

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

Summary of Action Taken On
Wednesday, July 17, 2013

SECTION I

CONTESTED CASE

Suspension:

1. Soledad Lopez De Avilez
T/A **Tienda Avilez**
202 Clinton Street
Newton Grove, NC 28366

Continued

SECTION II

OFFERS IN COMPROMISE

Suspensions:

2. Jeannette Koonce King
T/A **Club Aries**
2644 Crepe Myrtle Road
Kinston, NC 28504
00178599AJ-999
AJ
ALE District II

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charges of (1) selling, offering for sale, possessing or knowingly allowing the possession or consumption of alcoholic beverages on the licensed premises, the sale or possession of which is not authorized by the ABC laws or by the permits issued to that permittee and (2) selling or possessing alcoholic beverages for sale without first obtaining the applicable ABC Permit and revenue license on the licensed premises.

3. Bucket Shop, LLC
T/A **Jeffer's Bucket Shop**
1601-B Montford Drive
Charlotte, NC 28209
00195704AJ-999
AJ AL AZ
ALE District VIII

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

4. Pantry, Inc.
T/A **Kangaroo Express 3077**
235 Fairview Road
Rocky Mount, NC 27801
Q11443-792
AK AM
ALE District I

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

5. Pantry, Inc.
T/A **Kangaroo Express 3081**
3537 Sunset Avenue
Rocky Mount, NC 27804
Q11443-802
AK AM
ALE District I

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

6. Savan Enterprises, Inc.
T/A **Stop N Shop**
100 South Virginia Dare Trail
Kill Devil Hills, NC 27948
00203288AK-999
AK AO AM
Dare County ABC

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00, on charges of performing services while or after consuming alcoholic beverages and possessing and consuming spirituous liquor on the licensed premises, the sale or possession of which is not authorized by the ABC laws or by the permits issued to that permittee.

7. Shree Maruti, LLC
T/A **Amoco Food Shop 4**
725 South Tarboro Street
Wilson, NC 27893
00132142AK-999
AK AO
ALE District II

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.

8. Kem Donnebacke
T/A **Area 51 Deli**
200 Terminal Drive
New Bern, NC 28562
00171639AJ-999
AJ
ALE District II

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

9. Bourbon Street Alley, LLC
T/A **Bourbon Street Alley**
903 Main Avenue SW
Hickory, NC 28602
00188254AJ-999
AJ AL AZ
Audit Division

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

10. Triad Golf and Travel, Inc.
T/A **Centerfolds**
2104 Veasley Street
Greensboro, NC 27407
00185104AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of failure to clear tables/counters and allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

11. Cheesemans Enterprises, Inc.
T/A **Cheesemans General Store**
9805 Old Beatty Ford Road
Rockwell, NC 28138
00090699AK-999
AK AO AM
ALE District VIII

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

12. Compadres of Randleman, Inc.
T/A **Compadres Mexican Restaurant**
110 Pointe South Drive
Randleman, NC 27317
00195404AJ-999
AJ AL AY
ALE District VI

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 of all beverages sold at retail on the premises and possessing alcoholic beverages on the licensed premises, the possession of which is not authorized by the ABC laws or by the permits issued to that permittee.

13. Drop In Food Stores, Inc.
T/A **Drop In Food Store 5**
536 South Broadway
Forest City, NC 28043
00106040AK-997
AK AM
Forest City PD

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

14. Amir H, Inc.
T/A **Hussco 1**
2905 Hillsborough Road
Durham, NC 27705
00175945AK-999
AK AO AM
ALE District IV

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

15. Anthony Garnes
T/A **Lennox Avenue Bar and Lounge**
3540 US Hwy 1
Kittrell, NC 27544
00199292AJ-999
AJ
ALE District IV

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to superintend.

16. Fayetteville Sports Bar Venture, Inc.
T/A **Oxford**
319 Fayetteville Street, Suite 105
Raleigh, NC 27601
00166246AJ-999
AJ AN AL AY BX
Audit Division

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

17. Capital VIP Night Club, LLC
T/A **Phantom** (*formerly* Capital VIP Night Club)
1505 Capital Boulevard, Unit 21
Raleigh, NC 27603
00175998AJ-999
AJ AL AZ
Wake County ABC

Offer in Compromise – Five-day suspension, suspended upon payment of \$450.00, on charge of failure to superintend.

