

AGENDA

Regular Meeting of the

**CITY COUNCIL
OF THE CITY OF TROY
LIQUOR VIOLATION HEARINGS**

FEBRUARY 13, 2008

CONVENING AT 7:30 P.M.

**Submitted By
The City Manager**

TO: The Honorable Mayor and City Council
Troy, Michigan

FROM: Phillip L. Nelson, City Manager

SUBJECT: Background Information and Reports

Ladies and Gentlemen:

This booklet provides a summary of the many reports, communications and recommendations that accompany your Agenda. Also included are suggested or requested resolutions and/or ordinances for your consideration and possible amendment and adoption.

Supporting materials transmitted with this Agenda have been prepared by department directors and staff members. I am indebted to them for their efforts to provide insight and professional advice for your consideration.

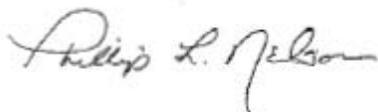
Identified below are goals for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Goals

- I. Enhance the livability and safety of the community
- II. Minimize the cost and increase the efficiency and effectiveness of City government
- III. Retain and attract investment while encouraging redevelopment
- IV. Effectively and professionally communicate internally and externally
- V. Maintain relevance of public infrastructure to meet changing public needs
- VI. Emphasize regionalism and incorporate creativity into the annual strategic planning process

As always, we are happy to provide such added information as your deliberations may require.

Respectfully submitted,



Phillip L. Nelson, City Manager



CITY COUNCIL

AGENDA

February 13, 2008 – 7:30 PM
Council Chambers
City Hall - 500 West Big Beaver
Troy, Michigan 48084
(248) 524-3317

CALL TO ORDER: 1

INVOCATION & PLEDGE OF ALLEGIANCE: Mayor Pro Tem Howrylak 1

ROLL CALL: 1

OUTLINE OF PUBLIC HEARING PROCEDURE: 1

PUBLIC COMMENT: 2

PUBLIC HEARINGS: 2

- 1.0 Liquor Violations – SDD & SDM 3
- (a) Kroger Company of Michigan (dba: Kroger Store No. 487)..... 3
 - (b) Kroger Company of Michigan (dba: Kroger Store No. 463)..... 4
 - (c) Nino Salvaggio Fruit & Vegetable Market of Troy, Inc. (dba: Nino Salvaggio International Market Place)..... 5
 - (d) ADI Realty, Inc. (dba: CVS Pharmacy No. 8242) 6
 - (e) Arbor Drugs, Inc. (dba: CVS Pharmacy No. 8162) 7
 - (f) K-Mart Corporation (dba: K-mart No. 4082) 8
 - (g) Cost Plus, Inc. (dba: Cost Plus Market)..... 9
 - (h) Czaryd Enterprises (dba: Troy Party Store)..... 11
 - (i) Jill-Nick Corporation (dba: Buscemi’s Party Shoppe) 12
 - (j) Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)..... 13

ADJOURNMENT 14

SCHEDULED CITY COUNCIL MEETINGS: 14

- Monday, February 18, 2008 Regular City Council 14
- Wednesday, February 20, 2008 (Liquor Violation Hearing) Regular City Council . 14
- Monday, March 3, 2008 Regular City Council 14
- Monday, March 17, 2008 Regular City Council 14

Monday, April 7, 2008	Regular City Council	14
Monday, April 21, 2008	Regular City Council	14
Monday, May 12, 2008	Regular City Council	14
Monday, May 19, 2008	Regular City Council	14

CALL TO ORDER:**INVOCATION & PLEDGE OF ALLEGIANCE: Mayor Pro Tem Howrylak****ROLL CALL:**

Mayor Louise E. Schilling
Robin Beltramini
Cristina Broomfield
David Eisenbacher
Wade Fleming
Martin F. Howrylak
Mary Kerwin

OUTLINE OF PUBLIC HEARING PROCEDURE:

Under the Laws of the State of Michigan, Council is vested with the authority to take adverse action against a liquor licensee that has committed a violation of the Liquor Code or the local or state laws. However, prior to any adverse action, the licensee is entitled to a due process hearing to challenge the charged violation. For those licensees that choose to challenge the charged violation, the following procedure is recommended for the hearing.

1. The Mayor calls the licensee whose case is to be heard.
2. The licensee and/or his attorney should be asked to the front of the Chamber to acknowledge their presence for the record and can be seated.
3. The Assistant City Attorney makes a very short opening statement regarding the violation(s), and presents proofs.
4. When witnesses are called, they should be sworn by the City Clerk to tell the truth.
5. Once the witness is sworn, the Assistant City Attorney will question the witness.
6. The police report and other documents may be offered into evidence as part of the case and should be kept by the City Clerk as part of the records.
7. At the conclusion of the City's case, the licensee or his attorney should be asked to offer an explanation for the violations if they choose, make a statement, offer evidence, or otherwise make their presentation.
8. If the licensee offers evidence from witnesses who have not been previously sworn, the City Clerk should swear those witnesses.
9. Once the licensee has concluded his presentation, the Assistant City Attorney should be given an opportunity for rebuttal, if any is desired.
10. City Council members may ask questions at any time, but it is suggested that this questioning by Council members be conducted after the parties conclude their presentations.
11. When the presentation of evidence is concluded, the matter returns to the City Council for discussion, deliberation, and resolution.

PUBLIC COMMENT:**PUBLIC HEARINGS:**

The following named licensees have been given notice to appear for this series of Public Hearings regarding alleged violations:

1.0 Liquor Violations (SDD/SDM):

- (a) Name: Kroger Company of Michigan (dba: Kroger Store No. 487)
Address: 31 E. Long Lake, 48085
License No.: SDM (12595-2007)
- (b) Name: Kroger Company of Michigan (dba: Kroger Store No. 463)
Address: 3125 John R, 48083
License No.: SDM (161307-2007)
- (c) Name: Nino Salvaggio Fruit & Vegetable Market of Troy, Inc.
(dba: Nino Salvaggio International Marketplace)
Address: 6835 Rochester, 48085
License No.: SDD (106341-2007 SS); SDM (11788-2007)
- (d) Name: ADI Realty, Inc. (dba: CVS Pharmacy No. 8242)
Address: 4963 John R, 48085
License No.: SDM (73139-2006)
- (e) Name: Arbor Drugs, Inc. (dba: CVS Pharmacy No. 8162)
Address: 2045 W. South Blvd., 48098
License No.: SDM (5815-2007)
- (f) Name: K-Mart Corporation (dba: K-Mart No. 4082)
Address: 100 E. Maple Rd., 48083
License No.: SDM (8174-2007)
- (g) Name: Cost Plus, Inc. (dba: Cost Plus Market)
Address: 560 John R., 48083
License No.: SDM (13248-2007)
- (h) Name: Czaryd Enterprises (dba: Troy Party Store)
Address: 2045 W. South Blvd., 48085
License No.: SDD/SDM (15685/15856-2007SS)
- (i) Name: Jill-Nick Corporation (dba: Buscemi's Party Shoppe)
Address: 3176 Rochester Road, 48083
License No.: SDD/SDM (73920/14525-2007SS)

- (j) Name: Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)
Address: 36949 Dequindre, 48083
License No.: SDD/SDM (163695/163696-2007SS)

1.0 Liquor Violations – SDD & SDM

(a) Kroger Company of Michigan (dba: Kroger Store No. 487)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Kroger Company of Michigan (dba: Kroger Store No. 487)
Address: 31 E. Long Lake, 48085
License No.: SDM (12595-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (DPU) (Compliance Test) (Pending) on December 6, 2007
and **SALE TO MINOR (DPU)** (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, The licensee has had prior violations dated: July 25, 2000 – SALE TO MINOR (Compliance Test); April 1, 1993 – SALE TO MINOR (Compliance Test); May 23, 1991 – SALE TO MINOR (Compliance Test); October 26, 1989 – SALE TO MINOR (Compliance Test); October 23, 1987 - SALE TO MINOR (Compliance Test); May 25, 1985 - SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, **HAS DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 12595-2007 in the name of Kroger Store No. 487 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(b) Kroger Company of Michigan (dba: Kroger Store No. 463)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Kroger Company of Michigan (dba: Kroger Store No. 463)

Address: 3125 John R, 48083

License No.: SDM (161307-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, The licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 161307-2007 in the name of Kroger Store No. 463 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVSOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee’s file.

Yes:
No:

(c) Nino Salvaggio Fruit & Vegetable Market of Troy, Inc. (dba: Nino Salvaggio International Market Place)

Suggested Resolution
Resolution #2008-02-
Moved by
Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Nino Salvaggio Fruit & Vegetable Market of Troy, Inc.
(dba: Nino Salvaggio International Market Place)
Address: 6835 Rochester, 48085
License No.: SDD (106341-2007 SS); SDM (11788-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee’s violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (Compliance Test) on May 3, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: December 21, 2006 – MLCC SALE TO MINOR (Compliance Test); May 10, 2001 – MLCC SALE TO MINOR (Compliance Test); December 11, 1997- SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 106341-2007 SS & SDM License Number 11788-2007 in the name of Nino Salvaggio International Marketplace of Troy in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(d) ADI Realty, Inc. (dba: CVS Pharmacy No. 8242)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: ADI Realty, Inc. (dba: CVS Pharmacy No. 8242)

Address: 4963 John R, 48085

License No.: SDM (73139-2006)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (Compliance Test) on May 3, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had a prior violation dated: July 25, 2000 – SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 73139-2006 in the name of CVS Pharmacy No. 8242 in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(e) Arbor Drugs, Inc. (dba: CVS Pharmacy No. 8162)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Arbor Drugs, Inc. (dba: CVS Pharmacy No. 8162)

Address: 2045 W. South Blvd., 48098

License No.: SDM (5815-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had a prior violation dated: May 10, 2001 – MLCC SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 5815-2007 in the name of Arbor Drugs, Inc. in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(f) K-Mart Corporation (dba: K-mart No. 4082)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: K-Mart Corporation (dba: K-Mart No. 4082)

Address: 100 E. Maple Rd., 48083

License No.: SDM (8174-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: June 30, 2004 – SALE TO MINOR (Compliance Test); May 17, 2001 – MLCC SALE TO MINOR (Compliance Test); July 25, 2000 – SALE TO MINOR (Compliance Test); October 28, 1998 – SALE TO MINOR (Compliance Test); September 22, 1988 – SALE TO MINOR (Compliance Test); November 21, 1986 – SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 8174-2007 in the name of K-Mart Corporation in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(g) Cost Plus, Inc. (dba: Cost Plus Market)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Cost Plus, Inc. (dba: Cost Plus Market)
Address: 560 John R., 48083
License No.: SDM (13248-2007)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (DPU) (Compliance Test) on December 6, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 13248-2007 in the name of Cost Plus, Inc. in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(h) Czaryd Enterprises (dba: Troy Party Store)Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Czaryd Enterprises (dba: Troy Party Store)

Address: 2045 W. South Blvd., 48085

License No.: SDD/SDM (15685/15856-2007SS)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (Compliance Test) on August 23, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: October 27, 2003 – SALE TO MINOR (Compliance Test); August 24, 1998 – MLCC SALE TO MINOR (Compliance Test); May 18, 1984 – SALE TO MINOR (Patrol Obs); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 15685/15856-2007SS in the name of Czaryd Enterprises in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(i) Jill-Nick Corporation (dba: Buscemi's Party Shoppe)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Jill-Nick Corporation (dba: Buscemi's Party Shoppe)
Address: 3176 Rochester Road, 48083
License No.: SDD/SDM (73920/14525-2007SS)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (DPU) (Compliance Test) on December 6, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had prior violations dated: February 11, 2005 – SALE TO MINOR (Compliance Test); October 17, 1990 – SALE TO MINOR (Compliance Test); and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 73920/14525-2007SS in the name of Jill-Nick Corporation in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

(j) Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)

Suggested Resolution

Resolution #2008-02-

Moved by

Seconded by

WHEREAS, The following liquor licensee operates within the City of Troy:

Name: Atlas Blue Sky, Inc. (dba: Atlas Market & Bakery)
Address: 36949 Dequindre, 48083
License No.: SDD/SDM (163695/163696-2007SS)

WHEREAS, The licensee has entered into a contract with the City of Troy, where the licensee authorizes the Troy City Council to review the licensee's violations of the laws and regulations governing the sale of alcoholic liquor, and determine the appropriate course of action for any such violation that is allowed under Michigan law;

WHEREAS, The City Council has given public notice that the licensee has been charged with the following violation of the laws and regulations governing the sale of alcoholic liquor:

SALE TO MINOR (DPU) (Compliance Test) on December 6, 2007;

WHEREAS, The City provided notice that the charges against the licensee would be reviewed and Council would determine if any action should be taken against the licensee at a Public Hearing, scheduled for Wednesday, February 13, 2008;

WHEREAS, This licensee has had no prior violations; and

WHEREAS, Licensee was given the opportunity to review these cited infractions, and the opportunity to confront witnesses and/or statements by accusers while in the presence of this City Council, sitting as a hearing body on Wednesday, February 13, 2008;

NOW THEREFORE, BE IT RESOLVED, That the Troy City Council, after the public hearing, has **DETERMINED** that the licensee did commit the above referenced violation of the laws and regulations governing the sale of alcoholic liquor;

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 163695/163696-2007SS in the name of Atlas Market & Bakery in the City of Troy), to have all its management and employees that are permitted to sell alcoholic liquor

TIPS AND/OR TAM trained, and to **PROVIDE PROOF** of this training to the Troy Police Department within 90 days; and

BE IT FURTHER REVOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation.

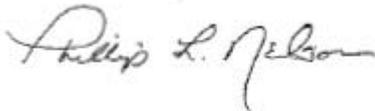
BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee’s file.

Yes:

No:

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

SCHEDULED CITY COUNCIL MEETINGS:

- Monday, February 18, 2008 Regular City Council
- Wednesday, February 20, 2008 (Liquor Violation Hearing) Regular City Council
- Monday, March 3, 2008..... Regular City Council
- Monday, March 17, 2008..... Regular City Council
- Monday, April 7, 2008..... Regular City Council
- Monday, April 21, 2008..... Regular City Council
- Monday, May 12, 2008..... Regular City Council
- Monday, May 19, 2008..... Regular City Council

LCC Liquor Licensee History

Business name: **Kroger #487**
 Address: 31 E. Long Lake (248) 432-1721
 Licensee: The Kroger Co of Michigan
 License type: **SDM (12595-2002)**
 Permits: DirConn-1
 Comments:

Date	Troy Incident #	Type	Disposition	Date
11/05/73		License Approved by City Council		
05/25/85	85-14697	Sale to Minor (Compliance Test)	\$150 fine	08/12/85
10/23/87	87-33794	Sale to Minor (Compliance Test)	\$400 fine	12/01/87
10/26/89	89-33808	Sale to Minor (Compliance Test)	\$600 fine	09/04/90
05/23/91	91-14224	Sale to Minor (Compliance Test)	\$800 fine	11/19/91
04/01/93	93-09178	Sale to Minor (Compliance Test)	\$1000 fine	08/19/94
02/25/99	99-07552	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/03/99	99-20607	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/22/99	99-23601	Compliance Test	PASSED	
08/25/99	99-32717	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/26/99	99-45221	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00	00-26955	Sale to Minor-Compliance Test	Fined \$600	12/12/00
11/15/00	00-42370	Compliance Test	PASSED	
02/28/01		Council Show Cause-resolution to require TIPS/TAM training for all employees who sell with proof to PD within 60 days* *Sent letter mistakenly giving them 6 months		
04/24/01		Compliance Test	PASSED	
05/21/01		Reminder letter sent for proof of TIPS		
06/13/01		Proof of TIPS received *In-House program developed by Scott/Patti Forbes based on TIPS program		
08/14/01	01-29141	Compliance Test	PASSED	

09/25/01	01-34509	Compliance Test	PASSED
10/20/01	01-37861	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/05/02	02-00500	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/23/02	02-05767	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/28/02	02-06368	Compliance Test	PASSED
04/17/02	02-11762	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/20/02	02-19562	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
08/30/02	02-28639	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
10/16/02	02-34067	Compliance Test	PASSED
11/30/02	02-38832	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
01/16/03	03-1631	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
02/28/03	03-6140	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
03/24/03	03-8744	Compliance Test	PASSED
04/22/03	03-11928	Liquor Inspection (Road Patrol- Linton)	NO VIOLATIONS
06/14/03	03-17819	Liquor Inspection (Road Patrol- Linton)	NO VIOLATIONS
06/19/03	03-18529	Compliance Test	PASSED
09/08/03	03-27984	Liquor Inspection (Road Patrol- Linton)	NO VIOLATIONS
10/27/03	03-33191	Compliance Test	PASSED
11/01/03	03-33759	Liquor Inspection (Road Patrol- Fitzpatrick)	NO VIOLATIONS
01/11/04	04-01009	Liquor Inspection (Road Patrol- Fitzpatrick)	NO VIOLATIONS
03/12/04	04-07255	Liquor Inspection (Road Patrol- Fitzpatrick)	NO VIOLATIONS
03/22/04	04-08392	Compliance Test	PASSED
03/27/04	04-08929	Liquor Inspection (Road Patrol- Fitzpatrick)	NO VIOLATIONS
06/30/04	04-19836	Compliance Test	PASSED
07/17/04	04-21541	Liquor Inspection (Road Patrol- Fitzpatrick)	NO VIOLATIONS
09/24/04	04-30191	Liquor Inspection (Road Patrol- Fitzpatrick)	NO VIOLATIONS
02/11/05	05-04804	Compliance Test	PASSED

