

March 5, 2014

County Service Building
Hyattsville, Maryland 20781

THE BOARD OF LICENSE COMMISSIONERS MET IN REGULAR SESSION:

ATTENDANCE: Franklin D. Jackson, Chair
Shaihi Mwalimu, Vice Chairman
Earl Howard, Commissioner
David Son, Commissioner
Charles Caldwell, III, Commissioner
Edmond B. O'Connell, Counsel
Diane M. Bryant, Administrative Assistant
Kelly E. Markomanolakis, Administrative Aide
Albert Fanelli, Chief
Cristian Mendoza, Deputy Chief

Time: 7:05 p.m.

In the matter of Rekhaven N. Patel, Member-Manager, **t/a Avenue Liquors**, DHRUV, LLC, Class A, Beer, Wine and Liquor, 3318 Walter Lane, Forestville, MD, 20747, is summoned to show cause for alleged violations of Section(s) 8-217(a)(3), 12-108(a), 12-108(d), 12-109 of Article 2B of the Annotated Code of Maryland and Rules 1(A), 1(B), 1(C), 2(B), 26(A)(3), 26(B)(3), 29 of the local rules and regulations of the Board of License Commissioners to wit: That on Friday, November 1, 2013 at approximately 8:30 p.m., Inspector Ivan Estrada of the Prince George's County Board of License Commissioners observed a minor who was working in an undercover capacity purchase a six (6) pack of Mike's Hard Black Raspberry Lemonade 11.2 fluid ounce bottles; further that the alcoholic beverage was furnished by an agent of the licensee, applicant represented by Robert J. Kim, Esquire.

- Statements were provided by:
Robert J. Kim (Attorney)
- **Mr. Son moved that the licensee be found in violation of the charges and that a fine of \$1,500 be imposed, seconded by Mr. Howard and made unanimous by Mr. Mwalimu, Mr. Caldwell and Mr. Jackson.**

In the matter of Charles Ryan, President, Jae Kwon, Vice President, Secretary, Treasurer, **t/a Laurel Food Mart**, Class D, Beer and Wine, JoJo Food, Inc., 9107 Marshall Avenue, Laurel, 20707, is summoned to show cause for alleged violations of Sections 8-217(a)(3), 12-108(a), 12-108(d), 12-109 of Article 2B of the Annotated Code of Maryland and Rules 1(A), 1(B), 1(C), 2(B), 26(A)(3), 26(B)(3), 29 of the local rules and regulations of the Board of License Commissioners: That on Friday, October 25,

2013, at approximately 8:22 p.m., Inspector Ivan Estrada of the Prince George's County Board of License Commissioners observed a minor who was working in an undercover capacity purchase a six (6) pack of Pilsner 12 fluid ounce bottles; further that the alcoholic beverage was furnished by an agent of the licensee.

- Statements were provided by:
Ivan Estrada (Inspector)
Charles Ryan (Attorney)
- **Mr. Son moved that the licensee be found in violation of the charges and that a fine of \$1,500 be imposed, seconded by Mr. Howard and made unanimous by Mr. Mwalimu, Mr. Caldwell and Mr. Jackson.**

In the matter of Janaki Kasawala, Member-Manager, Betty A. Armwood, Member/Authorized Person, **t/a Freddie's Liquors**, My Mavadi LLC., Class A, Beer, Wine and Liquor, 7700 Marlboro Pike, Forestville, MD 20747, is summoned to show cause for alleged violations of Section(s) 6-101(a), 12-111 of Article 2B of the Annotated Code of Maryland and Rules 10, 26(A)(3), 26(B)(12) of the local rules and regulations of the Board of License Commissioners to wit: That on Friday, November 8, 2013, at approximately 8:10 p.m., Inspectors Warren Bagby and William Taylor of the Prince George's County Board of License Commissioners observed Styrofoam cups of ice were available for purchase in the freezer section of the establishment, applicants represented by Robert J. Kim, Esquire.

