

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

Summary of Action Taken On  
Wednesday, August 15, 2012

SECTION I  
CONTESTED CASES

Application:

1. Lovell Glover  
T/A **Dawson Street Mini Mart**  
1305 Dawson Street  
Wilmington NC 28401  
A00115525

Final Agency Decision – Adopt Administrative Law Judge’s decision for the rejection of the permittee’s application for a Malt Beverage Off Premise Permit based on the location is not a suitable place to hold ABC permits and operation of the business with ABC permits would be detrimental to the neighborhood.

Suspensions:

2. Tecleab Maasho  
T/A **Central Mini Mart**  
1300 Oakwood Avenue  
Raleigh NC 27610  
00168741AK-999  
AK AO AM

Adopt Administrative Law Judge’s Decision – Impose a seven-day suspension *and* payment of \$500.00 on charge of selling to an underage person.

3. G K Mart Inc  
T/A **G K Mart**  
4115 Old Tar Road  
Winterville NC 28590  
00178434AK-999  
AK AO AM

Final Agency Decision – Adopt Administrative Law Judge’s decision for a 60-day suspension *and* payment of \$500.00 on charge of selling to an underage person (two counts).

Revocation:

4. Stanley Ray Edwards  
T/A **Woogies**  
2871 Hwy 17 South  
Chocowinity NC 27817  
00145206AJ-998  
AJ AN AL AY

Final Agency Decision – Amend Administrative Law Judge’s Recommended Decision from revocation to suspension of Mixed Beverage Restaurant Permit for one year beginning September 14, 2012, on charge of failure to file annual financial reports.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

5. Claude Evans Allen Amvets Post 42  
T/A **Amvets Post 42**  
925 East Dixon Boulevard  
Shelby NC 28150  
14492J-999  
AJ AN AL AR BU CF

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of failure to maintain on the premises, available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

6. Eagles Enterprise Inc  
T/A **Eagles 5**  
620 Hampton Pointe Boulevard  
Hillsborough NC 27278  
00137808AK-997  
AK AO AM

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

7. Herman Theoplis Jones  
T/A **Ebony and Ivory**  
2720 North Church Street  
Rocky Mount NC 27804  
00187803AJ-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.

8. Lourdes Inc  
T/A **El Gavilan**  
3808 Driftwood Drive  
Charlotte NC 28205  
00138583AJ-999  
AJ AZ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of failure to determine age.

9. Shree Kamnath Corp  
T/A **Express Way**  
601 West Roosevelt Boulevard  
Monroe NC 28110  
70485B-997  
AK AO AM

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

10. Alicia Marie Garcia  
T/A **La Cumbia**  
1000 West Pine Street  
Mount Airy NC 27030  
00190831AJ-999  
AJ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charges of (1) interfering with or failing to cooperate with an officer engaged in the performance of duties, (2) failure to clear tables/counters, (3) failure to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers to avoid any undue hazards to patrons and (4) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM.

11. Starr Goode Ray  
T/A **Louies Sports Pub**  
2417 Robeson Street  
Fayetteville NC 28305  
00142014AJ-999  
AJ AL AZ

Offer in Compromise – 12-day suspension on charge of performing services while or after consuming alcoholic beverages. Credit given for the 12-day suspension taken June 16, 2012 through June 27, 2012.

12. H M A R T Inc  
T/A **Mi Pais**  
48 Whites Crossing Plaza  
Whiteville NC 28472  
00179608AJ-998  
AK

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

13. Movin On Motorcycle and Social Club MC/SC  
T/A **Movin On Motorcycle and Social Club MC/SC**  
806 West Kivett Drive  
High Point NC 27260  
00166110AJ-999  
AJ AS

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charge of failure to superintend.

14. Jeffrey Ray Watson  
T/A **Mozelles**  
112 South Raiford Street  
Selma NC 27576  
00195258AJ-999  
AJ AL AY

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00 on charges of selling or possessing alcoholic beverages for sale without first obtaining the applicable ABC Permit and revenue license on the licensed premises and missing tax stamp.

15. Charles Dempsey Pope  
T/A **P 3**  
416 East Broad Avenue  
Rockingham NC 28379  
00186826AJ-999  
AJ AZ

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00 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.

16. **Passion Nightclub Inc**  
T/A **Passion Nightclub**  
3925 New Bern Avenue Unit D  
Raleigh NC 27610  
00175953AJ-999  
AJ AL AZ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of failure to superintend.