18. Philosophers Stone, Inc.
T/A **Philosophers Stone**
1958 East 7th Street
Charlotte, NC 28205
00136563AJ-999
AJ AL AY
Mecklenburg County ABC

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of (1) failure to file annual financial reports., (2) employee was or became intoxicated, (3) failure to clear tables/counters and (4) employee consuming alcoholic beverages before being off duty for the remainder of the day.

19. College Mart, Inc.
T/A **Pop Shoppe 148**
1831 West Innes Street
Salisbury, NC 28144
00177044AK-999
AK AM
ALE District VIII

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

20. GEE, Inc.
T/A **Pirates**
651 West Manchester Road
Spring Lake, NC 28390
59101A-999
AJ AZ
Cumberland County ABC

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00, on charge of performing services while or after consuming alcoholic beverages.

21. Neptune 8, Inc.
T/A **RePublic**
314 North College Street
Charlotte, NC 28202
00152321AJ-999
AJ AN AL AR AZ
Mecklenburg County ABC

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

22. Sarem Abdo Elayah
T/A **Smart Stop**
101 West 12th Street
Scotland Neck, NC 27874
00166653AK-999
AK AO AM
ALE District I

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of engaging in an affray or disorderly conduct on the licensed premises.

23. Uptown Mercado, LLC
T/A **Uptown Mercado**
204 North Hardee Street
Durham, NC 27703
00190080AK-999
AK AO AM
ALE District IV

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of possessing spirituous liquor on premises where such possession is not authorized by law.

24. Winston-Salem Lodge 449 BPOE of the USA
T/A **Winston-Salem Elks Lodge 449**
2585 Griffith Road
Winston-Salem, NC 27103
00160778AJ-998
AJ AL BU
ALE District VI

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of allowing the operation of a game of chance where money, property, or other thing of value was bet and allowing on an ongoing basis the operation of a game of chance where money, property, or other thing of value was bet.

25. St. Pola, Inc.
T/A **A and M Mini Mart**
1909 Burlington Road
Roxboro, NC 27573
00193355AK-999
AK AO AM
ALE District IV

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

26. Hong Jo Kwon
T/A **Beatties Ford Mart**
1121-A Beatties Ford Road
Charlotte, NC 28216
00194669AK-999
AK AO AM
Mecklenburg County ABC

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

27. Boardwalk Billys, LLC
T/A **Boardwalk Billys Raw Bar and Ribs**
9005 JM Keynes Drive, Suite 2
Charlotte, NC 28262
00084661AJ-998
AJ AL AY
Mecklenburg County ABC

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charge of knowingly selling or giving alcoholic beverages to an intoxicated person.

28. Blazin Wings, Inc.
T/A **Buffalo Wild Wings Grill and Bar**
440 East McCullough Drive, Suite 230
Charlotte, NC 28262
Q11574-993
AJ AN AL AY
Mecklenburg County ABC

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

29. Mint Julep Restaurant Operations, LLC
T/A **Cheddars Casual Café**
620 University Center Boulevard
Charlotte, NC 28262
00179671AJ-998
AJ AL AY
Mecklenburg County ABC

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of missing tax stamps.

30. Mahecha Group, LLC
T/A **D's Tobacco and Mini Mart**
139 SW Greenville Boulevard
Greenville, NC 27834
00203732AK-999
AK AM
Pitt County ABC

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

31. Drop In Food Stores, Inc.
T/A **Drop In Food Store 3**
516 Oak Street
Forest City, NC 28043
00106040AK-998
AK AM
Forest City PD

Offer in Compromise – 24-day suspension, suspended upon payment of \$2,400.00, on charges of knowingly selling alcoholic beverages to an intoxicated person and selling to an underage person.

32. Watsons, Inc.
T/A **Emerald Isle Wine Market**
9102 Coast Guard Road
Emerald Isle, NC 28594
45462A-999
AJ AO AM CE
ALE District II

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of a retailer advertising wine products by means of a billboard.

33. KHB Supply Company, Inc.
T/A **Fairway One Stop 12**
1382 South Church Street
Burlington, NC 27215
00116987AK-998
AJ AO AM
ALE District VI

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

34. Gabe Mart, Inc.
T/A **Gabe Mart**
305 Jones Franklin Road
Raleigh, NC 27606
00193651AK-999
AK AO AM
ALE District IV

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

35. Sampson Bladen Oil Company, Inc.
T/A **Han Dee Hugos 60**
2581 Gorman Street
Raleigh, NC 27606
Q11310-932
AK AM
Wake County ABC

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

36. Jay Shrijee, Inc.
T/A **Happy Mart**
416 South JK Powell Boulevard
Whiteville, NC 28472
00204681AK-999
AK AO AM
ALE District III

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of failure to qualify for an off-premise fortified wine permit by maintaining less than \$1,500.00 inventory of staple foods on licensed premises and transferring glass tubes or splitter without requiring purchasers to enter their name and current address on a record maintained by the retailer on the licensed premises.

