

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

Summary of Action Taken On
Wednesday, November 9, 2011

SECTION I
CONTESTED CASES

Suspensions:

1. Triangle Food and Fun, LLC
T/A **Six Forks Pub**
7361 Six Forks Road
Raleigh, NC 27615
00166852AJ-999
AJ AL AY

Final Agency Decision – Three-year suspension *and* payment of \$750.00, on charge of failure to file quarterly financial reports.

2. Universal Entertainment, LLC
T/A **El Patron Night Club and Bar**
1544 North Fayetteville Street
Asheboro, NC 27203
00173888AJ-999
AJ AL AZ

Final Agency Decision – Seven-day suspension, suspended upon payment of \$700.00, on charge of tax stamps not permanently defaced.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

3. Wake Forest Ale House, Inc.
T/A **Carolina Ale House**
11685 Northpark Drive
Wake Forest, NC 27587
00154914AJ-999
AJ AN AL AY

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

4. Holmes Oil Company, Inc.
T/A **Cruizers 23**
100 Latta Road
Durham, NC 27712
Q11461-996
AK AM

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

5. Bahhur, Inc.
T/A **Dash N**
1316 Hargett Street
Jacksonville, NC 28540
00171740AK-999
AK AO AM

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charges of knowingly possessing drug paraphernalia to inject, inhale or introduce into the body a controlled substance unlawful to possess, knowingly allowing violations of the controlled substances to occur on the licensed premises, and possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes.

6. FHCC, LLC
T/A **Doubletree Hotel Fayetteville**
1965 Cedar Creek Road
Fayetteville, NC 28312
00147783AJ-999
AJ AN AL CY

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00, on charge of displaying the brand names of malt beverages and mixed beverages on the exterior of the premises on other than a food menu and not attached to the building.

7. Durham Mini Mart, Inc.
T/A **Durham Mini Mart**
1933 Holloway Street, Suite B
Durham, NC 27703
00174646AK-999
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of failure to superintend and possessing stolen property knowing the same to have been feloniously taken or carried away (two counts).

8. Fincastles, LLC
T/A **Fincastles Diner**
215 South Elm Street
Greensboro, NC 27401
00166903AJ-999
AJ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes (three counts).

9. Alhobishi Convenience Stores and Rentals, Inc.
T/A **Happy Mart 3**
902 West Broad Street
St. Pauls, NC 28384
00121550AK-997
AK AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling, offering for sale, possessing or knowingly allowing the possession or consumption of alcoholic beverages not authorized by ABC laws or permits issued to Permittee.

10. TBAA, Inc.
T/A **Independence Texaco**
3200 East Independence Boulevard
Charlotte, NC 28205
Q11283-982
AK AM

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

11. Yolanda Rodriguez
T/A **JA Catracha Grocery**
4612-B Hwy 74 West
Monroe, NC 28110
00175597AK-999
AK

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00, on charge of failure within 60 days of receipt of permit to have at least one exterior sign stating the trade name of the licensed premises as it appears on the permit.

12. Leon DeJesus Arcila, Jr.
T/A **La Hacienda Mexican Grill**
315 East 10th Street
Greenville, NC 27858
00189370AJ-999
AJ AY

Offer in Compromise – 30-day suspension with the last 23 days suspended upon payment of \$3,500.00, on charges of missing tax stamps, premixing mixed beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval, and leaving a person who was not at least 21 years old in charge of the licensed premises.

13. Food and Wine I, Inc.
T/A **One Restaurant**
100 Meadowmont Village Circle, Suite 100
Chapel Hill, NC 27517
00180913AJ-999
AJ AN AL AY

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

14. Overtime Development Group, LLC
T/A **Overtime Sports Pub**
1030-149 North Rogers Lane
Raleigh, NC 27604
00128508AJ-999
AJ AN AL AY

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

15. Casual Dining Formal Drinking, Inc.
T/A **Professor O’Cools**
605-A Greenville Boulevard SE
Greenville, NC 27834
36160A-999
AJ AL AY

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of giving to an underage person and selling to an underage person.

16. Madison Group of Charlotte, LLC
T/A **Prohibition**
200 North Tryon Street, Suite 2
Charlotte, NC 28202
00142214AJ-999
AJ AN AL AZ

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of private club advertising the availability of malt beverages, wine or mixed beverage products on an exterior sign.