03/03/05	05-07098	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
03/22/05	05-09298	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
08-23-05	05-29744	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
01/12/06	06-1498	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
02/16/06	06-6303	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
03/20/06	06-10571	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
04/06/06	06-12928	Liquor Inspection (Road Patrol- Linton)	NO VIOLATIONS
05/07/06	06-17105	Liquor Inspection (Road Patrol- Linton)	NO VIOLATIONS
08/31/06	06-33878	Liquor Inspection (Road Patrol- Trainer)	NO VIOLATIONS
11/18/06	06-43761	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
12/21/07		Compliance Test	PASSED
01/14/07	07-1648	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS
05/03/07	07-16131	Compliance Test	PASSED
06/30/07	07-24411	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/05/07	07-29563	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/26/07	07-32699	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/23/07 11/01/07 12/05/07	07-32123	Compliance Test - Sale to Minor (DPU) Dist Ct MLCC Hearing: Neg Settlement	Violation YTA 6mo Prob \$600 Fine
11/03/07	07-41775	Liquor Inspection (Road Patrol-J. Pokley)	NO VIOLATIONS
12/06/07	07-45805	Compliance Test - Sale to Minor (DPU) Dist Ct MLCC Hearing	Violation Pending Pending
12/31/07	07-49027	Liquor Inspection (Road Patrol-J. Pokley)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain *License No.*, *Bus. ID* and *File #* directly from the liquor license *

License No. 12595-2007 Business ID 16109 File # _____

1. Name of Licensee KROGER STORE NO. 487 2. Doing Business As Kroger Company of Michigan

3. Mailing Address (street, city, zip code) 31 East Long Lake Road; Troy, Michigan 48085

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday 08/23/07 6:16 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY ? Yes No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-32123

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Sergeant John Schaufler

Officer Signature [Signature] Name and Title (print) Officer Joseph Morgan

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

1. Name _____ Address 500 West Big Beaver Road; Troy MI

Will testify to: Purchased six-pack of Samuel Adams beer

2. Name _____ Address _____

Will testify to: Sold six-pack of Samuel Adams beer to student enforcement aide

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property tag 142229
Six-pack of Samuel Adams beer

Troy PD Arrest Report

Case No. 0700008032
Report No. 0700008032.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 4

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	8/28/2007 9:48:37 AM	Reporting Officer	
County	63 - Oakland	Entered By	00080 - Daniels, Timothy		00065 - Morgan, Joseph
City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	8/23/2007 6:16:00 PM	Verified By			
Or Between		Approved On			
Location	4835 John R Rd	Approved By			
CSZ	Troy, MI 48085	Related Cases		Agency Assisted	
Census/Geo Code		Disposition	Arrest		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map		Division	1484		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					
Report Narrative	2007-32123				

Writer, Officer Morgan, and Student Enforcement Aide _____ went to Kroger located at 31 E. LongLake to conduct a L.C.C. inspection. _____ had no identification with him, it was being held at the Police Department. He activated a small personal tape recorder and gave a brief introduction indicating time, date and location. He then entered the business, selected a 6 pack of Sam Adams and proceeded to register two. _____ presented the 6 pack of Sam Adams to sales clerk _____ for purchase. _____ never asked _____ any form of identification, nor did she ask for his d.o.b. _____ entered a d.o.b. into the system to proceed further. The transaction totaled \$8.54. _____ presented _____ with \$9.00 to complete the transaction. _____ returned to our location and handed the 6 pack of Sam Adams over to Sgt. Schaufler and I. A short time later Sgt. Schaufler and I entered the store and made contact with _____ We explained the situation and issued a citation to _____ for "Fail to inquire as to Age." (citation #710331) _____ acknowledged selling the 6 pack to the Student Enforcement Aide. We also explained the situation to store manager Glen Miller and advised him what was required of the store. We gathered the required information to complete an L.C.C. violation report. The 6 pack of Sam Adams, cassette tape and receipt were taken to TPD and processed as evidence. (property tag #142229)

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	12 - Grocery/Supermarket	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE - ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					

Troy PD Arrest Report

Case No. 0700008032
Report No. 0700008032.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 4

Force Level

Arrestee A1:

Arrestee Number	DOB	Place of Birth
Name	Age 20	SSN
Aliases	Sex F - Female	DLN
Alert(s)	Race W - White	DL State MI - Michigan
Address	Ethnicity U - Unknown	DL Country
CSZ	Ht.	Occupation/Grade
Home Phone	Wt.	Employer/School
Work Phone	Eye Color	Employer Address
Email Address	Hair Color	Employer CSZ
Scars/Marks/Tattoos	Hair Style	Res. County
	Hair Length	Res. Country
	Facial Hair	Resident Status C - Resides in the County but not the community where the offense occurred
Modus Operandi	Complexion	
Attire	Build	
Habitual Offender Status	Teeth	
Arrest No. 710331		
Arrest Type S - Summoned/Cited		
FBI No.		
Criminal Tracking Number CTN	Arrested For 4171 - Violation of Liquor Control Laws	
Transaction Control Number TCN	Count 1	
Person Control Number PCN	Fingerprints	Booked On
State No.	Photos	Booked Location
Armed With 01 - Unarmed	Miranda Read	Released Location
Multi. Clearance N - Not Applicable	Miranda Waived	Released On
Multi. Clearance Offense	Number of Warrants	Released By
Prev. Suspect No.	Juvenile Disposition	Release Reason
Notified Name	Adult Present	Held For
	Detention Name	Date/Time Arrested 8/23/2007 6:16:00 PM
Arrest Notes		Arrest Location

Witness W1:

Witness Code	DOB	Place of Birth
Name	Age 18	SSN
Aliases	Sex M - Male	DLN
Alert(s)	Race W - White	DL State
	Ethnicity	DL Country

Troy PD Arrest Report

Case No. 0700008032
Report No. 0700008032.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 4

Address	500 E Big Beaver Rd	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Home Phone		Eye Color		Employer Address	
Work Phone		Hair Color		Employer CSZ	
Email Address		Facial Hair		Res. County	
Attire		Complexion		Res. Country	
				Resident Status	
				Testify	
Witness Notes	Student Enforcement Aide. Purchased 6 pack of Sam Adams.				

Witness W2: Miller, Glen

Witness Code	W2	DOB		Place of Birth	
Name	Miller, Glen	Age		SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	
Address	31 e. long lake troy mi 48085	Ht.		Occupation/Grade	
CSZ		Wt.		Employer/School	
Home Phone		Eye Color		Employer Address	
Work Phone		Hair Color		Employer CSZ	
Email Address		Facial Hair		Res. County	
Attire		Complexion		Res. Country	
				Resident Status	
				Testify	
Witness Notes	Kroger Store Manager				

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - cassette tape of transaction

Item No.	1
Property Category	1305 - Recording - Cassette Tape 5426
Property Class	27
IBR Type	27 - Recordings-Audio/Visual
UCR Type	F - TV's, Radios, Stereos, Etc...
Status	E - Evidence (Including Other Seized Property And Tools)
Count	1
Value	
Manufacturer	
Model	
Serial No.	
License No.	
Color	
Description	cassette tape of transaction
Vehicle Year	
Body Style	
State	
License Year	
Recovered Date/Time	

Troy PD Arrest Report

Case No. 0700008032
Report No. 0700008032.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 4

Owner

Disposition

Evidence Tag **142229**

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

1-cassette tape, 1-6 pack of Sam Adams and 1-receipt from transaction.

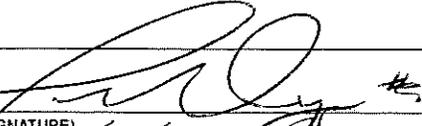
NARRATIVE REPORT
 WITNESS STATEMENT

01	DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
	08/23/07	TUN	02	99	65	201	<input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT		07	32123

02
 03
 04
 05

06 On August 23, 2007 I entered the Kroger
 07 located at 31 E. Long Lake in Troy, MI. Once inside
 08 I proceeded to the Beer and wine section and picked
 09 up one six pack of Samuel Adams Boston Lager.
 10 I approached Register two where _____ was
 11 cashiering. I entered my phone number for the Kroger
 12 Plus discount. The cashier never asked to see any
 13 form of ID, nor ask for a date of birth. The cashier
 14 entered a date of birth to proceed in the transaction.
 15 The transaction totaled \$8.54, I paid \$9.00 and
 16 left the store with the beer.

17
 18
 19
 20
 21
 22
 23
 24
 25
 26

27
 28 Taken By: 
 29 Place: 31 E. Long Lake Date: 8/23/07 Time: 2340

INVESTIGATING OFFICER(S) <u>MORAN, E. / SCHAUHEITZ, D.</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

Reviewed By: _____

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG **142229**

COMPLAINT# 2007-32123

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # 12

CHARGE / INCIDENT FAIL TO ENGAGE TAGS DESCRIPTION 1-6 pack of SmoE (Arago)
1-Receipt 1-CASSETTE Tape

REPORTING OFFICER MORGAN #66 SERIAL # _____ DRUG WT. _____
DATE 8-3-07 TIME 2300

DEFENDANT: _____

DEFENDANT: _____
Last First Middle DOB

INSTRUCTIONS TO PROPERTY SECTIONS: Hold for Trace

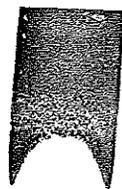
OWNER: NAME _____ PHONE _____

ADDRESS _____ CITY _____ ZIP _____

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

DISPOSITION: AUCTIONED DESTROYED REUSED OTHER DATE _____



07-32123
js
8/23/07



Right Store. Right Price.

31 EAST LONG LAKE ROAD
(248) 879-1040
YOUR CASHIER WAS Jessica

SAM ADM BEER	PC	7.49 T
KROGER PLUS CUSTOMER	*****7833	
MR BTL DEP .60	NP	0.60 F
SC 8041 AUTOMATIC COUPON		0.50
TAX		0.45
**** BALANCE		8.54
CASH		9.00
CHANGE		0.46
Date of Birth = Fri Nov 11, 1983	KEYED	
TOTAL NUMBER OF ITEMS SOLD =		1

*****YOUR KROGER SAVINGS TODAY*****
 STR CPN & KRO PLUS SAVINGS \$ 0.50
 TOTAL COUPONS \$ 0.50
 TOTAL SAVINGS (5 pct.) \$ 0.50
 *****YOUR KROGER SAVINGS TODAY*****

08/23/07 06:16pm 487 2 312 149

 Thank You for being a Great Customer!

**PLUS CARD SAVINGS:
YOU SAVED \$0.50**

BY USING YOUR KROGER PLUS CARD
YOU SAVED TO DATE \$515.30

THANK YOU FOR SHOPPING KROGER

APPLY ONLINE WWW.KROGER.COM
JOIN OUR TEAM TODAY

State of Michigan
Uniform Law Citation

Ticket No. **710331** Victim Involved

US DOT # _____ Incident No. **02 32123** Dept. No. **784**

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detention Device _____

OF: **TROY** BAC _____ 1 of 1

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
UPON **37 ELMWOOD AVE**
AT OR NEAR _____
WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
COUNTY OF **OAKLAND**

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend. <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	98.10.11	FAIL TO SHOW UP TO AGC	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend. <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv			2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend. <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv			3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.
Offense Code(s) _____

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **KROGER**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____
Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance Date on or before **SEP 3 4 2009** Contact Court
Hearing Date (if applicable) on _____ Formal Hearing Required. (Court Will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**
Court Address & Phone Number
**520 W. BIG BEAVER RD.
TROY, MI 48084
PHONE (248) 528-0400**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable _____ Month _____ Day _____ Year _____
Officer's Name (printed) **MONICA SUTSAMPK** Officer's ID No. **65100**
Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

Ticket No. **710331**
Name _____
Case No. _____



State of Michigan
Department of Labor and Economic Growth
LIQUOR CONTROL COMMISSION
7150 Harris Drive
P.O. Box 30005
Lansing, Michigan 48909-7505

Complaint No. 7-118071
Business ID No. 16109
F-3

In Re: The Kroger Co. of Michigan
d/b/a Kroger Store #487
31 E. Long Lake
Troy, MI 48098

Date: September 14, 2007

SDM DIR-CON - 1

COMPLAINT

This Complaint alleges that on August 23, 2007, the licensee or the licensee's agent, clerk or employee:

sold or furnished alcoholic liquor to minor, who was
less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2)
and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL
436.1701(1).

Wherefore, it is requested that a hearing be conducted, and a decision made in accordance with section 903 of the Michigan Liquor Control Code being MCL 436.1903, and the Commission's Rules.

List of Witnesses:

Sgt. John Schaufler, Troy PD
Ofc. Joseph Morgan, Troy PD

LIQUOR CONTROL COMMISSION
LICENSING AND ENFORCEMENT DIVISION

By

Daniel J. Bragdon

ACKNOWLEDGMENTS

This complaint was drafted pursuant to a written Violation Report or other information which was submitted to the enforcement arm of the Commission. A copy of the Violation Report or other information is being furnished to you along with this Complaint. The licensee may waive a hearing and acknowledge the facts pursuant to this Report.

SEE REVERSE SIDE FOR WAIVER OF HEARING AND ACKNOWLEDGMENT FORM

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

October 30, 2007

TO: CHIEF
TROY POLICE
500 W BIG BEAVER
TROY, MI 48084

RE: THE KROGER CO. OF MICHIGAN
D/B/A KROGER STORE #487
31 E LONG LAKE
TROY, MI 48098
Complaint No. 7-118071

A complaint has been filed against the above licensee alleging:

SALE TO MINOR (18) AUGUST 23, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**WEDNESDAY
DECEMBER 5, 2007
10:00AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

SGT. JOHN SCHAUFLE OFC. JOSEPH MORGAN

Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**

Susan K. Conklin

Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: SGT. JOHN SCHAUFLE
OFC. JOSEPH MORGAN

In case of inclement weather call 517-322-1390 to verify if hearings are being held

STATE OF MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES	SUBPOENA ORDER TO APPEAR	LIQUOR CONTROL COMMISSION P.O. Box 30005 Lansing, Michigan 48909-7505 (517) 322-1390
--	---	---

Issued To:

c/o TROY PD

By the authority of Section 217(4) of the Michigan Liquor Control Code of 1998, you are ordered to appear before the Liquor Control Commission on the day and at the time and place stated to give evidence on this complaint.



Reference Licensee:

THE KROGER CO. OF MICHIGAN
D/B/A KROGER STORE #487
31 E LONG LAKE
TROY, MI 48098

Complaint No. 7-118071

Complaint:

SALE TO MINOR

AUGUST 23, 2007

**** YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING IS BEING HELD ****

Hearing Location: LIQUOR CONTROL COMMISSION 24155 DRAKE RD FARMINGTON, MI 48335	Date and time: ***WEDNESDAY DECEMBER 5, 2007 10:00AM
---	--

FAILURE TO APPEAR AT THE STATED TIME AND PLACE, OR FAILURE TO PRODUCE THE PAPERS AND DOCUMENTS REQUIRED WILL SUBJECT YOU TO CONTEMPT PROCEEDINGS THROUGH THE APPROPRIATE COUNTY CIRCUIT COURT.

MICHIGAN LIQUOR CONTROL COMMISSION

By: *Andrew K. Conklin*

Date: October 30, 2007

CERTIFICATE OF SERVICE

I certify that I am an authorized law enforcement or commission agent and that I personally served a copy of the subpoena on:

Name: _____ Complete address of service: _____ Day/Time/Date: _____

Signature of Agent: _____ Title: _____ Date: _____



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
KEITH W. COOLEY, DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

January 10, 2008

THE KROGER CO. OF MICHIGAN
D/B/A KROGER STORE #487
31 E LONG LAKE
TROY, MI 48098

RE: Complaint No. 7-118071

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check, or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than FEBRUARY 11, 2008 as indicated on your Invoice No. 92796. Failure to submit the fine will result in confiscation of your license for the alternative penalty. In any event, costs assessed must be paid, as only fines assessed are alternative to a suspension.

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION


Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:ll

Enclosures

c: Home office
Atty Danon Goodrum
Troy PD

MICHIGAN LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE • P.O. BOX 30005 • LANSING, MICHIGAN 48909-7505
www.michigan.gov/lcc • (517) 322-1345 Lansing Office

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: THE KROGER CO. OF MICHIGAN
D/B/A KROGER STORE #487
31 E LONG LAKE
TROY, MI 48098

HEARING: DECEMBER 5, 2007
PLACE: FARMINGTON
COMPLAINT NO: 7-118071
BUSINESS ID NO. 16109
SDM DCON-1

CHARGES - AUGUST 23, 2007

- (1) Sold or furnished alcoholic liquor to minor,
who was less than twenty-one (21) years old, contrary to Const 1963, art 4,
§ 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor
Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

The Administrative Law Judge (ALJ) accepted, without objection, the Motion of Attorney Danon Goodrum, that the appearance of a Corporate Officer in this matter be waived, pursuant to the provisions of Rule 436.1913(2), said waiver to be subject to the express agreement by said Attorney Goodrum that she will inform the Licensed Corporation of the disposition in this matter. Valerie Brown, Risk Manager for the Licensed Corporation, also attended the hearing.

