

A. D. "ZANDER" GUY, JR.
CHAIRMAN

AGNES C. STEVENS
ADMINISTRATOR



State of North Carolina

ALCOHOLIC BEVERAGE CONTROL COMMISSION
400 East Tryon Road
Raleigh, NC 27610

NORMAN A. MITCHELL, SR.
COMMISSIONER

KAREN L. STOUT
COMMISSIONER

Commission Meeting Summary

May 13, 2020

ABC Commission Office Complex
Hearing Room 101 – 10:00 AM

SECTION I

CONTESTED CASES

ALJ Decision:

1. **T/A BS Jones Pub and Grill**
Anthony Curtis Groce, II
2926-C Fort Bragg Road
Fayetteville, NC 28303
00275025AJ - 999
AJ AZ
District III

Imposition of Decision of ALJ: 75-day suspension and payment of \$500.00 the charges of (1) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM, (2) failing to keep the premises clean and well-lit to avoid undue hazards (2 counts), (3) failing to clear tables by 2:30 AM, (4) selling alcoholic beverages between the hours of 2:00 AM and 7:00 AM, (5) performing services after having consumed alcoholic beverages (2 counts), (6) failing to superintend and (7) failing to comply with private club membership requirements.

2. **T/A Casey's Cove**
Casey Lynn Smith
204 Pinetop Street
Rockingham, NC 28303
00268021AJ - 999
AJ AZ
ABCC - Audit

Imposition of Decision of ALJ: Surrender of Mixed Beverage Private Club permit on the charge of failing to file reports as required by Audit.

3. **T/A Washington Quick Mart**
Naeem Ahmed Bhatti
200 North Centennial Street
High Point, NC 27260
00238334AK - 999
AK AM AO
ALE District V

Imposition of Decision of ALJ : 30-day suspension and payment of \$500.00 on the charges of (1) failing to keep the premises clean and well-lit to avoid undue hazards, (2) failing to maintain minimum food inventory to qualify for an off-premise fortified wine permit, (3) selling or transferring glass tubes or splitters without proper records and (4) failing to superintend.

SECTION II

OFFERS IN COMPROMISE

Suspension:

4. **T/A At Mart Food Store**
AtMartFoodStore, Inc.
608 Buffalo Road
Smithfield, NC 27577
00269681AK-999
AK AM
ALE District IV

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of failing to superintend.

5. **T/A Brisas Latin Cuisine**
Center Street Station, LLC
108 North Center Street
Goldsboro, NC 27530
00274994AJ-999
AJ AL AY
ALE District II

Offer in Compromise: 6-day suspension, avoided upon payment of \$600.00 on the charge of possessing a container of spirituous liquor not bearing a mixed beverage tax stamp.

6. **T/A Buoys**
C L and M Investments of Hyco, Inc.
9510 Semora Road
Leasburg, NC 27291
00267956AJ-999
AJ AL AN AY
ALE District IV

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charges of (1) failing to purchase unfortified wine only from a wholesaler and (2) failing to recycle beverage containers.

7. **T/A EZ Pass Drive Thru**
NC Drive Thru, Inc.
2200 South Evans Street
Greenville, NC 27834
00259126AK-999
AK AM
Pitt County ABC Board

Offer in Compromise: 30-day suspension, avoided upon payment of \$3,000.00 on the charge of selling an alcoholic beverage to an underage person.

8. **T/A Izzy's Sports Bar**
Izzy's Entertainment, LLC
150 Andrews Road
Fayetteville, NC 28311
00251198AJ-999
AJ AL AZ
Cumberland County ABC Board

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charges of (1) allowing possession or consumption of alcoholic beverages in a non-approved area of premises and (2) failing to superintend.

9. **T/A Last Call**
Anne Elizabeth Uleman
5395 Ramsey Street
Fayetteville, NC 28311
00114658AJ-999
AJ AL AZ
ALE District III

Offer in Compromise: 42-day suspension, avoided upon payment of \$4,200.00 on the charges of (1) allowing consumption of alcoholic beverages between the hours of 2:30 AM and 7:00 AM, (2) performing services after having consumed alcoholic beverages, (3) failing to

superintend and (4) allowing possession or consumption of alcoholic beverages in a non-approved area of premises.

10. **T/A Lowes Foods 177**
Lowes Foods, LLC
267 New Market Centre
Boone, NC 28607
Q11269-829
AK AM AO
ALE District VII

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of selling an alcoholic beverage to an underage person.