17. Southern Comfort Diner, LLC
T/A **Relish Café and Bar**
5625 Creedmoor Road
Raleigh, NC 27612
00187998AJ-999
AJ AN AL AY

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

18. Partnership
T/A **Royal James Café**
117 Turner Street
Beaufort, NC 28516
59926A-999
AJ AL

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

19. Uptown Xpress, Inc.
T/A **Sams Mart 8**
4627 Sharon Road
Charlotte, NC 28211
00180045AK-998
AK

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

20. Sun Nyo Williamson
T/A **Sunnys Convenience Store**
600 West Front Street
Statesville, NC 28677
00105204AK-999
AK AO AM

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

21. BSK Associates, Inc.
T/A **Terrys Discount Grocery 1**
1020 South Main Street
High Point, NC 27260
00178559AK-999
AK AO AM

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

22. Upper Deck Sports Bar and Grill, LLC
T/A **Upper Deck Sports Bar and Grill**
703 SE Greenville Boulevard
Greenville, NC 27858
00186029AJ-999
AJ AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of failure to separate, store and provide for the collection for recycling of all recyclable beverage containers and missing tax stamps.

23. New Apple, Inc.
T/A **Applebees**
7831 Target Circle
Raleigh, NC 27616
Q11531-980
AJ AN AL AY

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charges of failure to maintain Purchase-Transportation Permit / Invoices for three years on the licensed premises, missing tax stamps, and tax stamps not permanently defaced.

24. Chef Marios, Inc.
T/A **Chef Marios**
2610 Wycliff Road, Suite 23
Raleigh NC 27607
00151582AK-999
AK AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00 on charge of possessing or knowingly allowing the possession of alcoholic beverages, the sale or possession of which is not authorized by the ABC laws or by the permits issued to Permittee.

25. Holt Lake Golf and Recreation, LLC
T/A **Country Club of Johnston County**
694 Country Club Drive
Smithfield, NC 27577
00186719AJ-999
AJ AN AL BT

Offer in Compromise – Six-day suspension, suspended upon payment of \$450.00, on charge of missing tax stamps.

26. El Parral 4, Inc.
T/A **El Parral Mexican Restaurant 4**
1406 South Scales Street
Reidsville, NC 27320
00141476AJ-999
AJ AN AL AY

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

27. Ibrahim Mohamed Alhaj
T/A **Ellis Avenue Food Mart**
1100 North Ellis Avenue
Dunn, NC 28334
00149925AK-999
AK AO AM

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

28. Fahmi and Nasr, Inc.
T/A **Five Points Mini Mart**
1509 National Avenue
New Bern, NC 28560
00156928AK-999
AK AO AM

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

29. Food Lion, LLC
T/A **Food Lion 1454**
3415 Avent Ferry Road
Raleigh, NC 27606
Q11473-590
AK AO AM CE

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

30. Good Fortune Stores, Inc.
T/A **Good Fortune Store**
5436 North Church Street
Greensboro, NC 27405
00172104AK-999
AK AM

Offer in Compromise – 35-day suspension, suspended upon payment of \$3,500.00, on charges of selling to an underage person (two counts).

31. Harris Teeter, Inc.
T/A **Harris Teeter 256**
401 Cox Road
Gastonia, NC 28054
Q11307-979
AK AO AM CE DF

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

32. Salah Mohsen Hauter
T/A **Henderson Food Mart**
420 East Andrews Avenue
Henderson, NC 27536
00126757AK-998
AK AO AM

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

33. Pantry, Inc.
T/A **Kangaroo Express 3040**
2075 North Bragg Boulevard
Spring Lake, NC 28390
Q11443-808
AK AO AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

34. Pantry, Inc.
T/A **Kangaroo Express 3043**
100 Reilly Road
Fayetteville, NC 28303
Q11443-749
AK AO AM

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

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

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

36. Arshad Ali
T/A **One Stop Grocery**
408 Vance Street
Reidsville, NC 27320
00161388AK-999
AK AO

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

37. Palm Room, Inc.
T/A **Palm Room**
11 East Salisbury Street
Wrightsville Beach, NC 28480
00116969AJ-999
AJ AL AZ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$675.00, on charge of selling to an underage person.

38. Republic, LLC
T/A **Republic**
353 West Main Street, Unit 1
Durham, NC 27701
00175216AJ-999
AJ AL AZ

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

39. Lil Thrift Food Marts, Inc.
T/A **Short Stop 9**
1008 East Cumberland Street
Dunn, NC 28334
Q11146-898
AK AO AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

40. Thumpers EC, Inc.
T/A **Thumpers Downtown**
200 North Poindexter Street
Elizabeth City, NC 27909
00157666AJ-999
AJ AL AY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of performing services while or after consuming alcoholic beverages.

