

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

Summary of Action Taken On
Thursday, November 18, 2010

SECTION I
CONTESTED CASES

Suspension:

1. Quickstops of Guilford County, Inc.
T/A **Road Runner Express**
3218 East Lee Street
Greensboro, NC 27406
60401A-998
AJ

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00, on charge of possession of a video gaming machine.

Dismissal:

2. Startown Lounge, Inc.
T/A **5 O’Clock Somewhere**
16 2nd Street NW
Hickory, NC 28601

Continued

Cancellation:

3. El Corona Mexican Restaurant, Inc.
T/A **Corona II**
105 East Main Street
Mayodan, NC 27027
00162726AJ-999
AJ AL AY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$750.00, on charge of failure to file annual financial reports.

SECTION II

OFFER IN COMPROMISE

Suspensions:

4. Historic Entertainment Group, LLC
T/A **Apostrophe Lounge**
1440 South Tryon Street, Unit 101
Charlotte, NC 28203
00164400AJ-999
AJ AN AL AZ

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charges of performing services while or after consuming alcoholic beverages and missing tax stamps.

5. L & Yi, Inc.
T/A **Asuka Japanese Restaurant**
101 Keybridge Drive, Suite 100
Morrisville, NC 27560
00108990AJ-999
AJ AN AL AY

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of defacing mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied.

6. Athenas, LLC
T/A **Athenas**
14 College Street
Asheville, NC 28801
00170907AJ-999
AJ AL AZ

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

7. Pamela Lynn DiPasquale
T/A **Bogey's Sportsbar**
391 Kirkpatrick Road
Burlington, NC 27215
00174266AJ-999
AJ AL AZ

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of premixing mixed beverages prior to receiving an order from a customer and without approval from the ABC Commission.

8. Boli's of Greenville, Inc.
T/A **Boli's 5th Street Pizzeria**
123 East 5th Street
Greenville, NC 27858
00162179AJ-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.

9. Willie Simon Roebuck
T/A **Buddy Roes**
188 Billy Covington Road
Rockingham, NC 28379
00177036AJ-999
AJ AS

Offer in Compromise – Six-day suspension and credit received for a three-day suspension served while on temporary permits. The remaining three-day suspension suspended upon the payment of \$300.00, on charges of failure to destroy members' alcoholic beverages left on the premises and failure to insure members' alcohol was stored in separate lockers bearing the members' names.

10. Jose Alberto Canuto
T/A **Chino Latino Restaurant**
2900 Holloway Street
Durham, NC 27703
00108617AJ-999
AJ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of failure to determine age.

11. Jesus Lopez Lopez
T/A **Fiesta Garibaldi Mexican Restaurant**
6451 B-C Yadkin Road
Fayetteville, NC 28303
00163922AJ-999
AJ AN AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00, on charges of tax stamps not permanently defaced and missing tax stamps.

12. MM Fowler, Inc.
T/A **Five Points BP 245**
1634 Glenwood Avenue
Raleigh, NC 27608
Q11390-971
AK AO AM

Offer in Compromise – 36-day suspension, suspended upon payment of \$3,600.00, on charges of selling to underage persons (two counts).

13. JBST, LLC
T/A **Lagerheads Tavern**
35 North Lumina Avenue
Wrightsville Beach, NC 28480
00145521AJ-999
AJ AL AZ

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charge of selling to an intoxicated person.

14. Mamadou Faye
T/A **M and S Supermarket**
3112 Indiana Avenue
Winston-Salem, NC 27105
00177259AK-999
AK AM

Offer in Compromise – 12-day suspension with credit received for a three-day suspension served while on temporary permits. The remaining nine-day suspension suspended upon the payment of \$900.00, on charge of selling to an intoxicated person.

15. GNH, Inc.
T/A **Parthenon Café Bar and Grill**
455 Blowing Rock Road
Boone, NC 28607
00114530AJ-999
AJ AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00, on charges of allowing consumption after hours and knowingly engaged in sexually explicit conduct.

16. Franklin Street, LLC
T/A **Players**
159 ½ East Franklin Street, 2nd Floor
Chapel Hill, NC 27514

Continued

17. Over the Rainbow, Inc.
T/A **Rainbow Café**
400 South Tryon Street, Suite M1
Charlotte, NC 28285
00123888AJ-999
AJ AL AY BX

Offer in Compromise – Seven-day suspension, suspended upon payment of \$750.00, on charge of failure to cater food at an event held off the licensed premises while catering liquor.

18. Star Power, LLC
T/A **Rox**
208 Market Street
Wilmington, NC 28401
00147746AJ-999
AJ AL AZ

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00, on charges of knowingly allowing violations of the controlled substance statutes to occur on the premises and open to the public.

19. J2WMD, Inc.
T/A **Winslow's Deli**
120 West 5th Street
Greenville, NC 27858
00173262AJ-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.

