

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

**Summary of Action Taken On
August 13, 2004**

SECTION I

CONTESTED CASE

Dismissal:

1. Midnight Sun Investments, Inc.
T/A **Tiki Cabaret**
2315 South Main Street
High Point, NC 27263

Dismissed.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

2. Gemenis Promotions, Inc.
T/A **Disco Gemenis**
2589 Eric Lane
Burlington, NC 27215
00117925AJ-999
AJ

Offer in Compromise- 16-day suspension, suspended upon payment of \$1,600.00, on charges of allowing a person under 21 years old to possess alcoholic beverages, failing to clear all tables and counters of all alcoholic beverages by 2:30 AM and allowing consumption of alcoholic beverages between 2:30 AM and 7:00 AM.

3. Samudra, Inc.
T/A **Eagle Mart**
500 South Hughes Boulevard
Elizabeth City, NC 27909
66174B-999
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

4. Food Lion, LLC
T/A **Food Lion 1242**
3024 Prosperity Church Road
Charlotte, NC 28269
Q11473-657
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

5. Ameira, Inc.
T/A **John's Curb Market**
2000 East Market Street
Greensboro, NC 27401
62411A-999
AK AO AM

Offer in Compromise- 5-day suspension, suspended upon payment of \$500.00, on charge of employee possessing drug paraphernalia on the licensed premises.

6. M M Fowler, Inc.
T/A **Joyland B P**
2406 Holloway Street
Durham, NC 27703
Q11390-997
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

7. Kenneth Levern Lennon
T/A **Kenneth Convenient Store**
904 Gregory Street
Greensboro, NC 27403
66880B-999
AK AO AM

Offer in Compromise- 15-day suspension with the last 10 days suspended upon payment of \$1,000.00 on charge of employee possessing drug paraphernalia on the licensed premises.

8. Rudders, Inc.
T/A **Rudders Seafood Grille**
525 Broad Street
Fuquay-Varina, NC 27526
00110393AJ-999
AJ AL AY

Offer in Compromise- 30-day suspension with the last 23 days suspended upon payment of \$3,000.00 on charges of possessing containers of spirituous liquor not bearing mixed beverage tax stamps, possessing fortified wine for sale without a permit and revenue license and possessing empty containers of spirituous liquor bearing tax stamps that had not been permanently defaced.

9. Holmes Oil Company, Inc.
T/A **Snackers 265**
567 Ruin Creek Road
Henderson, NC 27536
Q11461-991
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

10. Ertle Richard Lewis
T/A **Stocks Food Store**
1010 East Second Street
Lumberton, NC 28358
29269B-999
AK AO AM

Offer in Compromise- 30-day suspension, suspended upon payment of \$3,000.00 on charge of selling alcoholic beverages to a person less than 21 years old.

11. Partnership
T/A **Watson's Food Mart**
6341 Deans Street
Bailey, NC 27807
00087164AK-999
AK AO AM

Offer in Compromise- 25-day suspension, suspended upon payment of \$2,500.00, on charge of possessing a slot machine on the licensed premises.

12. Marta Orbelina Sanchez
T/A **American Distribution**
723 Warsaw Road
Clinton, NC 28328
00110910CM-999
AT BL

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling and offering for sale malt beverage products that had not been approved by the ABC Commission for sale in this State.

13. Beroth Oil Company
T/A **Four Brothers Food Store 215**
6351 Shallowford Road
Lewisville, NC 27023
Q11367-971
AK

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

14. Graysons Tavern LLC
T/A **Graysons Tavern**
106 South Main Street
Huntersville, NC 28070
00105097AJ-999
AJ AN AL AZ

Offer in Compromise- 12-day suspension, suspended upon payment of \$1,200.00, on charges of being open to the general public and selling alcoholic beverages to a person less than 21 years old.

15. Huffman Oil Company, Inc.
T/A **Huff's Fairfield**
2800 South Main Street
High Point, NC 27260
Q11244-987
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

16. Monte de Rey of 150, Inc.
T/A **Monte de Rey Restaurant**
5092–5098 Peters Creek Parkway
Winston Salem, NC 27103
00121115AJ-999
AJ AL AY

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of allowing a person less than 21 years old to possess and consume alcoholic beverages on the licensed premises.