Attorney Goodrum, who with Rosendo Asevedo, Assistant Attorney General who represented all law enforcement agencies involved in this matter, proposed the following Negotiated Settlement for the ALJ to consider in Case No. 7-118071, pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909 of the Michigan Liquor Control Commission (Commission):

PROPOSED NEGOTIATED SETTLEMENT

- (1) The Licensed Corporation will fully acknowledge the one charge as cited;
- (2) The ALJ will enter the Violation Report of this case and attachments thereto into the record as substantive evidence without objection; the ALJ further will take notice of the prior record of this Licensed Corporation, since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership;
- (3) The Licensed Corporation will agree to the sanction of a fine of \$600 for the acknowledged charge;
- (4) Both parties hereto will agree that there shall be no appeals on this matter to the Appeal Board of the Commission or any court of law;
- (5) The parties hereto further agree that the Licensed Corporation will pay costs in the amount of \$8.70 for witness fees involved in connection with the hearing.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the statement of support for the aforementioned settlement by Officer Joseph Morgan on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the Licensed Corporation's total record, which shows six (6) previous violations, all similar to the charge in this complaint with the most recent violation occurred on July 25, 2000, since being licensed on November 26, 1973, at the above named location under the current ownership.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ further took into consideration for mitigative circumstances statements made by Attorney Goodrum who stated in part that the clerk who made the sale in this case has been discharged from the Licensed Corporation's employment as a result of this incident.

In consideration of the aforementioned circumstances and statements, the ALJ hereby accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The ALJ accepts the Licensed Corporation's plea of acknowledgment to the charge in Case No. 7-118071.

The ALJ hereby accepts the Violation Report of this case and attachments thereto as substantive evidence without objection, further, the ALJ hereby accepts a true copy of this Licensed Corporation's record since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership.

Based upon the aforementioned plea by the Licensed Corporation and a review of the Violation Report and attachments thereto, the ALJ finds that the Licensed Corporation in Case No. 7-118071 did violate Section 801(2) of the Michigan Liquor Control Code, MCL 436.1801(2), as cited in the one charge of the Complaint in this matter.

The ALJ further finds that the employee of said Licensed Corporation in this case did not demand, nor was shown, proper proof of age and did not make a diligent inquiry to determine the proper true age of the purchaser.

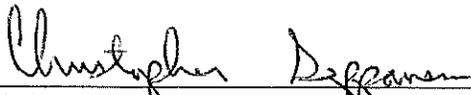
As penalty, the ALJ Orders a fine of \$600 for the acknowledged charge. In addition, the ALJ Orders that a suspension of 30 continuous days be imposed if the total fine of \$600 is not paid, with this suspension to be served consecutively and not concurrently with any other

suspensions Ordered by the Michigan Liquor Control Commission for this Licensed Corporation.

Said Licensed Corporation agrees this Negotiated Settlement was a full and final disposition of this matter before the Michigan Liquor Control Commission recognizing that as to the Complaint, there is no further right of administrative or judicial appeal, either to the Michigan Liquor Control Commission or a court of law, and also agrees that the plea in this case has been entered voluntarily and with the full understanding of all consequences, and furthermore, all parties hereto agree that there are no promises, stipulations, understandings or agreements other than those stated as part of the official record herein, and this document represents the final agreed settlement.

The ALJ also Orders the Licensed Corporation to pay total costs of \$8.70 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Christopher Seppanen, Administrative Law Judge

Dated: January 7, 2008

Rosendo Asevedo
Assistant Attorney General
24155 Drake Road
Farmington, MI 48335

Danon D. Goodrum, Attorney
500 Woodward Avenue
Suite 3500
Detroit, MI 48226-3435

CS: 7-118071



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 12595-2007 SDM Business ID 16109 File # D-65743/D-13215

1. Name of Licensee Kroger Store # 487 2. Doing Business As Kroger Company of Michigan

3. Mailing Address (street, city, zip code) 31 East Long Lake Road; Troy 48085

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday 12/06/07 6:55 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY? Yes No If no, you MUST answer below:
 If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-45805

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Officer Joseph Morgan

Officer Signature [Signature] Name and Title (print) Officer Matthew Redmond

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Purchase - Tabor Hill white wine

2. Name Sabitha Narayan Address 2885 Denise Dr; Troy MI 48085

Will testify to: Sold alcohol to minor

3. Name Steve Plovie Address 31 E Long Lake Rd; Troy MI 48085

Will testify to: Store manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): #143610 - sales receipt
#143608 - cassette tape
Business - bottle of wine

Case #0700011596

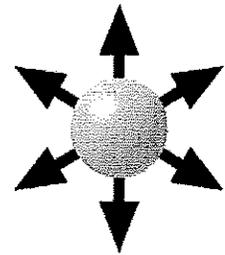
Face Sheet Printed: 12/7/2007 7:24:44 AM

Case Open Date: 12/7/2007

Case Close Date: N/A

Case Subject: C3309 - Liquor Inspection

Agency: TR - Troy PD

**Status: OPEN****CR No: 0700011596.1 Status: S - Submitted****Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Narayan, Sabitha	Liquor Violation - Sell
Property		

Property Type	Property Description	Property Status
Recording - Cassette Tape 5426	cassette recording	Evidence (Including Other Seized Property And Tools)
Receipt 5488	sales receipt	Evidence (Including Other Seized Property And Tools)

Call for Service InformationCFS Number: **070045805**CFS Date: **12/5/2007**Time Received: **5:11:15 PM**

Time Arrived:

Location: **31 E LONG LAKE RD**City: **Troy**Disposition: **No Report**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **C3309 - Liquor Inspection**Officers: **00048 - Redmond, Matthew****Assignment History**Officer: **00048 - Redmond, Matthew**Date Assigned: **12/7/2007 7:06:21 AM**Date Unassigned: **N/A**

Troy PD Crime Report

Case No. 0700011596
Report No. 0700011596.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 5

unSubject: **C3309 - Liquor Inspection**

Case Report Status	S - Submitted	Entered On	12/7/2007 7:07:16 AM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew	Assisted By	00048 - Redmond, Matthew
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	12/6/2007 6:55:00 PM	Verified By		Assisted By	00065 - Morgan, Joseph
Or Between		Approved On		Agency Assisted	
Business Name	Kroger Store #487	Approved By		Call for Service #	070045805
Location	31 E LONG LAKE RD	Related Cases			
CSZ	Troy, MI 48085	Disposition	Arrest		
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Report Type	Crime Report		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative **07-45805**

Ofc Morgan and I (Ofc M. Redmond) along with Student Enforcement Aide () went to Kroger located at 31 E Long Lake Rd to conduct an L.C.C. inspection. ___ had no identification with her as it was being held at the Police Department. ___ activated a small personal tape recorder and gave a brief introduction indicating the date and location of the inspection. ___ then entered the business and proceeded to select a bottle of Tabor Hill white wine. ___ produced the bottle of wine to the sales clerk (later identified as Sabitha Narayan). Narayan did not ask ___ for any form of identification. ___ purchased the bottle of wine with a \$10 bill and brought it along with the sales receipt to Ofc Morgan and I. Ofc Morgan and I entered the store and made contact with the store manager, Steve Plovie. We explained the situation to Plovie and advised him what would be required of him and the store. Ofc Morgan issued Narayan citation #720288 for Fail To Inquire As To Age. We gathered the required information and completed the L.C.C. violation report. The bottle of wine was returned to Plovie and a refund was completed for the purchase. I tagged the receipt and placed it into property as evidence (tag #143610). The cassette tape recording was also tagged and placed into property as evidence (tag #143608). ___ completed the attached witness statement.

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	12 - Grocery/Supermarket	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER				
PACC					
Local Code					
Using					
Criminal Activity					

Troy PD Crime Report

Case No. 0700011596
 Report No. 0700011596.1
 Report Date: 12/7/2007

Troy PD
 500 W Big Beaver
 Troy, MI 48084
 248 524-3477

2

Force Level
 Weapons

Arrestee A1: Narayan, Sabitha

Arrestee Number	A1	DOB		Place of Birth	
Name	Narayan, Sabitha	Age	42	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	U - Unknown	DL State	
		Ethnicity	U - Unknown	DL Country	
Address	2885 DENISE DR	Ht.		Occupation/Grade	
CSZ	Troy, MI 48085	Wt.		Employer/School	
MO		Eye Color	BRO - Brown	Employer Address	
		Hair Color	BLK - Black	Employer CSZ	
Attire		Hair Style		Res. County	
Habitual Offender Status		Hair Length		Res. Country	
		Facial Hair		Resident Status	R - Resident of the community, city, or town where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Physical Characteristics Type Descriptor Description

Arrest No.	720288	Arrested For	4102 - Liquor Violation - Sell	Booked On	
Arrest Type	S - Summoned/Cited	Count		Booked Location	
FBI No.		Fingerprints		Released Location	
Criminal Tracking Number CTN		Photos		Released On	
Transaction Control Number TCN		Miranda Read		Released By	
Person Control Number PCN		Miranda Waived		Release Reason	
State No.		Number of Warrants		Held For	
Armed With	01 - Unarmed	Juvenile Disposition		Date/Time Arrested	12/6/2007 7:00:00 PM
Multi. Clearance	N - Not Applicable	Adult Present		Arrest Location	
Multi. Clearance Offense		Detention Name			
Prev. Suspect No.					
Notified Name					
Arrest Notes					

Troy PD Crime Report

Case No. 0700011596
Report No. 0700011596.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 5

Witness W1

Witness Code

Name

Aliases

Alert(s)

Address **500 W BIG BEAVER RD**
CSZ **Troy, MI 48084**

Attire

Ht.

Wt.

Eye Color

Hair Color

Facial Hair

Complexion

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Testify

Phone/Email

Type

HOMEPHONE1 - Home Phone #1

Supplemental IDs

ID Type

ID Number

ID Issuer

Name

Witness Notes

Property Description Item 1: 1812 - Receipt 5488 - sales receipt

Troy PD Crime Report

Case No. 0700011596
Report No. 0700011596.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 5

Item No. 1
Property Category 1812 - Receipt 5488
Property Class 88
IBR Type 77 - Other
UCR Type K - Miscellaneous
Status E - Evidence (Including Other Seized Property And Tools)

Count 1
Value 1
Manufacturer Kroger
Model
Serial No.
License No.
Color
Description sales receipt
Vehicle Year
Body Style
State
License Year

Recovered Date/Time

Owner

Disposition 143610

Evidence Tag

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

Property Description Item 2: 1305 - Recording - Cassette Tape 5426 - cassette recording

Item No. 2
Property Category 1305 - Recording - Cassette Tape 5426
Property Class 27
IBR Type 27 - Recordings-Audio/Visual
UCR Type F - TV's, Radios, Stereos, Etc...
Status E - Evidence (Including Other Seized Property And Tools)

Count 1
Value 1
Manufacturer
Model
Serial No.
License No.
Color
Description cassette recording
Vehicle Year
Body Style

Troy PD Crime Report

Case No. 0700011596
Report No. 0700011596.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

5

Page 5 of 5

State

License Year

Recovered Date/Time

Owner

Disposition **143608**

Evidence Tag

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

NARRATIVE REPORT WITNESS STATEMENT

01	DATE 12-16-07	DAY TUN	SHIFT 01	PLAT 01	BADGE 1 65	BADGE 2 98	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 07	INCIDENT # 45805
----	------------------	------------	-------------	------------	---------------	---------------	---	------------	------------	---------------------

02 Name: _____

03 Address: 500 W. Big Beaver Business Phone: _____

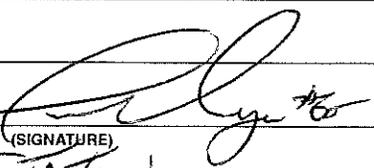
04 City: Troy State: MI Zip: 48084

05 E-mail Address: _____ Cell Phone: _____

06 Today on December 6, 2007, I proceeded into Kroger
07 and picked up a bottle of Tabor Hill white wine
08 and took it to the register. I did not have any
09 identification with me. The cashier, did
10 not ask for my identification, so I just paid \$4.02
11 and returned back to officer Morgan and officer
12 Beelmond.

13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 _____ X: _____

28 Taken By:  (SIGNATURE)

29 Place: STATION Date: 12-6-07 Time: 2:30

INVESTIGATING OFFICER(S) Morgan #65	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--	-------------	---------------------	--------------

Tabor Hill
White Wine



Right Store. Right Price.

31 EAST LONG LAKE ROAD
(248) 879-1040
YOUR CASHIER WAS Sabitha

TBR HLL WINE	PC	8.51	T
AGE VERIFICATION BYPASSED			
TAX		0.51	
**** BALANCE		9.02	
CASH		10.00	
CHANGE		0.98	
TOTAL NUMBER OF ITEMS SOLD =		1	
12/06/07 06:57pm 487 6 218 164			

JOIN KROGER PLUS & BEGIN SAVING TODAY
YOU COULD HAVE SAVED \$1.02

APPLY ONLINE WWW.KROGER.COM
JOIN OUR TEAM TODAY

**State of Michigan
Uniform Law Citation**

Ticket No. 2007-4585 Victim Involved

Incident No. 2007-4585 Dept. No. 784

Local Use/Arrest No. _____ Deflection Device _____

Residence: the State of Michigan
 City Village County

ROY BAC 1 of 1

RESIGNED Month 12 Day 06 Year 07 At approximately A.M. P.M. Date of Birth _____

Operator/Chauffeur License Number _____ (SSN (last 4 digits) _____)

JCDL NONE

Sex Height _____ Weight _____ Hair _____ Eyes _____ Occupation/Employer _____

First, Middle, Last) SABITHA NARAYAN
2885 DENISE

State MI Zip Code 48085

Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

31 E. LONGLAKE

HEAR KROGER

CITY VILLAGE TOWNSHIP OF TROY

OF OAKLAND DID THE FOLLOWING

Code	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.	<u>FAIL TO ANSWER AS TO AGE</u>	<u>1</u>
<input type="checkbox"/> Fug	<u>98-10-37</u>		
<input type="checkbox"/> Waiv			
<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> Fug			
<input type="checkbox"/> Waiv			
<input type="checkbox"/> Warn	<input type="checkbox"/> Authorization pend.		3
<input type="checkbox"/> Fug			
<input type="checkbox"/> Waiv			

IF COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Code(s) 17011A 2 3

Code: CI = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

APPROPRIATE Damage to Property Local Court Bond \$ _____
 Impounded Injury License Posted in Lieu of Bond
 Crash Death Appearance Certificate
 Active Military Service Yes No None

DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Date on or before 12-19-07

Date (if applicable) on _____ Contact Court
 Date Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

2-4 DISTRICT Court of OAKLAND COUNTY

Address & Phone Number
 520 W. BIG BEAVER RD.
 TROY, MI 48084
 PHONE (248) 528-0400

I hereby certify a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable), under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Officer's Signature and receipt if applicable _____ Month 12 Day 06 Year 07
 Name (printed) Wanda Williams Officer's ID No. 6514P

Agency Name
 '8400 TROY POLICE DEPARTMENT

COURT COPY 1

Ticket: 2007-4585
Name: _____
Case No. _____

LCC Liquor Licensee History

Business name: **Kroger (#463)**

Address: 3125 John R

Licensee: Kroger of Michigan.

License type: SDM

Permits:

Comments: Rep: Celeste McCrary (614) 898-3248 Mgr: Allison Dombeck (248) 658-1700

Date	Troy Incident #	Type	Disposition	Date
08/06/07		Council approves new SDM		
08/15/07		Store opens		
08/23/07	07-32116	Sale to Minor-Compliance Test	Violation	
09/05/07		Dist Ct	P/G \$100 Fine	
12/05/07		MLCC Hearing: Neg. Settlement	\$400 Fine	
08/31/07	07-33404	Liquor Inspection (Road Patrol- M.Livingston)	NO VIOLATIONS	
10/17/07	07-39523	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS	
12/06/07	07-45806	Compliance Test	PASSED	



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain *License No.*, *Bus. ID* and *File #* directly from the liquor license *

License No. 161307-2007 Business ID 197467 File # D71517/D1325

1. Name of Licensee KROGER STORE NO. 463 2. Doing Business As Kroger Company of Michigan

3. Mailing Address (street, city, zip code) 3125 John R Road; Troy, Michigan 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday 08/23/07 8:48 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY? Yes No If no, you MUST answer below:
 If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-32116

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Sergeant John Schaufier

Officer Signature [Signature] Name and Title (print) Officer Joseph Morgan

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

1. Name _____ Address 500 West Big Beaver Road; Troy MI

Will testify to: Purchased six-pack of Samuel Adams beer

2. Name Patricia Davis Address 30035 Wildbrook Dr #207; Southfield MI

Will testify to: Sold six-pack of Samuel Adams beer to student enforcement aide

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property tag 142231
Six-pack of Samuel Adams beer

Call For Service

CFS Number: 070032116

Date: 8/23/2007

Call For Service

CFS Number	070032116	Complainant	
Date	8/23/2007	Address	3125 John R Rd
Dispatcher	00507 - Irvin, JoAnn	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	12:16:43 PM	Call type	
Dispatched	12:23:30 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	12:23:47 PM	Tow Company	
Location	3125 John R Rd	Vehicle	
City, State, Zip	Troy, MI 48083	Vehicle License	
Jurisdiction		Disposition	N - No Report
Grid		Priority	
Sector		Classification	
Map			
X Coordinate	4103291	Agency	TR - Troy PD
Y Coordinate	0119213	Case	0700008031

Officers

00080 - Daniels, Timothy

00065 - Morgan, Joseph

Notes - C3309 LIQUOR INSPECT

00507 - 12:16:43 ASSIGN D1

00507 - 12:16:43 Original Location : KROGERS

Troy PD Not A Crime - Other Service

Case No. 0700008031
Report No. 0700008031.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 3

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	8/28/2007 9:41:24 AM	Reporting Officer	
County	63 - Oakland	Entered By	00065 - Morgan, Joseph		00080 - Daniels, Timothy
City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	8/23/2007 8:48:00 AM	Verified By			
Or Between		Approved On			
Location	3125 John R Rd	Approved By			
CSZ	Troy, MI 48083	Related Cases		Agency Assisted	
Census/Geo Code		Disposition	Arrest		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					
Report Narrative	2007-32116				

