

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

Summary of Action Taken On  
Tuesday, July 8, 2008

SECTION I

CONTESTED CASES

Revocation:

1. Bhavesh Corporation  
T/A **K & B Foodmart**  
8148 Hwy 33 East  
Grimesland, NC 27837  
00087591AK-998  
AK AO

Final Agency Decision – Revocation of ABC permits on charge of Permittee's status as a corporation has been suspended by the Secretary of State of North Carolina.

Suspension:

2. Jenny S. Chanthalacksa  
T/A **JB Food Mart**  
2803 West English Road  
High Point, NC 27262  
00131887AK-999  
AK AO AM

Final Agency Decision – 120-day active suspension **and** monetary penalty of \$750.00, on charges of knowingly employed in the sale or distribution of alcoholic beverages a person who is prohibited due to a conviction of a felony within three years (two counts), failure within 60 days of receipt of a permit to have at least one exterior sign on the premises stating the trade name as it appears on the permit, failure to keep sales tickets and delivery receipts filed separate and apart from all other records, employee possessing goods intended for sale having counterfeit marks, and employee possessing drug paraphernalia to inject, inhale or otherwise introduce into the body a controlled substance which would be unlawful to possess on the premises.

SECTION II

OFFERS IN COMPROMISE

Suspensions:

3. Little Sweetpea, Inc.  
T/A **Caffe Phoenix**  
9 South Front Street  
Wilmington, NC 28401  
00138025AJ-999  
AJ AN AL AY

Offer in Compromise – 12-day suspension, suspended upon payment of \$300.00, on charge of giving to an underage person.

4. DBD#1, Inc.  
T/A **Crazy Horse**  
5321 East Independence Boulevard, Suites H-K  
Charlotte, NC 28212  
68786A-999  
AJ AN AL AZ

Offer in Compromise – 13-day suspension, suspended upon payment of \$1,300.00, on charge of employee performing services while or after having consumed alcoholic beverages on the premises.

5. Shiv Vaidya, Inc.  
T/A **King Mini Mart**  
2753 East 10<sup>th</sup> Street  
Greenville, NC 27858

**Continued**

6. Holmes Oil Company, Inc.  
T/A **Exxon Food Shop 23**  
100 Latta Road  
Durham, NC 27705  
Q11461-996  
AK AM

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

7. Food Lion, LLC  
T/A **Food Lion 1482**  
5426 Six Forks Road  
Raleigh, NC 27609  
Q11473-905  
AK AO AM

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

8. Goat Enterprises, Inc.  
T/A **Goat Bar**  
5111 Western Boulevard  
Raleigh, NC 27606  
00120071AJ-999  
AJ AN AL AZ

Offer in Compromise – Two-day suspension, suspended upon payment of \$200.00, on charge of open to the public.

9. Kilimanjaro, Inc.  
T/A **Kilimanjaro Restaurant & Lounge**  
3001 East Independence Boulevard  
Charlotte, NC 28205  
00139226AJ-999  
AJ AL AY

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of failure to file financial reports on a quarterly basis regarding the sale of alcohol and other related information as requested by the Audit Division of the NC ABC Commission from July 2007 through January 2008 and failure to file financial reports on a quarterly basis regarding the sale of alcohol and other related information as requested by the Audit Division of the NC ABC Commission from April 1, 2007, through June 30, 2007.

10. Farrington Farm Restaurant, Inc.  
T/A **La Residence**  
202 West Rosemary Street  
Chapel Hill, NC 27516  
10208A-998  
AJ AN AL AY

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charge of knowingly allowing an underage person to possess alcoholic beverages on the licensed premises.

11. Del Valle Enterprises, LLC  
T/A **Taste of Havana**  
5534 Albemarle Road, Suite 101  
Charlotte, NC 28212  
00127006AJ-999  
AJ AL AY

Offer in Compromise – 30-day suspension, suspended upon payment of \$3,000.00, on charges of tax stamps not defaced and missing tax stamps.

12. Heidi Jolene Rittenhouse  
T/A **Two Wheel Café**  
1475 West Market Street  
Smithfield, NC 27577  
00141939AJ-999  
AJ AY

Offer in Compromise – Three-day suspension, suspended upon payment of \$300.00, on charge of failure to file financial reports on a monthly basis regarding the sale of alcohol and other related information as requested by the Audit Division of the NC ABC Commission from April 1, 2007 through August 16, 2007.

13. Sports Club, Inc.  
T/A **Vox Sports Tavern**  
2401 Wilkinson Boulevard  
Charlotte, NC 28208  
00095135AJ-999  
AJ AL AZ

Offer in Compromise – Four-day suspension, suspended upon payment of \$400.00, on charge of tax stamps not defaced.