17. M M Fowler, Inc.
T/A **Duke Street B P**
3804 North Duke Street
Durham, NC 27704
Q11390-968
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

18. M M Fowler, Inc.
T/A **Jonestown Road B P**
703 Jonestown Road
Winston Salem, NC 27103
Q11390-983
AK AM

Offer in Compromise- 30-day suspension with the last 25 days of such suspension suspended upon payment of \$3,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

19. Longbranch Saloon Enterprises, Inc.
T/A **Longbranch Saloon**
624 Creekside Drive
Raleigh, NC 27609
00099159AJ-999
AJ AN AL AZ

Offer in Compromise- 1-day suspension, suspended upon payment of \$100.00, on charge of failing to supervise the licensed premises.

20. Ernest Perkins
T/A **Mutual Distributing Company**
301 Industrial Drive
New Bern, NC 28562
00101079WS-999
BL BM

Offer in Compromise- 3-day suspension, suspended upon payment of \$300.00, on charge of selling fortified wine for the purpose of resale to Patricia Harris, a person who holds neither a fortified wine wholesaler nor retailer license.

21. New Dixie Oil Corp
T/A **New Dixie Mart 20**
1910 Julian Allsbrook Hwy
Roanoke Rapids, NC 27870
Q11266-977
AK AO AM

Offer in Compromise- 30-day suspension with the last 25 days of such suspension suspended upon payment of \$3,000.00 on charge of selling alcoholic beverages to a person less than 21 years old.

22. Parnell Oil Company, Inc.
T/A **Poco Shop 5**
122 East Fourth Street
Red Springs, NC 28377
52938B-998
AK AO AM

Offer in Compromise- 30-day suspension with the last 25 days of such suspension suspended upon payment of \$3,000.00 on charge of selling alcoholic beverages to a person less than 21 years old.

23. S and L Mini Mart, Inc.
T/A **S and L Mini Mart**
1001 Cherryville Road
Shelby, NC 28150
00115226AK-999
AK AO AM

Offer in Compromise- 12-day suspension, suspended upon payment of \$1,200.00, on charge of selling alcoholic beverages to a person less than 21 years old.

24. R J and M J Inc. of Jacksonville, NC
T/A **Stratusphere 25 Plus Entertainment Complex**
4075 Gumbranch Road
Jacksonville, NC 28546
00122366AJ-999
AJ AL AZ

Offer in Compromise- 10-day suspension, suspended upon payment of \$800.00, on charge of employee performing services after having consumed alcoholic beverages.

25. Stricklands, Inc.
T/A **Stricklands 6**
2425 Legion Road
Fayetteville, NC 28306
00119257AK-995
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

26. Trade Oil Company, Inc.
T/A **Trade Mart 3**
1308 Pamalee Drive
Fayetteville, NC 28301
Q11327-998
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

27. Steve Van Nguyen
T/A **Trans Mini Mart**
11185 East Finch Avenue
Middlesex, NC 27557
00089131AK-999
AK AO AM

Offer in Compromise- 25-day suspension, suspended upon payment of \$2,500.00, on charges of possessing a slot machine on the licensed premises, possessing gambling devices on the licensed premises and allowing gambling to occur on the licensed premises.

28. Ke Bo Enterprises, Inc.
T/A **Pepper's Den**
2901 Spring Garden Street
Greensboro, NC 27403
56587A-999
AJ AN AL AZ

Offer in Compromise- 25-day suspension, suspended upon payment of \$2,500.00, on charge of possessing a slot machine while upon the licensed premises.

29. Charles Edward Jones
T/A **Rendevous**
531 South Ireland Street
Burlington, NC 27215
00086868AJ-999
AJ

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages without first obtaining the applicable ABC permit and revenue license.

30. Smith and Shore Oil Company, Inc.
T/A **Zingo Mart 2**
301 East Fairfield Road
High Point, NC 27263
54253B-999
AK AO AM

Offer in Compromise- 30-day suspension with the last 25 days of such suspension suspended upon payment of \$3,000.00 on charge of underage sale on March 20, 2004.