17. **Pulse R Inc**  
T/A **Pulse**  
136 East Rosemary Street  
Chapel Hill NC 27514  
00186672AJ-999  
AJ AN AL AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of performing services while or after consuming alcoholic beverages.

18. **Sheetz of NC LLC**  
T/A **Sheetz 428**  
102 North Van Buren Road  
Eden NC 27288  
Q11557-979  
AK AO AM

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

19. **WilcoHess LLC**  
T/A **Wilco 340**  
2205 South Sterling Street  
Morganton NC 28655  
Q11485-710  
AK

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

20. Sol Mart Inc  
T/A **Williams Mini Mart**  
131 South Hamilton Street  
Eden NC 27288  
00190639AK-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.

21. Malik Muhammad Aslam  
T/A **A A A Quick Mart II**  
328 Bodenhamer Street  
Kernersville NC 27284  
00183862AK-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. Ruzz Hospitality Group Inc  
T/A **Cedar Street Tavern**  
120 North Cedar Street Suite 755  
Charlotte NC 28202  
00182451AJ-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.

23. Top Shelf Entertainment LLC  
T/A **Club Onyx**  
5300 Old Pineville Road  
Charlotte, NC 28217  
00134789AJ-999  
AJ AN AL AZ

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00 on charges of (1) possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises (six counts), (2) performing services while or after consuming alcoholic beverages (four counts), (3) knowingly allowing violations of the controlled substance statutes to occur on the licensed premises and (4) tax stamps not permanently defaced.

24. J and K Holdings NC LLC  
T/A **Corner Tavern and Grill**  
1301 NW Maynard Road  
Cary NC 27513  
00171788AJ-999  
AJ AN AL AY

Offer in Compromise – 35-day suspension, suspended upon payment of \$3,500.00 on charges of failure to obtain or post the appropriate county beer and wine retail license and failure to superintend.

25. Prafullata Rameshchandr Patel  
T/A **Family Stop**  
406 Johnston School Road  
Asheville NC 28806  
00188473AK-999  
AK AM

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00 on charge of failure to store malt beverages on the licensed premises.

26. Fahmi and Ahmad Inc  
T/A **Five Points Food Mart**  
205 South Memorial Drive  
Greenville NC 27834  
00169074AK-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.

27. Food Lion LLC  
T/A **Food Lion 937**  
805 Ocean Trail  
Corolla NC 27927  
Q11473-717  
AK AO AM CE

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

28. Food Lion LLC  
T/A **Food Lion 986**  
1678 West Franklin Street  
Monroe NC 28112  
Q11473-691  
AK AO AM

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

29. Freemans Pub LLC  
T/A **Freemans Pub**  
173 West Main Avenue  
Gastonia NC 28052  
00169358AJ-999  
AJ AL AY

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

30. Hayes Hackney Corporation  
T/A **Grocery Door 4**  
5030 US Hwy 264 West  
Wilson NC 27893  
39816B-999  
AK AO AM

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

31. Hooters of High Point LLC  
T/A **Hooters of High Point**  
274 Eastchester Drive Suite 135  
High Point NC 27262  
00152872AJ-999  
AJ AN AL AY

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00 on charges of (1) failure to submit to the Commission an application for substitution of a manager within 30 days after employment as manager, (2) employees consuming alcoholic beverages on the licensed premises while wearing employee uniform and (3) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

32. Nav G Inc  
T/A **J J Mart**  
570 Cornelius Street  
Hillsborough NC 27278  
00168968AK-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.

33. Mindi LeAnn Ward  
T/A **Just One More Tavern**  
2301 West Green Drive  
High Point NC 27260  
00175201AJ-999  
AJ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charge of possessing a controlled substance in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises.

34. Pantry Inc  
T/A **Kangaroo Express 3014**  
2501 Hope Mills Road at Cumberland Road  
Fayetteville NC 28302  
Q11443-789  
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00 on charge of knowingly selling alcoholic beverages to an intoxicated person.

35. Stooges Inc  
T/A **Latitude 35 Degrees**  
1217 Hay Street  
Fayetteville NC 28305  
00185361AJ-999  
AJ AN AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of failure to have food available at all times that alcoholic beverages are being served.

36. R H Barringer Dist Company Inc  
T/A **R H Barringer Dist Company**  
1015 Ziglar Road  
Winston Salem NC 27105  
4291WS-998  
BA

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00 on charge of holder of a salesman permit, did provide a thing of value to a retailer.