20. Adam O, Inc.
T/A **Adams Mini Mart**
963 Prospect Road
Pembroke, NC 28372
00172421AK-999
AK AO AM

Offer in Compromise – 12-day suspension and credit received for a 12-day suspension served while on temporary permits on charge of selling to an underage person.

21. Joshua Wayne Rogers
T/A **Carolina Premium Beverage**
151 Odell School Road
Concord, NC 28027
00116179WS-997
BA

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00, on charge of cooperating in a joint effort to advertise alcoholic beverages and a promotion or event with a retailer without prior written approval from the ABC Commission.

22. JBC of Greenville, LLC
T/A **5th Street Distillery**
120 East 5th Street
Greenville, NC 27858
00138509AJ-998
AJ AL AZ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charges of removing alcoholic beverages from the retail licensed premises when the sale is prohibited by law and performing services while or after consuming alcoholic beverages.

23. Mexicano, Inc.
T/A **Mexicano Restaurant**
431 Beech Mountain Parkway
Banner Elk, NC 28604
00177254AJ-999
AJ AL AY

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00, on charges of missing tax stamp, defacing mixed beverage tax stamp required to be affixed to a liquor container before the container had been emptied and failure to have the entire licensed premises open during inspection by an agent or officer.

24. Pugh Oil Company, Inc.
T/A **Tank and Tummy 9**
1025 Hwy 62
Climax, NC 27233
31249B-998
AK AM

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

25. J and J's Village Café, Inc.
T/A **Wild Hawg Saloon**
14870 Hwy 17 North
Hampstead, NC 28443
00156539AJ-999
AJ AZ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charge of employee was intoxicated on the licensed premises.

26. Citizens Fuel Company
T/A **Citi Stop 107**
760 Haywood Road
Asheville, NC 28806
Q11389-994
AK AM

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

27. Talleywhacker, Inc.
T/A **Comedy Zone**
1126 South Holden Road
Greensboro, NC 27407
62464A-998
AJ AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of transferring alcoholic beverages between establishments.

28. Family Foods of Sunbury, Inc.
T/A **Family Foods of Sunbury**
Hwy 158
Sunbury, NC 27979
22023B-999
AK AO AM

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00, on charge of selling to an underage person.

29. JUD, Inc.
T/A **Harrisburg Gas Station**
4025 Hwy 49 South
Harrisburg, NC 28075
00142624AK-999
AK

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

30. Adriana Reyes Toledo
T/A **La Estrella Mexican Store**
425-B South Fayetteville Street
Asheboro, NC 27203
00175899AK-999
AK

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charge of dispensing a prescription drug without being a licensed pharmacist.

31. R and A Entertainment, LLC
T/A **Lax Gentlemen's Club**
2216 Martin Luther King Jr. Drive
Greensboro, NC 27406

Continued

32. Pantry, Inc. **Continued**
T/A **Petro Express 3958** (*now Kangaroo Express 3958*)
2853 North Center Street
Hickory, NC 28601

33. Sai Ashish, LLC **Continued**
T/A **Stop N Shop**
610 East Nash Street
Spring Hope, NC 27882

34. Shivom, Inc.
T/A **Village Mart**
5614 Randleman Road
Randleman, NC 27317
00151876AK-999
AK AM

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

35. Partnership
T/A **Anton / JQ RDU Joint Venture, Terminal A**
1600 East Terminal Boulevard
Raleigh, NC 27623
00151920AJ-998
AJ AN AL AY

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00, on charge of tax stamp not permanently defaced and missing tax stamp.

36. Rock Ola of North Carolina, LLC
T/A **Rock Ola Café**
1131 East Dixie Drive
Asheboro, NC 27203
00093355AQ-999
AJ AN AL AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

Cancellation:

37. Jakes Java, LLC
T/A **Jake's Java Coffee House and Music Hall**
211 West Stanly Street
Stanfield, NC 28163
00172177AJ-999
AJ AL

Cancel ABC permits on charges of the status as a company was administratively dissolved by the Secretary of State of North Carolina, giving or selling alcoholic drinks at a price different from the usual price and allowing consumption by an intoxicated person.

ADD ON CASES

Suspensions:

38. Bhakti Retailer, LLC
T/A **Main Street Mini Mart**
124 North Main Street
Louisburg, NC 27549
00167942AK-999
AK AO AM

Offer in Compromise – 12-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person.

39. P and B Foods, Inc.
T/A **Sir Pizza**
520 National Hwy
Thomasville, NC 27360
00093146AJ-999
AJ AN AL AY

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

40. Denise Mary Ellen Russ
T/A **Fubar**
2350 Lillington Hwy
Spring Lake, NC 28390

Continued

41. Golden Nugget Restaurant and Lounge, Inc.
T/A **Golden Nugget Restaurant and Lounge**
7568 NC Hwy 48
Rocky Mount, NC 27809
00164072AJ-999
AJ AN AL AY

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charges of missing tax stamp and tax stamps not permanently defaced.