

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

Summary of Action Taken On
Wednesday, March 16, 2011

SECTION I

CONTESTED CASES

Rejection:

1. Ja's, Inc.
T/A **Papa Ja's Fine Family Dining**
708 Corporate Drive
Goldsboro, NC 27530
A00100044

Final Agency Decision – Rejection of application upheld by Commission.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

2. Apple Gold, Inc.
T/A **Applebee's Neighborhood Grill and Bar 28**
2702 Raeford Road
Fayetteville, NC 28303
Q11379-972
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of tax stamps not permanently defaced.

3. SAT Family, Inc. **Continued**
T/A **Brass Pelican**
2112 New River Road
Surf City, NC 28445

4. Appalachian State University
T/A **Broyhill Inn and Conference Center**
775 Bodenheimer Drive
Boone, NC 28607
14124J-999
AJ AN AL CY AR

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

5. Majors Properties, Inc. **Continued**
T/A **Citgo Quick and Easy 10**
4210 Burlington Hwy
Greensboro, NC 27405

6. George Lilly, Jr.
T/A **Club Illusions**
416 Raleigh Street
Fayetteville, NC 28301
47290A-996
AJ AL AZ

Offer in Compromise – 60-day suspension with the last 45 days suspended upon payment of \$5,000.00, on charges of allowing consumption after hours (two counts), failure to clear tables/counters (two counts), knowingly allowing violations of the controlled substance statutes to occur on the premises and failure to superintend.

7. Cosmic Cantina, Inc.
T/A **Cosmic Cantina**
128 East Franklin Street (Upstairs)
Chapel Hill, NC 27516
64641A-998
AJ

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

8. Partnership
T/A **Del Sol II Mexican Restaurant**
2177 Roberts Avenue
Lumberton, NC 28358
00170503AJ-999
AJ AN AL AY

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

9. Eblen Short Stop Stores, Inc.
T/A **Eblen Short Stop Store 7**
210 Biltmore Avenue
Asheville, NC 28801
Q11543-993
AK AM

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

10. Jackson of Raeford, Inc.
T/A **Gabriella's Pizza and Pasta**
216 South Main Street
Raeford, NC 28376
00118495AJ-999
AJ AL AY

Offer in Compromise – 27-day suspension, suspended upon payment of \$2,700.00, on charges of failure to determine age, performing services while or after consuming alcoholic beverages and failure to purchase malt beverages only from a wholesaler.

11. QC Family, Inc.
T/A **Goodtimes Bar and Grill**
1905 Dickerson Boulevard
Monroe, NC 28110
00180544AJ-999
AJ AL AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of tax stamps not permanently defaced and displaying the brand name of a malt beverage on the exterior of the premises on other than a food menu.

12. Pantry, Inc.
T/A **Kangaroo Express 3202**
289 South Stratford Road
Winston-Salem, NC 27103
Q11443-650
AK AM

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

13. Katy's Great Eats, Inc.
T/A **Katy's Great Eats**
1052-1054 South College Road
Wilmington, NC 28403

Continued

14. Margarita Prado Zamora
T/A **La Raza II**
810 South Pollock Street
Selma, NC 27576
00089326AK-999
AK

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

15. Ibrahim Sabhi Rizek
T/A **Marks Food Market**
2205 Pactolus Highway
Greenville, NC 27834
00177398AK-999
AK AO AM

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

16. Momma Sarah's, LLC
T/A **Momma Sarah's**
430 East Fleming Drive
Morganton, NC 28655
00179457AJ-999
AJ AZ

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

17. O' Charley's, Inc.
T/A **O' Charley's 382**
610 SE Greenville Boulevard
Greenville, NC 27858
Q11475-980
AJ AN AL AY

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

18. Autry Gray Hamill
T/A **Ole Country Store**
6059 North Main Street
Falkland, NC 27827
00173594AJ-999
AJ AM

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

19. Pastime Billiards, Inc.
T/A **Pastime Billiards and Pub**
3400 South Memorial Drive, Suite 3
Greenville, NC 27834
00154641AJ-999
AJ AN AL AZ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of allowing the operation of a game of chance where money, property or other thing of value was bet and open to the public.