31. M A R R, Inc.
T/A **Fast Phil's 501**
3208 Taylorsville Road
Statesville, NC 28677
56662B-999
AK AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

32. B and S Stores, Inc.
T/A **Crossroads Grocery**
6809 Mitchell Mill Road
Zebulon, NC 27597
00112504AK-999
AK AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

33. Phillips Food Shop, Inc.
T/A **New Hope B P**
801 New Hope Road
Raleigh, NC 27610
53479B-996
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

34. Partnership
T/A **Pitt Stop Café**
964 East Street
Pittsboro, NC 27312
00093859AJ-999
AJ AL

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

35. Food Lion LLC
T/A **Food Lion 2545**
12330 NC Hwy 210
McGee's Crossroads, NC 27504
Q11473-553
AK AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

36. Pantry, Inc.
T/A **Kangaroo Express 846**
1800 Laura Duncan Road
Apex, NC 27502
Q11443-968
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

37. Appalachian X Treme, Inc.
T/A **Klondike Café**
441 Blowing Rock Road
Boone, NC 28607
00084403AJ-999
AJ AL

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

38. High Point Road Food and Beverage, Inc.
T/A **Platinum Club**
2507 High Point Road
Greensboro, NC 27403
69834A-999
AJ AN AL AZ

Offer in Compromise- 7-day suspension, suspended upon payment of \$700.00, on charges of employee consumption and being open to the general public.

39. Pantry, Inc.
T/A **Quick Stop 3019**
400 Erwin Road
Dunn, NC 28334
Q11443-810
AK AO AM

Offer in Compromise- 20-day suspension, suspended upon payment of \$2,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

40. Jian Chen
T/A **Asahi Japanese and Chinese Restaurant**
124 New River Drive
Surf City, NC 28445
00102461AJ-999
AJ AL AY

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charges of possessing containers of spirituous liquor not bearing tax stamps, possessing empty containers of spirituous liquor bearing tax stamps which had not been defaced and failing to keep sales tickets and delivery receipts for malt beverages and wine filed separate and apart from all other records.

41. Excalibur Ventures Asheville LLC
T/A **Melting Pot**
26 Lodge Street
Asheville, NC 28803
00103997AJ-999
AJ AN AL AY

Offer in Compromise- 15-day suspension, suspended upon payment of \$1,500.00, on charge of possessing containers of spirituous liquor not bearing tax stamps.

42. Jesus Francisco Piña-Garcia
T/A **La Michoacana**
218 North Greensboro Street
Liberty, NC 27298
00124464AK-999
AK

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charges of selling alcoholic beverages to a person less than 21 years old and establishing and maintaining living quarters in or connected to the licensed premises.

Cancellation:

43. Graduate Gastonia, Inc.
T/A **Graduate Food and Pub**
1455 East Franklin Boulevard
Gastonia, NC 28052
00087364AJ-998
AJ AL AY

Cancel on charges of allowing an intoxicated person to consume alcoholic beverages, knowingly selling alcoholic beverages to an intoxicated person and selling alcoholic beverages to a person less than 21 years old.

ADD-ON CASE

Cancellation:

44. M C R E Enterprises, Inc.
T/A **Mingles**
9005-3 J.M. Keynes Drive
Charlotte, NC 28262
00110620AJ-999
AJ AN AL AZ

Cancel on charges of failing to maintain a current alphabetical roster of all members and their complete addresses and being open to the general public.

FIRST OFFENSE CASES
AUGUST 13, 2004 COMMISSION

First Offense Cases
Signed by Chairman
(Resolution of 11-08-02)

Suspensions:

1. Bi Lo LLC
T/A **Bi Lo 405**
3915 Ramsey Street
Fayetteville, NC 28311
Q11479-939
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

2. Partnership
T/A **Boulevard Amoco**
3310 Bragg Boulevard
Fayetteville, NC 28303
66328B-999
AK

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

3. New South Pizza, Inc.
T/A **Brixx Wood Fired Pizza**
16915 Birkdale Commons Parkway
Huntersville, NC 28078
00084113AJ-996
AJ AL AY

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

4. Thien Luong Cao
T/A **D P Mini Mart**
839 Rauhut Street
Burlington, NC 27217
42664A-996
AK AO

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

5. Douglas Eatmon
T/A **Dee's Country Store**
3009 Hwy 15
Creedmoor, NC 27522
00116505AJ-999
AJ AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

6. Eckerd Corp.
T/A **Eckerd Drugs 1059**
2832 North Elm Street
Lumberton, NC 28358
Q11452-881
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

7. Eckerd Corp.
T/A **Eckerd Drugs 2729**
7440 Creedmoor Road
Raleigh, NC 27613
Q11452-950
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

8. M M Fowler, Inc.
T/A **Eno B P**
5292 Roxboro Road
Durham, NC 27704
Q11390-985
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

9. Exprezit Convenience Stores LLC
T/A **Exprezit Convenience Store 126**
1003 East 4th Avenue, Hwy 211
Red Springs, NC 28377
Q11514-994
AK