41. Turks, Inc.
T/A **Turks**
1836 South Scales Street
Reidsville, NC 27320
53655A-999
AJ AN AL AY

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of giving to an underage person.

42. Weladi International, Inc.
T/A **Wine Loft**
2201 South Boulevard, Suite 120
Charlotte, NC 28203
00166801AJ-999
AJ AN AL AY

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

43. Caroline Xpress, Inc.
T/A **Xpress Mart 44**
12518 East Independence Boulevard
Matthews, NC 28105

Continued

44. El Canal, Inc.
T/A **Zapatas Mexican Restaurant and Cantina**
8927 JM Keynes Drive
Charlotte, NC 28262
00143597AJ-999
AJ AL AY

Offer in Compromise – 30-day suspension with the last 23 days suspended upon payment of \$3,500.00, on charges of destroying, altering or defacing the tax stamp or other label or seal required to be affixed to a liquor container before it is emptied and missing tax stamps.

45. Lalister Bernard Bryant III
T/A **Barn of Fayetteville**
1021 Bragg Boulevard
Fayetteville, NC 28301
00121047AJ-999
AJ AN AL AY

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00, on charges of failure to keep the sales tickets and delivery receipts furnished by the wholesaler, spirituous liquor containers having mixed beverage tax stamps with other alcoholic beverages or adding to contents of such containers from other alcoholic beverages, and tax stamps not permanently defaced.

46. MLK and Associates, LLC
T/A **Big Reds Ribs and BBQ Sports Bar**
7599 Rockfish Road
Raeford, NC 28376
00183766AJ-999
AJ AY

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

47. Mary Delores Springs
T/A **Crystal on the Plaza**
3018 The Plaza
Charlotte, NC 28205
00099773AJ-999
AJ AL AZ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

48. Don Ramon Mexican Restaurant, Inc.
T/A **Don Ramon Mexican Restaurant**
1203 East Marion Street
Shelby, NC 28150
00186051AJ-999
AJ AL AY

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

49. Fast Track, Inc.
T/A **Fast Track 104**
713 South Main Street
King, NC 27021
Q11357-997
AK AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

50. Fast Track, Inc.
T/A **Fast Track 125**
2375 Lewisville Clemmons Road
Clemmons, NC 27012
Q11357-980
AK AM

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

51. Fat Crabs Rib Company, LLC
T/A **Fat Crabs Rib Company**
1159 Austin Street, Suite 101-A
Corolla, NC 27927
00169482AJ-999
AJ AL

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 AM and 12:00 Noon.

52. Feed Me, Inc.
T/A **Feed Me**
1001 North Marietta Street
Gastonia, NC 28054
00120507AK-999
AK AM

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

53. Food Lion, LLC
T/A **Food Lion 521**
1409 West Church Street
Cherryville, NC 28021
Q11473-837
AK AO AM CE

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

54. Food Lion, LLC
T/A **Food Lion 1099**
2930 West Main Street
Durham, NC 27705
Q11473-955
AK AO AM CE

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

55. Food Lion, LLC
T/A **Food Lion 2216 (formerly bloom 1438)**
6275 Wilson Grove Road
Mint Hill, NC 28227
Q11473-679
AK AO AM CE

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

56. SAD, Inc.
T/A **Fratellos**
8531 Brier Creek Parkway, Suite 109
Raleigh, NC 27617
00144970AJ-999
AJ AN AL AY

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00, on charge of refilling spirituous liquor containers having a mixed beverage tax stamp.

57. Icehouse Hospitality Group, LLC
T/A **Icehouse**
2100 South Boulevard, Suite 100
Charlotte, NC 28203
00179874AJ-999
AJ AL AY

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

58. Pantry, Inc.
T/A **Kangaroo Express 3203**
3499 Robinhood Road
Winston-Salem, NC 27106
Q11443-667
AK AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

59. Pantry, Inc.
T/A **Kangaroo Express 3302**
1414 East Williams Street Hwy 55
Apex, NC 27502
Q11443-641
AK AM

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

60. Pantry, Inc.
T/A **Kangaroo Express 3941**
8505 South Tryon Street
Charlotte, NC 28273
Q11443-585
AK AM

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

61. Sheet, Inc.
T/A **Omni Mart**
245 Market Street
Cramerton, NC 28032
00147647AK-999
AK AO AM

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

62. RMMOIB, LLC
T/A **R and R Grill**
136 East Rosemary Street, Suite 101
Chapel Hill, NC 27514
00172042AJ-999
AJ AN AL AY

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

63. Nai Chanoy Wontaw
T/A **Raman**
6402-B Market Street
Wilmington, NC 28405
00186720AK-999
AK AO AM

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

64. Partnership
T/A **Rush Street Food Market**
201 Sheldon Drive
Raleigh, NC 27610
31383B-999
AK AO AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of selling to an underage person.