11. **T/A Mex Am Café**
Mexican American Café, LLC
210 North Main Street
Graham, NC 27253
00117555AJ-998
AJ AY
Graham Police Department

Offer in Compromise: 4-day suspension, avoided upon payment of \$400.00 on the charge of possessing a container of spirituous liquor not bearing a mixed beverage tax stamp.

12. **T/A Speedway 8244**
Speedway, LLC
124 NC Hwy 55 West
Mount Olive, NC 28365
Q11615-740
AK AM
Wayne County ABC Board

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

13. **T/A Sushi at the Park**
Sushi at the Park, Inc.
1163 Parkside Main Street
Cary, NC 27519
00272725AJ-999
AJ AL AY
ALE District IV

Offer in Compromise: 3-day suspension, avoided upon payment of \$250.00 on the charge of possessing fortified wine where not authorized.

14. **T/A Town Hall Burger and Beer Briar Chapel**

Town Hall Burger and Beer BC, LLC
58 Chapelton Court, Suite 140
Chapel Hill, NC 27516
00246570AJ-999
AJ AL AY BX
ALE District IV

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) advertising brand name on exterior of premises and (2) possessing fortified wine where not authorized and (3) failing to purchase unfortified wine only from a wholesaler.

15. **T/A Vernon Mart**

Vernon Mart, Inc.
901 West Vernon Avenue
Kinston, NC 28501
00254058AK-999
AK AM AO
Lenoir County ABC Board

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of selling or transferring glass tubes or splitters without proper records.

16. **T/A Another Broken Egg Café**

Mid Atlantic Restaurant Group, LLC
160 Park at North Hills, Suite 127
Raleigh, NC 27615
00198462AJ-994
AJ AL AY
Wake County ABC Board

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charge of possessing multiple containers of spirituous liquor not bearing mixed beverage tax stamps.

17. **T/A Applebee's Grill and Bar**

Applebee's Restaurants Mid Atlantic, LLC
5120 New Centre Drive
Wilmington, NC 28403
Q11653-974
AJ AL AN AY
ALE District I

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of giving an alcoholic beverage to an underage person.

18. **T/A Azteca Market**
Azteca Market, Inc.
117 Meghan Circle
Selma, NC 27576
00263193AJ-999
AJ
ALE District IV

Offer in Compromise: 7-day suspension, avoided upon payment of \$750.00 on the charge of maintaining living quarters directly attached to premises.

19. **T/A Bangkok 54 Café**
Siriwat Ratana-Aparoj
6118-B Farrington Road
Chapel Hill, NC 27517
00183059AJ-998
AJ AL
ALE District IV

Offer in Compromise: 13-day suspension, avoided upon payment of \$1,300.00 on the charges of (1) failing to maintain beer and wine invoices from wholesaler and (2) possessing spirituous liquor where not authorized.

20. **T/A Best Stop**
Masum, Inc.
292 East Aiken Road
Eden, NC 27288
00231417AK-999
AK AM AO
ALE District V

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling an alcoholic beverage to an underage person.

21. **T/A Black Rose Tavern**
John Herbert Bova, Jr.
175 Freedom Highway, Suite 9
Midway Park, NC 28544
00217905AJ-999
AJ AZ
Jacksonville Police Department

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) performing services after having consumed alcoholic beverages and (2) failing to superintend.

22. **T/A Blue Moon Café**
Joshua Kendrick Angelini
310 Hay Street, Suite 101
Fayetteville, NC 28301
00273146AJ-999
AJ AL AY
Cumberland County ABC Board

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of giving an alcoholic beverage to an underage person.

23. **T/A Brooklyn Lounge**
QC Press Club, LLC
225 North Caldwell Street
Charlotte, NC 28202
00278240AJ-999
AJ AL AN AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) failing to comply with private club membership requirements, (2) possessing a container of spirituous liquor not bearing a mixed beverage tax stamp and (3) failing to recycle beverage containers.

24. **T/A Buffalo Wild Wings Grill and Bar**
Blazin Wings, Inc.
400 East Martin Luther King Boulevard, Suite B
Charlotte, NC 28202
Q11574-985
AJ AL AN AY
Mecklenburg County ABC Board

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) failing to deface tax stamp on a bottle once empty and (2) defacing tax stamps before bottles were empty.

