

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

**Summary of Action Taken
On December 14, 2001**

SECTION I

CONTESTED CASES

REJECTION:

1. Deleon Christopher Izi
T/A Johnson Brothers Carolina Dist. Company
712 Ellis Road
Durham, NC 27703
A00021539

Denied

SECTION II

OFFERS IN COMPROMISE

SUSPENSIONS:

2. Bill's Convenience, Inc.
T/A Bill's Convenience
1025 Tomlin Mill Road
Statesville, NC 28625
00093415AK 999
AK AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

3. El Centinela, Inc.
T/A El Tapatio Mexican Restaurant 2
1475 A&B Highland Avenue NE
Hickory, NC 28602
00105651AJ 999
AJ AN AL AY

Offer in Compromise – 20-day suspension suspended upon payment of \$1,400.00 on charges of employee failed to immediately and permanently deface the mixed beverage tax stamp and dispose of the empty liquor bottles, performed services while or after consuming alcoholic beverages on the licensed premises while performing services and sold alcoholic beverages between the time at which sale or consumption must cease on Sunday morning until 12:00 noon on that day.

4. Fox Harbour Stores, Inc.
T/A Fox Harbour Stores 9
1900 Greenville Boulevard
Greenville, NC 27858
Q11470 999
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

5. Irish Cue, Inc.
T/A Irish Cue
19507-E Hwy 73 West, Lakeshore MKP
Cornelius, NC 28031
487344 999
AJ AN AL AZ

Offer in Compromise – 5-day suspension, suspended upon payment of \$300.00 on charge of being open to the general public.

6. Nancy Ward Ransom
T/A Louies Sports Bar
2417 Robeson Street
Fayetteville, NC 28304
00094132AJ 999
AJ AN AK AZ

Offer in Compromise – 6-day suspension suspended upon payment of \$600.00 on charge of failing to clear tables and counters by 2:30 a.m.

7. Orlando Jaimes Lopez
T/A Mi Oficiana
3637 South Main Street
Norman, NC 28367
0097649AJ 999
AJ

Offer in Compromise – 5-day suspension suspended upon payment of \$500.00 on charges of failing to clear tables and counters by 2:30 a.m. and allowed alcoholic beverages to be possessed upon the licensed premises when possession of that beverage is prohibited by the ABC laws.

8. Jay Maharajs Corporation
T/A Marathon Express
3536 West Pine Street
Mount Airy, NC 27030
00082652AK 999
AK AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,500.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

9. Fifer Ventures, Inc.
T/A Oh Brian's
944 North Wesleyan Boulevard
Rocky Mount, NC 27804
00093848AJ 999
AJ AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,000.00 on charge of destroyed, altered or defaced mixed beverage tax stamps required by law to be affixed to liquor containers before said containers had been emptied.

10. Pueblo Grande, Inc.
T/A Pueblo Grande Mexican Restaurant
761 North Main Street
Mooresville, NC 28115
00100026AJ 999
AJ AY

Offer in Compromise – 3-day suspension suspended upon on the condition that Respondent not further violate the ABC laws for a period of one year.

11. Paul Edward Smith, Jr.
T/A Smith General Store
Star Route
Black Mountain, NC 28711
01921B 999
AK

Offer in Compromise – 6-day suspension suspended upon payment of \$600.00 on charges of possessed spirituous liquor upon premises where such possession is not authorized and possessed nontaxpaid alcoholic beverages.

12. Shree Pragat Corporation
T/A Scotland Stop N Shop
1612 South Main Street
Laurinburg, NC 28352
69120B 998
AK AO AM

Offer in Compromise – 30-day suspension, with the last 25 days suspended upon payment of \$2,800.00 on charge of sold or gave malt beverages to a person less than 21 years of age.

13. Zapatas of Ballantyne, Inc.
T/A Zapatas Cantina Mexican Restaurant
15105-B John J Delaney Drive
Charlotte, NC 28277
00104317AJ 999
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold or gave malt beverages to a person less than 21 years of age.