- Statements were provided by:
William Taylor (Inspector)
Robert J. Kim (Attorney)
Mr. Patel (Witness for establishment)
Betty Armwood (Licensee)
- **Mr. Son moved that the licensee be found in violation of the charges as outlined in the summons and that a fine of \$500 be imposed, seconded by Mr. Howard and carried by Mr. Caldwell and Mr. Jackson. Mr. Mwalimu voted no.**

In the matter of Pravin Patel, President, Prakash Patel, Vice President, Bharat Patel, Secretary, **t/a P.G. Liquors**, Class A, Beer, Wine and Liquor, Kalyan Brothers Inc., 5457 Annapolis Road, Bladensburg 20710, is summoned to show cause for alleged violations of Sections 6-101(a), 12-111 of Article 2B of the Annotated Code of Maryland and Rules 10-26(A)(3), 26(B)(12) of the local rules and regulations of the Board of License Commissioners to wit: That on November 27, 2013, at approximately 2:00 p.m., Inspector Kelly Page of the Prince George's County Board of License Commissioners observed cups filled with ice were available for purchase in the freezer section of the establishment, licensee represented by Matthew Gorman, Esquire.

- Statements were provided by:

Kelly Page (Inspector)
Pravin Patel (Licensee)
Matthew Gorman (Attorney)

- **Mr. Son moved that the licensee be found in violation of the charges as outlined in the summons and that a fine of \$1,000 be imposed, seconded by Mr. Howard and carried by Mr. Caldwell and Mr. Jackson. Mr. Mwalimu votes no.**

In the matter of Andrew Sancomb, President, **t/a Sportsman's Pub**, Class B,(R), Beer, Wine and Liquor, Penguin Liquors, 116 Washington Blvd., South Laurel 20707 is summoned to show cause for alleged violations of Sections 6-201(r)(ii)1,A-F, 16-301 of Article 2B of the Annotated Code of Maryland and Rules 26(A)(3), 26(A)(14), 29, 34, 58 of the local rules and regulations of the Board of License Commissioners to wit: That on Thursday, December 12, 2013, Inspectors Joseph Tredway and Kenneth Miles, Liquor Inspectors for the Board of License Commissioners observed that there was no food, that there was no formal kitchen, no food prep area, no proper kitchen utensils, no menus and no certified food handler on the premises.

- Statements were provided by:
Joseph Tredway (Inspector)
Patricia Wright (Witness for establishment)
- **Mr. Caldwell moved that this case will be continued to March 12, 2014; that the alcoholic beverage license is suspended effective March 6, 2014 – 12:01 a.m., seconded by Mr. Howard and carried by Mr. Caldwell, Mr. Mwalimu and Mr. Jackson**

In the matter of Kalpesh R. Patel, Member-Manager, Jeremy R. Harris, Member-Authorized Person, **t/a Marlboro Pike Restaurant & Liquors**, DHEER, LLC, Class B+, Beer, Wine and Liquor, 5205 Marlboro Pike, Capital Heights, 20743, is summoned to show cause for alleged violations of Sections 11-403, 11-517(f) of Article 2B of the Annotated Code of Maryland and Rules 9(A), 9(B), 26(A)(1), 26(B)(2), 29 of the local rules and regulations of the Board of License Commissioners to wit: That on Sunday, September 8, 2013, at approximately 2:50 p.m., Deputy Chief Inspector Cristian Mendoza Munoz of the Prince George's County Board of License Commissioners purchased a 200 ml bottle of Seagram's Extra Dry Gin; that the alcoholic beverage was furnished by an agent of the licensee, licensee represented by Robert J. Kim, Esquire.

- Statements were provided by:
Cristian Mendoza (Deputy Chief Liquor Inspector)
Robert J. Kim (Attorney)
- **Mr. Son moved that the licensees be found in violation of the charges and that a \$5,000 fine be imposed along with a 30 day suspension of the "off**

sale” privileges, seconded by Mr. Caldwell and made unanimous by Mr. Howard, Mr. Jackson and Mr. Mwalimu. (Mr. Caldwell expressed that further transgressions by licensee may make revocation appropriate.)

In the matter of Kalpesh R. Patel, Member-Manager, Jeremy R. Harris, Member-Authorized Person, **t/a Marlboro Pike Restaurant & Liquors**, DHEER, LLC, Class B+, Beer, Wine and Liquor, 5205 Marlboro Pike, Capital Heights, 20743, is summoned to show cause for alleged violations of Sections 10-401(a)(ii)(2), 16-301(a), 9-217(n) of Article 2B of the Annotated Code of Maryland and Rules 16, 26(B)(4), 26(B)(7), 26(B)(13), 29, 75 of the local rules and regulations of the Board of License Commissioners to wit: That on Thursday, November 14, 2013, at approximately 8:10 p.m., Chief Inspector Albert J. Fanelli heard loud music emanating from the licensed premises; that the establishment does not possess an Exemption to a Special Entertainment Permit or a Special Entertainment Permit; that the disc jockey and music disturbed the peace and tranquility of the community.