14. WilcoHess, LLC  
T/A **Wilco 206**  
2634 US Hwy 301 South  
Wilson, NC 27893  
Q11485-878  
AK

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of selling an amount of alcoholic beverages greater than the amount authorized while on the licensed premises.

15. Time Savor, Inc.  
T/A **Time Savor**  
5555 Murchison Road  
Fayetteville, NC 28301  
57909B-999  
AJ AO AM

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

16. Nortons T and R, Inc.  
T/A **Nortons**  
1078 Tunnel Road  
Asheville, NC 28803  
00119730AJ-999  
AJ AL AY

Offer in Compromise – 15-day suspension, suspended upon payment of \$1,500.00, on charges of allowing consumption after hours, sale of alcoholic beverages after hours and failure to clear tables and counters of alcoholic beverages.

17. Cosmos Venture, LLC  
T/A **Pantry Shop 4**  
3000 West English Road  
High Point, NC 27262  
00128542AK-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.

18. Red Eye Management Group, LLC  
T/A **Red Eye Sports Grill**  
309 West Fairfield Road  
High Point, NC 27263  
00130729AJ-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.

19. Slam Piano Partners, LLC  
T/A **Rum Runners**  
208 East Martin Street  
Raleigh, NC 27601  
00104801AJ-999  
AJ AN AL AY

Offer in Compromise – Seven-day suspension, suspended upon payment of \$750.00, on charge of failing to qualify as a restaurant by not maintaining 30% of total gross receipts from food and nonalcoholic beverages on or about January 2007 to the present and being ineligible to have a Mixed Beverage Restaurant permit.

20. 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 – 30-day suspension with the last 25 days suspended upon payment of \$3,500.00, on charge of selling to an underage person.

21. Roy Edward Teachey  
T/A **Teachey Snack Bar**  
294 East Charity Road  
Rose Hill, NC 28458  
00147222AK-999  
AK AM

Offer in Compromise – 10-day suspension, suspended upon payment of \$1,000.00, on charge of knowingly possessing gambling equipment.

22. Caccess, Inc.  
T/A **Tienda Los Amigos**  
5314 South Boulevard  
Charlotte, NC 28217  
00142166AK-999  
AK

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of knowingly allowing violations of the controlled substance statutes to occur.

23. Angier Market, Inc.  
T/A **Angier Market**  
89-99 South Raleigh Street  
Angier, NC 27501  
00129723AK-999  
AK AO AM

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charge of possessing alcoholic beverages for sale not approved by the ABC Commission.

24. Gas Center, Inc.  
T/A **Gas Center 5**  
3440 South College Road  
Wilmington, NC 28403  
Q11393-995  
AK AM

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

25. Black Water Center, Inc.  
T/A **Black Water Grille**  
111 West 3<sup>rd</sup> Street  
Lumberton, NC 28358  
00131434AJ-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.

26. Trifco International Company  
T/A **Balkan Market**  
3800 Tinsley Drive, Suite 111  
High Point, NC 27265  
00151278AK-999  
AK AM

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

27. Jesus De Gonzalez  
T/A **El Paso Grocery**  
520 Shannon Road  
Red Springs, NC 28377  
00092152AK-999  
AK AO AM

Offer in Compromise – 16-day suspension, suspended upon payment of \$1,600.00, on charges of selling or possessing alcoholic beverages for sale without first obtaining the applicable ABC permit and revenue licenses and unauthorized possession of fortified wine.

28. AMD, Inc.  
T/A **Fast Freddys**  
1223 Lejeune Boulevard  
Jacksonville, NC 28546  
66274A-999  
AJ AY

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00, on charge of selling to an underage person.

29. Golden Triangle Enterprises, Inc.  
T/A **Hunam Chinese Restaurant**  
790 Martin Luther King Jr Boulevard  
Chapel Hill, NC 27514  
28503A-998  
AJ AN AL

Offer in Compromise – 20-day suspension, suspended upon payment of \$2,400.00, on charge of giving to an underage person.

30. Outback Charlotte I  
T/A **Outback Steakhouse 3458**  
8280 Valley Boulevard  
Blowing Rock, NC 28605  
Q11457-978  
AJ AN AL AY

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

31. David Mitchell Lancto  
T/A **Pollock Street Delicatesan**  
208 Pollock Street  
New Bern, NC 28560  
38154A-999  
AJ AL

Offer in Compromise – Five-day suspension, suspended upon payment of \$500.00, on charges of employee performing services while or after having consumed alcoholic beverages on the premises and unauthorized possession of spirituous liquor.