14. Toreros VIII, Inc.
T/A Toreros Mexican Restaurant
1002 Crossroads Drive
Statesville, NC 28677
00097975AJ 999
AJ AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold malt beverages to a person less than 21 years of age.

15. Dominican Capital Investments II LLC
T/A B W 3 Buffalo West Wings Grill and Bar
5534 Albemarle Road
Charlotte, NC 28212
00086002AJ 999
AJ AN AL AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$1,600.00 on charges of sold a controlled substance, marijuana, possessed a controlled substance, marijuana and sold malt beverages to a person less than 21 years of age.

16. Cary Oil Company, Inc.
T/A C Mini Mart 136
1405 Kildaire Farm Road
Cary, NC 27511
54686B 995
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold and gave beverages to a person less than 21 years of age.

17. Dennis Earl Williams
T/A Crazy Horse Saloon
3804 North Patterson Avenue
Winston Salem, NC 27105
67323A 999
AJ AN AL AZ

Offer in Compromise – 20-day suspension with the last 18 days suspended upon payment of \$2,500.00 on charges of employee performed acts that simulated sexual intercourse, performed acts that simulated oral copulation, performed acts that involved the touching, caressing or fondling of the breast, performed acts that involved the touching, caressing or fondling of the genitals and being open to the public.

18. Sharon Jones Rouse
T/A Carolina Nights
5000 Hwy 55 West
Cove City, NC 28523
00091712AJ 999
AJ

Offer in Compromise – 5-day suspension suspended upon payment of \$500.00 on charge of purchased malt beverages from other than a licensed wholesaler who has a place of business locate in North Carolina.

19. Amsterdam, Inc.
T/A D and T Mini Mart
5115 Western Boulevard
Raleigh, NC 27605
00107188AK 999
AK AO AM

Offer in Compromise – 12-day suspension suspended upon payment of \$1,000.00 on charges of knowingly employed in the sale and distribution of alcoholic beverages a prohibited person, to wit: employee, Debra Kidd Rose, was convicted of underage sale and sold malt beverages to a person less than 21 years of age.

20. Shri Laxmi, Inc.
T/A Express Stop
10022 University City Boulevard
Charlotte, NC 28213
00100229AK 999
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold malt beverages to a person less than 21 years of age.

21. German Garcia
T/A El Aguila Azteca
118 Sandy Cross Road
Nashville, NC 27856
00106337AK 999
AK

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold malt beverages to a person less than 21 years of age.

22. Partnership
T/A El Chapala Mexican Restaurant
868 Merrimon Avenue
Asheville, NC 28804
66391A 999
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

23. Fox Harbour Stores, Inc.
T/A Fox Harbour Stores 12
221 East Main Street
Havelock, NC 28532
Q11470 988
AK AO AM

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

24. Winfred Eugene Hill
T/A 50/50 Club
2351 Tanner Road
Rocky Mount, NC 27801
00103321AJ 999
AJ

Offer in Compromise – 30-day suspension, with the last 15 days suspended upon payment of \$3,000.00 on charges of knowingly allowed entertainment that included sexual acts, allowed a person to perform acts that simulated the touching, caressing or fondling of the buttocks, allowed a person who exposed to public view the pubic hair, vulva, genitals and anus, to remain in or upon the licensed premises and failed to superintend in person or through a manager the business for which an ABC permit was issued.

25. Kroger Limited Partnership I
T/A Kroger R-302
128 Kilmayne Drive
Cary, NC 27511
Q11459 986
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold malt beverages to a person less than 21 years of age.

26. T T and Phu, Inc.
T/A Kabuki Japanese Steak House
1206 River Street
Wilkesboro, NC 28697
00099488AJ 999
AJ AL MB

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charges of possessed fortified wine upon a premise where such possession is not authorized by law and possessed containers of spirituous liquor on the licensed premises that did not have a mixed beverage tax stamp affixed to the bottle.