- Statements were provided by:
Albert J. Fanelli (Chief Liquor Inspector)
Robert J. Kim (Attorney)
Rudy Davis (Witness for establishment)
- **Mr. Son moved that the licensee be found in violation of the charges and that a fine in the amount of \$1,000 be imposed, seconded by Mr. Howard and carried by Mr. Caldwell and Mr. Jackson. Mr. Mwalimu voted no.**

In the matter of Juan Ponce, Member, Victorina Navarette, Member/Resident Agent, **t/a Mile High Restaurant**, Class B+, Beer, Wine and Liquor, Ko-Me LLC, 6520 Aaron Lane, Clinton, 20735, is summoned to show cause for alleged violations of Sections 6-201(2)(ii), 9-217(n) of Article 2B of the Annotated Code of Maryland and Rules 26(A)(3), 26(B)(4), 29, 75 of the local rules and regulations of the Board of License Commissioners to wit: That on Wednesday, December 4, 2013, at approximately 10:50 p.m., Chief Inspector Albert J. Fanelli and Deputy Chief Cristian Mendoza Munoz observed exotic dancers performing at the establishment; that the Special Entertainment Permit expired on November 30, 2013, licensee represented by Robert J. Kim, Esquire.

- Statements were provided by:
Cristian Mendoza (Deputy Chief Liquor Inspector)
Al Smith (Witness for Establishment)
Robert J. Kim (Attorney)
- **Mr. Son moved that the licensees be found in violation of the charges as outlined in the summons and that a fine of \$2,500 be imposed, seconded by Mr. Howard and made unanimous by Mr. Caldwell, Mr. Mwalimu and Mr. Jackson.**

In the matter of Frank A. Little, Jr., Member-Manager, **t/a The Zone**, Class B, Beer, Wine and Liquor, Frank Little Enterprises LLC, 5753 Crain Highway, Upper Marlboro, 20772, is summoned to show cause for alleged violations of Sections 6-201(r)(ii)3A—F, 10-401(a)(2), 9-217(n) of Article 2B of the Annotated Code of Maryland and Rules 26(A)(3), 26(A)(14), 26(B)(13), 26(B)(14), 29, 75, 78 of the local rules and regulations of the Board of License Commissioners to wit: That on December 4, 2013, an altercation ensued within the licensed establishment; that a “signal 13” was broadcasted by the Prince George’s County Police Department; that the establishment poses a threat to the peace and safety of the community; that the licensee was utilizing the services of a promoter and the licensee was operating the licensed premises without an approved security plan as specified in regard to the issuance of a Special Entertainment Permit; that the Special Entertainment Permit was not officially effectuated due to the security plan not being filed and approved by the Prince George’s County Police Department.

- **Diane M. Bryant stated that this case was continued to the Regular Session of April 2, 2014.**

In the matter of Derrick A. Williams, Owner, **t/a Infuse**, Class B, Beer, Wine and Liquor, Infuse, LLC, 6339 Allentown Road, Temple Hills, 20748 is summoned to show cause for alleged violations of Sections 16-301(a) of Article 2B of the Annotated Code of Maryland and Rules 9(A), 9(B), 26(A)(3), 26(B)(1), 26(B)(4), 29, 32 of the local rules and regulations of the Board of License Commissioners to wit: That on Friday, December 13, 2013, at approximately 11:20 p.m., Chief Liquor Inspector Albert J. Fanelli and Deputy Chief Inspector Cristian Mendoza Munoz observed the establishment open and patrons consuming food and alcoholic beverages after the closure hour attested to by the licensee at the Regular Sessions of June 25, 2013 and November 26, 2013; that the licensee was un-cooperative with the Inspectors of the Board of License Commissioners.

