

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

Summary of Action Taken On
Wednesday, March 7, 2012

SECTION I

OFFERS IN COMPROMISE

Suspensions:

1. Bam Investments, Inc.
T/A **A and G Express**
2451 Roosevelt Boulevard
Monroe, NC 28110
00103423AK-999
AK AO AM

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

2. McMurphys, Inc.
T/A **AJ McMurphys**
1914 Turnbury Drive
Greenville, NC 27858
00167847AJ-999
AJ AN AL AY

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person, and written warning for charge of possessing nontaxpaid alcoholic beverages.

3. Chubby Buddha, Inc.
T/A **Chubby Buddha**
5990 SW Beach Drive, Unit 3-C
Ocean Isle Beach, NC 28470
00174315AJ-999
AJ AL AZ

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of owning more than one licensed retail establishment and transferring alcoholic beverages between establishments without prior approval from the ABC Commission.

4. Krishna 1, LLC
T/A **Curveview Express Food Mart**
305 West Warren Street
Shelby, NC 28150
00190938AK-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.

5. A and Sons, Inc.
T/A **Discount Food Mart**
2803 West English Road
High Point, NC 27262
00171996AK-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.

6. FFM Bar, Inc.
T/A **Drifters Country Saloon**
412 ½ North Bragg Boulevard
Spring Lake, NC 28390
00142271AJ-999
AJ 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.

7. Farm House of Chapel Hill, Inc.
T/A **Farm House of Chapel Hill**
6004 Mill House Road
Chapel Hill, NC 27516
19594A-999
AJ AL AY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of performing services while or after consuming alcoholic beverages.

8. Loyal Order of Moose
T/A **Fayetteville Moose Lodge 738**
588 East Mountain Drive
Fayetteville, NC 28306
14725A-998
AJ AS AZ

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of missing tax stamps, failure to insure that members' alcohol was stored in a locker with the member's name as it appears on the membership roster, failure to ensure that each container brought onto the premises is labeled immediately with the member's name as it appears on the membership roster, tax stamps not permanently defaced and selling or possessing unfortified wine for sale without first obtaining the applicable ABC Permit and revenue license on the licensed premises.

9. Partnership
T/A **Food Mart and Tobacco**
102 Robeson Street
Fayetteville, NC 28301
00190796AK-999
AK

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00, on charges 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 and interfering with or failure to cooperate with an officer engaged in the performance of his duties.

10. Pattie Jean White
T/A **Franks Place**
415 East 9th Street
Scotland Neck, NC 27874
00146568AK-999
AK AO

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of failure to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers and to avoid any undue hazards to patrons, allowing consumption of malt beverages on a premises having only an Off Premise Malt Beverage permit, performing services while or after consuming alcoholic beverages and 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.

11. NewBen Purveyor of Traditional Ales, LLC
T/A **Goat and Compass**
710 North 4th Street
Wilmington, NC 28401
00155819AJ-999
AJ AL AZ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$1,400.00, on charges of open to the public and selling to an underage person.

12. Vital Mark Enterprise, Inc.
T/A **Greens Mart**
900 Waughtown Street
Winston-Salem, NC 27107
00168992AK-999
AK

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

13. Entertainment City, Inc.
T/A **Itz**
4118 Legend Avenue
Fayetteville, NC 28303
00098781AJ-999
AJ AN AL AR AY BX

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of performing services while or after consuming alcoholic beverages, failure to separate, store and provide for the collection for recycling of all recyclable beverage containers of all beverages sold at retail on the premises and failure to dispose of a bottle of spirituous liquor immediately upon the container becoming empty.

14. AM Enterprises of Fayetteville, Inc.
T/A **Izzys Sports Bar**
150 Andrews Road
Fayetteville, NC 28311
00126884AJ-999
AJ AL AZ

Offer in Compromise – 60-day suspension, suspended upon payment of \$5,000.00, and the condition that any violation received within one year of the date of the Proposed Stipulation and Offer and Compromise (January 30, 2012), whose standard first-offense penalty is \$1,000.00 or greater, will result in an automatic seven-day suspension on charges of failure to superintend (two counts), failure to determine age, selling to an underage person (two counts), open to the public, a person over 21 years of age, did aid and abet persons less than 21 years of age, to possess malt beverages, allowing possession and consumption of alcoholic beverages in an area of the premises other than those approved by the Commission (three counts) and allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM on the licensed premises.

15. Geez Entertainment, LLC
T/A **La Fiesta Club**
1000 East Geer Street
Durham, NC 27704
00185456AJ-999
AJ AZ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charges of performing services while or after consuming alcoholic beverages and selling alcoholic drinks at a price that is different from the usual price to a segment of the population.

16. Loafers Carolina Restaurants, Inc.
T/A **Loafers Pizza and Sports Bar**
75 Wilson Street
Andrews, NC 28901
00188735AJ-999
AJ AL AY

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

17. Southern Sales of Aberdeen, Inc.
T/A **Macs Food Store 3**
1391 North Sandhills Boulevard
Aberdeen, NC 28315
03651B-995
AK AM

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

18. Sairam Enterprises, LLC
T/A **Omni Mart**
401 South Linwood Road
Gastonia, NC 28052
00186519AK-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.

19. Duong Trung Nguyen
T/A **Pho Nui Coffee Shop**
4619-A High Point Road
Greensboro, NC 27407
00190487AJ-999
AJ

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of failure to purchase malt beverages only from a wholesaler and participating or allowing the operation of a game of chance where money, property, or other thing of value was bet.

20. Worsley Operating Corp.
T/A **Scotchman 92**
1321 Blowing Rock Road
Boone, NC 28607
Q11568-992
AK AO AM

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

21. Spankys One Stop, Inc.
T/A **Smittys One Stop**
716 West Lexington Avenue
High Point, NC 27262
00090974AK-999
AK AO AM

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

22. Eulalio Galindo Bruno
T/A **Taqueria Veracruz Mexico**
1228 West Roosevelt Avenue
Monroe, NC 28110
00162871AJ-999
AJ AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges 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 and failure to superintend.

23. Dirhem Dirhem Al-Saidi
T/A **211 Quick Stop**
3125 Roberts Avenue
Lumberton, NC 28360
00149239AK-998
AK AO AM

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

24. Kimberly Railey Deal
T/A **Younguns Sports Bar and Grill**
612 Slater Street
Kings Mountain, NC 28086
00167720AJ-999
AJ AZ

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of performing services while or after consuming alcoholic beverages.

25. Vandan, LLC
T/A **Andys Mart**
2204 Battleground Avenue
Greensboro, NC 27408
00158146AK-999
AK AM

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

26. Caribbean 1830 Restaurant and Cafeteria, Inc.
T/A **Carolina Mexican Restaurant and Bar**
110-B Seneca Road
Greensboro, NC 27406
00165362AJ-999
AJ AL AY

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of failure to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers, failure to dispose of a bottle of spirituous liquor immediately upon the container becoming empty and failure to clear tables/counters.

27. Diversified Corp.
T/A **Club Envy**
1200 Bragg Boulevard
Fayetteville, NC 28301
00109031AJ-999
AJ AL AZ

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of delivering more than one drink at one time to a single patron for personal consumption.

28. WL Jeon, Inc.
T/A **Daniel Brook Grocery**
500 Henley Street
High Point, NC 27260
00154256AK-998
AK AO AM

Offer in Compromise - 60-day suspension, suspended upon payment of \$5,000.00, on charges of selling to an underage person (two counts), failure to keep the licensed premises clean, arranged and well-lighted to allow ready access and observation by enforcement officers, consuming alcoholic beverages before being off duty for the remainder of the day on the licensed premises and 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 (seven counts).

29. Walter Anthony Cox
T/A **Dirty T's Tavern**
1512 M-N-O Zoo Parkway
Asheboro, NC 27205
00174771AJ-999
AJ AZ

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

30. Altuna Company, LLC
T/A **Express Mart**
4582 Cumberland Road, Suite 100
Fayetteville, NC 28306
00147283AK-999
AK AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to maintain a record of members of the public to whom glass tubes and/or splitters were transferred on the licensed premises.