32. BPOE  
T/A **Reidsville Elks Lodge 1723**  
120 Cypress Drive  
Reidsville, NC 27320  
08912J-999  
AJ AN AL AZ AS AR

Offer in Compromise – Six-day suspension, suspended upon payment of \$600.00, on charges of failure to ensure that each locker could be opened only with a key and failure to purchase fortified wine only from a wholesaler.

33. Arthur Glenn Shaw, Jr.  
T/A **Ashworths Gas and Grocery**  
4505 North College Road  
Castle Hayne, NC 28429  
00141463AK-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. Coyotes Corp.  
T/A **Coyotes**  
290 Copperfield Boulevard NE  
Concord, NC 28025  
00145383AJ-999  
AJ AN AL AY

Offer in Compromise – 14-day suspension, suspended upon payment of \$1,400.00, on charges of giving to an underage person and open to public.

35. Alexander Devereuxs, Inc.  
T/A **Alexander Devereuxs Fine Dining**  
2800-A High Point Road  
Greensboro, NC 27403  
00103291AJ-999  
AJ AN AL AY AR

Offer in Compromise – Nine-day suspension, suspended upon payment of \$900.00, on charges of possessing empty containers of spirituous liquor purchased for resale in mixed beverages bearing mixed beverage tax stamps not defaced and missing tax stamps.

36. JPM Investments, LLC  
T/A **Bellas Sweets and Spirits**  
19 Market Street  
Wilmington, NC 28401  
00098607AJ-999  
AJ AL

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

37. Kaz Corp of NC  
T/A **Ciao Osteria and Bar**  
121 North Salem Street  
Apex, NC 27502  
00156412AJ-999  
AJ AN AL AY

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

38. Triangle Billards and Blues Club, Inc.  
T/A **Club Triangle**  
1310 North Main Street  
High Point, NC 27262  
68627A-999  
AJ AL AZ

Offer in Compromise – One-day suspension, suspended upon payment of \$100.00, on charge of using point-of-sale advertising that named a particular spirituous liquor brand while on the licensed premises.

39. YAH, Inc.  
T/A **Bier Garden**  
46 Haywood Road  
Asheville, NC 28801  
62463A-999  
AJ AL AY BX

Offer in Compromise – 45-day suspension with the last 42 days suspended upon payment of \$5,000.00, on charges of resisting or obstructing an officer, allowing consumption after hours and engaged in an affray or disorderly conduct on the licensed premises.

40. Fernandez, LLC  
T/A **El Parian Restaurante Mexicano**  
1009 Hwy 17 South  
Elizabeth City, NC 27909  
00101197AJ-999  
AJ AL AY

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

41. Partnership  
T/A **La Costenita**  
2401 North Tryon Street  
Charlotte, NC 28206  
00136341AK-999  
AK AO AM

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

42. O'Shields Entertainment, Inc.  
T/A **Chasers**  
3217 The Plaza  
Charlotte, NC 28205  
59457A-999  
AJ AN AL AZ

Offer in Compromise – 11-day suspension, suspended upon payment of \$1,100.00, on charges of using point-of-sale advertising that named a particular spirituous liquor brand or company name, failure to clear tables and counters of alcoholic beverages and allowing consumption after hours.

43. Juana Edith Menjivar  
T/A **Mambo**  
503 Brogden Road  
Smithfield, NC 27577  
00124484AJ-999  
AJ

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

Cancellation:

44. Radco Properties, Inc.  
T/A **Eagle Food Mart 5**  
347 South Bickett Boulevard  
Louisburg, NC 27549  
00136737AK-996  
AJ AO AM

Offer in Compromise – Cancel all ABC permits on charges of selling to an underage person (**two counts**).

FIRST OFFENSE CASES

July 8, 2008

Commission Meeting

Agenda Addendum

Signed by Chairman

(Resolution of 11-08-02)

Suspensions:

- 1F. MW Stancil, Inc.  
T/A **Stancils Amoco Food Shop 3**  
905 South Pollock Street  
Selma, NC 27576  
05731B-996  
AK

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

- 2F. Abdu Gasem Saleh  
T/A **Exprezit 2**  
1002 Hwy 70 East  
New Bern, NC 28560  
00157243AK-999  
AK AO AM

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

- 3F. Rosemart Properties, LLC  
T/A **Rosemart 9**  
215 US Hwy 1 South  
Norlina, NC 27563  
Q11555-989  
AK AO AM

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

- 4F. Safe Track, Inc.  
T/A **Main Way**  
2010 South Main Street  
High Point, NC 27262  
00142085AK-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.