Writer, Officer Morgan, and Student Enforcement Aide _____, went to Kroger located at 3125 John R to conduct a L.C.C. inspection. _____ had no identification with him, it was being held at the Police Department. He activated a small personal tape recorder and gave a brief introduction indicating time, date and location. He then entered the business, selected a 6 pack of Sam Adams and proceeded to the sales clerk on register 5. _____ presented the 6 pack to sales clerk Patricia Davis for purchase. Davis asked _____ for his driver's license. _____ advised her that he did not have his driver's license with him but offered his d.o.b. to her. _____ stated his d.o.b. was 1-25-85. Davis keyed that d.o.b. into the system and completed the transaction. The transaction totaled \$8.54 and _____ provided Davis with a \$10 bill. _____ received his change and left the store with the beer. _____ returned to our location and handed the 6 pack of Sam Adams over to Sgt. Schaufler and I. A short time later Sgt. Schaufler and I entered the store and made contact with store manager. We explained the situation to the store manager and advised him what would be required of the store. I issued a citation to Davis for "Fail to inquire as to Age." (citation 3710333) We gathered the required information to complete an L.C.C. violation report. The 6 pack of Sam Adams, cassette tape and receipt were taken to TPD and processed as evidence. (property tag #142231)

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	12 - Grocery/Supermarket	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41001 - LIQUOR LICENSE - ESTABLISHMENT				
PACC					
Local Code					
Using					
Criminal Activity					

Troy PD Not A Crime - Other Service

Case No. 0700008031
Report No. 0700008031.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 3

Force Level

Arrestee A1: Davis, Patricia Ann

Arrestee Number	A1	El		Occupation/Grade	
Name	Davis, Patricia Ann	Ht.		Employer/School	
Aliases		Wt.		Employer Address	
Alert(s)		Eye Color		Employer CSZ	
Address	30035 Wildbrook Dr Apt 207	Hair Color		Res. County	
CSZ	Southfield, MI 48034	Hair Style		Res. Country	
Home Phone		Hair Length		Resident Status	C - Resides in the County but not the community where the offense occurred
Work Phone		Facial Hair			
Email Address					
Scars/Marks/Tattoos					
Modus Operandi		Complexion			
Attire		Build			
Habitual Offender Status		Teeth			
Arrest No.	710333	Arrested For	4171 - Violation of Liquor Control Laws	Booked On	
Arrest Type	S - Summoned/Cited	Count	1	Booked Location	
FBI No.		Fingerprints		Released Location	
Criminal Tracking Number CTN		Photos		Released On	
Transaction Control Number TCN		Miranda Read		Released By	
Person Control Number PCN		Miranda Waived		Release Reason	
State No.		Number of Warrants		Held For	
Armed With	01 - Unarmed	Juvenile Disposition		Date/Time Arrested	8/23/2007 8:48:00 AM
Multi. Clearance	N - Not Applicable	Adult Present		Arrest Location	
Multi. Clearance Offense		Detention Name			
Prev. Suspect No.					
Notified Name					
Arrest Notes					

Witness W1:

Witness Code	W1	DOB		Place of Birth	
Name		Age	18	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	

Troy PD Not A Crime - Other Service

Case No. 0700008031
Report No. 0700008031.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 3

Address	500 E Big Beaver Rd	Ht.	Occupation/Grade
CSZ	Troy, MI 48083	Wt.	Employer/School
Home Phone		Eye Color	Employer Address
Work Phone		Hair Color	Employer CSZ
Email Address		Facial Hair	Res. County
Attire		Complexion	Res. Country
			Resident Status
			Testify

Witness Notes Student Enforcement Aide
purchased 6 pack of Sam Adams.

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - cassette tape of transaction

Item No. 1
Property Category 1305 - Recording - Cassette Tape 5426
Property Class 27
IBR Type 27 - Recordings-Audio/Visual
UCR Type F - TV's, Radios, Stereos, Etc...
Status E - Evidence (Including Other Seized Property And Tools)

Count 1
Value
Manufacturer
Model
Serial No.
License No.
Color
Description cassette tape of transaction
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition
Evidence Tag 142231
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes 1-cassette tape of transaction, 1-6 pack of Sam Adams, 1-receipt from transaction

NARRATIVE REPORT
WITNESS STATEMENT

SUPP CORR DELETE

01	DATE 08/23/07	DAY THU	SHIFT 0254	PLAT 201	BADGE 1	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 07	INCIDENT # 32116
----	------------------	------------	---------------	-------------	---------	---------	---	------------	------------	---------------------

02
03
04
05

06 On August 23, 2007 I entered the Kroger
 07 located at 3125 John R in Troy, MI. Once inside
 08 I proceeded to the Beer and wine section and picked
 09 up one six pack of Samuel Adams Boston Lager.
 10 I approached Register 5 where Patricia was cashing.
 11 I entered my phone number for the Kroger Plus discount.
 12 The cashier asked to see my Driver's License. I explained
 13 that I did not have my license on me and asked
 14 if a date of birth would work. The cashier agreed
 15 that it would. I then told her that my date of
 16 birth was January 25, 1985. The cashier accepted it
 17 as my true date of birth and completed the transaction.
 18 The transaction totaled \$8.54 and I paid with a \$10
 19 bill. I received \$1.46 change and left the
 20 store with the beer.

21
22
23
24
25
26

27
28 Taken By: *Sgt. J. Schawler*
 (SIGNATURE)

29 Place: 3125 JOHN R RD TROY Date: Time:

INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO
 DPH - Sgt. Schawler

Reviewed By: _____

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG **142231**

COMPLAINT# 2007-32116

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # 12

CHARGE / INCIDENT FAL TO ZUSUM AL TO DESCRIPTION 16 pack of Snow & Adam
1 Receipt 1 Caswell

REPORTING OFFICER M. Gant SERIAL # _____ DRUG WT. _____

DEFENDANT: DAW PATRICIA AND DATE 8-23-07 TIME 2:30 P
Last First Middle

DEFENDANT: _____ DOB _____
Last First Middle

INSTRUCTIONS TO PROPERTY SECTIONS: Hold for trial/coverings DOB _____

OWNER: NAME _____ PHONE _____

ADDRESS _____ CITY _____ ZIP _____

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

DISPOSITION: AUCTIONED DESTROYED REUSED OTHER DATE _____



Right Store. Right Price.

3125 JOHN R
(248) 658-1700
YOUR CASHIER WAS Patricia

	SAM ADM BEER	PC	7.49	T
MR	BTL DEP .60	NP	0.60	F
SC 8041	AUTOMATIC COUPON		0.50	
KROGER PLUS CUSTOMER		*****7833		
	TAX		0.45	
****	BALANCE		8.54	
	CASH		10.00	
	CHANGE		1.46	
	Date of Birth = Fri Jan 25, 1985 KEYED			
	TOTAL NUMBER OF ITEMS SOLD = 1			

*****YOUR KROGER SAVINGS TODAY*****
 STR CPN & KRO PLUS SAVINGS \$ 0.50
 TOTAL COUPONS \$ 0.50
 TOTAL SAVINGS (5 pct.) \$ 0.50
 *****YOUR KROGER SAVINGS TODAY*****

08/23/07 08:48pm 463 5 153 111

 Thank You for being a Great Customer!

**PLUS CARD SAVINGS:
YOU SAVED \$0.50**

BY USING YOUR KROGER PLUS CARD
YOU SAVED TO DATE \$515.80

THANK YOU FOR SHOPPING KROGER

APPLY ONLINE WWW.KROGER.COM
JOIN OUR TEAM TODAY

State of Michigan
Uniform Law Citation

Ticket No. **710333** Victim Involved

US DOT # _____ Incident No. **2007-32116** Dept. No. **84**

The People of the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC **1** of **1**

Name (First, Middle, Last) **PATRICIA ANN DAVIS**

Street **30035 WILD BROOK DR APT 207**

City **SOUTHFIELD** State **MI** Zip Code **48034**

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

UPON **3125 JOHN KROGER**

AT OR NEAR **KROGER**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND**

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	98-10-11	FAIL TO INQUIRE AS TO AGE	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) **1 2 3**

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks:

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
 Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before **SEPT 5, 2007 8:30 AM**

Hearing Date (if applicable) on _____ Contact Court Formal Hearing Required (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
 TROY, MI 48084
 PHONE (248) 528-0400**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable _____ Month **8** Day **23** Year **07**

Officer's Name (printed) **Michael J. Sample** Officer's ID No. **65120**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

Ticket No. **710333**
Name _____
Case No. _____



State of Michigan
 Department of Labor and Economic Growth
LIQUOR CONTROL COMMISSION
 7150 Harris Drive
 P.O. Box 30005
 Lansing, Michigan 48909-7505

Complaint No. 7-118073
 Business ID No. 197467
F-3

In Re: The Kroger Co. of Michigan
 d/b/a Kroger #463
 3125 John R
 Troy, MI 48083

Date: September 14, 2007

SDM

COMPLAINT

This Complaint alleges that on August 23, 2007, the licensee or the licensee's agent, clerk or employee:

sold or furnished alcoholic liquor to minor, who was
 less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2)
 and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL
 436.1701(1).

Wherefore, it is requested that a hearing be conducted, and a decision make in accordance with section 903 of the Michigan Liquor Control Code being MCL 436.1903, and the Commission's Rules.

List of Witnesses:

Sgt. John Schaufler, Troy PD
 Ofc. Joseph Morgan, Troy PD

LIQUOR CONTROL COMMISSION
 LICENSING AND ENFORCEMENT DIVISION

By Daniel J. Bragdon

ACKNOWLEDGMENTS

This complaint was drafted pursuant to a written Violation Report or other information which was submitted to the enforcement arm of the Commission. A copy of the Violation Report or other information is being furnished to you along with this Complaint. The licensee may waive a hearing and acknowledge the facts pursuant to this Report.

SEE REVERSE SIDE FOR WAIVER OF HEARING AND ACKNOWLEDGMENT FORM



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
KEITH W. COOLEY, DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

January 10, 2008

THE KROGER CO. OF MICHIGAN
D/B/A KROGER #463
3125 JOHN R
TROY, MI 48083

RE: Complaint No. 7-118073

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check, or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than FEBRUARY 11, 2008 as indicated on your Invoice No. 92795. Failure to submit the fine will result in confiscation of your license for the alternative penalty. In any event, costs assessed must be paid, as only fines assessed are alternative to a suspension.

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION

Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:ll

Enclosures

c: Home office
Atty Danon Goodrum
Troy PD

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

October 30, 2007

TO: CHIEF
TROY POLICE
500 W BIG BEAVER
TROY, MI 48084

RE: THE KROGER CO. OF MICHIGAN
D/B/A KROGER #463
3125 JOHN R
TROY, MI 48083
Complaint No. 7-118073

A complaint has been filed against the above licensee alleging:

SALE TO MINOR

AUGUST 23, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**WEDNESDAY
DECEMBER 5, 2007
10:30AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

SGT. JOHN SCHAUFLE OFC. JOSEPH MORGAN

Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**


Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: SGT. JOHN SCHAUFLE
OFC. JOSEPH MORGAN

In case of inclement weather call 517-322-1390 to verify if hearings are being held

STATE OF MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES	SUBPOENA ORDER TO APPEAR	LIQUOR CONTROL COMMISSION P.O. Box 30005 Lansing, Michigan 48909-7505 (517) 322-1390
--	---	---

Issued To:

c/o TROY PD

By the authority of Section 217(4) of the Michigan Liquor Control Code of 1998, you are ordered to appear before the Liquor Control Commission on the day and at the time and place stated to give evidence on this complaint.



Reference Licensee:

THE KROGER CO. OF MICHIGAN
D/B/A KROGER #463
3125 JOHN R
TROY, MI 48083

Complaint No. 7-118073

Complaint:

SALE TO MINOR

AUGUST 23, 2007

**** YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING IS BEING HELD ****

Hearing Location: LIQUOR CONTROL COMMISSION 24155 DRAKE RD FARMINGTON, MI 48335	Date and time: ***WEDNESDAY DECEMBER 5, 2007 10:30AM
--	---

FAILURE TO APPEAR AT THE STATED TIME AND PLACE, OR FAILURE TO PRODUCE THE PAPERS AND DOCUMENTS REQUIRED WILL SUBJECT YOU TO CONTEMPT PROCEEDINGS THROUGH THE APPROPRIATE COUNTY CIRCUIT COURT.

MICHIGAN LIQUOR CONTROL COMMISSION

By: *Simon H. Conklin*

Date: October 30, 2007

CERTIFICATE OF SERVICE

I certify that I am an authorized law enforcement or commission agent and that I personally served a copy of the subpoena on:

Name:	Complete address of service:	Day/Time/Date:
Signature of Agent:	Title:	Date:

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: THE KROGER CO. OF MICHIGAN
D/B/A KROGER #463
3125 JOHN R
TROY, MI 48083

HEARING: DECEMBER 5, 2007
PLACE: FARMINGTON
COMPLAINT NO: 7-118073
BUSINESS ID NO. 197467
SDM

CHARGES - AUGUST 23, 2007

- (1) Sold or furnished alcoholic liquor to minor,
who was less than twenty-one (21) years old, contrary to Const 1963, art 4,
§ 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor
Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

The Administrative Law Judge (ALJ) accepted, without objection, the Motion of Attorney Danon Goodrum, that the appearance of a Corporate Officer in this matter be waived, pursuant to the provisions of Rule 436.1913(2), said waiver to be subject to the express agreement by said Attorney Goodrum that she will inform the Licensed Corporation of the disposition in this matter. Valerie Brown, Risk Manager for the Licensed Corporation, also attended the hearing.

Attorney Goodrum, who with Rosendo Asevedo, Assistant Attorney General who represented all law enforcement agencies involved in this matter, proposed the following Negotiated Settlement for the ALJ to consider in Case No. 7-118073, pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909 of the Michigan Liquor Control Commission (Commission):

PROPOSED NEGOTIATED SETTLEMENT

- (1) The Licensed Corporation will fully acknowledge the one charge as cited;
- (2) The ALJ will enter the Violation Report of this case and attachments thereto into the record as substantive evidence without objection; the ALJ further will take notice of the prior record of this Licensed Corporation, since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership;
- (3) The Licensed Corporation will agree to the sanction of a fine of \$400 for the acknowledged charge;
- (4) Both parties hereto will agree that there shall be no appeals on this matter to the Appeal Board of the Commission or any court of law;
- (5) The parties hereto further agree that the Licensed Corporation will pay costs in the amount of \$8.70 for witness fees involved in connection with the hearing.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the statement of support for the aforementioned settlement by Officer Joseph Morgan on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the Licensed Corporation's total record, which shows no previous violations since being licensed on August 15, 2007, at the above named location under the current ownership.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ further took into consideration for mitigative circumstances statements made by Attorney

Goodrum, who stated in part that the clerk who made the sale in this case was sanctioned with two weeks without pay consistent with the Licensed Corporation's collective bargaining agreement and that all other clerks were re-trained as a result of this incident.

In consideration of the aforementioned circumstances and statements, the ALJ hereby accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The ALJ accepts the Licensed Corporation's plea of acknowledgment to the charge in Case No. 7-118073.

The ALJ hereby accepts the Violation Report of this case and attachments thereto as substantive evidence without objection, further, the ALJ hereby accepts a true copy of this Licensed Corporation's record since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership.

Based upon the aforementioned plea by the Licensed Corporation and a review of the Violation Report and attachments thereto, the ALJ finds that the Licensed Corporation in Case No. 7-118073 did violate Section 801(2) of the Michigan Liquor Control Code, MCL 436.1801(2), as cited in the one charge of the Complaint in this matter.

The ALJ further finds that the employee of said Licensed Corporation in this case did request proper proof of age, but did not make a diligent inquiry to determine the proper true age of the purchaser.

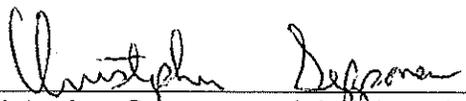
As penalty, the ALJ Orders a fine of \$400 for the acknowledged charge. In addition, the ALJ Orders that a suspension of 20 continuous days be imposed if the total fine of \$400 is not paid, with this suspension to be served consecutively and not concurrently with any other

suspensions Ordered by the Michigan Liquor Control Commission for this Licensed Corporation.

Said Licensed Corporation agrees this Negotiated Settlement was a full and final disposition of this matter before the Michigan Liquor Control Commission recognizing that as to the Complaint, there is no further right of administrative or judicial appeal, either to the Michigan Liquor Control Commission or a court of law, and also agrees that the plea in this case has been entered voluntarily and with the full understanding of all consequences, and furthermore, all parties hereto agree that there are no promises, stipulations, understandings or agreements other than those stated as part of the official record herein, and this document represents the final agreed settlement.

The ALJ also Orders the Licensed Corporation to pay total costs of \$8.70 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Christopher Seppanen, Administrative Law Judge

Dated: January 7, 2008

Rosendo Asevedo
Assistant Attorney General
24155 Drake Road
Farmington, MI 48335

Danon D. Goodrum, Attorney
500 Woodward Avenue
Suite 3500
Detroit, MI 48226-3435

CS: 7-118073

LCC Liquor Licensee History

Business name: **Nino Salvaggio International Marketplace**

Address: 6835 Rochester (248) 879-9222

Licensee: Nino Salvaggio Fruit & Vegetable Market of Troy, Inc.