27. Polo South, Inc. Continued
T/A Polo Club
3441 South Boulevard
Charlotte, NC 28209

28. W W Weaver, Inc.
T/A Patches
104 Circle Drive
Atlantic Beach, NC 28512
64330A 998
AJ AN AL AZ

Offer in Compromise – 30-day suspension, with the last 23 days suspended upon payment of \$3,000.00 on charges of allowed an intoxicated person to consume alcoholic beverages, was intoxicated on the licensed premise and employee performed services while or after consuming alcoholic beverages.

29. Bruce Boley Whitmire
T/A Paul's Quick Service
South Main Street
Rosman, NC 28772
37574B 999
AK AO AM

Offer in Compromise – 12-day suspension suspended upon payment of \$1,000.00 on charge of sold malt beverages to a person less than 21 years of age on the licensed premises.

30. Battleground Restaurant of Southeast, Inc.
T/A Rock Ola Café
1405 Garner Station Boulevard
Raleigh, NC 27608
60655A 999
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold alcoholic beverages to a person less than 21 years of age.

31. Holmes Oil Company, Inc.
T/A Snackers 255
413 South Main Street
Rolesville, NC 27571
Q11461 985
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold alcoholic beverages to a person less than 21 years of age.

32. Aramark Entertainment
T/A Walnut Creek Amphitheater
3801 Rocky Quarry Road
Raleigh, NC 27610
00106206AJ 998
AJ AL

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

33. William Eric Patterson
T/A C Mini Mart 138
10924 Leesville Road
Raleigh, NC 27613
00094912AK 999
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of sold alcoholic beverages to a person less than 21 years of age.

34. Camelot Golf Center LLC
T/A Camelot Golf Center
211 Arrowwood Street
Lenoir, NC 28645
00095848AJ 999
AJ AN ALAY

Offer in Compromise – 10-day suspension with the last 7 days suspended upon payment of \$1,000.00 on charges of employee sold and gave alcoholic beverages to an intoxicated person and allowed an intoxicated person to consume alcoholic beverages.

35. Gregory George Kroustalis
T/A Greg's Famous Bar B Q
10915 Monroe Road
Matthews, NC 28105
00101258AJ 999
AJ AL

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold alcoholic beverages to a person less than 21 years of age.

36. Hampton Lodge, Inc.
T/A Hampton Lodge Campground
RPR 1142
Coinjock, NC 27923
20949A 999
AJ

Offer in Compromise – 3-day suspension, suspended upon payment of \$600.00 on charge of unauthorized possession of spirituous liquor.

37. Raleigh Downtown Enterprises, Inc.
T/A Holiday Inn
320 Hillsborough Street
Raleigh, NC 27603
14415K 999
AJ AN AL AR AY

Offer in Compromise – 30-day suspension, with the last 20 days suspended upon payment of \$3,000.00 on charge of refilled spirituous liquor containers having a mixed beverage tax stamp with other alcoholic beverages.

38. J and E Development Associates LLC
T/A Jefferson Inn
150 West New Hampshire Avenue
Southern Pines, NC 28387
67984A 999
AJ AN AL AY

Offer in Compromise – 7-day suspension suspended upon payment of \$800.00 on charges of employee performed services while or after consuming alcoholic beverages and allowed consumption of alcoholic beverages on the licensed premises between the hours of 2:30 a.m. and 7:00 a.m.

39. C Marts of the Carolinas LLC
T/A Kwik Shop 10
1311 South West Boulevard Hwy 701
Clinton, NC 28328
00084108AK 997
AK AO AM

Offer in Compromise – 25- day suspension, suspended upon payment of \$2,500.00 on charges of possessed gambling devices and allowed gambling on the licensed premises.

40. C Marts of the Carolinas LLC
T/A Kwik Shop 16
103 North Boulevard Hwy 421
Clinton, NC 28328
00084108AK 994
AK AO AM

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00 on charges of possessed gambling devices and allowed gambling on the licensed premises.

41. Market Basket Food Stores, Inc.
T/A Little Market Basket 11
East 11th Street and North Man Street
Newton, NC 28658
Q11380 990
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of sold malt beverages to a person less than 21 years of age.