37. Rosemart Properties LLC  
T/A **Rose Mart 208**  
1318 South Main Street  
Wake Forest NC 27587  
Q11555-984  
AK AM

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

38. Jo Heaven Inc  
T/A **606 Lounge**  
606 Glenwood Avenue  
Raleigh NC 27603  
00188915AJ-999  
AJ AN AL AZ

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

39. L J B L Inc  
T/A **Shark Bar**  
3923 New Bern Avenue  
Raleigh NC 27610

**Continued**

40. J M 1501 Inc  
T/A **Spurs**  
1501 Patton Avenue  
Asheville NC 28806  
00195036AJ-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.

41. Stancil Oil Company Inc  
T/A **Stancils Amoco Food Shop 3**  
905 South Pollock Street  
Selma NC 27576  
05731B-996  
AK

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,500.00 on charge of selling to an underage person.

42. James Thomas Stephens  
T/A **Stephens Vineyard and Winery**  
284 Smith Mill Road  
Lumberton NC 28358  
00171504CM-999  
DS BC BM BZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of a wine wholesaler selling unfortified wine to a retail business that did not hold a retail or wholesale unfortified wine permit.

43. Thomas Street Tavern Inc  
T/A **Thomas Street Tavern**  
1218 Thomas Avenue  
Charlotte NC 28205  
00088494AJ-999  
AJ AL AY

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of knowingly selling alcoholic beverages to an intoxicated person and performing services while or after consuming alcoholic beverages (two counts).

44. Thomas Street Tavern Inc  
T/A **Thomas Street Tavern**  
1218 Thomas Avenue  
Charlotte NC 28205  
00088494AJ-999  
AJ AL AY

Offer in Compromise – 40-day suspension, suspended upon payment of \$4,000.00 on charges of (1) tax stamps not permanently defaced, (2) failure to post each ABC permit, (3) knowingly employing in the sale or distribution of alcoholic beverages a person prohibited due to a conviction of felony within three years, (4) employee carrying a pistol into an establishment in which alcoholic beverages are sold and consumed, (5) knowingly possessing drug paraphernalia to inject, inhale or otherwise introduce into the body a controlled substance which would be unlawful to possess on the licensed premises, (6) possessing a controlled substance in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises and (7) performing services while or after consuming alcoholic beverages.

45. Kidane Yosief Woldegiorgis  
T/A **Thrifty Stop**  
879 East Sunset Drive  
Monroe NC 28112  
60758B-998  
AK AO AM

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00 on charge of failure to keep the sales tickets and delivery receipts furnished by the wholesaler, as well as all other records of purchases of malt beverages and wine, filed separate and apart from all other records.

46. Hari Krishna of Burlington Inc  
T/A **Whistle Express**  
1001-B West Main Street  
Haw River NC 27258  
00156087AK-999  
AK AM

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

47. Zip N Mart Inc  
T/A **Zip N Mart 3**  
2413 Hope Mills Road  
Fayetteville NC 28304  
00160639AK-998  
AK AO AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of transferring glass tubes without maintaining a record of each transaction on the licensed premises.

48. Applebees Restaurants Mid Atlantic LLC  
T/A **Applebees Neighborhood Grill and Bar**  
611 South Hughes Boulevard  
Elizabeth City NC 27909  
00157726AJ-998  
AJ AN AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charges of performing services while or after consuming alcoholic beverages and giving away or selling alcoholic drinks at a price that is different from the usual price for less than the entire business day.

49. El Dorado 14 Inc  
T/A **El Dorado Mexican Restaurant**  
7961 Skyland Ridge Parkway Suite 125  
Raleigh NC 27617  
00152711AJ-999  
AJ AL AY

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

50. Altuna Company LLC  
T/A **Express Mart 2**  
3532 Cumberland Road  
Fayetteville NC 28306  
00147283AK-998  
AK AO AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00 on charge of displaying point of sale advertising in a manner intended to advertise malt beverages on the outside of the establishment.

51. Gondola Family LLC  
T/A **Gondola Italian Restaurant of Shelby**  
306 East Dixon Boulevard  
Shelby NC 28151  
00166459AJ-999  
AJ AN AL AY

Offer in Compromise – 22-day suspension, suspended upon payment of \$2,200.00 on charges of (1) giving to an underage person, (2) tax stamps not permanently defaced and (3) missing tax stamp.