License type: **SDD (106341-2003) SDM (11788-2003)**

Permits:

Comments:

Date	Troy Incident #	Type	Disposition	Date
3/25/96		Council approves SDM license		
12/11/97	97-44886	Sale to minor (compliance test)	Fined \$500 (\$100. waived)	9/28/98
07/25/00	none	Compliance Test	PASSED	
11/15/00	00-42362	Compliance Test	PASSED	
02/19/01		Council approves SDD		
04/22/01	01-13774	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/24/01		Compliance Test	PASSED	
05/10/01	MLCC	Sale to Minor (Compliance Test)	\$600	07/18/01
05/30/01	01-18851	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/08/01	01-24261	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/14/01	01-29117	Compliance Test	PASSED	
09/25/01	01-34501	Compliance Test	PASSED	
10/26/01	01-38643	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/17/02	02-01752	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06376	Compliance Test	PASSED	
03/01/02	02-06447	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

04/18/02	02-11924	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/13/02	02-18641	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
09/12/02	02-30131	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS
10/16/02	02-34071	Compliance Test	PASSED
12/05/02	02-39389	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
01/02/03	03-137	Liquor Inspection (Road Patrol-Pizzorni)	NO VIOLATIONS
02/27/03	03-6045	Liquor Inspection (Road Patrol-Pizzorni/Gobler)	NO VIOLATIONS
03/24/03	03-8718	Compliance Test	PASSED
04/19/03	03-11615	Liquor Inspection (Road Patrol-Kocenda)	NO VIOLATIONS
06/12/03	03-17591	Liquor Inspection (Road Patrol-Kocenda)	NO VIOLATIONS
06/19/03	03-18533	Compliance Test	PASSED
08/02/03	03-23842	Liquor Inspection (Road Patrol-Kocenda)	NO VIOLATIONS
10/27/03	03-33196	Compliance Test	PASSED
11/07/03	03-34393	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
01/16/04	04-01583	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
04/15/04	04-10796	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
04/16/04	04-10979	Compliance Test	PASSED
05/27/04	04-15435	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
06/30/04	04-19821	Compliance Test	PASSED
09/17/04	04-29282	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
02/11/05	05-04802	Compliance Test	PASSED
03/07/05	05-07588	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
03/12/05	05-08170	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
05/06/05	05-14924	Liquor Inspection (Road Patrol-Baroky)	NO VIOLATIONS
06/30/05	05-22340	Liquor Inspection (Road Patrol-Baroky)	NO VIOLATIONS
09/09/05	05-31942		
10/13/05		Compliance Test	PASSED

01/16/06	06-1976	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
03/08/06	06-8915	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
05/18/06	06-18646	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
07/26/06	06-28554	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
09/12/06	06-35437	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
11/08/06	06-42624	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
12/21/06	06-47994	MLCC Sale to Minor (Compliance Test)	Pending
01/31/07	07-3727	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
02/07/07		City Council Hearings-Ordered to have all employees attend Tips/Tams/Responsible Alcohol Sales training and send proof to PD within 90 days. Provide copy of RAS training program.	
2/22/07		Proof Received	
04/12/07	06-47994	MLCC hearing: Sale to Minor	\$500 Fine
05/03/07	07-16137	Sale to Minor-Compliance Test	
06/25/07:		Dist Ct	P/G \$275 Fine
10/10/07		MLCC Hearing, Negotiated Settlement:	\$300 Fine
07/31/07	07-28874	Liquor Inspection (Road Patrol-Michael)	NO VIOLATIONS
08/08/07	07-30008	Liquor Inspection (Road Patrol-Michael)	NO VIOLATIONS
09/21/07	07-36143	Liquor Inspection (Road Patrol-Michael)	NO VIOLATIONS
11/14/07	07-43114	Liquor Inspection (Road Patrol- Bednard)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain *License No.*, *Bus. ID* and *File #* directly from the liquor license *

License No. SDD 106341-2007 SS Business ID 15916 File # D-65372
SDM 11788-2007

1. Name of Licensee Nino Salvaggio Int'l Marketplace 2. Doing Business As Nino Salvaggio Fruit & Vegetable

3. Mailing Address (street, city, zip code) 6835 Rochester Road Troy 48085

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDD; SDM

7. Date of Violation: Thursday 05/03/07 8:07 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY ? Yes No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-16137

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Joseph Morgan, Police Officer

Officer Signature [Signature] Name and Title (print) Daniel Galich, Police Officer

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Student enforcement aide; purchased bottle of Sutter Home Family Vineyards wine

2. Name _____

Will testify to: Cashier at Nino Salvaggio's; asked _____ for identification; called front-end manager for assistance; manager approved sale of wine

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property Tag No. 140802 Cassette recording of transaction
Property Tag No. 140804 Wine and receipt

Call For Service

CFS Number: 070016137

Date: 5/3/2007

Call For Service

CFS Number 070016137
Date 5/3/2007
Dispatcher 00432 - Goralczyk, Mark
Call Source 0 - Telephone
Received 9:17:22 AM
Dispatched 9:19:30 AM
Arrived
Cleared 9:19:35 AM
Location 6835 Rochester Rd
City, State, Zip TROY, MI 48083
Jurisdiction
Grid
Sector
Map 0 - N/A
X Coordinate 4101383
Y Coordinate 0125244

Complainant
Address 6835 Rochester Rd
City, State, Zip TROY, MI 48083
Phone
Call type
Reported Offense C3309 - Liquor Inspection
Verified Offense 4102 - Liquor Violation - Sell
Tow Company
Vehicle
Vehicle License
Disposition N - No Report
Priority
Classification
Agency TR - Troy PD
Case 0700003929

Officers

00065 - Morgan, Joseph

Notes	- C3309 LIQUOR INSPECT
-------	------------------------

Call For Service

CFS Number: **070016137** Case Number: **0700003929** (TR) Troy PD

Date: **5/3/2007** **09:17**

Call For Service

CFS Number 070016137	Complainant
Date 5/3/2007	Address 6835 Rochester Rd
Dispatcher 00432 TRGORALCZYKM	City, State, Zip TROY, MI 48083
Call Source TEL	Phone
Received 09:17:22 AM	Call type
Dispatched 09:19:30 AM	Reported Offense C3309 Liquor Inspection
Arrived	Verified Offense 4102 Liquor Violation - Sell
Cleared 09:19:35 AM	
Location 6835 Rochester Rd	Tow Company
City, State, Zip TROY, MI 48083	Vehicle License
Jurisdiction	Disposition N
Grid	Priority
Sector	Classification
Map 0	
	Agency TR
	Case 0700003929

Officers

TRMORGANJ

Notes: - **C3309 LIQUOR INSPECT**

Troy PD Crime Report

Case No. 0700003929
Report No. 0700003929.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 5

Subject: 4102 - Liquor Violation - Sell

Case Report Status	I - In Process	Entered On	5/3/2007 10:19:00 PM	Reporting Officer	
County	63 - Oakland	Entered By	00065 - Morgan, Joseph		00065 - Morgan, Joseph
City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	5/3/2007 8:07:00 PM	Verified By			00019 - Galich, Daniel
Or Between		Approved On		Agency Assisted	
Location	6835 Rochester Rd	Approved By			
CSZ	TROY, MI 48083	Related Cases			
Census/Geo Code		Disposition	Arrest		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map	0 - N/A	Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 2007-16137

Officers Morgan and Galich went to Nino Salvaggio's located at 6935 Rochester Road to conduct an L.C.C. inspection with Student Enforcement Aide [redacted] had no identification with her, it was being held at TPD. [redacted] entered the business and selected a bottle of Sutter Home Family Vineyards wine and proceeded to the check outs. [redacted] presented the wine to cashier [redacted] for purchase. [redacted] asked [redacted] for her identification. [redacted] advised [redacted] that she did not have it with her because it was in her other wallet. [redacted] proceeded to call the front end manager, listed Juliana Tatarly. Tatarly then asked [redacted] if she was 21 years of age. [redacted] stated, "Yes." Tatarly allowed [redacted] to complete the transaction. The total was \$4.77. [redacted] presented [redacted] a \$50 bill and received her change. [redacted] left the store with the wine and proceeded to our patrol car. [redacted] handed me a sales receipt showing the name Natalie as the cashier.

Officer Galich and I proceeded inside the store and identified ourselves as TPD. I spoke with Manager Tatarly at that time. Tatarly acknowledged that she allowed [redacted] bringing up a female without looking at any identification when she purchased a bottle of wine. Tatarly also advised me that she believed the female was 21 years old because she stated she was. Tatarly thought if a customer stated they were 21 it was enough for them to proceed with the transaction even though they did not have any id.

Officer Galich and I, along with Sgt.'s Schaufler and Cantlon, proceeded to the main office with General Manager Chuck. I issued Tatarly citation number 710328 for Fail to Inquire as to Age. I gathered the required license information to complete an L.C.C. violation report. The wine and receipt were tagged into evidence. (property tag #140804) The audio tape was also tagged into evidence. (tag #140802)

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	12 - Grocery/Supermarket	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes		
IBR Group	B				

Printed For: [redacted]
Printed: May 3, 2007 - 11:00 PM

Troy PD Crime Report

Case No. 0700003929
Report No. 0700003929.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 5

Crime Against	SO	Hate/Bias	00 - None (No Bias)	Entry Method	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER	Domestic Violence	No	Type Security	
PACC				Tools Used	
Local Code					
Using					
Criminal Activity					
Force Level					

Arrestee A1: Tatarly, Juliana

Arrestee Number	A1	DOB		Place of Birth	
Name	Tatarly, Juliana	Age	23	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity	U - Unknown	DL Country	
Address	760 Great Oaks Blvd	Ht.		Occupation/Grade	
CSZ	Rochester, MI 48307	Wt.		Employer/School	
Home Phone		Eye Color		Employer Address	
Work Phone		Hair Color		Employer CSZ	
Email Address		Hair Style		Res. County	
Scars/Marks/Tattoos		Hair Length		Res. Country	
		Facial Hair		Resident Status	C - Resides in the County but not the community where the offense occurred
Modus Operandi		Complexion			
Attire		Build			
Habitual Offender Status		Teeth			
Arrest No.	710328				
Arrest Type	S - Summoned/Cited				
FBI No.					
Criminal Tracking Number CTN		Arrested For	4102 - Liquor Violation - Sell	Booked On	
Transaction Control Number TCN		Count		Booked Location	
Person Control Number PCN		Fingerprints		Released Location	
State No.		Photos		Released On	
Armed With	01 - Unarmed	Miranda Read		Released By	
Multi. Clearance	N - Not Applicable	Miranda Waived		Release Reason	
Multi. Clearance Offense		Number of Warrants		Held For	
Prev. Suspect No.		Juvenile Disposition		Date/Time Arrested	5/3/2007 8:07:00 PM
Notified Name		Adult Present		Arrest Location	
Arrest Notes	Nino Salvaggio Assistant Front End Manager. Approved sale to Student Enforcement Aide after cashier requested her assistance.				

Troy PD Crime Report

Case No. 0700003929
Report No. 0700003929.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 5

Witness W1: Benedettini, Natalie

Witness Code	W1	DOB		Place of Birth	
Name		Age		SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	
Address		Ethnicity		DL Country	
CSZ		Ht.		Occupation/Grade	
Home Phone		Wt.		Employer/School	
Work Phone		Eye Color		Employer Address	
Email Address		Hair Color		Employer CSZ	
Attire		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

Witness Notes Nino Salvaggio cashier. Student Enforcement Aide proceeded to her checkout. Benedettini then contacted manager Tatarly.

Witness W2:

Witness Code				Place of Birth	
Name				SSN	
Aliases				DLN	
Alert(s)		Race	F - Female	DL State	
Address	500 W Big Beaver	Ethnicity	W - White	DL Country	
CSZ		Ht.		Occupation/Grade	
Home Phone		Wt.		Employer/School	
Work Phone	248 524-3431	Eye Color		Employer Address	
Email Address		Hair Color		Employer CSZ	
Attire		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

Witness Notes Student Enforcement Aide. I took driver's license prior to the start of our liquor inspections.

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - Maxell Tape

Item No.	1
Property Category	1305 - Recording - Cassette Tape 5426
Property Class	27
IBR Type	27 - Recordings-Audio/Visual
UCR Type	F - TV's, Radios, Stereos, Etc...
Status	E - Evidence (Including Other Seized Property And Tools)
Count	1

Troy PD Crime Report

Case No. 0700003929
Report No. 0700003929.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 5

Value
Manufacturer **maxell tape**
Model
Serial No.
License No.
Color
Description **Maxell Tape**
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition
Evidence Tag
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes | **Property Tag #140802. Tape of transaction at Nino Salvaggio's.**

Property Description Item 2: 1206 - Wine 5402 - Bottle of Sutter Home Vineyards wine

Item No. **2**
Property Category **1206 - Wine 5402**
Property Class **02**
IBR Type **02 - Alcohol**
UCR Type **I - Consumable Goods**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**
Value
Manufacturer **Sutter Home Wine**
Model
Serial No.
License No.
Color
Description **Bottle of Sutter Home Vineyards wine**
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition
Evidence Tag
Alert(s)
Evidence Recovered By

Troy PD Crime Report

Case No. 0700003929
Report No. 0700003929.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

5

Page 5 of 5

Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

Property tag #140804. Receipt and Bottle of wine tagged under this tag number.

NARRATIVE REPORT
WITNESS STATEMENT

SUPP CORR DELETE

PAGE 1 OF 1

01	DATE 050307	DAY TH	SHIFT OR	PLAT 919	BADGE 1 65	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 07	INCIDENT # 16137
----	----------------	-----------	-------------	-------------	---------------	---------	---	------------	------------	---------------------

02 Name

03 Address

04 City

05 E-mail

06 I, _____, on Thursday May 3, 2007

07 at approximately 8:07pm at Vino Salvaggio's

08 at 6935 Rochester Rd, while working as a

09 student decoy purchased a bottle of Sutter

10 Home white Zinfandel wine with a \$50 bill.

11 A clerk by the name of Natale asked me

12 for ID and when I said "I don't have it

13 with me, I left it in my other wallet" she then

14 called her manager over. The manager

15 asked if I was 21 and I replied, "yes!"

16 She then allowed Natale to complete the

17 transaction.

18

19

20

21

22

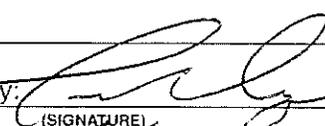
23

24

25

26

27

28 Taken By:  (SIGNATURE)

29 Place: STATION Date: 5-3-07 Time: 2230

INVESTIGATING OFFICER(S) Manara REVIEWED BY _____ ASSIGNED TO / BADGE _____ ATTENTION TO _____

NARRATIVE REPORT
 WITNESS STATEMENT

SUPP CORR DELETE PAGE 1 OF 1

01	DATE 05.03.07	DAY TUE	SHIFT 04	PLAT 09	BADGE 1 701	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF	PRIM CLASS	YEAR 07	INCIDENT # 11-00
----	------------------	------------	-------------	------------	----------------	---------	---	------------	------------	---------------------

02
03
04
05

A young looking woman came through my line. I asked her for her ID. She looked through her wallet and said it was in her other wallet. I picked up the phone and called customer service for them to tell me if I should say no for sure. My manager, Yuli, asked for her ID, and if she was 21. She said yes. So Yuli said I could ring it up.

06
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 X:

28 Taken By: *Sgt. J. Schepfler*

29 Place: *Nina's 6835 Rochester Rd Troy* Date: *5/3/07* Time: *8:35 AM*

INVESTIGATING OFFICER(S): *Morgan* REVIEWED BY: *Jo* ASSIGNED TO / BADGE: ATTENTION TO

APU - Carter after

State of Michigan
Uniform Law Citation

Ticket No. **710328** Victim Involved

US DOT # _____ Incident No. **2007-16137** Dept. No. **784**
 The People of: the State of Michigan
 Township City Village County
 Local Use/Arrest No. _____ Detection Device _____
 OF: **TROY** BAC _____ 1 of 1

Name (First, Middle, Last) **JULIANA TATARLY**
 Street **70 GREAT OAKS BLVD**
 City **ROCHESTER** State **MI** Zip Code **48307**
 Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
 UPON **6835 ROCHESTER RD**
 AT OR NEAR **NINA SALVAREDO**
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND**

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	9810.1	FAIL TO INQUIRE AS TO AGE	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv			2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv			

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.
 Offense Code(s) **436.17011A**
 Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **ALCOHOL SOLD TO A MINOR**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____
 Person in Active Military Service Yes None

SEE DATE BELOW: SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
 Appearance Date on or before **5-16-07 8:50 AM**
 Hearing Date (if applicable) on _____
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**
 Court Address & Phone Number
**520 W. BIG BEAVER RD.
 TROY, MI 48084
 PHONE (248) 528-0400**

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable _____ Month **5** Day **4** Year **07**
 Officer's Name (printed) **MOSEMAN/GALICK** Officer's ID No. **65179**
 Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**
 UC-01a (rev. 6/05) **COURT COPY 1**

Ticket No. **710328**
Name _____
Case No. _____

207-16137



WWW.NINOSALVAGGIO.COM
6835 ROCHESTER RD. TROY MI 48065
MON-SAT 8AM-9PM SUN 8AM-7PM

0003 13 13645721 05/03/07 8:07pm 027 NATALIE
1 @ 2/\$9.00
SUTTER HOME WHIT \$4.50 I

SUBTOTAL	\$4.50
TAX	\$0.27
TOTAL	\$4.77
CASH	\$50.00
CHANGE	\$45.23

OF ITEMS: 1

STORE MGR. MATT STRONG 248-879-9222

JENNIFER M. GRANHOLM
GOVERNOR



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
ROBERT W. SWANSON, DIRECTOR

NIDA R. SAMONA
CHAIRPERSON

August 6, 2007

VIA FAX AND U.S. MAIL

Attorney Frank J. Palazzolo
33830 Harper Avenue
Clinton Township, MI 48035

RE: Complaint No. 7-114211
Nino Salvaggio Fruit & Vegetable Market of Troy, Inc.
D/B/A Nino Salvaggio International Market Place
6835-6843 S. Rochester
Troy, MI 48085

Dear Mr. Palazzolo:

At your request, the hearing in the above matter scheduled for August 8, 2007 in Farmington has been postponed. Your office will be advised of the rescheduled hearing date.