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

10. Red Springs Fuel Oil Company, Inc.
T/A **Exxon Shop 7**
2801 Roberts Avenue
Lumberton, NC 28358
59125B-998
AK

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

11. Lake Norman Restaurant Ventures LLC
T/A **Fuddruckers**
16625 Statesville Road
Charlotte, NC 28078
68140A-999
AJ AL

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

12. Daughtridge Enterprises, Inc.
T/A **Fuel Doc 14**
1200 South Tarboro Street
Wilson, NC 27893
Q11432-989
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

13. John Richard Ward
T/A **Gazz Up High School**
3801 Fayetteville Road
Lumberton, NC 28358
00118802AK-999
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

14. Hairs Grocery, Inc.
T/A **Hairs Grocery 1**
801 East 4th Avenue
Red Springs, NC 28377
65711B-999
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

15. Sampson Bladen Oil Company, Inc.
T/A **Han Dee Hugos 16**
1012 Halstead Boulevard
Elizabeth City, NC 27909
Q11310-986
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

16. United Energy, Inc.
T/A **Han Dee Hugos 59**
2201 West Millbrook Road
Raleigh, NC 27612
Q11419-978
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

17. M and N Enterprise, Inc.
T/A **Jiffy Stop**
1101 West Third Avenue
Red Springs, NC 28377
00122015AK-999
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

18. K J's Express Stores, Inc.
T/A **K J's Express**
800 South Main Street
King, NC 27021
0011120AK-999
AK AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

19. P J's Convenient Mart, Inc.
T/A **P J's Convenient Mart**
801 East Second Street
Lumberton, NC 28358
58640B-999
AK AO AM

Offer in Compromise- 5-day suspension, suspended upon payment of \$500.00, on charge of selling alcoholic beverages to a person less than 21 years old.

20. Fuad Saleh Alsaïdi
T/A **Pit Stop**
6283 South Hwy 301
Hope Mills, NC 28348
00087219AK-998
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

21. Maruti, Inc.
T/A **Pitt Stop**
14601 Statesville Road
Huntersville, NC 28078
00115582AK-999
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

22. Roberto Contreras
T/A **Plaza Garibaldi**
1940 Roberts Avenue
Lumberton, NC 28358
00111901AK-999
AK

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

23. Safeway Market, Inc.
T/A **Safeway Market**
211 West Saunders Street
Maxton, NC 28364
00085803AK-999
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

24. L S A A, Inc.
T/A **Sam's Mart 18**
12906 Rosedale Hill Avenue
Huntersville, NC 28078
Q11468-985
AK AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

25. Li'l Thrift Food Marts, Inc.
T/A **Short Stop Food Mart 43**
601 South Main Street
Hope Mills, NC 28348
Q11146-909
AK AO AM

Offer in Compromise- 5-day suspension, suspended upon payment of \$500.00, on charge of selling alcoholic beverages to a person less than 21 years old.

26. Partnership
T/A **Wal Mart Supercenter 1155**
5070 Fayetteville Road
Lumberton, NC 28358
Q11492-967
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

27. N H Enterprise, Inc.
T/A **Yoshi's Grill**
9905-B Rose Commons Drive
Huntersville, NC 28078
00106051AJ-999
AJ

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

28. Herbert Marshall Daves
T/A **Marshall's**
410 Carbon City Road
Morganton, NC 28655
48412B-998
AK AO AM

Offer in Compromise- 5-day suspension, suspended upon payment of \$500.00, on charge of underage sale on February 5, 2004.

29. Algonquin Duffy LLC
T/A **Truffles**
247-8 Mount Jefferson Road
West Jefferson, NC 28694
00115784AJ-999
AJ AL

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

30. Food Lion LLC
T/A **Food Lion 1622**
1363 North Raleigh Street
Angier, NC 27501
Q11473-997
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.

31. Pantry, Inc.
T/A **Kangaroo Express 440**
6306 Carolina Beach Road
Wilmington, NC 28409
Q11443-886
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

32. Pantry, Inc.
T/A **Kangaroo Express 437**
6759 Carolina Beach Road
Wilmington, NC 28409
Q11443-885
AK AO AM

Offer in Compromise- 7-day suspension, suspended upon payment of \$750.00, on charge of selling alcoholic beverages to a person less than 21 years old.

33. Food Lion LLC
T/A **Food Lion 591**
921 South Main Street
Graham, NC 27253
Q11473-748
AK AO AM

Offer in Compromise- 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling alcoholic beverages to a person less than 21 years old.