42. Market Basket Food Stores, Inc.
T/A Little Market Basket 15
606 Conover Boulevard South West
Conover, NC 28613
Q11380 984
AK AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of sold malt beverages to a person less than 21 years of age.

43. Los Mariachis Restaurant Mexicano 2, Inc.
T/A Los Mariachis Restaurante Mexicano 2
8829 East W T Harris Boulevard
Charlotte, NC 28227
68826A 999
AJ AN AL AY

Offer in Compromise – 60-day suspension with the last 30 days suspended upon payment of \$5,000.00 on charges of employee failed to immediately and permanently deface the mixed beverage tax stamp and dispose of the empty spirituous liquor container and possessed a container of spirituous liquor on the licensed premises not bearing a mixed beverage tax stamp.

44. Shri Corporation
T/A Maruti Food Mart
1218 Monroe Street
Statesville, NC 28677
00104219AK 999
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

45. John Plum Moore
T/A Moore's Play Room
329 West 4th Street
Washington, NC 27889
22621A 996
AJ

Offer in Compromise – 15-day suspension suspended upon payment of \$1,000.00 on charge of performed services while upon the licensed premise after having consumed alcoholic beverages.

46. Midtown South, Inc.
T/A Midtown Sundries 51 Restaurant and Bar
7715 Pineville-Matthews Hwy
Charlotte, NC 28226
63189A 999
AJ AN AL AY

Offer in Compromise – 12-day suspension suspended upon payment of \$1,200.00 on charges of knowingly sold and gave alcoholic beverages to an intoxicated person and allowed an intoxicated person to consume alcoholic beverages.

47. Mulfideh Saleh Ahmad Nawas
T/A Midway Market
705 Black Creek Road
Wilson, NC 27893
00094158AK 999
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of knowing allowed a violation of the controlled substance statute to occur.

48. Nuhaila Ahmad Jalall
T/A Nancy's Market
700 Lane Street
Wilson, NC 7893
57320B 998
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of knowing allowed a violation of the controlled substance statute to occur.

49. O'Charleys, Inc.
T/A O'Charleys 301
1389 Concord Parkway North
Concord, NC 28025
Q11475 989
AJ AN AK AY

Offer in Compromise – 3-day suspension suspended upon payment of \$300.00 on charge of possessed containers of spirituous liquor not bearing mixed beverage tax stamps.

50. Service Distributing Company, Inc.
T/A Servco
1033 East King Street
Boone, NC 28607
Q11254 932
AK AO AM

Offer in Compromise – 45-day suspension with the last 30 days suspended upon payment of \$3,000.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

51. Southern Convenience Stores, Inc.
T/A Southern Convenience 424
302 First Street West
Conover, NC 28613
Q11478 987
AK AO AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

52. Winn Dixie Charlotte, Inc.
T/A Winn Dixie Store 2004
515 Little Rock Road
Charlotte, NC 28214
Q11211 865
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00 on charge of sold and gave malt beverages to a person less than 21 years of age.

53. Cham Corp.
T/A Charlie Browns Bar and Grill 8
11329 East Independence Boulevard
Matthews, NC 28105
00095096AJ 998
AJ AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$800.00 on charges of allowed a person less than 21 years of age to possess malt beverages and sold malt beverages to a person less than 21 years of age.

54. Hobos Nightlife, Inc.
T/A Teasers
1609 Salisbury Hwy
Statesville, NC 28677
64176A 998
AJ AL AZ

Offer in Compromise – 120-day suspension with the last 90 days suspended upon payment of \$4,000.00 on charges of failed to superintend in person or through a manager the business for which a permit is issued and knowingly allowed violations of the North Carolina Gambling Statutes.

55. Hobos Nightlife, Inc.
T/A Teasers
1609 Salisbury Hwy
Statesville, NC 28677
64176A 998
AJ AL AZ

Offer in Compromise – 120-day suspension with the last 90 days suspended upon payment of \$4,000.00 on charges of allowed an intoxicated person to consume alcoholic beverages, performed services while or after consuming alcoholic beverages, did use loud, profane or indecent language and being open to the public.