20. MM Fowler, Inc.
T/A **Randleman Road Family Fare 396**
2600 Randleman Road
Greensboro, NC 27406
Q11390-953
AK AM

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

21. Sheetz of NC, LLC
T/A **Sheetz**
1201 Portertown Road
Greenville, NC 27858
Q11557-983
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. Shop N Go, Inc.
T/A **Shop N Go Selma**
900 North Pollock Street
Selma, NC 27576
00177980AK-999
AK

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

23. Valley Pine, LLC
T/A **Valley Pine Country Club**
901 Lasker Golf Course Road
Lasker, NC 27845
00143793AJ-999
AJ AS AR

Offer in Compromise – 45-day suspension with the last 30 days suspended upon payment of \$3,000.00, on charges of possession of drug paraphernalia to inject, inhale or introduce into the body a controlled substance, possession of a controlled substance or other illegal drug and possession of alcoholic beverages not authorized by the ABC laws or permits.

24. Blue Ridge Distributing Company, Inc.
T/A **Associated Brands**
2214 North College Avenue
Newton, NC 28658
0163CM-999
AT BL AU BM

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

25. Diversified Corp.
T/A **Club Envy (formerly Club Palace)**
1200 Bragg Boulevard
Fayetteville, NC 28301
00109031AJ-999
AJ AL AZ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of transferring alcoholic beverages between establishments.

26. Charlotte 0009, LLC
T/A **Dixie's Tavern**
301 East 7th Street
Charlotte, NC 28202
00119205AJ-999
AJ AN AL AY

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 prior written approval from the ABC Commission.

27. Partnership
T/A **Dong Phuong Oriental Market**
3738-J Farmington Drive
Greensboro, NC 27407
00086120AK-999
AK

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

28. Elizabeth City Shrine Club Holding Corp.
T/A **Elizabeth City Shrine Club**
172 Chantilly Road
Camden, NC 27921
12368J-999
AJ AL AS AR

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00, on charge of selling or possessing alcoholic beverages not authorized by the ABC laws or permits.

29. Sampson Bladen Oil Company, Inc.
T/A **Han Dee Hugos 15**
446 Hwy 70 East
Selma, NC 27576
Q11310-991
AK AO AM

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

30. Acme of South Carolina, Inc.
T/A **Handy Pantry 41**
2741 Lowell Bethesda Road
Gastonia, NC 28056
00124864AK-998
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 Raleigh, LLC
T/A **Hooters of Raleigh**
4206 Wake Forest Road
Raleigh, NC 27609
00154022AJ-999
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of missing tax stamps.

32. Oasis Latin Club Corp.
T/A **Johnny and Junes Ultra Saloon**
2105-B Peters Creek Parkway
Winston-Salem, NC 27127
00157110AJ-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.

33. Kay Express, Inc.
T/A **Kay Express**
28 Stroud Street
Marion, NC 28752
00167650AK-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.

34. Los Potrillos, Inc.
T/A **Los Potrillos Mexican Restaurant**
220 West Rosemary Street
Chapel Hill, NC 27516
00118720AJ-999
AJ AN AL AY

Offer in Compromise – 30-day suspension with the last 23 days suspended upon payment of \$3,500.00, on charge of missing tax stamps.

35. Joseph Edward Matthews
BJT, Inc.
T/A **Mutual Dist. Company**
149 South Walnut Circle
Greensboro, NC 27409
7913WS-998
BA

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

36. MC Entertainment, Inc.
T/A **Other Place**
207 East 5th Street
Greenville, NC 27858
00140557AJ-999
AJ AN AL AZ

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charges of failure to clear tables/counters and allowing consumption by an intoxicated person.

37. NCGP Foods, Inc.
T/A **Paoluccis Italian Bar and Grill**
783 West King Street
Boone, NC 28607
00111017AJ-998
AJ AN AL AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.0, on charge of giving to an underage person.

38. Kalpu Nita, Inc.
T/A **Plantation Pantry**
898 Roberdell Road
Rockingham, NC 28379
00176643AK-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.

39. Zee Corp, Inc.
T/A **Quick Shop**
108 North Tradd Street
Statesville, NC 28677
00125332AK-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.