Should any questions arise regarding this matter, please contact this office at (517) 636-5299. My office hours are from 7:00 a.m. to 2:30 p.m.

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION

A handwritten signature in black ink that reads "Lori S. Schrader".

Lori S. Schrader
Executive Services

Cc:
Ofc. Joseph Morgan
Ofc. Daniel Galich
Sgt. Schaufler

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)
August 15, 2007

TO: TROY POLICE DEPARTMENT
ATTN: CHIEF
500 W BIG BEAVER RD
TROY, MI 48084-5285

RE: NINO SALVAGGIO FRUIT & VEGETABLE
MARKET OF TROY, INC.
D/B/A NINO SALVAGGIO
INTERNATIONAL MARKET PLACE
6835 S ROCHESTER
TROY, MI 48085
Complaint No. 7-114211

A complaint has been filed against the above licensee alleging:
SALE TO MINOR, (20): May 3, 2007

This matter is being scheduled for hearing at the following location, date, and time:

Farmington District Office
24155 Drake Rd
Farmington, MI 48335-3168

**Wednesday
September 19, 2007
10:00 A.M.

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: ***Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.**

Ofc. Joseph Morgan, Ofc. Daniel Galich, Sgt. Schaufler

Enclosed is the subpoena for the witness involved in this case. We request that it be served by your agency. Please notify this office a minimum of three working days prior to the scheduled date of hearing if you are unable to serve the subpoena.

TROY PD

Any request for postponement must be in writing and must be received **in this office no less than two working days prior to the date of the hearing** as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

****YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING****

Susan K. Conklin

Susan K. Conklin, Supervisor
Hearings and Appeals Section

SKC:wls
enclosure

cc: Ofc. Joseph Morgan
Ofc. Daniel Galich
Sgt. Schaufler

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

September 10, 2007

TO: CHIEF
TROY PD
500 W BIG BEAVER RD
TROY, MI 48084

RE: NINO SALVAGGIO FRUIT & VEGATABLE
MARKET OF TROY, INC.
D/B/A NINO SALVAGGIO INT'L MARKET
PLACE
6835-6843 S ROCHESTER
TROY, MI 48085
Complaint No. 7-114211

A complaint has been filed against the above licensee alleging:

SALE TO MINOR (20) MAY 3, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**WEDNESDAY
OCTOBER 10, 2007
10:30AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

OFC. JOSEPH MORGAN OFC. DANIEL GALICH SGT. SCHAUFLER

Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**

Susan K. Conklin
Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: OFC. JOSEPH MORGAN
OFC. DANIEL GALICH
SGT. SCHAUFLER

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

September 10, 2007

TO: CHIEF
TROY PD
500 W BIG BEAVER RD
TROY, MI 48084

RE: NINO SALVAGGIO FRUIT & VEGATABLE
MARKET OF TROY, INC.
D/B/A NINO SALVAGGIO INT'L MARKET
PLACE
6835-6843 S ROCHESTER
TROY, MI 48085
Complaint No. 7-114211

A complaint has been filed against the above licensee alleging:

SALE TO MINOR (20) MAY 3, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**WEDNESDAY
OCTOBER 10, 2007
10:30AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

OFC. JOSEPH MORGAN OFC. DANIEL GALICH SGT. SCHAUFLER

Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**

Susan K. Conklin
Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: OFC. JOSEPH MORGAN
OFC. DANIEL GALICH
SGT. SCHAUFLER



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
KEITH W. COOLEY, DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

November 20, 2007

NINO SALVAGGIO FRUIT & VEGETABLE MARKET OF TROY, INC.
D/B/A NINO SALVAGGIO INTERNATIONAL MARKET PLACE
6835-6843 S ROCHESTER
TROY, MI 48085

RE: Complaint No. 7-114211

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check, or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than DECEMBER 24, 2007 as indicated on your Invoice No. 92464. Failure to submit the fine will result in confiscation of your license for the alternative penalty. In any event, costs assessed must be paid, as only fines assessed are alternative to a suspension.

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION

Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:II

Enclosures

c: MAILING ADDRESS
ATTY FRANK PALAZZOLO
TROY PD

MICHIGAN LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE • P.O. BOX 30005 • LANSING, MICHIGAN 48909-7505
www.michigan.gov/lcc • (517) 322-1345 Lansing Office

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: NINO SALVAGGIO FRUIT & VEGETABLE MARKET OF TROY, INC. D/B/A NINO SALVAGGIO INTERNATIONAL MARKET PLACE 6835-6843 S. ROCHESTER TROY, MI 48085	HEARING: OCTOBER 10, 2007 PLACE: FARMINGTON COMPLAINT NO: 7-114211 BUSINESS ID NO. 15916 SDD SDM SS ON PREM SEATING
---	---

CHARGES - MAY 3, 2007

- (1) Sold or furnished alcoholic liquor to minor
who was less than twenty-one (21) years old, contrary to Const 1963, art 4, §
40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor
Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

Kirk Taylor, President of the above named Licensed Corporation, appeared before this Administrative Law Judge (ALJ) and was represented by Frank Palazzolo, Attorney, who with Lynda Pytel McDowell, Assistant Attorney General who represented all law enforcement agencies involved in this matter, proposed the following Negotiated Settlement for the ALJ to consider in Case No. 7-114211, pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909 of the Michigan Liquor Control Commission (Commission):

PROPOSED NEGOTIATED SETTLEMENT

- (1) The Licensed Corporation will fully acknowledge the amended charge, pursuant to Section 701(1) of the Michigan Liquor Control Code and MCL 436.1701(1); any reference to Section 801(2) of the Michigan Liquor Control Code shall be deleted;

(2) The ALJ will enter the Violation Report of this case and attachments thereto into the record as substantive evidence without objection; the ALJ further will take notice of the prior record of this Licensed Corporation, since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership;

(3) The Licensed Corporation will agree to the sanction of a fine of \$300 for the acknowledged amended charge;

(4) Both parties hereto will agree that there shall be no appeals on this matter to the Appeal Board of the Commission or any court of law.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the statement of support for the aforementioned settlement by Sergeant John Schaufler on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the Licensed Corporation's total record, which shows three previous violations, all similar to the charge in this complaint since being licensed on July 30, 1996, at the above named location under the current ownership.

In consideration of the aforementioned circumstances and statements, the ALJ hereby accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The ALJ accepts the Licensed Corporation's plea of acknowledgment to the amended charge in Case No. 7-114211.

The ALJ hereby accepts the Violation Report of this case and attachments thereto as substantive evidence without objection, further, the ALJ hereby accepts a true copy of this Licensed Corporation's record since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership.

Based upon the aforementioned plea by the Licensed Corporation and a review of the Violation Report and attachments thereto, the ALJ finds that the Licensed Corporation in Case No. 7-114211 did violate Section 701(1) of the Michigan Liquor Control Code, MCL 436.1701(1) as amended in Charge No. 1 of the Complaint in this matter.

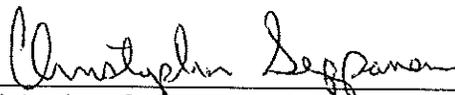
The ALJ further finds that the employee of said Licensed Corporation in this case did request proof of age but did not make a diligent inquiry to determine the proper true age of the purchaser.

As penalty, the ALJ Orders a fine of \$300 for the acknowledged amended charge. In addition, the ALJ Orders that a suspension of 15 continuous days be imposed if the total fine of \$300 is not paid, with this suspension to be served consecutively and not concurrently with any other suspensions Ordered by the Michigan Liquor Control Commission for this Licensed Corporation.

Said Licensed Corporation agrees this Negotiated Settlement was a full and final disposition of this matter before the Michigan Liquor Control Commission recognizing that as to the Complaint, there is no further right of administrative or judicial appeal, either to the Michigan Liquor Control Commission or a court of law, and also agrees that the plea in this case has been entered voluntarily and with the full understanding of all consequences, and furthermore, all parties hereto agree that there are no promises, stipulations, understandings

or agreements other than those stated as part of the official record herein, and this document represents the final agreed settlement.

MICHIGAN LIQUOR CONTROL COMMISSION



Christopher Seppanen, Administrative Law Judge

Dated: November 15, 2007

Linda Pytel McDowell
Assistant Attorney General
24155 Drake Road
Farmington, MI 48335

Frank J. Palazzolo, Attorney
33830 Harper Avenue
Clinton Township, MI 48035

CS: 7-114211

LCC Liquor Licensee History

Business name: **CVS Pharmacy**

Address: 4963 John R (248) 689-2135

Licensee: ADI Realty, Inc.

License type: **SDM (73139-2002)**

Permits:

Comments:

Date	Troy Incident #	Type	Disposition	Date
10/04/99		Council approves new SDM		
07/25/00	00-26959	Sale to Minor-Compliance Test	\$500	01/25/01
10/08/00	00-37326	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42364	Compliance Test	PASSED	
12/16/00	00-46747	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/03/01	01-04013	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/01		Council resolution requiring all employees who sell to be TIPS/TAM trained with proof to PD within 6 months		
04/21/01	01-13664	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/24/01		Compliance Test	PASSED	
05/22/01		Reminder letter sent for proof of TIPS		
06/11/01		Proof received (TIPS) by fax		
07/07/01	01-24148	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/14/01	01-29132	Compliance Test	PASSED	
09/09/01	01-32426	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/25/01	01-34507	Compliance Test	PASSED	
10/22/01	01-38124	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/02/02	02-00149	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

02/28/02	02-06382	Compliance Test	PASSED
03/11/02	02-07617	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/16/02	02-19040	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
07/20/02	02-23528	Liquor Inspection (Road Patrol)	NO VIOLATIONS
10/16/02	02-34079	Compliance Test	PASSED
01/06/03	03-633	Liquor Inspection (Road Patrol-Boska)	NO VIOLATIONS
02/10/03	03-4281	Liquor Inspection (Road Patrol-Boska)	NO VIOLATIONS
03/12/03	03-7397	Liquor Inspection (Road Patrol-Boska)	NO VIOLATIONS
03/24/03	03-8723	Compliance Test	PASSED
05/24/03	03-15461	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS
06/19/03	03-18541	Compliance Test	PASSED
08/01/03	03-23760	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS
09/07/03	03-27902	Liquor Inspection (Road Patrol-Schehr)	NO VIOLATIONS
10/27/03	03-33172	Compliance Test	PASSED
01/16/04	04-01613	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
02/14/04	04-04654	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
03/06/04	04-06703	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
03/22/04	04-08402	Compliance Test	PASSED
06/30/04	04-19825	Compliance Test	PASSED
01/04/05	05-	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
02/11/05	05-04800	Compliance Test	PASSED
02/21/05	05-05917	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
03/09/05	05-07903	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
06/26/05	05-21784	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
07/17/05	05-24742	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
09/11/05	05-32207	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS

10/13/05		Compliance Test	PASSED
02/01/06	06-4235	Liquor Inspection (Road Patrol-Zagacki)	NO VIOLATIONS
04/20/06	06-14780	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
06/23/06	06-23742	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
08/17/06	06-31772	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
11/14/06	06-43247	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
11/28/06	06-44922	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS
05/03/07	07-16147	Sale to Minor-Compliance Test	
05/16/07:		Dist Ct	P/G \$100 Fine
09/14/07:		MLCC Hearing, Negotiated Settlement	\$600 Fine

07/07/07	07-25422	Liquor Inspection (Road Patrol-Campbell)	NO VIOLATIONS
08/04/07	07-29412	Liquor Inspection (Road Patrol-Campbell)	NO VIOLATIONS
09/03/07	07-33786	Liquor Inspection (Road Patrol-Campbell)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

*** Officers please obtain License No., Bus. ID and File # directly from the liquor license ***

License No. 73139-2006 Business ID 131151 File # 11-73139-2006

1. Name of Licensee CVS PHARMACY #8242 2. Doing Business As ADI REALTY, INC.
D-67357

3. Mailing Address (street, city, zip code) 4963 John R Troy ~~XXXX~~ 48085

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday 05/03/07 6:25 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY? Yes No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-16147

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Joseph Morgan, Police Officer

Officer Signature [Signature] Name and Title (print) Daniel Galich, Police Officer

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Student enforcement aide; purchased six-pack of Bud Light beer in 12 oz bottles

2. Name Officer Kristine Maczka Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Witnessed sale of beer

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property Tag No. 140801 Cassette recording of transaction
Property Tag No. 140803 Beer and CVS receipt

Call For Service

CFS Number: **070016147** Case Number: **0700003928** (TR) Troy PD

Date: **5/3/2007** **09:28**

Call For Service

CFS Number 070016147	Complainant
Date 5/3/2007	Address 4963 John R Rd
Dispatcher 00432 TRGORALCZYKM	City, State, Zip TROY, MI 48083
Call Source TEL	Phone
Received 09:28:25 AM	Call type
Dispatched 09:31:19 AM	Reported Offense C3309 Liquor Inspection
Arrived	Verified Offense 4102 Liquor Violation - Sell
Cleared 09:31:22 AM	
Location 4963 John R Rd	Tow Company
City, State, Zip TROY, MI 48083	Vehicle License
Jurisdiction	Disposition N
Grid	Priority
Sector	Classification
Map 0	
	Agency TR
	Case 0700003928

Officers
115 TRMACZKAK
TRMORGANJ

Notes: - **C3309 LIQUOR INSPECT**

N 9

LTR07 - 0503016147 TR

0700003928

05/03/07 THU

INCIDENT -
4963 JOHN R RD

TRO

RECEIVER: 00432

ORIGIN: TELEPHONE

DISPATCHER: 00432

UNITS SENT: D3

BADGES: 00065

BEAT: TR05

AREA: 5

SECTOR: TR5

-CAL-	-RCV-	-DIS-	-ARV-	-CLR-
09:28:21	09:28:25	09:31:19	0	09:31:22
	0:04	2:54	No Data Available	No Data Available

COMPLAIN:

0

ACTIVITY:

Unit Id	DISPATCH	ENR	ARRIVED	CLEAR	ARV Hosp.	ENR Hosp.	Other ENR	Other ARV	DISP	Officer 1	Officer 2
D3	09:31:19	--:--	--:--	09:31:22	--:--	--:--	--:--	--:--		00065 MORGANJ	

BY:

Troy PD Crime Report

Case No. 0700003928
 Report No. 0700003928.1
 Report Date: 5/3/2007

Troy PD
 500 W Big Beaver
 Troy, MI 48084
 248 524-3477

1

Page 1 of 4

Subject: **4102 - Liquor Violation - Sell**

Case Report Status	I - In Process	Entered On	5/3/2007 10:12:12 PM	Reporting Officer	
County	63 - Oakland	Entered By	41844 - Maczka, Kristine		00065 - Morgan, Joseph
City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	5/3/2007 6:25:00 PM	Verified By			41844 - Maczka, Kristine
Or Between		Approved On		Agency Assisted	
Location	4963 John R Rd	Approved By			
CSZ	Troy, MI 48083	Related Cases			
Census/Geo Code		Disposition	Arrest		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative **07-16147 Liquor violation**

On 05/03/07 Officer Morgan, Officer Galich and I were conducting a liquor enforcement detail. At approximately 1825 hrs student enforcement aide, John R. with officers to conduct a liquor inspection. _____ went to CVS pharmacy at 4963 John R. with officers to conduct a liquor inspection. _____ had no identification on her person, it was being held at the Troy police department. _____ activated a small personal tape recorder and gave an introduction including the date, time and location before she entered CVS. She then entered CVS, selected a six pack of Bud light 12 oz. bottles _____ proceeded to the checkout at the front of CVS. _____ presented the six pack to sales clerk Qussar for purchase. Qussar never asked _____ for her identification and rang up the sale. _____ paid for the Bud light with a ten dollar bill. I entered the store and headed to the checkout at the end of _____ transaction. I did observe Qussar put the six pack of Bud light in a plastic bag as _____ was standing on the other side of the counter. I observed Qussar hand _____ over her change from the purchase. _____ then left the store and informed Officer Morgan and Officer Galich of the sale. I exited the store minutes after _____ and spoke with her and officers. We issued Qussar citation number 696175 for "fail to inquire as to age". Officer Morgan completed a L.C.C violation report. The beer and receipt for purchase was tagged into evidence (tag #140803). The cassette recording of contact with Qussar was placed into evidence (tag #140801).

