

North Carolina
Alcoholic Beverage Control Commission
3322 Garner Road
Raleigh, NC 27610

Summary of Action Taken On
Thursday, March 13, 2008

SECTION I

CONTESTED CASE

Suspension:

1. Jayshreeben Jagdishchand Shah
T/A **Jays Grocery 3**
1917 Martin Luther King Drive
Greensboro NC 27406

Final Agency Decision – \$1,200.00 monetary penalty on charges of failure to keep the premises clean, failure to keep receipts and records filed separate and apart from all other records on the premises for three years, failure to post trade name sign within 60 days of receiving an ABC permit and failure to obtain or post the appropriate city beer and wine licenses.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

2. Baglamukhi Corp
T/A **Terrys Discount Grocery**
722 English Road
High Point NC 27262
00153331AK-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.

3. King and I Company Inc
T/A **King and I**
926 NE Maynard Road
Cary NC 27513
00084961AJ-999
AJ AL

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

4. Bobby Allen Motz
T/A **Side Trax Bar and Grill**
1519 Hwy 150 West
Lincolnton NC 28092
00117545AK-998
AJ AL AY

Offer in Compromise – 50-day suspension with the last 43 days suspended upon payment of \$5,000.00 on charges of failure to purchase malt beverages and unfortified wine only from a wholesaler, missing tax stamps, tax stamps not defaced, possession of nontaxpaid alcoholic beverages and allowing gaming pools.

5. Zeros Limited
T/A **Blind Tiger**
2115 Walker Avenue
Greensboro NC 27403
45029A-999
AJ AL AZ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of failure to purchase unfortified wine only from a wholesaler and open to the public.

6. Tienda Hispana La Esperanza Inc
T/A **Big Pig Chicken and B B Q Restaurant**
2701 Hillsborough Road
Durham NC 27705
00152171AJ-999
AJ

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charges of failure to clear tables and counters (two counts), failure to have food available at all times that alcoholic beverages are being served and failure to keep licensed premises clean.

7. Chase Development Ash LP
T/A **Ashford Suites Hotel**
3901 Ashford Suites Hotel
High Point NC 27265
00103071AJ-999
AJ AN AL CY

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

8. Armory Golf Center LLC
T/A **Armory Golf Center**
2020 Silas Creek Parkway
Winston Salem NC 27103
00117008AJ-999
AJ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of unauthorized sale, possession or consumption of alcoholic beverages, allowing gaming pools and failure to obtain or post the appropriate city/county and beer/wine retail licenses.

9. Gas Center Inc
T/A **Gas Center 3**
4001 Market Street
Wilmington NC 28405
Q11393-998
AK AO AM

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

10. JABS Entertainment LLC
T/A **JABS Ultra Bar**
1600-J West Lee Street
Greensboro NC 27403
00131887AK-999
AJ AN AL AZ

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charges of open to the public and failure to submit application for substitution of a manager.

11. Pantry Inc
T/A **Kangaroo Express 864**
601 Gallimore Dairy Road
High Point NC 27261
Q11443-856
AK AO AM

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

12. Randal Gas and Grocery LLC
T/A **Fairgrove Food Shop**
1370 Fairgrove Church Road
Conover NC 28613
00125989AK-999
AK AO AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of knowingly possessing drug paraphernalia.

13. J R Mills Inc
T/A **Rays Elbow Room**
4206 Apex Hwy
Durham NC 27713
62952A-999
AJ AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1000.00 on charges of unauthorized possession of unfortified wine and failure to purchase malt beverages only from a wholesaler.

14. Meet and Krish Corp
T/A **Quick Pantry 3**
254 Bethany Church Road
Forest City NC 82043

Offer in Compromise – 24-day suspension, suspended upon payment of \$1,200.00 on charges of allowing violations of the controlled substance statutes to occur and selling to an underage. Respondent completed a Responsible Alcohol Seller Program (RASP) on February 19, 2008.

15. P Y C Holdings LLC
T/A **Peninsula Yacht Club**
18501 Harbor Light Boulevard
Cornelius NC 28301
00130471AJ-999
AJ AL AZ

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00 on charges of giving to an underage person and open to the public.

16. Peter Foods LLC
T/A **Compare Foods**
951 Silas Creek Parkway
Winston Salem NC 27127
00150879AK-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.

17. Circle K Stores Inc
T/A **Circle K 8382**
9201 Lawyers Road
Charlotte NC 28227
Q11434-996
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of allowing the consumption of malt beverages while on premises having only an off-premise permit.

18. A & J Food Market LLC
T/A **A & J Food Market**
3016 Princess Place Drive
Wilmington NC 28405
00129523AK-999
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charges of knowingly allowing violations of the controlled substance statutes to occur on the premises and failure to superintend.

19. Assay Inc LLC
T/A **Whiskey**
1 South Front Street Unit B
Wilmington NC 28401
00155664AJ-999
AJ AL AZ

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of performing services while or after having consumed alcoholic beverages on the premises and allowing consumption of alcoholic beverages after hours.

