

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

Summary of Action Taken On
Thursday, January 13, 2011

SECTION I

OFFERS IN COMPROMISE

Suspensions:

1. Ahmed Saleh Hauter
T/A **Bunn Pit Stop**
280 Main Street
Bunn, NC 27508
66231B-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.

2. El Rey, Inc.
T/A **Carniceria el Rey Market**
3737 Farmington Drive, Suite A
Greensboro, NC 27407
00151139AJ-999
AJ

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

3. Metro Holdings of Wilmington, Inc.
T/A **Cellar**
16 Princess Street
Wilmington, NC 28401
00167743AJ-999
AJ AL AZ

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

4. Las Americas, Inc.
T/A **Cinco de Mayo Mexican Grill**
10009 Weddington Road Ext.
Concord, NC 28027
00159574AJ-999
AJ AL AY

Offer in Compromise – 30-day suspension with the last 23 days suspended on payment of \$3,500.00, on charges of refilling spirituous liquor containers and missing tax stamps.

5. El Cerro Bar and Grill of Wendell, Inc.
T/A **El Cerro Bar and Grill**
18 West Third Street
Wendell, NC 27597
00168031AJ-999
AJ AL AY

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

6. Rivers End Enterprises, Inc.
T/A **Hell's Kitchen**
118-A Princess Street
Wilmington, NC 28401

Continued

7. Patrick Richard Hess
T/A **Lake James Pub and Grill**
3221 NC 126
Morganton, NC 28655
00150760AJ-999
AJ AL BT

Offer in Compromise – 11-day suspension, suspended upon payment of \$1,100.00, on charges of failure to purchase unfortified wine from a wholesaler and missing tax stamps.

8. Rallypoint Sport Grill, LLC
T/A **Rallypoint Sport Grill**
1837 North Harrison Avenue
Cary, NC 27513
00172278AJ-999
AJ AN AL AY

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

Continued

9. Horn Red Dot, Inc.
T/A **Red Dot Grocery**
608 West Ward Street
High Point, NC 27260

10. WilcoHess, LLC
T/A **Wilco 226**
2802 Owen Drive
Fayetteville, NC 28306
Q11485-883
AK

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

11. Juan Jesus Romero Conejo
T/A **Billar La Raza**
652 North Cannon Boulevard
Kannapolis, NC 28083
00144507AJ-999
AJ

Offer in Compromise – 50-day suspension with credit received for a 50-day suspension already taken on charges of carrying a gun, rifle or pistol into an establishment, knowingly allowing violations of the controlled substance statutes to occur on the premises and possession of a controlled substance.

12. Fresh Market, Inc.
T/A **Fresh Market**
1200-A Raleigh Road
Chapel Hill, NC 27517
Q11334-973
AK AO AM CE DF

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

13. MM Fowler, Inc.
T/A **Greensboro Coliseum Family Fare 267**
2514 High Point Road
Greensboro, NC 27403
Q11390-938
AK AM

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of Sunday sales before noon.

14. Seung Kook Lee
T/A **Lees Grocery**
4609 North Cherry Street
Winston-Salem, NC 27105
66636B-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.

15. Big Dog Tacos, Inc.
T/A **Serena**
5311 South Miami Boulevard, Suite A
Durham, NC 27703
00127043AJ-999
AJ AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of failure to cooperate with a law enforcement officer and failure to purchase unfortified wine only from a wholesaler.

16. Nehal, Inc.
T/A **Seth Mart 2**
637 Martin Luther King Jr. Drive
Greensboro, NC 27406
00144022AK-997
AK

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

17. J and E, Inc.
T/A **Spankys**
101 East Franklin Street
Chapel Hill, NC 27514
04436A-999
AJ AN AL AY BX

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

18. Charles Henderson Bryant
T/A **Studio 117**
920 McDaniel Avenue
Goldsboro, NC 27530
03570A-998
AJ AL AZ AR

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charge of missing tax stamps and tax stamps not permanently defaced.

19. Tienda Latinos, Inc.
T/A **Tienda Latinos**
1601 East Bessemer Avenue, Suite K
Greensboro, NC 27405
00134460AJ-999
AJ AL

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

20. Partnership
T/A **Ya Ya Mini Mart and Tobacco**
594 South Reilly Road, Suite 126
Fayetteville, NC 28314
00171233AK-999
AK AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to maintain records including invoices for inspection or audit for three years.

21. Henry H. Lim
T/A **Crown at South Elm Eugene**
2715 South Elm Eugene Street
Greensboro, NC 27406
00137581AJ-999
AJ

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

22. La Finca Restaurants, Inc.
T/A **La Finca Mexican Grill**
903 North Smithfield Road
Knightdale, NC 27545
00177569AJ-999
AJ AL AY

Offer in Compromise – 35-day suspension with the last 28 days suspended upon the payment of \$3,500.00, on charges of possession of nontaxpaid alcoholic beverages and transferring a tax stamp from one spirituous liquor container to another.