52. V S K 1 Hickory Enterprises Inc  
T/A **Gray Franklin Express Mart**  
1007 East Franklin Boulevard  
Gastonia NC 28054  
00184075AK-995  
AK AO AM

Offer in Compromise – 45-day suspension with the last 30 days suspended upon payment of \$3,500.00 on charges of possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes on the licensed premises and employee refusing to permit an ABC law enforcement officer to enter the premises to make a lawful ABC inspection.

53. Los Portales Corp  
T/A **Los Portales Store**  
698 South Linden Drive Unit 105  
Eden NC 27288  
00108628AJ-999  
AK

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

54. Ibrahim Sabhi Rizek  
T/A **Marks Food Market**  
2205 Pactolus Hwy  
Greenville NC 27834

**Continued**

55. Herbert Marshall Daves  
T/A **Marshalls**  
410 Carbon City Road  
Morganton NC 28655  
48412B-998  
AK AO AM

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

56. T M C Restaurant of Charlotte LLC  
T/A **Mens Club**  
444 Tyvola Road  
Charlotte NC 28217  
67501A-999  
AJ AN AL AY

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charge of missing tax stamps.

57. Tiep Duc Pham  
T/A **Pho An Hoa**  
4832 Central Avenue Suite A-B  
Charlotte NC 28205  
00195566AJ-999  
AJ

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

58. Nader Behrouzjou  
T/A **Quik Mart**  
2501 Freedom Drive  
Charlotte NC 28208

**Continued**

59. Rameses Temple 51 Inc  
T/A **Rameses Temple 51**  
4919 Beatties Ford Road  
Charlotte NC 28216  
68086A-999  
AJ AL AZ AS

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of missing tax stamps and tax stamps not permanently defaced.

60. Red Drum Inc  
T/A **Red Drum Taphouse**  
2412 South Virginia Dare Trail  
Nags Head NC 27959  
00082223AJ-999  
AJ AN AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of allowing patrons to leave the premises with malt beverages in containers other than the manufacturer’s original closed container.

61. Basheer Salih Hafedh  
T/A **Two Brothers**  
3310 Dearborn Drive  
Durham NC 27704  
00163803AK-999  
AK AM

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00 on charge of transferring a glass tube or splitter without requiring the patron to enter his name and address on a record maintained on the licensed premises.

Cancellations:

62. 3 Pit Inc  
T/A **Karma**  
1925 Westinghouse Boulevard  
Charlotte NC 28273  
00181257AJ-999  
AJ AL AZ

Offer in Compromise – Cancel ALL ABC permits on charges of (1) missing tax stamps (two counts), (2) failure to clear tables/counters and (3) giving away or selling alcoholic drinks at a price that is different from the usual price.

63. Overtime Development Group LLC  
T/A **Overtime Sports Pub**  
1030-149 North Rogers Lane  
Raleigh NC 27604

**Continued**

64. Quick Quality Inc  
T/A **Quick Quality**  
316 South Fayetteville Street  
Asheboro NC 27203  
00163881AJ-999  
AK AM

Offer in Compromise – Cancel ALL ABC Permits *and* payment of \$5,000.00 on charges of (1) selling to an underage person (two counts), (2) knowingly selling or giving alcoholic beverages to an intoxicated person (two counts), (3) allowing consumption of malt beverages while upon premises having only an Off Premise Malt Beverage permit and (4) owning more than one licensed retail establishment and transferring alcoholic beverages between establishments without prior approval in writing from the ABC Commission.

65. Waterfront Grill LLC  
T/A **Waterfront Grill**  
111 Sagamore Cove  
Bunn NC 27508  
00186186AJ-999  
AJ AL

Offer in Compromise – Cancel ALL ABC Permits *and* payment of \$750.00 on charges of (1) possessing an alcoholic beverage issued to that permittee, the sale or possession of which is not authorized by the ABC laws or by the permits, (2) performing services while or after consuming alcoholic beverages, (3) consuming alcoholic beverages before being off duty for the remainder of that day on the licensed premises and (4) permitting the possession and/or consumption of mixed beverages on the licensed premises where such possession or consumption of was not authorized by Chapter 18B.

## Responsible Alcohol Seller Program

(48-5) El Canal Inc  
T/A **Zapatas Mexican Restaurant and Cantina**  
8927 J M Keynes Drive  
Charlotte NC 28262  
00143597AJ-999  
AJ AL AY

Offer in Compromise – Three-day suspension, suspended upon payment of \$975.00 on charges of destroying, altering or defacing the mixed beverage tax stamp, or other label or seal required to be affixed to a liquor container, before the container had been emptied and missing tax stamp. Respondent attended a Responsible Alcohol Seller Program on June 19, 2012.