25. **T/A Carolina Ale House Concord Mills**
Concord Mills Ale House, LLC
8695 Concord Mills Boulevard
Concord, NC 28027
00210117AJ-999
AJ AL AN AY
ALE District VI

Offer in Compromise: 40-day suspension, avoided upon payment of \$4,000.00 on the charges of (1) possessing a container of spirituous liquor not bearing a mixed beverage tax stamp, (2)

failing to superintend, (3) failing to file manager change and (4) advertising brand name on exterior of premises.

26. **T/A Chili's Grill and Bar**
Brinker North Carolina, Inc.
819 South College Road
Wilmington, NC 28403
Q11408-977
AJ AL AN AY
ALE District I

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of giving an alcoholic beverage to an underage person.

27. **T/A Circle K 2720826**
Circle K Stores, Inc.
4000 South Memorial Drive
Greenville, NC 27835
Q11434-628
AK AM AO
Pitt County ABC Board

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling an alcoholic beverage to an underage person.

28. **T/A Circle Mart**
Aanika, Inc.
108 Boone Road
Eden, NC 27288
00266849AK-999
AK AM AO
ALE District V

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of selling an alcoholic beverage to an underage person.

29. **T/A Designer Private Lounge**
Kassia Dannyelle Holly
9145 Trinity Road
Charlotte, NC 28216
00281540AJ-999
AJ AZ
Charlotte-Mecklenburg Police Department

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) allowing possession or consumption of alcoholic beverages in a non-approved area of premises and (2) failing to comply with private club membership requirements.

30. **T/A Fatz Café**
ACM Fatz VII, LLC
1235 East Dixon Boulevard
Shelby, NC 28152
00277918AJ-998
AJ AL AN AY
Shelby Police Department

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of giving an alcoholic beverage to an underage person.

31. **T/A Fatz Café**
ACM Fatz VII, LLC
107 Sawmill Village Lane
Franklin, NC 28734
00277918AJ-997
AJ AL AN AY
Franklin Police Department

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

32. **T/A Food Fare**
Krushna Corp.
227 West Main Street
Havelock, NC 28532
00167405AK-999
AK AM
ALE District I

Offer in Compromise: 27-day suspension, avoided upon payment of \$2,700.00 on the charges of (1) performing services after having consumed alcoholic beverages, (2) failing to keep the premises clean and well-lit to avoid undue hazards and (3) failing to have the entire premises open for inspection.

33. **T/A Gentleman's Club**
200 West Woodlawn Road, Inc.
200 West Woodlawn Drive
Charlotte, NC 28217
00103470AJ-999
AJ AL AN AZ

ALE District VI

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of employee possessing a controlled substance.

34. **T/A Grid Iron**
Sicilian, LLC
13105 South Tryon Street
Charlotte, NC 28278
00194411AJ-999
AJ AL AY
Mecklenburg County ABC Board

Offer in Compromise: 5-day suspension, avoided upon payment of \$500.00 on the charge of advertising brand name on exterior of premises.

35. **T/A Han Dee Hugo's 31**
Sampson Bladen Oil Company, Inc.
2540 Castle Hayne Road
Wilmington, NC 28401
Q11310-984
AK AM AO
New Hanover County Sheriff's Office

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of selling an alcoholic beverage to an underage person.

36. **T/A Homer's Soda Shop**
Homer's Soda Shop, LLC
113 East Union Street
Morganton, NC 28655
00256372AJ-99N
AJ AL AN AY
ABC Audit Section

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) failing to qualify as restaurant and (2) failing to file reports as required by Audit.

37. **T/A Honeysuckle Meadery**
EastWest Organics, LLC
8871 Pickards Meadow Road
Chapel Hill, NC 27516
00262261CM-999
BC BM BZ
ALE District IV

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charges of (1) wholesaler delivering unfortified wine to retailer without proper permit and (2) failing to provide sales tickets to retailers upon sale or delivery and failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages.

38. **T/A Islander Kwik Mart**
Nanak, Inc.
111 Carl Winner Avenue
Carolina Beach, NC 28428
00129494AK-998
AK AM
ALE District I

Offer in Compromise: 17-day suspension, avoided upon payment of \$1,700.00 on the charge of selling an alcoholic beverage to an underage person.

39. **T/A Italian Grill**
Biata Corp.
121 East Innes Street
Salisbury, NC 28144
00160870AJ-998
AJ AL AY
ALE District VI

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charges of (1) failing to deface tax stamp on a bottle once empty, (2) performing services after having consumed alcoholic beverages and (3) failing to superintend.