37. T and B Concepts of Pinehurst, LLC
T/A **Hickory Tavern**
9735 US 501 Hwy, Suite 170
Southern Pines, NC 28374

Continued

38. American Legion
T/A **Hubert M Smith Post 77**
216 4th Avenue West
Hendersonville, NC 28739
20097A-999
AJ AL AZ
ALE District IX

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of missing tax stamps.

39. Ingles Markets, Inc.
T/A **Ingles Markets 12**
1818 West Dixon Boulevard
Shelby, NC 28150
Q11141-933
AK AO AM
Shelby PD

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

40. Roldan A. Guerra
T/A **Las Amazonas Bar**
2000 Chapel Hill Road, Suite 14
Durham, NC 27707
00179022AJ-999
AJ AY
Audit Division, ALE District IV

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00, on charges of (1) failure to purchase malt beverages only from a wholesaler, (2) failure to superintend and (3) failure to file quarterly financial and inventory reports.

41. Suryoday Corp.
T/A **Low Price Grocery**
1500 Concord Avenue
Monroe, NC 28110
00194509AK-999
AK AO AM
Monroe PD

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

42. Lucky Star Food Mart and Tobacco, Inc.
T/A **Lucky Star Food Mart and Tobacco**
104 Sandhills Boulevard
Aberdeen, NC 28315
00197434AK-999
AK AO AM
ALE District V

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

43. Mother Tuckers Eatery, LLC
T/A **Mother Tuckers Eatery**
1642 Spring Garden Street
Greensboro, NC 27403
00186378AJ-999
AJ AY
ALE District VI

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

44. Martin Food Enterprises, Inc.
T/A **Pizza Hut**
650 East Dixon
Shelby, NC 28150
40368A-997
AJ AL AY
Shelby PD

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

45. Providence Country Club
T/A **Providence Country Club**
6001 Providence Country Club Drive
Charlotte, NC 28277
00090829AJ-999
AJ AN AL AZ BX
Mecklenburg County ABC

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of missing tax stamps.

46. Railhouse Brewery, LLC
T/A **Railhouse Brewery**
122 Garrett Street, Suite C
Aberdeen, NC 28315
00184601AJ-999
AJ AY
ALE District V

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on performing services while or after consuming alcoholic beverages.

47. Partnership
T/A **Shooters Sports Bar and Billiards**
3808-A High Point Road
Greensboro, NC 27407
00158269AJ-998
AJ AN AL AZ
ALE District VI

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charges of (1) failure to superintend, (2) knowingly allowing violations of the controlled substance statutes to occur on the licensed premises and (3) possessing or using a controlled substance in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises.

48. Jupiter Enterprise, LLC
T/A **Southern Convenience**
851 North New Hope Road
Gastonia, NC 28054
00174920AK-999
AK AO AM
Gastonia PD

Offer in Compromise – 26-day suspension, suspended upon payment of \$2,600.00, on charge of selling to an underage person.

49. Stegall Petroleum, Inc.
T/A **SPI Express 7**
2303 Morgan Mill Road
Monroe, NC 28110
00112365AK-994
AK AM
Monroe PD

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

50. West Park Tavern Corp.
T/A **West Park Tavern**
2734 NC Hwy 55, Suite B
Cary, NC 27519
00198022AJ-999
AJ AN AL AY
Wake County ABC

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00, on charge of missing tax stamps.

Cancellations:

51. Charlotte 0009, LLC
T/A **Dixies Tavern**
301 East 7th Street
Charlotte, NC 28202
00119205AJ-999
AJ AN AL AY
Mecklenburg County ABC

Offer in Compromise – Cancel ALL ABC Permits on charge of knowingly selling or giving alcoholic beverages to an intoxicated person.

52. Entertainment City, Inc.
T/A **Itz**
4118 Legend Avenue
Fayetteville, NC 28303
00098781AJ-999
AJ AN AL AR AY BX
Cumberland County ABC

Offer in Compromise – Cancel ALL ABC Permits *and* pay a monetary penalty of \$1,000.00 on charges of failure to allow Alcohol Law Enforcement Agents to view the entire premises during a lawful inspection and an on-premise permittee, failed to separate, store and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises.