

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

Summary of Action Taken On
Wednesday, December 7, 2011

SECTION I

OFFERS IN COMPROMISE

Suspensions:

1. Nyla Aslam
T/A **AAA Quick Mart**
744 Piney Grove Road
Kernersville, NC 27284
00145478AK-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.

2. Hulda Grey Basista
T/A **All Pro Sports Bar**
3926 Legion Road
Hope Mills, NC 28348
00101540AJ-999
AJ AZ

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00, on charge of failure to destroy the unconsumed portion of an alcoholic beverage left by a customer on the licensed premises.

3. Butter Charlotte, LLC
T/A **Butter**
950 Seaboard Street
Charlotte, NC 28206
00176266AJ-999
AJ AN AL AZ

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00, on charge of failure to superintend.

4. BMK Group, Inc.
T/A **Cashmere**
410 Glenwood Avenue, Suite 101
Raleigh, NC 27603
00170998AJ-999
AJ AL AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM and performing services while or after consuming alcoholic beverages.

5. Ducks Corner 533, LLC
T/A **Ducks**
14 Goshen Back Road
Engelhard, NC 27824
00185382AJ-999
AJ

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

6. Eastern Petroleum Corp.
T/A **EP Mart 8**
7751 NC 48
Battleboro, NC 27809
Q11377-995
AK AM

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

7. Riya and Nidhi, Inc.
T/A **Fast Express 1**
3078 Hickory Hwy
Statesville, NC 28677
00116412AK-995
AK AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$675.00 on charge of selling to an underage person.

8. Fadhl Saleh Alhobishi
T/A **5 Star Discount**
502 West Broad Street
St. Pauls, NC 28384
00132779AK-998
AK AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of selling alcoholic beverages between the hours of 2:00 AM and 7:00 AM.

9. Food Lion, LLC
T/A **Food Lion 2647**
5624 North Graham Street
Charlotte, NC 28269
Q11473-496
AK AO AM CE

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

10. Food Lion, LLC
T/A **Food Lion 1460**
604 Burton Street
Madison, NC 27025
Q11473-581
AK AM CE

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

11. Ingco Express, Inc.
T/A **Ingco Express**
2741 Lowell Bethesda Road
Gastonia, NC 28056
00187595AK-999
AK AO AM

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00, on charges of knowingly allowing violations of the controlled substance statutes to occur on the licensed premises and failure to post each ABC permit.

12. S and W Mini Mart, Inc. dba Jolly Roger
T/A **Jolly Roger**
405 East 14th Street
Greenville, NC 27858
00189448AK-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.

13. Labib Enterprise Corp.
T/A **Joyners Service Station**
5178 Hwy 258
Farmville, NC 27828
00163747AK-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.

14. Pantry, Inc.
T/A **Kangaroo 3123**
873 Long Branch Road
Dunn, NC 28334
Q11443-620
AK AM

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

15. Pantry, Inc.
T/A **Kangaroo Express 3966**
2434 South New Hope Road
Gastonia, NC 28054
Q11443-571
AK AM

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

16. **Pantry, Inc.**
T/A Kangaroo Express 3983
1692 West Franklin Street
Monroe, NC 28112
Q11443-547
AK AM

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

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

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

18. **L and L Stores, Inc.**
T/A L and L Food Stores 13
516 Hathaway Street
Battleboro, NC 27809
Q11191-983
AK AO AM

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

19. **Southern Sales of Aberdeen, Inc.**
T/A Macs Food Store 5
5461 Hwy 211
West End, NC 27376
03651B-996
AK AM

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

20. Joanne Elizabeth Martin
T/A **Mountaineer Restaurant and Fireside Cottages**
6490 Soco Road
Maggie Valley, NC 28751
00124305AJ-999
AJ AL

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charges of failure to apply for duplicate permits upon changing the name of the business and advertising the price and availability of malt beverages on billboards.

21. Joyce Elaine Sellers
T/A **Old Skool Stoneys Bar and Grill**
413 Eastway Drive
Charlotte, NC 28205
00182999AJ-999
AJ AY

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00, on charges of tax stamps not permanently defaced and performing services while or after consuming alcoholic beverages.

22. Old Staleys, LLC
T/A **Old Staleys Grill and Ale**
2000 Reynolda Road
Winston-Salem, NC 27106
00182561AJ-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.

23. Oriental Steamer Restaurant and Tavern, Inc.
T/A **Oriental Steamer Restaurant and Tavern**
401 Broad Street
Oriental, NC 28571
00099731AJ-999
AJ AL

Offer in Compromise – 30-day suspension with the last 20 days suspended upon payment of \$2,000.00, on charges of performing services while or after consuming alcoholic beverages (five counts) and selling and knowingly allowing the possession of alcoholic beverages, the sale or possession of which is not authorized by the ABC laws or permits issued to that permittee.

24. Pearl Necklace, LLC
T/A **Pearl Necklace**
6238-B Yadkin Road
Fayetteville, NC 28303
00164340AJ-999
AJ AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of performing services while or after consuming alcoholic beverages.

25. PSM Holdings, LLC
T/A **Pop Shoppe 182**
3930 Battleground Avenue
Greensboro, NC 27410
00175385AK-999
AK AM

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

26. Top Hill, Inc.
T/A **Spiros Hilltop Bistro and Bar**
1602 East Roosevelt Boulevard
Monroe, NC 28112
61869A-999
AJ AN AL AY BX

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00, on charge of displaying the brand name of a malt beverage on the exterior of the premises on other than a food menu.

27. Still Life, LLC
T/A **Still Life**
511 Cotanche Street
Greenville, NC 27858
00142016AJ-999
AJ AL AZ

Offer in Compromise – 29-day suspension, suspended upon payment of \$2,900.00, on charges of failure to superintend, open to the public and aid and abet a person less than 21 years of age to possess malt beverages.

28. Village Supermarket, LLC
T/A **Village Supermarket and Seafood**
501 Castle Street
Wilmington, NC 28401
00161370AK-998
AK AO AM

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of selling counterfeit DVDs on the licensed premises and failure to have at least one exterior sign stating the trade name as it appears on the permit within 60 days of receipt of permit.

29. Jayshreeben Jagdishchandra Shah
T/A **Your Way Food Store**
2436 West Florida Street
Greensboro, NC 27403
61138B-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.

30. Regency Banquet Room and Conference Center, LLC
T/A **Barrington House**
608 West Barrington Street
Dunn, NC 28334
00132711AJ-998
AJ AN AL AY

Offer in Compromise – 18-day suspension, suspended upon payment of \$1,800.00, on charges of missing tax stamp, tax stamp not permanently defaced, and transferring alcoholic beverages between establishments.

31. Clayborne Corp.
T/A **Boppers**
5237 Albemarle Road, Suite 105
Charlotte, NC 28215
00127321AJ-998
AJ AN AL AZ

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of performing services while or after consuming alcoholic beverages.

32. Brinker North Carolina, Inc.
T/A **Chilis Grill and Bar**
1206 East Dixie Drive
Asheboro, NC 27203
Q11408-939
AJ AN AL AY

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of tax stamps not permanently defaced.

33. MeeMees, Inc.
T/A **Citgo**
825 Brogden Road
Smithfield, NC 27577

Continued

34. Dos Taquitos, Inc.
T/A **Dos Taquitos**
5629 Creedmoor Road
Raleigh, NC 27612
66527A-999
AJ AN AL AY

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00, on charge of failure to file annual financial reports.

35. Francisco Javier Hernandez
T/A **El Encanto**
2113 Eastway Drive
Charlotte, NC 28205
00160749AJ-999
AJ

Offer in Compromise – 12-day suspension, suspended upon payment of \$1,200.00, on charge of failure to determine age.

36. F and R Pizzeria, Inc.
T/A **IL Bacio**
3622 Rogers Road
Wake Forest, NC 27587
00178224AJ-999
AJ AN AL AY

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00, on charge of failure to file quarterly financial reports.

37. Food Lion, LLC
T/A **Food Lion 1577**
1000 Waughtown Street
Winston-Salem, NC 27107
Q11473-613
AK AO AM DF

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

38. Pantry, Inc.
T/A **Kangaroo Express 890**
215 West Third Street
Ayden, NC 28513
Q11443-845
AK AO AM

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

39. Pantry, Inc.
T/A **Kangaroo Express 893**
211 Mill Street
Winterville, NC 28590
Q11443-844
AK AO AM

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

40. 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 superintend.

41. Lowes Food Stores, Inc.
T/A **Lowes Foods 161**
2501 Lewisville Clemmons Road
Clemmons, NC 27012
Q11269-897
AK AO AM CE DF

Offer in Compromise – Four-day suspension, suspended upon payment of \$450.00, on charge of selling to an underage person.

42. US Paragames
T/A **109**
109 North Queen Street
Kinston, NC 28501
00172298AJ-999
AJ BU

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

43. Vera Italiana NH, LLC
T/A **Piola**
141-100 Park at North Hills Street
Raleigh, NC 27609
00178154AJ-999
AJ AL AY

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00, on charge of failure to file annual financial reports.

44. RAP Enterprise, LLC
T/A **Sandtrap Bar and Grill**
1923 Westinghouse Boulevard
Charlotte, NC 28273
00187600AJ-999
AJ AL AZ

Offer in Compromise – 17-day suspension, suspended upon payment of \$1,700.00, on charge of failure to superintend.

45. Side Street Café, Inc.
T/A **Side Street Café**
5827 East Oak Island Drive
Oak Island, NC 28465
00170717AJ-999
AJ AL AY

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

46. Westside Tavern, Inc.
T/A **Westside Tavern**
3323 Avalon Avenue
Charlotte, NC 28208
59152A-999
AJ AZ

Offer in Compromise – Eight-day suspension, suspended upon payment of \$800.00, on charge of possessing a controlled substance or other illegal drug in violation of Chapter 90 of the North Carolina General Statutes.

47. WilcoHess, LLC
T/A **Wilco 1832**
1129 North Road Street
Elizabeth City, NC 27909
Q11485-871
AK

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

48. Those Two Guys, Inc.
T/A **Blue Point Oyster Bar and Grill**
1240 Duck Road, Suite 1
Duck, NC 27949
48271A-999
AJ AN AL AY

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00, on charges of missing tax stamps and performing services while or after consuming alcoholic beverages.

49. Burrito Brothers Mexicano Restaurant, Inc.
T/A **Burrito Brothers Restaurant**
1019 North Fayetteville Street
Asheboro, NC 27203
00173686AJ-999
AJ AL AY

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

50. Wicked Smile, Inc.
T/A **Five Star Restaurant**
511 West Hargett Street
Raleigh, NC 27603
65515A-999
AJ AN AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to file an annual financial and inventory report.

51. VSK 1 Hickory Enterprises, Inc.
T/A **Garrison Express Mart**
937 East Garrison Boulevard
Gastonia, NC 28054
00184075AK-997
AK AO AM

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charge of knowingly allowing violations of the controlled substances to occur on the licensed premises.

52. Lavinia Denise Wolfe
T/A **Just One More**
5801 Castle Hayne Road, Unit 2
Castle Hayne, NC 28429
00178632AJ-999
AJ AZ

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

53. **Pantry, Inc.**
T/A Kangaroo Express 929
559 Queens Street
Grifton, NC 28530
Q11443-829
AK AO AM

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

54. **MacGregor Downs Country Club Limited**
T/A MacGregor Downs Country Club
430 St. Andrews Lane
Cary, NC 27511
26693A-999
AJ AN AL AZ AS AR

Offer in Compromise – 36-day suspension, suspended upon payment of \$3,600.00, on charge of missing tax stamps.

55. **Marina Café and Marina of Jacksonville, Inc.**
T/A Marina Café
110 South Marine Boulevard
Jacksonville, NC 28540
00105561AJ-999
AJ AN AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to file annual financial reports.

56. **New Dixie Oil Corp.**
T/A New Dixie Mart 12
2770 North Wesleyan Boulevard
Rocky Mount, NC 27804
Q11266-962
AK AO AM

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

57. Palace International Restaurant and Catering, Inc.
T/A **Palace International**
1104-A Broad Street
Durham, NC 27705
00157169AJ-999
AJ AL AY

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

58. Cleto Marcelo Ocampo
T/A **Plaza Latina**
3801 Wake Forest Hwy, Suite 118
Durham, NC 27703
69488B-999
AK

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charge of possessing alcoholic beverages for sale without first obtaining the applicable ABC Permit and revenue license on the licensed premises.

59. Jerry Rhodes Enterprises, Inc.
T/A **Players Retreat**
1631 Pictolus Hwy
Greenville, NC 27834
51190A-998
AJ AL

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charges of failure to superintend and knowingly allowing fighting or other disorderly conduct that could have been prevented.

60. Livingstone Bande Rakama
T/A **Safari Club**
3513 Burlington Road
Greensboro, NC 27405
49039A-997
AJ AZ

Offer in Compromise – 35-day suspension, suspended upon payment of \$3,500.00, on charges of interfering with or failing to cooperate with an officer engaged in the performance of his duties, open to the public, and knowingly allowing violations of the controlled substance statutes to occur on the licensed premises.

61. M and M Enterprises of NC, LLC
T/A **Shop and Save 10**
3300 Hwy 226
Marion, NC 28752
00134728AK-996
AK AO AM

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

62. Six Plates, LLC
T/A **Six Plates Wine Bar**
2812 Erwin Road, Suite 104
Durham, NC 27705
00157660AJ-999
AJ AN AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of failure to file quarterly financial reports.

63. Boulos, Inc.
T/A **Spring Garden Texaco**
1614 Spring Garden Street
Greensboro, NC 27401
66900B-996
AK AO AM

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

64. Thee Backdoor Bar and Grill, LLC
T/A **Thee Backdoor Bar and Grill**
3109 North Main Street, Suite 110
Hope Mills, NC 28348
00170769AJ-999
AJ AL AY

Offer in Compromise – 25-day suspension, suspended upon payment of \$2,500.00, on charges of failure to destroy the unconsumed portion of an alcoholic beverage left by a customer and performing services while or after consuming alcoholic beverages.

65. RMT of Union County, LLC
T/A **Tumbleweeds Bar and Grill**
2300 West Roosevelt Boulevard, Suite A-B
Monroe, NC 28110
00175568AJ-999
AJ AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of displaying the availability of mixed drinks on the exterior of the licensed premises in a manner not authorized by ABC rules and displaying the brand name of a malt beverage on the exterior of the premises on other than a food menu.

Cancellations:

66. College Station Mart, LLC
T/A **College Station Mart**
2840 158 Bypass
Henderson, NC 27537
00177597AK-999
AK AO AM

Offer in Compromise – Cancel ALL ABC permits on charges of possessing greater than 100 recorded devices not showing the true name and address of the manufacturer on the licensed premises, possessing for sale goods bearing a counterfeit trademark on the licensed premises, and permittee is no longer suitable, being convicted of violating Title 7, United States Code, Section 2024 (knowing, using, transferring, and possessing EBT card benefits in excess of \$100.00 in an unauthorized manner).

67. Yong Nan Crawford
T/A **Star Music Studio**
6318 Yadkin Road
Fayetteville, NC 28303
00080838AJ-997
AJ AL AS AZ

Offer in Compromise – Cancel Brown Bagging Private Club and Mixed Beverage Private Club ABC permits on charge of failure to file annual financial reports.

Reconsideration:

68. El Canal, Inc.
T/A **Zapatas Mexican Restaurant and Cantina**
8927 JM Keynes Drive
Charlotte, NC 28262
00143597AJ-999
AJ AL AY

Final Agency Decision – Commission ruled to rescind Final Agency Decision dated November 9, 2011. Permittee was allowed to proceed with the alleged violation pursuant to G.S. 18B-104.

ADD ON CASE

69. El Corral Restaurant II, Inc.
T/A **El Corral Restaurant**
406 North Main Street
Creedmoor, NC 27522
00188938AJ-999
AJ AL AY

Offer in Compromise – Five-day suspension with a five-day suspension credit given on charge of failure to file quarterly financial reports.

CLASS

(62-10) Fayetteville Ale House, Inc.
T/A **Carolina Ale House**
161 Glensford Drive
Fayetteville, NC 28314
00177045AJ-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. Respondent attended an R.A.S.E. class with the Cumberland County ABC Board on October 24, 2011.