T/A World of Beer**
WOB Fayetteville JVP, LLC
1944 Skibo Road
Fayetteville, NC 28314
00235385AJ-999

AJ AL AN AY
Cumberland County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of employee wearing uniform while consuming alcoholic beverages.

47. **T/A Yonder**
Bread and Circuses, LLC
114 West King Street
Hillsborough, NC 27278
00279352AJ-999
AJ AL AN AZ
ALE District IV

Offer in Compromise: 16-day suspension, avoided upon payment of \$1,600.00 on the charges of (1) possessing a container of spirituous liquor not bearing mixed beverage tax stamps and (2) failing to dispose of empty spirituous liquor bottles as soon as the bottles were empty.

48. **T/A Boston's House of Jazz**
Boston's House of Jazz, LLC
1011 Arnold Street
Greensboro, NC 27405
00219200AJ-999
AJ AL AZ
Greensboro Police Department

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charge of possessing non-taxpaid alcoholic beverages.

49. **T/A Circle K Store 2723924**
Circle K Stores, Inc.
6500 Fairview Road
Charlotte, NC 28210
Q11434-690
AK AM
Mecklenburg ABC Board

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling an alcoholic beverage to an underage person.

50. **T/A Food Lion 124**
Food Lion, LLC
102 North Reilly Road
Fayetteville, NC 28303
Q11473-948
AK AM AO

Cumberland County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of selling an alcoholic beverage to an underage person.

51. **T/A Food Lion 1577**
Food Lion, LLC
1000 Waughtown Street
Winston Salem, NC 27107
Q11473-613
AK AM AO CE DF
Triad Municipal ABC Board

Offer in Compromise: 11-day suspension, avoided upon payment of \$1,100.00 on the charge of selling an alcoholic beverage to an underage person.

52. **T/A Fusion**
Zarrin James, Inc.
6432 East Independence Blvd.
Charlotte, NC 28212
00254189AJ-999
AJ AL AZ
Mecklenburg County ABC Board

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charges of (1) failing to comply with private club membership requirements and (2) failing to superintend.