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	09 - Drug Store/Doctors Office/Hospital	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER				
PACC					
Local Code					
Using					

Troy PD Crime Report

Case No. 0700003928
Report No. 0700003928.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 4

Criminal Activity
Force Level

Arrestee A1: Qussar, Naimeh

Arrestee Number	A1	DOB		Place of Birth	
Name	Qussar, Naimeh	Age	68	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	USA - United States of America
Address	39860 Academy Dr	Hi.		Occupation/Grade	
CSZ	Sterling Heights, MI 48310	Wt.		Employer/School	CVS Pharmacy
Home Phone		Eye Color		Employer Address	4963 John R
Work Phone		Hair Color		Employer CSZ	Troy, MI 48098
Email Address		Hair Style		Res. County	Macomb
		Hair Length		Res. Country	USA - United States of America
Scars/Marks/Tattoos		Facial Hair		Resident Status	S - Resides in the State but not the county or community where the offense occurred
Modus Operandi		Complexion			
Altire		Build			
Habitual Offender Status		Teeth			
Arrest No.	696175				
Arrest Type	S - Summoned/Cited				
FBI No.					
Criminal Tracking Number CTN		Arrested For	4102 - Liquor Violation - Sell	Booked On	
Transaction Control Number TCN		Count	1	Booked Location	
Person Control Number PCN		Fingerprints		Released Location	
State No.		Photos		Released On	
Armed With	01 - Unarmed	Miranda Read		Released By	
Multi. Clearance	N - Not Applicable	Miranda Waived		Release Reason	
Multi. Clearance Offense		Number of Warrants		Held For	
Prev. Suspect No.		Juvenile Disposition		Date/Time Arrested	5/3/2007 6:30:00 PM
Notified Name		Adult Present		Arrest Location	CVS Pharmacy
Arrest Notes		Detention Name			

Witness W1:

Witness Code **W1**

DOB

Place of Birth

Troy PD Crime Report

Case No. 0700003928
 Report No. 0700003928.1
 Report Date: 5/3/2007

Troy PD
 500 W Big Beaver
 Troy, MI 48084
 248 524-3477

3

Page 3 of 4

Name	Age	SSN
Aliases	Sex F - Female	DLN
Alert(s)	Race W - White	DL State
	Ethnicity	DL Country
Address 500 W Big Beaver Rd	Ht.	Occupation/Grade
CSZ Troy, MI 48084	Wt.	Employer/School
Home Phone	Eye Color	Employer Address
Work Phone 248 524-3477	Hair Color	Employer CSZ
Email Address	Facial Hair	Res. County
	Complexion	Res. Country
		Oakland
		USA - United
		States of
		America
Attire		Resident Status
		Testify
Witness Notes Student enforcement aide.		

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - Cassette tape

Item No. **1**
 Property Category **1305 - Recording - Cassette Tape 5426**
 Property Class **27**
 IBR Type **27 - Recordings-Audio/Visual**
 UCR Type **F - TV's, Radios, Stereos, Etc...**
 Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**
 Value
 Manufacturer
 Model
 Serial No.
 License No.
 Color
 Description **Cassette tape**
 Vehicle Year
 Body Style
 State
 License Year

Recovered Date/Time
 Owner
 Disposition
 Evidence Tag
 Alert(s)
 Evidence Recovered By
 Evidence Recovered From
 Evidence Location

Drug Type
 Drug Quantity
 Drug Measure

Property Notes **Cassette recording from Murphy's contact at CVS. Evidence tag 140801**

Troy PD Crime Report

Case No. 0700003928
Report No. 0700003928.1
Report Date: 5/3/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 4

Property Description Item 2: 1200 - Beer 5402 - 6 pack Bud light and receipt for purchase

Item No. 2
Property Category 1200 - Beer 5402
Property Class 02
IBR Type 02 - Alcohol
UCR Type I - Consumable Goods
Status E - Evidence (Including Other Seized Property And Tools)

Count 1

Value

Manufacturer Bud light

Model

Serial No.

License No.

Color

Description 6 pack Bud light and receipt for purchase

Vehicle Year

Body Style

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

6 pack Bud light bottles and receipt for purchase. Evidence tag# 140803.

NARRATIVE REPORT
WITNESS STATEMENT

SUPP CORR DELETE

01	DATE 05/03/07	DAY THU	SHIFT 01	PLAT 99	BADGE 1 80	BADGE 2	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS 	YEAR 07	INCIDENT # 16147
----	------------------	------------	-------------	------------	---------------	---------	---	----------------	------------	---------------------

02

03

04

05

06 I,

07 on Thursday May 3, 2007

08 at approximately 6:25pm at CVS pharmacy at

09 4963 John R, while working as a student

10 decay purchased a 6-pack of Bud Light 12 oz.

11 bottles. A clerk, later identified as Naimen

12 sold it to me. She did not ask for ID and

13 completed the transaction as I paid with

14 a \$10 bill.

15

16

17

18

19

20

21

22

23

24

25

26

27 _____ X: _____

28 Taken By: Ma Ozka U

29 Place: 500 Date: 05/03/07 Time: 2235

INVESTIGATING OFFICER(S) <u>Dawid</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--	-------------	---------------------	--------------

State of Michigan
Uniform Law Citation

Ticket No. **696175** Victim Involved
 Incident No. **0216M7** Dep. No. **784**
 Local Use/Arrest No. _____ Detection Device _____

US DOT # _____
 The People of the State of Michigan
 Township City Village County

Race **W/P** Sex _____ Height _____ Weight _____ Hair _____ Eyes _____ Occupation/Employer _____

Name (First, Middle, Last) **NAIMEH QUSSAR**

Street **39860 ACADEMY DR**

City **STEARING HEIGHTS MI** State **MZ** Zip Code **48370**

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

UPON **4963 JOURN**

AT OR NEAR **CUS**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND**

Type	MCL Cite/Pacc Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> Misd	98.10.11	FAIL TO INQUIRE AS TO AGE	1
<input type="checkbox"/> Fel			
<input type="checkbox"/> Warn			
<input type="checkbox"/> Misd			
<input type="checkbox"/> Fel			
<input type="checkbox"/> Warn			
<input type="checkbox"/> Misd			
<input type="checkbox"/> Fel			
<input type="checkbox"/> Warn			

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) **1436, 17011A 2**

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend = Authorization pending

Remarks **ALCOHOL SOLD TO A MINOR**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____
 Person in Active Military Service Yes No

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS.
 Appearance Date on or before **3-16-07**
 Hearing Date (if applicable) on _____
 Juvenile Traffic Misd. (Court will Notify) Normal Hearing Required (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**
 Court Address & Phone Number
520 W. BIG BEAVER RD., TROY, MICHIGAN 48084
PHONE: (248) 528-0400

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt (if applicable) _____
 Month **5** Day **3** Year **07**
 Officer's Name (printed) **MONICA RICHMOND** Officer's ID No. **65119/115**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

UC-01a (rev. 9/02) Court Copy-1

Ticket No. **696175**
Name _____
Case No. _____



State of Michigan
 Department of Labor and Economic Growth
LIQUOR CONTROL COMMISSION
 7150 Harris Drive
 P.O. Box 30005
 Lansing, Michigan 48909-7505

Complaint No. 7-114210
 Business ID No. 131151
E-3

In Re: ADI Realty, Inc.
 d/b/a CVS/Pharmacy #8242
 4963 John R
 Troy, MI 48098

Date: May 22, 2007

SDM

COMPLAINT

This Complaint alleges that on May 3, 2007, the licensee or the licensee's agent, clerk or employee:

sold or furnished alcoholic liquor to minor, _____ who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

Wherefore, it is requested that a hearing be conducted, and a decision make in accordance with section 903 of the Michigan Liquor Control Code being MCL 436.1903, and the Commission's Rules.

List of Witnesses:

Ofc. Joseph Morgan, Troy PD
 Ofc. Daniel Galich, Troy PD
 Ofc. Kristine Maczka, Troy PD

LIQUOR CONTROL COMMISSION
 LICENSING AND ENFORCEMENT DIVISION

By *Daniel J. Bragdon*

ACKNOWLEDGMENTS

This complaint was drafted pursuant to a written Violation Report or other information which was submitted to the enforcement arm of the Commission. A copy of the Violation Report or other information is being furnished to you along with this Complaint. The licensee may waive a hearing and acknowledge the facts pursuant to this Report.

SEE REVERSE SIDE FOR WAIVER OF HEARING AND ACKNOWLEDGMENT FORM

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)
July 5, 2007

TO: TROY POLICE DEPARTMENT
ATTN: CHIEF
500 W BIG BEAVER RD
TROY, MI 48084-5285

RE: ADI REALTY, INC.
D/B/A CVS/PHARMACY #8242
4963 JOHN R
TROY, MI 48098
Complaint No. 7-114210

A complaint has been filed against the above licensee alleging:

SALE TO MINOR

May 3, 2007

This matter is being scheduled for hearing at the following location, date, and time:

Farmington District Office
24155 Drake Rd
Farmington, MI 48335-3168

**Wednesday
August 8, 2007
11:00 A.M.

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: ***Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.**

Ofc. Joseph Morgan, Ofc. Daniel Galich, Ofc. Kristine Maczka

Enclosed is the subpoena for the witness involved in this case. We request that it be served by your agency. Please notify this office a minimum of three working days prior to the scheduled date of hearing if you are unable to serve the subpoena.

TROY PD

Any request for postponement must be in writing and must be received **in this office no less than two working days prior to the date of the hearing** as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

****YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING****



Susan K. Conklin, Supervisor
Hearings and Appeals Section

SKC:wls
enclosure

cc: Ofc. Joseph Morgan
Ofc. Daniel Galich
Ofc. Kristine Maczka



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
KEITH W. COOLEY, DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

September 20, 2007

ADI Realty, Inc.
D/B/A CVS/Pharmacy #8242
4963 John R
Troy MI 48098

RE: Complaint No. 7-114210

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check, or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than October 22, 2007 as indicated on your Invoice No. 92084. Failure to submit the fine will result in confiscation of your license for the alternative penalty.

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,
MICHIGAN LIQUOR CONTROL COMMISSION

Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:alf
Enclosures

cc: Home Office
Russell G. Carniak, Attorney
Troy Police Department

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: ADI REALTY, INC.
D/B/A CVS/PHARMACY #8242
4963 JOHN R
TROY, MI 48098

HEARING: AUGUST 8, 2007
PLACE: FARMINGTON
COMPLAINT NO: 7-114210
BUSINESS ID NO. 131151
SDM

CHARGES - MAY 3, 2007

- (1) Sold or furnished alcoholic liquor to minor, who was less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

NEGOTIATED SETTLEMENT

The Administrative Law Judge (ALJ) accepted, without objection, the Motion of Attorney Russell Carniak, that the appearance of a Corporate Officer in this matter be waived, pursuant to the provisions of Rule 436.1913(2), said waiver to be subject to the express agreement by said Attorney Carniak that he will inform the Licensed Corporation of the disposition in this matter.

Attorney Carniak, who with Linda Pytel McDowell, Assistant Attorney General who represented all law enforcement agencies involved in this matter, proposed the following Negotiated Settlement for the ALJ to consider in Case No. 7-114210, pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909 of the Michigan Liquor Control Commission (Commission):

PROPOSED NEGOTIATED SETTLEMENT

- (1) The Licensed Corporation will fully acknowledge the one charge as cited;
- (2) The ALJ will enter the Violation Report of this case and attachments thereto into the record as substantive evidence without objection; the ALJ further will take notice of the prior record of this Licensed Corporation, since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership;
- (3) The Licensed Corporation will agree to the sanction of a fine of \$600 for the acknowledged charge;
- (4) Both parties hereto will agree that there shall be no appeals on this matter to the Appeal Board of the Commission or any court of law;
- (5) The parties hereto further agree that the Licensed Corporation will pay costs in the amount of \$20.18 for witness fees involved in connection with the hearing.

ORDER

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the statement of support for the aforementioned settlement by Officer Kristine Maczka on behalf of the Troy Police Department.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ considered the Licensed Corporation's total record, which shows one previous violation in 2000, which is similar to the charge in this complaint since being licensed on November 1, 1999, at the above named location under the current ownership.

In determining whether to approve the Negotiated Settlement as proposed above, the ALJ further took into consideration for mitigative circumstances statements made by Attorney Carniak, who stated in part that the clerk who made the sale in this case has been discharged from the Licensed Corporation's employment as a result of this incident.

In consideration of the aforementioned circumstances and statements, the ALJ hereby accepts the terms and conditions of the proposed Negotiated Settlement and Orders as follows:

The ALJ accepts the Licensed Corporation's plea of acknowledgment to the charge in Case No. 7-114210.

The ALJ hereby accepts the Violation Report of this case and attachments thereto as substantive evidence without objection, further, the ALJ hereby accepts a true copy of this Licensed Corporation's record since being licensed by the Michigan Liquor Control Commission at the above named location under the current ownership.

Based upon the aforementioned plea by the Licensed Corporation and a review of the Violation Report and attachments thereto, the ALJ finds that the Licensed Corporation in Case No. 7-114210 did violate Section 801(2) of the Michigan Liquor Control Code, MCL 436.1801(2) as cited in the charge of the Complaint in this matter.

The ALJ further finds that the employee of said Licensed Corporation in this case did not demand, nor was shown, proper proof of age and did not make a diligent inquiry to determine the proper true age of the purchaser.

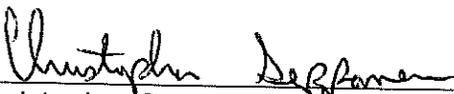
As penalty, the ALJ Orders a fine of \$600 for the acknowledged charge. The ALJ Orders that a suspension of 30 continuous days be imposed if the total fine of \$600 is not paid, with this suspension to be served consecutively and not concurrently with any other

suspensions Ordered by the Michigan Liquor Control Commission for this Licensed Corporation.

Said Licensed Corporation agrees this Negotiated Settlement was a full and final disposition of this matter before the Michigan Liquor Control Commission recognizing that as to the Complaint, there is no further right of administrative or judicial appeal, either to the Michigan Liquor Control Commission or a court of law, and also agrees that the plea in this case has been entered voluntarily and with the full understanding of all consequences, and furthermore, all parties hereto agree that there are no promises, stipulations, understandings or agreements other than those stated as part of the official record herein, and this document represents the final agreed settlement.

The ALJ also Orders the Licensed Corporation to pay total costs of \$20.18 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Christopher Seppanen, Administrative Law Judge

Dated: September 14, 2007

Rosendo Asevedo Jr.
Assistant Attorney General
24155 Drake Road
Farmington, MI 48335

Russell G. Carniak, Attorney
410 S. Old Woodward, Suite 400
Birmingham, MI 48009-6629

CS: 7-114210

LCC Liquor Licensee History

Business name: **CVS #8162**

Address: 2045 W. South Blvd. (248) 643-9420

Licensee: Arbor Drugs, Inc.

License type: **SDM (5815-2002)**

Permits:

Comments:

Date	Troy Incident #	Type	Disposition	Date
03/14/99	99-09751	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/01/99	99-16006	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/05/99	99-20980	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/23/99	99-23653	Compliance Test	PASSED	
07/11/99	99-26334	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/25/99	99-40919	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/27/99	none	Compliance Test	PASSED	
12/04/99	99-46297	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00	none	Compliance Test	PASSED	
11/15/00	00-42361	Compliance Test	PASSED	
04/24/01		Compliance Test	PASSED	
05/10/01	MLCC	Sale to Minor (Compliance Test)	pending	
07/08/01	01-24236	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/14/01	01-29131	Compliance Test	PASSED	
09/25/01	01-34506	Compliance Test	PASSED	
10/21/01	01-37971	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/06/02	02-00608	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/19/02	02-05296	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06372	Compliance Test	PASSED	

04/17/02	02-11675	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/12/02	02-18493	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
08/30/02	02-28641	Liquor Inspection (Road Patrol-Block)	NO VIOLATIONS
10/16/02	02-34063	Compliance Test	PASSED
12/07/02	02-39648	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
01/16/03	03-1634	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
02/28/03	03-6136	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
03/24/03	03-8730	Compliance Test	PASSED
04/19/03	03-11605	Liquor Inspection (Road Patrol-Himrod)	NO VIOLATIONS
06/14/03	03-17812	Liquor Inspection (Road Patrol-Himrod)	NO VIOLATIONS
06/19/03	03-18532	Compliance Test	PASSED
08/10/03	03-24743	Liquor Inspection (Road Patrol-Himrod)	NO VIOLATIONS
10/24/03	03-32825	Liquor Inspection (Road Patrol-Himrod)	NO VIOLATIONS
10/27/03	03-33171	Compliance Test	PASSED
02/26/04	04-05730	Liquor Inspection (Road Patrol-Himrod)	NO VIOLATIONS
03/22/04	04-08406	Compliance Test	PASSED
02/11/05	05-04783	Compliance Test	PASSED
04/06/05	05-11085	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
05/20/05	05-16776	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
08/24/05	05-29925	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/19/05	05-44666	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
01/16/06	06-1953	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
02/22/06	06-7103	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
03/29/06	06-11827	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
05/23/06	06-19386	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
06/06/06	06-21275	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
09/05/06	06-34468	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS

10/11/06	06-39096	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
12/06/06	06-45973	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
02/06/07	07-4612	Liquor Inspection (Road Patrol-Lenczewski)	NO VIOLATIONS
05/03/07	07-16139	Compliance Test	PASSED
07/08/07	07-25555	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
08/03/07	07-29284	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
08/23/07	07-32152	Sale to Minor-Compliance Test	Violation
01/22/08		MLCC: Neg. Settlement	\$400 Fine
01/03/08			
09/09/07	07-34594	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
10/27/07	07-40790	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
12/06/07	07-45832	Compliance Test	PASSED
12/26/07	07-48495	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 5815-2007 Business ID 14491 File # _____

1. Name of Licensee ARBOR DRUGS, INC. 2. Doing Business As CVS

3. Mailing Address (street, city, zip code) 2045 W South Boulevard; Troy, Michigan 48098

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday 08/23/07 1800 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY ? Yes No If no, you MUST answer below:
 If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-32152

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature *Michael Giorgi* Name and Title (print) Officer Michael Giorgi

Officer Signature *Daniel Galich* Name and Title (print) Officer Daniel Galich

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

Will testify to: Sold wine to student enforcement aide

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property tag 142236
750 ml bottle of Lind Chardonnay

Call For Service

CFS Number: 070032152

Date: 8/23/2007

Call For Service

CFS Number	070032152	Complainant	
Date	8/23/2007	Address	2045 South Blvd W
Dispatcher	47714 - Robinson, Frederick	City, State, Zip	TROY, MI 48098
Call Source	0 - Telephone	Phone	
Received	1:02:27 PM	Call type	
Dispatched	1:04:22 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	1:04:27 PM	Tow Company	
Location	2045 South Blvd W	Vehicle	
City, State, Zip	Troy, MI 48098	Vehicle License	
Jurisdiction		Disposition	N - No Report
Grid		Priority	
Sector		Classification	
Map	0 - N/A	Agency	TR - Troy PD
X Coordinate	4098074	Case	0700008034
Y Coordinate	0125303		

Officers

00080 - Daniels, Timothy

Notes	- C3309 LIQUOR INSPECT
	47714 - 13:02:27 ASSIGN D1
	47714 - 13:02:27 Original Location : CVS

Troy PD Arrest Report

Case No. 0700008034
Report No. 0700008034.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 3

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	8/28/2007 10:01:27 AM	Reporting Officer	
County	63 - Oakland	Entered By	00019 - Galich, Daniel	00019 - Galich, Daniel	
City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	8/23/2007 6:00:00 PM	Verified By		00080 - Daniels, Timothy	
		Approved On		00073 - Giorgi, Michael	
Or Between		Approved By		Agency Assisted	
Location	2045 South Blvd W	Related Cases			
CSZ	Troy, MI 48098	Disposition	Arrest		
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Division	1484		
Map	0 - N/A	Notified			
Call Source	Telephone				
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative
On the listed date and time, Decoy _____ entered CVS at 2045 South Blvd. _____ selected one bottle of wine, Lind Chardonn 750m priced at \$5.99, and brought it to the check out. _____ was working the register and when _____ placed the wine on the counter _____ asked _____ for identification. _____ opened her wallet and advised that she left her identification at home. _____ looked at _____ and then asked her her birthday. _____ replied 09/01/85. _____ hen took a \$20.00 bill from _____, handed her the change, and put the bottle of wine in a bag. _____ walked out of CVS with the bottle in hand at which time Ofc. Giorgi, Ofc. Daniels, and I approached _____ and advised her that she had just sold wine to a minor.