40. Ruby Tuesday, Inc.
T/A **Ruby Tuesday 3441**
1818 Blowing Rock Road
Boone, NC 28607
Q11469-986
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.

41. Manage Well, Inc.
T/A **Shell Food Mart**
433 US Hwy 70 East
Selma, NC 27576
36012A-995
AK AO AM

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

42. Cathy Cardwell Burns
T/A **Strokers Sports Bar**
843 Highland Avenue NE
Hickory, NC 28601
00152734AJ-999
AJ AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling or possessing alcoholic beverages for sale (unfortified wine) without first obtaining the applicable ABC permit.

43. MTLC Limited
T/A **Tupelos**
101 North Churton Street
Hillsborough, NC 27278
00103580AJ-999
AJ AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of possessing fortified wine where possession is not authorized by law.

44. FiveBrosEnt, LLC
T/A **Victorias Caberet**
4931 Bragg Boulevard
Fayetteville, NC 28303
00156453AJ-999
AJ AL AZ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charges of failure to clear tables/counters and tax stamps not permanently defaced.

45. RCD Productions, LLC
T/A **Bentleys RSVP**
305 West Fourth Street
Charlotte, NC 28202
00129620AJ-999
AJ AN AL AZ

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

46. Blu Moon Corp.
T/A **Blu Moon Café**
232 East Franklin Street
Monroe, NC 28112
00159062AJ-999
AJ AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of premixing mixed beverages prior to an order without receiving ABC Commission approval, failure to separate, store and provide for the collection for recycling and failure to keep records of purchases of spirituous liquor and sales of alcoholic beverages, filed separate and apart from all other records.

47. Bobs Curb Market, Inc.
T/A **Bobs Convenient Mart**
2620 Phoenix Drive
Greensboro, NC 27406
00120565AJ-999
AJ AO AM

Offer in Compromise – 30-day suspension, suspended upon payment of \$2,625.00, on charge of selling to an underage person.

48. Bumgarner Oil Company, Inc.
T/A **Cubbard Express 5**
1130 Second Street NE
Hickory, NC 28601
41783A-996
AK

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00, on charges of selling to an underage person (two counts).

49. R and H Enterprise, LLC
T/A **Eastside Grocery**
1939 East Market Street
Greensboro, NC 27401
00112865AK-999
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 having only an Off Premise Malt Beverage permit.

50. Forest Hills Food Mart, Inc.
T/A **Forest Hills Food Mart**
2403 Market Street
Wilmington, NC 28403
00141864AK-999
AK AO AM

Offer in Compromise – 30-day suspension with the last 25 days suspended upon payment of \$3,500.00, on charge of selling to an underage person.

51. Aroma Hotels, LLC
T/A **Holiday Inn I-95 Cedar Creek**
1944 Cedar Creek Road
Fayetteville, NC 28301
00150314AJ-998
AJ AN AL CY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of tax stamps not permanently defaced.

52. Partnership
T/A **Islander Kwik Mart**
102 South Second Street
Kure Beach, NC 28449
31578B-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.

53. Jax I, LLC
T/A **Jax Backstreet Tavern**
55 Glenway Street, Suite 300
Belmont, NC 28012
00181590AJ-999
AJ AL AY

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

54. JM Davis Industries, Inc.
T/A **Jim Dandy 11**
1712 Arendell Street
Morehead City, NC 28557
Q11293-980
AK AO AM

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

55. Pantry, Inc.
T/A **Kangaroo Express 3854**
100 West Ocean Bay Boulevard
Kill Devil Hills, NC 27948
Q11443-549
AK AM

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

56. K Lee Express, LLC
T/A **Kay Express II**
435 West Henderson Street
Marion, NC 28752
00168471AK-999
AK AO

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of selling or possessing alcoholic beverages for sale (unfortified wine) without first obtaining the applicable ABC permit.

57. Mac Billiards, Inc.
T/A **Mac Billiards**
517 Cotanche Street
Greenville, NC 27858
00168811AJ-999
AJ AZ

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

58. Mez Management, LLC
T/A **Mez**
210 East Trade Street, Suite D-362
Charlotte, NC 28202
00166985AJ-999
AJ AN AL AY BX

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to cooperate with an officer in the performance of his duties.