23. Lira Corp.
T/A **Lira Gas Station**
5600 Atlantic Avenue
Raleigh, NC 27615
00158083AK-999
AK AM

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

24. TMC Restaurant of Charlotte, LLC
T/A **Mens Club**
444 Tyvola Road
Charlotte, NC 28217
67501A-999
AJ AN AL AY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of missing tax stamps.

25. NAH Convenience Stores, Inc.
T/A **Party Pick Up**
655 North Garnett Street
Henderson, NC 27536
00165422AK-999
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of possession of drug paraphernalia and possession of a controlled substance.

26. Red Onion Café, Inc.
T/A **Red Onion Café**
227 Hardin Street
Boone, NC 28607
00171401AJ-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.

27. Lil Thrift Food Marts, Inc.
T/A **Short Stop 39**
2302 Gillespie Street
Fayetteville, NC 28306
Q11146-900
AK AO AM

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

28. Devils Den Bar and Grill, LLC
T/A **Spokes and Spurs**
11652 US 220
Stoneville, NC 27048
00164499AJ-999
AJ AL AS

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charges of failure to superintend, performing services after consuming alcoholic beverages and open to the public.

29. Windy City Partners, Inc.
T/A **Windy City Sundries**
1129 2nd Street NE
Hickory, NC 28601
00111378AJ-999
AJ AL AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of failure to clear tables/counters and allowing consumption after hours.

30. Buckhead Saloon Charlotte, Inc.
T/A **Buckhead Saloon**
201 East 5th Street
Charlotte, NC 28202
00120581AJ-999
AJ AN AL AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of cooperating in a joint effort to advertise alcoholic beverages and a promotion or event with an industry member without the prior written approval of the ABC Commission.

31. Greatday Green, LLC
T/A **Connollys On Fifth**
115 East Fifth Street
Charlotte, NC 28202
00107405AJ-999
AJ AL AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of cooperating in a joint effort to advertise alcoholic beverages and a promotion or event with an industry member without the prior written approval of the ABC Commission.

32. Barbeque Integrated, Inc.
T/A **Smokey Bones Bar and Fire Grill 7551**
1891 Skibo Road
Fayetteville, NC 28303
00158446AJ-997
AJ AN AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00, on charges of resisting or obstructing an officer attempting to make a lawful inspection of the licensed premises and displaying the brand name of a malt beverage on the exterior of the premises on other than a food menu.

33. Flores Restaurant, Inc.
T/A **San Jose Mexican Restaurant**
1616-A South Madison Street
Whiteville, NC 28472
00100355AJ-999
AJ AL AY

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

PREVIOUS AGENDA CASES

Suspensions:

- (77-10) Diver Down, Inc.
T/A **Dive Restaurant Bar and Grill**
6 North Lake Park Boulevard, Unit C
Carolina Beach, NC 28428
00161696AJ-999
AJ AL AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of allowing consumption by an intoxicated person.

- (165-10) Marino Esteban Diaz
T/A **Azteca Sports Bar**
16 East Broad Street
Angier, NC 27501
00167336AJ-999
AJ

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

- (40-11) Denise Mary Ellen Russ
T/A **Fubar**
2350 Lillington Hwy
Spring Lake, NC 28390
00147032AJ-999
AJ AZ

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,350.00, on charges of failure to destroy the unconsumed portion of an alcoholic beverage, failure to superintend, allowing the possession of alcoholic beverages in an area other than those approved by the Commission and delivering more than one drink at a time to a single person.

Responsible Alcohol Seller Program

(20-10) Food N Fun, Inc.
T/A **Sandys Steaks and Subs**
415 West Haggard Avenue
Elon College, NC 27244
00096605AJ-999
AJ AL

Offer in Compromise – 24-day suspension, suspended upon payment of \$1,500.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Seller Program on November 8, 2010.

(84-10) Shiva Shakti, LLC
T/A **JP Mart**
142 West Murphy Street
Madison, NC 27025
00173643AK-999
AK AO AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$300.00, on charge of sales after hours. Respondent attended a Responsible Alcohol Seller Program on November 17, 2010.

(16-11) Franklin Street, LLC
T/A **Players**
159 ½ East Franklin Street, 2nd Floor
Chapel Hill, NC 27514
00149770AJ-999
AJ AL AZ

Offer in Compromise – 24-day suspension, suspended upon payment of \$1,800.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Seller Program on December 15, 2010.

(33-11) Sai Ashish, LLC
T/A **Stop N Shop**
610 East Nash Street
Spring Hope, NC 27882
00173844AK-999
AK AO AM

Offer in Compromise – 12-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Seller Program on November 24, 2010.