- 31 . Linda Ijaq Hassen
T/A **K and D Mini Mart**
251-A South Kerr Avenue
Wilmington, NC 28403
00144316AK-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.

32. **Knokkers, LLC**
T/A **Knokkers**
5135 Bragg Boulevard
Fayetteville, NC 28303
00185509AJ-999
AJ AN AL AZ

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charges of advertising the price of alcoholic beverages on the exterior of the licensed premises on other than a food menu and employee consuming alcoholic beverages before being off duty for the remainder of the day.

33. **Partnership**
T/A **La Poblanita**
108 West South Street
Aberdeen, NC 28315
67186A-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.

34. **Alicia Mendez Perez**
T/A **La Tiendita**
3381 US Hwy 117 South
Burgaw, NC 28425
00128996AK-999
AK

Offer in Compromise – 11-day suspension, suspended upon payment of \$1,100.00, on charges of possessing alcoholic beverages, the sale or possession of which is not authorized by the ABC laws or by the permits issued to the permittee and dispensing a prescription drug without being a licensed pharmacist.

35. **MM Fowler, Inc.**
T/A **Lawndale Family Fare 327**
2712 Lawndale Drive
Greensboro, NC 27408
Q11390-946
AK AM

Offer in Compromise – 48-day suspension, suspended upon payment of \$4,800.00, on charge of selling to an underage person (two counts).

36. Chamberlin International, LLC
T/A **Lidos the Euro Spot**
102 Person Street, Suite A-B
Fayetteville, NC 28301
00178112AJ-999
AJ AL AY

Offer in Compromise – 23-day suspension, suspended upon payment of \$2,300.00, on charges of possessing an alcoholic beverage in an area of the premises other than approved by the Commission, employee consuming alcoholic beverages before being off duty for the remainder of the day (two counts), and allowing consumption by an intoxicated person.

37. Youngman Yun
T/A **Mammys Sports Bar**
4908 Central Avenue
Charlotte, NC 28205
00154156AJ-999
AJ AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of interfering with or failure to cooperate with an officer engaged in the performance of his duties and failure to determine age.

38. Kolenick, LLC
T/A **McCurdys on Moonlight Bay**
505 Atlantic Beach Causeway
Atlantic Beach, NC 28512
00147860AJ-999
AJ AN AL AY

Offer in Compromise – 40-day suspension with the last 33 days suspended upon payment of \$4,000.00, on charges 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 for three years on the licensed premises, failure to maintain Purchase-Transportation Permit / Invoices for three years on the licensed premises, transferring a mixed beverage tax stamp from one spirituous liquor container to another and missing tax stamps.

39. Midnight Diner, LLC
T/A **Midnight Diner**
115 East Carson Boulevard
Charlotte, NC 28203
00184858AJ-999
AJ AL AY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$700.00, on charge of performing services while or after consuming alcoholic beverages.

40. Newts, Inc.
T/A **Newts**
116 East Warren Street
Shelby, NC 28150
00191426AJ-999
AJ AL AY

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

41. RJB Havelock, LLC
T/A **Olivias Cabaret**
400-A Fontana Boulevard
Havelock, NC 28532
00167002AJ-999
AJ AL AZ

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00, on charge of allowing a person who is not a member or a guest of a member to use the private club's facility.

42. Cosme Enterprise, Inc.
T/A **1 Stop Mart**
3750 Battleground Avenue, Unit B
Greensboro, NC 27410
00169322AK-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.

43. PA OBX, Inc.
T/A **Plaza Azteca Mexican Restaurant**
1502 South Croatan Hwy
Kill Devil Hills, NC 27948
00189910AJ-999
AJ AN AL AY

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,500.00, on charges of transferring mixed beverage tax stamps from one spirituous liquor container to another and premixing mixed beverages prior to receiving an order for the beverage from a customer and without receiving ABC Commission approval.

44. Port O Call, Limited
T/A **Port O Call Restaurant**
US Hwy 158 Business, M/P 8½
Kill Devil Hills, NC 27948
03053A-999
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of allowing consumption by intoxicated persons.