- Statements were provided by:
Cristian Mendoza (Deputy Chief Liquor Inspector)
Derrick Williams (Inspector)
Christina Williams (Witness for Establishment)
- **Mr. Son moved that the licensee be found in violation of the charges as outlined in the summons and that a fine of \$1,500 be imposed, seconded by Mr. Howard and carried by Mr. Mwalimu and Mr. Caldwell. Mr. Jackson abstained from voting on this matter.**

In the matter of Derrick A. Williams, Owner, **t/a Infuse**, Class B, Beer, Wine and Liquor, Infuse, LLC, 6339 Allentown Road, Temple Hills, 20748 is summoned to show cause for alleged violations of Sections 12-107(a), 14-201 of Article 2B of the Annotated

Code of Maryland and Rules 11, 26(A)(3), 26(A)(7), 26(A)(8), 26(A)(9), 26(B)(12), 29 of the local rules and regulations of the Board of License Commissioners to wit: That on Friday, November 22, 2013, at approximately 10:19 p.m., Chief Liquor Inspector Albert J. Fanelli and Inspector Brian Brown observed five bottles of liquor – (Three bottles of 1.75 L flavored Ciroc Vodka, One 1.75 L bottle of Hornito's Tequila and a 1.75 L bottle of Grey Goose); that the alcoholic beverage products were not purchased from a duly authorized wholesaler or distributor.

- Statements were provided by:
Albert J. Fanelli (Chief Liquor Inspector)
Derrick Williams (Inspector)
- **Mr. Son moved that the licensee be found in violation and that a fine of \$2,500 be imposed, seconded by Mr. Howard and carried by Mr. Caldwell and Mr. Mwalimu. Mr. Jackson abstained from voting on this matter.**

In the matter of Joon K. Pak, President/Secretary/Treasurer, **t/a Laurel Bowie Liquor and Deli**, Class B+, Beer, Wine and Liquor, PKP Liquor and Deli Inc., 9830 Mallard Drive, Laurel 20708, is summoned to show cause for alleged violations of Sections 6-201(r)(2)2(v), 10-401(a)(iv) of Article 2B of the Annotated Code of Maryland and Rules 26(A)(1), 26(A)(2), 26(A)(3), 26(B)(12), 34, 58, 60 of the local rules and regulations of the Board of License Commissioners to wit: That on Friday, August 23, 2013, at approximately 10:20 p.m., Inspectors Sherman Calloway and William Taylor of the Board observed that the restaurant portion of the licensed establishment was closed, that there was no certified food handler on the premises; that the off sale portion of the business was open and operating; further that the licensee was found in violation of having the restaurant closed and operating the off sale portion of the licensed establishment during the Regular Session of April 11, 2012 and that during the Regular Session of August 7, 2013, the licensee was found in violation of selling off sale of liquor on Sunday **additionally** Joon K. Pak, President/Secretary/Treasurer, **t/a Laurel Bowie Liquor and Deli**, Class B+, Beer, Wine and Liquor, PKP Liquor and Deli Inc., 9830 Mallard Drive, Laurel 20708, is summoned to show cause for alleged violations of Sections 6-201(r)(2)2(v), 10-401(a)(iv), 11-403, 11-517 of Article 2B of the Annotated Code of Maryland and Rules 9(A), 9(B), 26(A)(1), 26(A)(2), 26(A)(3), 26(B)(2), 26(B)(12), 29, 34, 58, 60 of the local rules and regulations of the Board of License Commissioners to wit: That on Sunday, September 22, 2013, at approximately 4:55 p.m., Inspectors William Taylor and Susan Crossley Liquor Inspectors of the Prince George's County Board of License Commissioners observed that the restaurant portion of the licensed establishment was closed, that there was no certified food handler on the premises; that the off sale portion of the business was open and operating; additionally, that the Inspectors observed the off sale of 750 ml bottle of Bacardi Gold Rum; further that the licensee was found in violation of having the restaurant closed and operating the off sale portion of the licensed establishment during the Regular Session of April 11, 2012 and that during the Regular Session of August 7, 2013, the licensee was found in violation of selling off sale of liquor on Sunday **additionally** Joon K. Pak,