20. Randy Irwin Keziah
T/A **Reds Bar and Boogie**
1000 West Roosevelt Boulevard – Suite 200
Monroe NC 28110
00081419AJ-998
AJ AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charges of allowing possession of alcoholic beverages in an area other than specifically approved by the Commission and delivering more than one drink at a time to a single patron.

21. T D Flounders Inc
T/A **Flounders Seafood and Smokehouse**
425 Hotel Drive
New Bern NC 28560
00116895AJ-998
AJ AL

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

22. El Rodeo of South Square Inc
T/A **El Rodeo**
3404 Westgate Drive
Durham NC 27707
67485A-998
AJ AN AL AY

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00 on charges of underage person preparing, serving, selling, dispensing and/or delivering alcoholic beverages and giving to an underage person.

23. William Lovell Lawrence
T/A **Platinum Club**
1704 Shamrock Drive
Charlotte NC 28205
00155553AJ-999
AJ AL AZ

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

24. Nantucket Café Inc
T/A **Nantucket Café**
5826 Fayetteville Road – Suite 101-102
Durham NC 27713
00119094AJ-998
AJ AN AL AY

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

25. Ristorante Piemonte LLC
T/A Piedmont
401 Foster Street
Durham NC 27701
AJ AL AY

Offer in Compromise – 11-day suspension, suspended upon payment of \$1,100.00 on charges of unauthorized possession of spirituous liquor, failure to purchase fortified wine only from a wholesaler and premixed mixed beverages prior to receiving written ABC Commission approval.

26. 007 Wilmington LLC
T/A **007 Wilmington**
122 Princess Street
Wilmington NC 28401
00150472AJ-999
AJ AL AZ

Offer in Compromise – 11-day suspension, suspended upon payment of \$600.00 on charges of open to the public and selling to an underage.

27. Katherine Louise McKenzie
T/A **Lucky Break Bar and Billiards**
2339 English Road
High Point NC 27262
00152181AJ-999
AJ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of allowing consumption of alcoholic beverages by an intoxicated person and allowing consumption after hours.

28. Mickey Milligans Inc
T/A **Mickey Milligans**
3411 Trent Road
New Bern NC 28562
69266A-999
AJ AL AZ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00 on charges of employee did aid and abet an underage person to possess malt beverages and failure to determine the age of a person consuming alcoholic beverages on the premises.

29. Ricardo Antwain Bnnerman
T/A **Masters Grill**
306 Fast Florida Street
Greensboro NC 27406
60967A-998
AJ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of selling to an underage person. Credit was given to Respondent for suspension taken February 15, 2008, and ending February 19, 2008.

30. Carlos Alberto Guerrero Turcios
T/A **Restaurant Playa Azul**
2000 Chapel Hill Road – Suite 14
Durham NC 27707
00130534AJ-999
AJ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of failure to purchase malt beverages only from a wholesaler and sales after hours.

31. Solz Inc
T/A **Speakeasy Tavern**
1706 Battleground Avenue
Greensboro NC 27408
00124559AJ-999
AJ AN AL AZ

Offer in Compromise – Three-day suspension, suspended upon payment of \$250.00 on charge of open to the public.

32. Lil Thrift Food Marts Inc
T/A **Short Stop 71**
105 East Connecticut Avenue
Southern Pines NC 28387
Q11146-888
AK AO AM

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

33. Big Party Inc
T/A **Big Party**
404 Huffman Mill Road
Burlington NC 27215
00146340AJ-999
AJ

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

34. Jose Manuel Rojas
T/A **Taquitos To Go**
800 West Green Drive
High Point NC 27260
00155032AJ-999
AJ

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00 on charges of giving to an underage person and unauthorized possession of spirituous liquor.

35. G N J LLC
T/A **Club Menage**
3404 High Point Road
Greensboro NC 27407
00140559AJ-998
AJ AL AZ

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00 on charge of open to the public.

36. Smith Reeder Group Inc
T/A **Charlie Goodnights Restaurant
and Comedy Club**
861 West Morgan Street
Raleigh NC 27603

Continued

37. Linda Roberts Brandt
T/A **Esquire Lounge**
704 Rigsbee Avenue
Durham NC 27701
00144224AJ-999
AJ AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of allowing consumption after hours.

38. Fast Track Inc
T/A **Country Market and Deli**
300 Sparta Road
North Wilkesboro NC 28659
Q11357-994
AK AM

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

39. W Z Limited
T/A **Chumleys**
2132 Lawndale Drive
Greensboro NC 27408
56299A-999
AJ AL AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of open to the public.

40. T S at L K N LLC
T/A **Tim Schafers at Lake Norman**
7343 Gabriel Street
Sherrills Ford NC 28673
00129012AJ-999
AJ AN AL AV

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of unauthorized possession of alcoholic beverages.

41. Kyles Friendly Service Inc
T/A **Kyles South Elm B P**
2915 South Elm Eugene Street
Greensboro NC 27406
48841B-994
AK AM

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

42. Sitadevi H Patel
T/A **Poole Road Mart**
2121 Poole Road
Raleigh NC 27610
00111224AK-999
AK AO AM

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00 on charge of selling to an underage person.