45. Omar Ahmed Alwahishi
T/A **Sams Circle Mart**
104 Clinton Street
Newton Grove, NC 28366
00190953AK-999
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charge of selling to an underage person (two counts).

46. EL Investments, LLC
T/A **Smokey Falls Lodge Moonshine Grill**
2550 Soco Road
Maggie Valley, NC 28751
00139410AJ-999
AJ AL CY

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of displaying alcoholic beverage advertising by means of a self-illuminated sign on the outside of the establishment.

47. Yolanda Michelle McDowell
T/A **World Wide**
1201 Swan Street
Elizabethtown, NC 28337
00182623AJ-999
AJ AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of failure to superintend.

48. Yellow Rose, Inc.
T/A **Yellow Rose Café and Billiards**
7631-L Sharon Lakes Road
Charlotte, NC 28210

Continued

49. Khan and Khan Inc. of NC
T/A **Bizzy Bee Grocery**
3111 East Bessemer Avenue
Greensboro, NC 27405
00190860AK-999
AK AM

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

50. Adeel Sohail Khan
T/A **Bizzy Bee 3**
1611 Prospect Street
High Point, NC 27260
00147083AK-999
AK AM

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

51. Joullan, LLC
T/A **Bridge Street Mart**
260 Bridge Street
Washington, NC 27889
00184492AK-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.

52. Appalachian Mountain Hospitality Group, LLC
T/A **Crossroads Pub and Neighborhood Grill**
125 Graduate Lane
Boone, NC 28607
00188133AJ-999
AJ AL AY

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

53. FFM Bar, Inc.
T/A **Drifters Country Saloon**
412½ North Bragg Boulevard
Spring Lake, NC 28390
00142271AJ-999
AJ AL AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of knowingly allowing violations of the ABC Laws, delivery of more than one drink at a time to a single patron on the licensed premises and delivering more than one drink at one time to a single patron for his/her personal consumption.

54. Haile, LLC
T/A **Express Mart**
400 Patton Avenue
Monroe, NC 28110
00188260AK-999
AK

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

55. Isaacs Enterprises, Inc.
T/A **Fastop Market 303**
1020 East Dixon Boulevard
Shelby, NC 28151
00088833AK-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.

56. Shree Zapesvari, Inc.
T/A **Jays Food Mart**
200 West Morganton Road
Southern Pines, NC 28387
00113481AK-999
AK AO AM

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

57. Kyles Friendly Service, Inc.
T/A **Kyles North Elm BP**
3602 North Elm Street
Greensboro, NC 27455
48851B-995
AK AM

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

58. Los Arcos Mexican Restaurant, Inc.
T/A **Los Arcos**
4011 Capital Boulevard, Suite 117
Raleigh, NC 27604
00187087AJ-999
AJ AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charges of failure to obtain or post the appropriate county beer retail license and missing tax stamp.

59. Sleekarrow Limited
T/A **Sleekarrows**
1911-A Murchison Road
Fayetteville, NC 28301
00165818AJ-999
AJ AZ

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

60. S and H Sports Bar, Inc.
T/A Sparkys Sports Bar and Pub
740 Bragg Boulevard
Fayetteville, NC 28301
64978A-999
AJ AN AL AZ

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charges of knowingly allowing service employees to consume alcoholic beverages on the licensed premises and performing services while or after consuming alcoholic beverages.

61. Robert Edmund Rieber
Skyy Spirits
Spirituous Liquor Distiller Representative
13200 Hollyhock Court
Richmond, VA 23233
00166674VR-999
BB

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of a liquor distiller representative giving a thing of value (paid for lodging and cab fare in New York City, NY) to an alcoholic beverage retailer in this State.

Responsible Alcohol Seller Program

- (3-6) Pit Stop 301 Express, LLC
T/A **Pit Stop 301 Express**
6283 Hwy 301 South
Hope Mills, NC 28348
00180199AK-999
AK AO AM

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Seller Program on February 16, 2012.

- (53-1) JP Food Mart, Inc.
T/A **JP Food Mart**
1383 Lees Chapel Road
Greensboro, NC 27405
00087678AK-999
AK AO AM

Offer in Compromise – 18-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 February 8, 2012.