President/Secretary/Treasurer, **t/a Laurel Bowie Liquor and Deli**, Class B+, Beer, Wine and Liquor, PKP Liquor and Deli Inc., 9830 Mallard Drive, Laurel 20708, is summoned to show cause for alleged violations of Sections 6-201(r)(2)2(v), 10-401(a)(iv) of Article 2B of the Annotated Code of Maryland and Rules 26(A)(1), 26(A)(2), 26(A)(3), 26(B)(12), 34, 58, 60 of the local rules and regulations of the Board of License Commissioners to wit: That on Saturday, September 28, 2013, at approximately 9:40 p.m., Inspector Hector Cuellar and Susan Crossley of the Prince George's County Board observed that the restaurant portion of the licensed establishment was closed, that there was no certified food handler on the premises; that the off sale portion of the business was open and operating; further that the licensee was found in violation of having the restaurant closed and operating the off sale portion of the licensed establishment during the Regular Session of April 11, 2012 and that during the Regular Session of August 7, 2013, the licensee was found in violation of selling off sale of liquor on Sunday.

- **Mr. Jackson stated that these three cases will be continued to the Regular Session of May 27, 2014.**

In the matter of Rakeshkumar M. Patel, Member-Manager, **t/a Tucker's Restaurant & Liquors**, Aaryan LLC., Class B+, Beer and Wine license, 9205 Marlboro Pike, Upper Marlboro, Maryland 20772 is summoned to show cause for alleged violations of 6-201(r)(6)(iii)1-8, 9-217(n) of Article 2B of the Annotated Code of Maryland and Rules 26(A)(3), 26(A)14, 29, 37(A)-(D), 75, 78 of the local rules and regulations of the Board of License Commissioners to wit: That on Saturday, November 16, 2013, at approximately 11:00 p.m., Chief Inspector Albert J. Fanelli and Inspector Brian Brown observed that the establishment was utilizing a promoter and further, that there was no security in place pursuant to the issuance of their Special Entertainment Permit **additionally** Rakeshkumar M. Patel, Member-Manager, **t/a Tucker's Restaurant & Liquors**, Aaryan LLC., Class B+, Beer and Wine license, 9205 Marlboro Pike, Upper Marlboro, Maryland 20772 is summoned to show cause for alleged violations of Sections 6-201(R)(6)(iii)1-8, 16-301 of Article 2B of the Annotated Code of Maryland and Rules 26(A)(3), 26(A)14, 29, 37(A)-(D) of the local rules and regulations of the Board of License Commissioners to wit: That on Thursday, November 7, 2013, at approximately 1:50 p.m., Deputy Chief Cristian Mendoza Munoz of the Board of License Commissioners for Prince George's County observed four un-authorized pool tables in the licensed establishment, licensee represented by Robert J. Kim, Esquire.

- Statements were provided by:
 - Albert J. Fanelli (Chief Liquor Inspector)
 - Robert J. Kim (Attorney)
 - Raymond Lamoy (Witness for establishment)
 - Cristian Mendoza (Deputy Chief Liquor Inspector)
 - Rakeshkumar Patel (Licensee)

- **Mr. Caldwell moved that in regard to the first show cause matter (pool tables), that the charges be dismissed and that an interior design layout of where the pool tables are located within the establishment be filed with our office, seconded by Mr. Mwalimu and made unanimous by Mr. Son, Mr. Howard and Mr. Jackson.**
- **Mr. Son moved that in regard to the second show cause matter that the licensee be found in violation of the charges and that a fine of \$1,500 be imposed, seconded by Mr. Howard and made unanimous by Mr. Caldwell, Mr. Mwalimu and Mr. Jackson.**

In the matter of Marry Nam, owner, surviving spouse for Richard Changsu Nam, owner, deceased, **t/a Iron Castle Inn**, Class B, (R), Beer, Wine and Liquor, 5451 Annapolis Road, Bladensburg 20710, is summoned to show cause for alleged violations of Sections 6-201(r)(2)2(i)l, 10-504 of Article 2B of the Annotated Code of Maryland and Rules 29, 33, 58 of the local rules and regulations of the Board of License Commissioners to wit: That the licensed establishment has been closed without authorization of the Board of License Commissioners in excess of thirty (30) days, licensee represented by Matthew Gorman, Esquire.

- Statements were provided by:
Matthew Gorman (Attorney)
Bill Edelen (DPIE representative)
- **Mr. Jackson stated that due to the questionable validity of the Use and Occupancy permit, this case will be continued.**

Respectfully Submitted,

Diane M. Bryant
Administrative Assistant

Adjourned: 11:25 p.m.