5F. JohnEric, LLC  
T/A **Johnnys Uptown Grille**  
22 Battery Park Avenue  
Asheville, NC 28801  
00158703AJ-999  
AJ AL

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

6F. WilcoHess, LLC  
T/A **Wilco 233**  
1602 Second Street Hill  
North Wilkesboro, NC 28659  
Q11485-736  
AK AO AM

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

7F. Shiv Ambe, Inc.  
T/A **Stop and Save**  
1810 Mount Hope Church Road  
McLeansville, NC 27301  
00128795AK-999  
AK AM

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

8F. KVPS NC Realty, LLC  
T/A **Southern Convenience Store**  
861 New Hope Road  
Gastonia, NC 28054  
00149585AK-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.

9F. Smokestackers, Inc.  
T/A **Hookah Bliss**  
418 West Franklin Street  
Chapel Hill, NC 27516

**Continued**

10F. Mahts, Inc.  
T/A **Kash Mart**  
2312 Westchester Drive  
High Point, NC 27260  
00134598AK-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.

11F. B and B Curb Market, Inc.  
T/A **B and B Curb Market**  
2100 Sharpe Road  
Greensboro, NC 27406  
19886B-999  
AK AM

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

12F. Hooters of Winston Salem, LLC  
T/A **Hooters**  
120 Hanes Square Circle  
Winston Salem, NC 27103  
00117403AJ-999  
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.

13F. EZ Stop Market, Inc.  
T/A **EZ Stop BP**  
4736 US Hwy 29 North  
Greensboro, NC 27405  
37754A-999  
AJ AM

Offer in Compromise – Six-day suspension, suspended upon payment of \$300.00, on charge of selling to an underage person. Credit was given for attending a Responsible Alcohol Server Program on May 12, 2008.

14F. Pantry, Inc.  
T/A **Kangaroo Express 3080**  
1400 Centura Hwy  
Rocky Mount, NC 27804  
Q11443-794  
AK AO AM

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

15F. Reyes Enterprises, Inc.  
T/A **Key Foods**  
2404 South Church Street  
Rocky Mount, NC 27803  
64116B-999  
AK AO AM

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

16F. Agustin Lugo  
T/A **El Chapala Mexican Restaurant 4**  
1205 Second Street NE  
Hickory, NC 28601  
54658A-999  
AJ AN AL AY

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

17F. M Stephens, Inc.  
T/A **M Stephens Harvest Season Market**  
120 West Lexington Avenue, Suite 102  
High Point, NC 27262  
00118453AJ-998  
DB

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

18F. Carrabbas Carolina I Limited Partnership  
T/A **Carrabbas Italian Grill**  
1954 13th Avenue Drive SE  
Hickory, NC 28602

**Continued**

19F. Mamas Pizza, LLC  
T/A **Mamas Pizza**  
2002 North Main Street  
Tarboro, NC 27886  
00128332AJ-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.

20F. Duckworth Moser, LLC  
T/A **Break N Run Billiards**  
3793 Samet Drive, Suite 135  
High Point, NC 27265  
001460086AJ-999  
AJ

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

ADD ON CASES

Suspensions (Regular Cases):

45. HRPB, Inc.  
T/A **Happy's Pool Room**  
517 Cotanche Street  
Greenville, NC 27858  
51120A-999  
AJ

Offer in Compromise – 50-day suspension with the last 35 days suspended upon payment of \$5,000.00, on charges of open to the public and selling to an underage person.

46. Agean, Inc.  
T/A **Papas Grill**  
1821 Hillandale Road  
Durham, NC 27705  
66528A-999  
AJ AN AL AY

Offer in Compromise – 10-day suspension, suspended upon payment of \$500.00, on charge of permittee consuming alcoholic beverages while performing services.

47. Table 16, LLC  
T/A **Table 16**  
600 South Elm Street  
Greensboro, NC 27406  
00155072AJ-999  
AJ AN AL AY

Offer in Compromise – Monetary penalty of \$500.00 on charge of failure to file financial reports on a quarterly basis regarding the sale of alcohol and other related information as requested by the Audit Division of the NC ABC Commission from August 13, 2007 through present.

## Responsible Alcohol Server Program

9-5 Jaykan, Inc.  
T/A **Jax Sports Grill**  
2300 Gorman Street  
Raleigh, NC 27606  
00145654AJ-999  
AJ AN AL AY

Offer in Compromise – 30-day suspension, suspended upon payment of \$2,400.00, on charge of refilling spirituous liquor containers having a mixed beverage stamp with other alcoholic beverages. Respondent attended a Responsible Alcohol Server Program on June 5, 2008.

25-6 Lowes Food Stores, Inc.  
T/A **Lowes Foods 200**  
5051-3 Main Street  
Shallotte, NC 28459  
Q11269-839  
AK AO AM CE

Offer in Compromise – 12-day suspension, suspended upon payment of \$800.00, on charge of selling to an underage person. Respondent attended a Responsible Alcohol Server Program on June 24, 2008.