56. Food Lion LLC
T/A Food Lion 333
602 Park Street
Belmont, NC 28012
- Continued

57. Carolina Coffee Shop LLC
T/A Carolina Coffee Shop
138 East Franklin Street
Chapel Hill, NC 27510
00094388AJ 999
AJ AN AL AY

Offer in Compromise – 30-day suspension with the last 23 days suspended upon payment of \$2,000.00 on charges of possessed a container of spirituous liquor on the licensed premise that did not have a mixed beverage tax stamp affixed to the bottle and did interfere with or failed to cooperate with an ALE Agent or law enforcement agent in the performance of his duties.

58. Partnership
T/A Top Hat Lounge
971 North Mulberry Street
Shallotte, NC 28459
00105493AJ 999
AJ AZ

Offer in Compromise – 20-day suspension suspended upon payment of \$2,000.00 on charges of possessed containers of spirituous liquor on the licensed premises that did not have a mixed beverage tax stamps affixed to the bottles, purchased malt beverages from someone other than a wholesaler who maintains a business in this state and performed services on the licensed premises after consuming alcoholic beverage.

59. Hmoud Ahmad Al-awamleh
T/A Jordan Super Market
319 South Pender Street
Wilson, NC 27893
68758B 999
AK AO AM

Offer in Compromise – 10-day suspension suspended upon payment of \$1,000.00 on charge of allowed violation of the controlled substance statutes to occur.

60. Rong Cheng, Inc.
T/A Tsing Tao II
11100 Monroe Road, Suite A and D
Matthews, NC 28105
00090866AJ 999
AJ AL

Offer in Compromise – 10-day suspension suspended upon payment of \$800.00 on charge of sold malt beverages to a person less than 21 years of age.

61. Robert Louis Whitman, Jr.
T/A Smokey Joes Café
510 Briar Creek Road
Charlotte, NC 28205
01881A 996
AJ AN AL AZ

Offer in Compromise – 3-day suspension suspended upon payment of \$300.00 on charge of being open to the public.

62. Macados of North Carolina, Inc.
T/A Macados
539 West King Street
Boone, NC 28607
47271A 999
AJ AN AL

Offer in Compromise – 10-day suspension suspended upon payment of \$800.00 on charge of gave malt beverages to a person less than 21 years of age.

63. Partnership Continued
T/A Zacatecas Food Market
578 Fairview Road
Asheville, NC 28803

64. Pantry, Inc.
T/A Pantry 863
8793 Guess Road
Durham, NC 27701
Q11443 867
AK AO AM

Offer in Compromise – 15-day suspension suspended upon payment of \$1,500.00 on charge of sold malt beverages to a person less than 21 years of age.

65. Partnership
T/A Cherokee Hills Golf and Country Club
210 Clubhouse Drive
Murphy, NC 28906
00095760AJ 999
AJ AL AY

Offer in Compromise – 180-day suspension with the last 90 days suspended upon payment of \$3,000.00 on charges of knowingly allowed violations of the controlled substance statutes, was intoxicated while on the licensed premises, was engaged in disorderly conduct while upon the licensed premise, performed services while or after consuming alcoholic beverages and failed to superintend in person or through a manager the business for which an ABC permit was issued.

66. Paul Tyler, IV, Enterprise, Inc.
T/A Sid's Showgirls
1929 & 1931 North William Street
Goldsboro, NC 27530

Continued to January Meeting

CANCELLATIONS:

67. B K 3, Inc.
T/A Goodfellows
149 ½ East Franklin Street
Chapel Hill, NC 27514
00094369AJ 999
AJ AN AL AY

Respondent shall surrender Fortified Wine and Mixed Beverage Restaurant permits for cancellation on charge of failed to qualify as being substantially engaged in the business of preparing and serving meals with gross receipts from food and nonalcoholic beverages being less than forty percent (40%) of the total gross receipts from food, nonalcoholic beverages and alcoholic beverages.