65. Said Hassan Elwir
T/A **Smithfield Market**
600 South Brightleaf Boulevard
Smithfield, NC 27577
00176348AK-999
AK AO AM

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

Cancellations:

66. Edward G Bond Post 40 The American Legion, Inc.
T/A **American Legion Fairgrounds**
1317 West Queen Street
Edenton, NC 27932
00163607AJ-999
AJ

Offer in Compromise – Cancel Malt Beverage On Premise ABC permit on charge of failure to superintend.

67. El Corral Restaurant II, Inc.
T/A **El Corral Restaurant**
406 North Main Street
Creedmoor, NC 27522
00188938AJ-999
AJ AL AY

Offer in Compromise – Cancel ALL ABC permits on charge of failure to file quarterly financial reports.

68. Jorge Eduardo Moreno
T/A **El Manantial**
1307 7th Avenue East
Hendersonville, NC 28792
00163734AJ-997
AJ AL AY

Offer in Compromise – Cancel ALL ABC permits on charge of missing tax stamps.

69. Jose Otoniel Rebolgar
T/A **Saritas Mexican Restaurant**
110 East Main Street
Biscoe, NC 27209
00175561AJ-999
AJ AY

Offer in Compromise – Cancel Mixed Beverage Restaurant ABC permit on charge of failure to file annual financial reports.

Reconsideration:

70. Partnership
T/A **La Poblanita**
108 West South Street
Aberdeen NC 28315
67186A-999
AJ AL AY

Offer in Compromise – Three-day suspension with a three-day credit given on charge of failure to file annual financial reports.

ADD ON CASE

71. Longbranch of Raleigh, Inc.
T/A **Longbranch of Raleigh**
608 Creekside Drive
Raleigh, NC 27609
00175817AJ-999
AJ AN AL AZ

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of selling to an underage person.

CLASSES

- (61-4) United Restaurant Group, LP
T/A **TGI Fridays**
3320 Silas Creek Parkway, Suite 348
Winston-Salem, NC 27103
62225A-998
AJ AN AL AY

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of giving to an underage person. Respondent attended a Responsible Alcohol Seller Program on September 17, 2011.

- (9-8) Moycarkey, Inc.
T/A **Downtown Sports Bar and Grill**
410 Glenwood Avenue, Unit 140
Raleigh, NC 27603
00173950AJ-999
AJ AN AL AZ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charges of transferring alcoholic beverages between establishments, missing tax stamps, and failure to prevent disorderly conduct on the licensed premises. Respondent attended a Responsible Alcohol Seller Program on August 29, 2011.

- (16-8) Ihab, Inc.
T/A **Thats Amore Pizza**
2526-106 Hillsborough Street
Raleigh, NC 27607
00157696AJ-999
AJ AN AL AY

Offer in Compromise – Six-day suspension, suspended upon payment of \$450.00, on charge of missing tax stamp. Respondent attended a Responsible Alcohol Seller Program on October 28, 2011.

(18-8) Jingyi Li
T/A **Asian Grill**
6611 Falls of Neuse Road
Raleigh, NC 27615
00184566AJ-999
AJ AL

Offer in Compromise – One-day suspension, suspended upon payment of \$100.00, on charges of transferring alcoholic beverages between establishments and missing tax stamp. Respondent attended a Responsible Alcohol Seller Program on August 30, 2011.

(25-8) Lowes Food Stores, Inc.
T/A **Lowes Foods 182**
5180 Reidsville Road
Walkertown, NC 27051
Q11269-803
AK AM CE

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Seller Program on September 12, 2011.

(28-9) DP Mustian, LLC
T/A **Rumors**
417 Cotanche Street
Greenville, NC 27858
00142375AJ-999
AJ AL AZ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person. Respondent attended a Pitt County ABC Alcohol Seller/Server Training Program on September 29, 2011.

(19-10) 6 G, LLC
T/A **Sams Mart**
2906 South Elm Street
Greensboro, NC 27406
00163280AK-999
AK AO AM

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Seller Program on October 28, 2011.

(77-10) Frankies Boys, Inc.
T/A **Olive or Twist**
21 North Front Street
Wilmington, NC 28401
00156592AJ-999
AJ AL AZ

Offer in Compromise – 32-day suspension, suspended upon payment of \$3,700.00, on charges of open to the public and giving to an underage person. Respondent attended a Responsible Alcohol Seller Program on October 12, 2011.