59. Monterrey Mexican Rest Of Monroe, Inc.
T/A **Monterrey Mexican Restaurant 31**
1007 West Roosevelt Boulevard
Monroe, NC 28110
62650A-999
AJ AN AL AY

Offer in Compromise – 30-day suspension with the last 23 days suspended upon payment of \$3,500.00, on charges of failure to keep sales tickets and receipts furnished by the wholesaler separate and apart from all other records on the premises for three years and possessing nontaxpaid alcoholic beverages.

60. 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 – 10-day suspension, suspended upon payment of \$1,000.00 on charges of failure to superintend and knowingly allowing fighting and disorderly conduct.

61. One Stop, Inc.
T/A **One Stop 6**
2748 West Mountain Street
Kernersville, NC 27284
11117B-986
AK

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

62. Pontiac Pointe, Inc.
T/A **Pontiac Pointe Restaurant**
304 East Main Street
Albemarle, NC 28001
00171815AJ-999
AJ AN AL AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of possessing a controlled substance on the licensed premise.

63. Reds Mart, Inc.
T/A **Reds Mart**
1014 West Innes Street
Salisbury, NC 28144
00154257AK-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.

64. Savanh Borkeo Market, LLC
T/A **Savanh Borkeo Market**
2610 Clemson Avenue
Charlotte, NC 28205
00141350AK-999
AK

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00 on charges of knowingly allowing violations of ABC laws and allowing the consumption of malt beverages on premises having only an Off Premise Malt Beverage permit.

65. Schreiner, Inc.
T/A **Schreiner's Restaurant**
2206 Carolina Beach Road
Wilmington, NC 28401
00174645AJ-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.

66. Lil Thrift Food Marts, Inc.
T/A **Short Stop Food Mart 12**
401 East Anderson Street
Selma, NC 27576
Q11146-926
AK AO AM

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

67. Darryl Gene Smith, Jr.
T/A **Skyland Distributing Company**
1 Overland Industrial Boulevard
Asheville, NC 28806
00165110WS-998
BA

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of selling fortified wine for resale to a person who holds neither a fortified wine wholesaler nor a retailer license.

68. P and P Balaji Properties, Inc.
T/A **Snackers BP Service Station**
1208 East Andrews Avenue
Henderson, NC 27536

Continued

69. BoNanas, Inc.
T/A **Thee Backdoor Sports and Spirits**
3446 ½ Bragg Boulevard
Fayetteville, NC 28303
00151004AJ-999
AJ AZ

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00, on charge of naming, displaying, picture or make reference to a particular spirituous liquor brand or company name in media advertising.

70. Tidal Market, Inc.
T/A **Tidal Market II**
328 Greenville Avenue
Wilmington, NC 28403

Continued

71. Sammy Ray Hales
T/A **Tiki**
105 East Main Street
Sanford, NC 27330
00160086AJ-999
AJ AZ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of possessing or using a controlled substance on the licensed premises.

72. Lambretta, Inc.
T/A **Vespa Cibobuono**
306-D West Franklin Street
Chapel Hill, NC 27514
00114327AJ-999
AJ AN AL AY

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

Cancellations:

73. Partnership
T/A **El Havanero**
11155-A US 70 West Business
Clayton, NC 27520
00178681AJ-999
AJ AL AY

Cancel Mixed Beverage Restaurant permit on charge of failure to file quarterly financial reports.

74. Yancys at Farmington, LLC
T/A **Yancy's**
3400 Buddha Avenue, Suite 120
Raleigh, NC 27610
00176441AJ-999
AJ AN AL AY

Cancel Mixed Beverage Restaurant permit on charge of failure to file quarterly financial reports.

ADD ON CASE

Suspension:

75a-3 Great Stops, LLC
T/A **Great Stops 6**
3901 North Church Street
Greensboro, NC 27406
68525B-994
AK AO AM

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00, on charge of selling to an underage person.

75b-3 Great Stops, LLC
T/A **Great Stops 6**
3901 North Church Street
Greensboro, NC 27406
68525B-994
AK AO AM

Offer in Compromise – 50-day suspension, suspended upon payment of \$5,000.00, on charge of selling to an underage person.