40. **T/A Johnny Dollars**
Johnny Dollars, Inc.
3920 South Tryon Street
Charlotte, NC 28217
54068A-998
AJ AL AZ
ALE District VI

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of allowing an intoxicated person to consume.

41. **T/A Junction 421**
Toothpick, Inc.
5104 South College Road
Wilmington, NC 28412
00277677AJ-999
AJ AL AN AY

ALE District I

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of giving an alcoholic beverage to an underage person.

42. **T/A Keg and Egg**
RJD Holdings, Inc.
4039 Masonboro Loop Road, Suite 1A
Wilmington, NC 28409
00242154AJ-999
AJ AL AY
ALE District I

Offer in Compromise: 20-day suspension, avoided upon payment of \$2,000.00 on the charge of selling an alcoholic beverage to an underage person.

43. **T/A L and G Mart**
L and G Mart, Inc.
6140 East Independence Boulevard, Suite B
Charlotte, NC 28212
00188737AK-999
AK AM AO
ALE District VI

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charges of (1) failing to maintain beer and wine invoices from wholesaler, (2) failing to post permits, (3) failing to keep the premises clean and well-lit to avoid undue hazards, (4) failing to superintend and (5) failing to maintain, on the premises and available for inspection or audit for three years, all records including original invoices related to alcoholic beverages and mixed beverages.

44. **T/A Lituations**
Blvd Wings, Inc.
3133 East Independence Boulevard, Suite A
Charlotte, NC 28205
00206127AJ-999
AJ AN AY
Charlotte-Mecklenburg Police Department

Offer in Compromise: 18-day suspension, avoided upon payment of \$1,800.00 on the charge of possessing gambling equipment.

45. **T/A Moe's Original BBQ**
Snow 2 Sea, Inc.
5818 Oleander Drive
Wilmington, NC 28403

00236113AJ-999
AJ AL AY
ALE District I

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of selling an alcoholic beverage to an underage person.

46. **T/A Outpost**
DLCJR Management, Inc.
306 East Hargett Street
Raleigh, NC 27601
00228159AJ-998
AJ AL AZ
Wake County ABC Board

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charge of possessing a controlled substance.

47. **T/A Park N Shop 15**
Siler City Marts, Inc.
201 East 11th Street
Siler City, NC 27344
00194065AK-997
AK AM AO
ALE District IV

Offer in Compromise: 30-day suspension, avoided upon payment of \$3,000.00 on the charges of (1) failing to have the entire premises open for inspection and (2) selling an alcoholic beverage to an underage person.

48. **T/A Rick's Food Mart**
Beeju, LLC
1122 East Morehead Street
Burlington, NC 27215
00281746AK-999
AK AM AO
ALE District V

Offer in Compromise: 15-day suspension, avoided upon payment of \$1,500.00 on the charge of selling to an intoxicated person.

49. **T/A Rucker Johns A Restaurant and More**
Rucker Johns III, Inc.
5564 Carolina Beach Road
Wilmington, NC 28412
58464A-998

AJ AL AN AY
ALE District I

Offer in Compromise: 12-day suspension, avoided upon payment of \$1,200.00 on the charge of giving an alcoholic beverage to an underage person.

50. **T/A Sam's Tobacco and Grocery**
Sams Tobacco and Grocery, Inc.
717 Rauhut Street
Burlington, NC 27217
00261233AK-999
AK AO AM
ALE District V

Offer in Compromise: 10-day suspension, avoided upon payment of \$1,000.00 on the charges of (1) possessing adulterants intended for defrauding a drug or alcohol screening test and (2) selling or transferring glass tubes or splitters without proper records.

51. **T/A Small Bar Matthews**
Dal Bar, Inc.
4320 Potter Road
Matthews, NC 28104
00268186AJ-999
AJ AL AZ
ALE District VI

Offer in Compromise: 45-day suspension, avoided upon payment of \$4,500.00 on the charges of (1) failing to superintend, (2) engaging in or allowing an affray or disorderly conduct, (3) employee intoxicated and (4) performing services after having consumed alcoholic beverages.

52. **T/A White House**
4809 Wilkinson Entertainment, LLC
4809 Wilkinson Boulevard
Charlotte, NC 28208
00231770AJ-999
AJ AL AN AZ
Mecklenburg County ABC Board

Offer in Compromise: 45-day suspension, avoided upon payment of \$4,500.00 on the charges of (1) failing to clear tables by 2:30 AM and (2) failing to superintend (3 counts).