FIRST OFFENSE CASES
MARCH 13, 2008, COMMISSION
AGENDA ADDENDUM
First Offense Cases
Signed by Chairman
(Resolution of 11-08-02)

Suspensions

- 1F. Alta Petroleum LLC
T/A **D and T Mini Mart**
5115 Western Boulevard
Raleigh NC 27606
00151029AK-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.

- 2F. Caribbean Café LLC
T/A **Caribbean Café**
2645 East Millbrook Road – Suite D
Raleigh NC 27604
00151962AJ-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.

- 3F. Shivam Inc of Charlotte
T/A **Highland Creek Amoco**
5045 Ridge Road
Charlotte 28269
00081905AK-999
AK AO AM

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

- 4F. Pantry Inc
T/A **Kangaroo Express 3183**
1401 Winston Road
Lexington NC 27292
Q11443-662
AK AO AM

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

5F. Rare Hospitality International Inc
T/A **Longhorn Steakhouse of Winston Salem**
955 Hanes Mall Road
Winston Salem NC 27103
Q11525-988
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.

6F. River Bend Marina and Café Inc
T/A **River Bend Marina and Café**
1 Marina Road
New Bern NC 28562
00147405AJ-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.

7F. Richard Riley Mullens
T/A **West Park B P**
1400 West D Street
North Wilkesboro NC 28659
63919B-994
AK AO AM

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

8F. Dabir Brothers Inc
T/A **Triangle Ds**
1304 Norwood Road
Raleigh NC 27613
58846B-997
AK AO AM

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

9F. Jian Long Company
T/A **Yamato Japanese Restaurant**
5836 Samet Drive – Suite 140
High Point NC 27265

Continued

10F. Bella Cuisine LLC
T/A **ZPizza**
5815 Samet Drive – Suite 111
High Point NC 27265
00149358AJ-999
AJ AL

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

11F. NBave Inc
T/A **Valero**
1830 New Bern Avenue
Raleigh NC 27610
00149364AK-999
AK AO AM

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

12F. Sohini Corp II Inc
T/A **Stoney Creek Citgo**
6305 Burlington Road
Stoney Creek NC 27377

Dismissed – permits cancelled

13F. WilcoHess LLC
T/A **Wilco 362**
1304 West Cumberland Street
Dunn NC 28334
Q11485-894
AK

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

14F. Albemarle Oil Company
T/A **Alco 27**
10870 NC 211 Hwy
Aberdeen NC 28135
Q11524-983
AK

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

15F. Ronald Lee Robinson
T/A **Eleanors Sports Tavern & Grill**
430 North Main Street
Hendersonville NC 28792
00151084AJ-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.

16F. Food Lion LLC
T/A **Food Lion 149**
1125 Clayton Village
Clayton NC 27520
Q11473-911
AK AO AM

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

17F. P M L Carolina Inc
T/A **Gardenia Restaurant**
1019 Alleghany Street
Charlotte NC 28208
66891A-999
AJ

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

18F. United Energy Inc
T/A **Han Dee Hugos 86**
2800 Tryon Road
Raleigh NC 27603
Q11419-961
AK AO AM

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

19F. Harris Teeter Inc
T/A **Harris Teeter 35**
5030 Park Road
Charlotte NC 28209
Q11307-826
AK AO AM

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

20F. Kroger Limited Partnership I
T/A **Kroger 381**
3825 South Roxboro Street – Suite 101
Durham NC 27707
Q11459-966
AK AO AM

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

21F. Spring Hope Golf Association Inc
T/A **Peachtree Hills Country Club**
3512 Peachtree Hills Road
Spring Hope NC 27882
14587J-999
AJ AS

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

22F. Plus Mart Inc
T/A **Store**
700 Oakview Road
High Point NC 27265
001156759AK-999
AK AO AM

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

23F. B B Hurricane Restaurants Inc
T/A **B B Hurricane**
100 Marina Drive
New Bern NC 28560
00141727AJ-999

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

24F. Ghassans Inc
T/A **Ghassans Restaurant**
1605 Battleground Avenue
Greensboro NC 27408
07316A-997
AJ AN AL

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

25F. Shawqi Abdallah Ali
T/A **Alis Convenient Mart**
100 South Pender Street
Wilson NC 27893
00149808AK-999
AK AO AM

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

26F. Circle K Stores Inc
T/A **Circle K Store 5111**
2833 Freedom Drive
Charlotte NC 28208
Q11434-932
AK AO AM

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

27F. D S P Investments Inc
T/A **Dains Place**
754 Ninth Street
Durham NC 27705
00149888AJ-999
AJ AN AL AY

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

28F. Beroth Oil Company
T/A **Four Brothers Food Store 214**
4575 Yadkinville Hwy
Pfafftown NC 27040
Q11367-973
AK

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

29F. Pepper Dining Inc
T/A Chilis Grill and Bar
253 Tunnel Road
Asheville NC 28805
Q11561-997
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.

30F. WilcoHess LLC
T/A **Wilco 216**
11693 US Hwy 70 West
Clayton NC 27520
Q11485-967
AK

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