_____ advised that _____ looked 22-23 years old but she for got her license. When _____ asked her date of birth she replied 09/01/1985.

_____ was issued ticket #705623 for Fail to Inquire Age.

The bottle of wine, the receipt, and an audio tape was logged into evidence tag #142236.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws		
IBR Code	90G - Liquor Law Violations	Location Type	09 - Drug Store/Doctors Office/Hospital
IBR Group	B	Offense Completed?	Yes
Crime Against	SO	Hate/Bias	00 - None (No Bias)
Offense File Class	41001 - LIQUOR LICENSE - ESTABLISHMENT	Domestic Violence	No
PACC		No. Prem. Entered	
Local Code		Entry Method	
		Type Security	
		Tools Used	
Using			
Criminal Activity			
Force Level			

Troy PD Arrest Report

Case No. 0700008034
Report No. 0700008034.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 3

Arrestee A1:

Home Phone
Work Phone
Email Address
Scars/Marks/Tattoos

Eye Color
Hair Color
Hair Style
Hair Length
Facial Hair

Employer Address
Employer CSZ
Res. County
Res. Country
Resident Status

**R - Resident of
the community,
city, or town
where the offense
occurred**

Modus Operandi

Complexion
Build
Teeth

Attire

Habitual Offender
Status

Arrest No. **705623**

Arrest Type **S - Summoned/Cited**

FBI No.

Criminal Tracking
Number CTN
Transaction Control
Number TCN
Person Control
Number PCN
State No.

Arrested For **4171 - Violation of Liquor Control Laws**

Count **1**

Fingerprints

Photos

Booked On

Booked Location

Released Location

Released On

Released By

Release Reason

Held For

Date/Time Arrested

**8/23/2007 6:00:00
PM**

Arrest Location

Armed With **01 - Unarmed
N - Not Applicable**

Multi. Clearance

Multi. Clearance
Offense

Prev. Suspect No.

Notified Name

Juvenile Disposition

Adult Present

Detention Name

Arrest Notes

Witness W1

Witness Cod

Nam

Aliase

Alert(e

Address **520 W Big Beaver Rd
Troy, MI 48084**

CSZ

Ethnicity

Ht.

Wt.

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Troy PD Arrest Report

Case No. 0700008034
Report No. 0700008034.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 3

Home Phone	Eye Color	Employer Address
Work Phone	Hair Color	Employer CSZ
Email Address	Facial Hair	Res. County
Attire	Complexion	Res. Country
		Resident Status
		Testify
Witness Notes	Decoy	

Property Description Item 1: 1206 - Wine 5402 - one bottle of wine, one receipt, one audio tape

Item No. 1
Property Category 1206 - Wine 5402
Property Class 02
IBR Type 02 - Alcohol
UCR Type I - Consumable Goods
Status E - Evidence (Including Other Seized Property And Tools)

Count 3
Value
Manufacturer
Model
Serial No.
License No.
Color
Description one bottle of wine, one receipt, one audio tape
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition
Evidence Tag 142236
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

NARRATIVE REPORT
WITNESS STATEMENT

SUPP CORR DELETE

01	DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
	8/23/07	THU	02	99	073		<input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT		07	32152

02
03
04
05 E-mail Address: Cell Phone:

06 On August 23, 2007 at CVS located at
07 2045 W. South Blvd I was sold a bottle
08 of Chardonnay by a woman named
09 was a young ^{larger} woman with
10 curly hair. Upon putting the bottle on
11 the counter asked me for my ID.
12 I took out my wallet pretending to
13 look for my ID. I then told "oh
14 I left it at home". After looking at
15 me for a moment she asked me my
16 birthday and I replied, 9-1-85. She
17 then took my money gave me my
18 change and put the bottle in a bag.
19 I then left CVS. The bottle of Chardonnay
20 cost \$6.35.

21
22
23
24
25
26
27
28 Taken By: *[Signature]*
29 Place: CVS Date: 08-23-07 Time: 1815

INVESTIGATING OFFICER(S)	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
<i>[Signature]</i>			

NARRATIVE REPORT
 WITNESS STATEMENT

SUPP CORR DELETE PAGE 2 OF 2

01	DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
	0822107	74002	75	073	080		<input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	111	07	32152

02 Name
 03 Addre
 04 City:
 05 E-mai

07 Customer purchased bottle of wine, forgot
 08 her I.D. I thought she was around 22-23
 09 but forgot her license, so I asked her DOB
 10 which she said 9-1985.

28 Taken By: *[Signature]* #073
 (SIGNATURE)

29 Place: 2045 W 58th

Date: 8-23-07 Time: 1800

INVESTIGATING OFFICER(S) <i>[Signature]</i>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--	-------------	---------------------	--------------

07-32152
-106 8/22/07

CVS/pharmacy
Expect something extra.™

2045 SOUTH BLVD, WEST, TROY, MI
PHARMACY: 879-8322 STORE: 879-2463

REG#04 TRAN#5384 CSHR#614945 SIR#8162

1 LIND CHARDONN 750M 5.99T SHI

SUBTOTAL	5.99
MI 6.0% TAX	.36
TOTAL	6.35
CASH	20.00
CHANGE	13.65



5816 2723 5538 4045
RETURNS WITH RECEIPT THRU 10/22/2007

AUGUST 23, 2007 5:57 PM

GET YOUR CVS EXTRACARE CARD

SHOP 24 HOURS A DAY AT CVS.COM
THANK YOU FOR SHOPPING WITH US

State of Michigan
Uniform Law Citation

Ticket No. **705623** Victim Involved

US DOT # _____ Incident No. **07-32152** Dept. No. _____

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC **1** of **1**

Month | Day | Year | At approximately A.M. | Date Month | Day | Year

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

UPON **2045 SOUTH BLVD**

AT OR NEAR **CVS**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	MCL Cite/Pacc Code/ Ordinance	Description (include any bond amount collected on each charge)	No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	98.10.11	FAIL TO INQUIRE AGES	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv			

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s)

1 _____ 2 _____ 3 _____

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **1 LIND CHARLOTTA 750M H.S. 99**

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____

Vehicle Impounded Injury License Posted in Lieu of Bond

Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No None

SEE DATE BELOW SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before _____

Hearing Date (if applicable) on **09/12/07 0830** Contact Court

Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number

520 W. BIG BEAVER RD., TROY, MICHIGAN 48084
PHONE: (248) 528-0400

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable

Officer's Name (printed) **GALICIA GEORGE DANIELS** Month **09** Day **23** Year **07**

Agency ORI **MI. 6378400** Agency Name **TROY POLICE DEPARTMENT** Officer's ID No. **19 73 80**

Ticket **705623**

Name _____

Case No. _____



State of Michigan
 Department of Labor and Economic Growth
LIQUOR CONTROL COMMISSION
 7150 Harris Drive
 P.O. Box 30005
 Lansing, Michigan 48909-7505

Complaint No. 7-118083
 Business ID No. 14491
F-3

In Re: Arbor Drugs, Inc.
 d/b/a CVS/Pharmacy #8162
 2045 W. South
 Troy, MI 48098

Date: September 14, 2007

SDM

COMPLAINT

This Complaint alleges that on August 23, 2007, the licensee or the licensee's agent, clerk or employee:

sold or furnished alcoholic liquor to minor, /ho was
 less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2)
 and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL
 436.1701(1).

Wherefore, it is requested that a hearing be conducted, and a decision make in accordance with section 903 of the Michigan Liquor Control Code being MCL 436.1903, and the Commission's Rules.

List of Witnesses:

Ofc. Michael Giorgi, Troy PD
 Ofc. Daniel Galich, Troy PD

LIQUOR CONTROL COMMISSION
 LICENSING AND ENFORCEMENT DIVISION

By *Daniel J. Bragdon*

ACKNOWLEDGMENTS

This complaint was drafted pursuant to a written Violation Report or other information which was submitted to the enforcement arm of the Commission. A copy of the Violation Report or other information is being furnished to you along with this Complaint. The licensee may waive a hearing and acknowledge the facts pursuant to this Report.

SEE REVERSE SIDE FOR WAIVER OF HEARING AND ACKNOWLEDGMENT FORM

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

October 30, 2007

TO: CHIEF
TROY POLICE
500 W BIG BEAVER
TROY, MI 48084

RE: ARBOR DRUGS, INC.
D/B/A CVS/PHARMACY #8162
2045 W SOUTH
TROY, MI 48098
Complaint No. 7-118083

A complaint has been filed against the above licensee alleging:

SALE TO MINOR _ (19) AUGUST 23, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**WEDNESDAY
DECEMBER 5, 2007
10:00AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

OFC. MICHAEL GIORGI OFC. DANIEL GALICH

Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**

Susan K. Conklin

Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: OFC. MICHAEL GIORGI
OFC. DANIEL GALICH

In case of inclement weather call 517-322-1390 to verify if hearings are being held

STATE OF MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES	SUBPOENA ORDER TO APPEAR	LIQUOR CONTROL COMMISSION P.O. Box 30005 Lansing, Michigan 48909-7505 (517) 322-1390
--	---	---

Issued To:

c/o TROY PD

By the authority of Section 217(4) of the Michigan Liquor Control Code of 1998, you are ordered to appear before the Liquor Control Commission on the day and at the time and place stated to give evidence on this complaint.



Reference Licensee:

ARBOR DRUGS, INC.
D/B/A CVS/PHARMACY #8162
2045 W SOUTH
TROY, MI 48098

Complaint No. 7-118083

Complaint:

SALE TO MINOR (19) AUGUST 23, 2007

**** YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING IS BEING HELD ****

Hearing Location: LIQUOR CONTROL COMMISSION 24155 DRAKE RD FARMINGTON, MI 48335	Date and time: ***WEDNESDAY DECEMBER 5, 2007 10:00AM
--	---

FAILURE TO APPEAR AT THE STATED TIME AND PLACE, OR FAILURE TO PRODUCE THE PAPERS AND DOCUMENTS REQUIRED WILL SUBJECT YOU TO CONTEMPT PROCEEDINGS THROUGH THE APPROPRIATE COUNTY CIRCUIT COURT.

MICHIGAN LIQUOR CONTROL COMMISSION

By: *Sandra K. Coulter*

Date: October 30, 2007

CERTIFICATE OF SERVICE

I certify that I am an authorized law enforcement or commission agent and that I personally served a copy of the subpoena on:

Name:	Complete address of service:	Day/Time/Date:
Signature of Agent:	Title:	Date:

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

December 3, 2007

TO: CHIEF
TROY PD
500 W BIG BEAVER
TROY, MI 48084

RE: ARBOR DRUGS, INC.
D/B/A CVS/PHARMACY #8162
2045 W SOUTH
TROY, MI 48098
Complaint No. 7-118083

A complaint has been filed against the above licensee alleging:

SALE TO MINOR (19) AUGUST 23, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**THURSDAY
JANUARY 3, 2008
9:30AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

OFC. MICHAEL GIORGI OFC. DANIEL GALICH

Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**


Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: OFC. MICHAEL GIORGI
OFC. DANIEL GALICH

In case of inclement weather call 517-322-1390 to verify if hearings are being held

STATE OF MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES	SUBPOENA ORDER TO APPEAR	LIQUOR CONTROL COMMISSION P.O. Box 30005 Lansing, Michigan 48909-7505 (517) 322-1390
--	---	---

Issued To:

c/o TROY PD

By the authority of Section 217(4) of the Michigan Liquor Control Code of 1998, you are ordered to appear before the Liquor Control Commission on the day and at the time and place stated to give evidence on this complaint.



Reference Licensee:

ARBOR DRUGS, INC.
D/B/A CVS/PHARMACY #8162
2045 W SOUTH
TROY, MI 48098

Complaint No. 7-118083

Complaint:

SALE TO MINOR . (19) AUGUST 23, 2007

**** YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING IS BEING HELD ****

Hearing Location: LIQUOR CONTROL COMMISSION 24155 DRAKE RD FARMINGTON, MI 48335	Date and time: *** THURSDAY JANUARY 3, 2008 9:30AM
--	---

FAILURE TO APPEAR AT THE STATED TIME AND PLACE, OR FAILURE TO PRODUCE THE PAPERS AND DOCUMENTS REQUIRED WILL SUBJECT YOU TO CONTEMPT PROCEEDINGS THROUGH THE APPROPRIATE COUNTY CIRCUIT COURT.

MICHIGAN LIQUOR CONTROL COMMISSION

By: *Susan K. Condit*

Date: December 3, 2007

CERTIFICATE OF SERVICE

I certify that I am an authorized law enforcement or commission agent and that I personally served a copy of the subpoena on:

Name:	Complete address of service:	Day/Time/Date:
Signature of Agent:	Title:	Date:

LCC Liquor Licensee History

Business name: **Kmart #4082**
 Address: 100 E. Maple (248) 588-9966
 Licensee: Kmart Corporation
 License type: **SDM (8174-2002)**
 Permits: DirConn-2
 Comments:

Date	Troy Incident #	Type	Disposition	Date
4/81		Council approved license		
11/21/86	86-36419	Sale to minor Compliance Inspection	Fined \$175.	1/9/87
9/22/88	88-27743	Sale to minor Compliance Inspection	Fined \$750.	11/7/88
		Unknown when K-Mart returned original SDM license.		
06/02/97		Council approves new SDM license		
10/28/98	98-43642	Sale to Minor (Compliance Insp.)	Fined \$500	12/21/98
05/03/99	99-16252	Liquor Inspection	NO VIOLATIONS	
06/23/99	99-23659	Compliance Test	PASSED	
07/29/99	99-28858	Liquor Inspection	NO VIOLATIONS	
08/22/99	99-32332	Liquor Inspection	NO VIOLATIONS	
10/27/99	none	Compliance Test	PASSED	
11/26/99	99-45216	Liquor Inspection	NO VIOLATIONS	
07/25/00	00-26951	Sale to Minor-Compliance Test	\$750 fine	10/25/00
10/24/00	00-39311	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42369	Compliance Test	PASSED	
02/05/01	01-04259	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

02/28/01		Council Show Cause-resolution to require TIPS/TAM training for all employees who sell with proof to PD within 60 days* *sent letter mistakenly giving them 6 months		
03/10/01	01-08341	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/24/01		Compliance Test	PASSED	
05/17/01	MLCC	Sale to Minor (Compliance Test)	\$800	07/28/01
05/21/01		Follow-up Letter sent asking for proof –response: Training the Trainer scheduled for June 12 with full staff then trained by June 30th – OK'd		
07/16/01		Proof of TIPS received by fax		
08/14/01	01-29140	Compliance Test	PASSED	
09/25/01	01-34484	Compliance Test	PASSED	
01/30/02	02-03240	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06379	Compliance Test	PASSED	
03/14/02	02-07981	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/21/02	02-15842	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/12/02	02-18499	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/25/02	02-	Compliance Test	PASSED	
08/25/02	02-27997	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS	
10/16/02	02-34089	Compliance Test	PASSED	
12/03/02	02-39135	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
01/06/03	03-641	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
02/09/03	03-4156	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
03/24/03	03-8731	Compliance Test	PASSED	
05/04/03	03-13249	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
06/07/03	03-16994	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
06/19/03	03-18560	Compliance Test	PASSED	
07/20/03	03-22359	Liquor Inspection (Road Patrol-Bordo)	NO VIOLATIONS	
10/27/03	03-33189	Compliance Test	PASSED	
12/07/03	03-37409	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	
01/12/04	04-01108	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	

03/06/04	04-06700	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	
03/22/04	04-08379	Compliance Test	PASSED	
05/16/04	04-14227	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	
06/26/04	04-18965	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	
06/30/04	04-19474	Sale to Minor (Compliance Test)	\$800 fine	08/30/04
07/17/04	04-21589	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	
02/11/05	05-04807	Compliance Test	PASSED	
02/16/05	Council	Public Hearings for 2004 Violation(s) – No requirements made by Council.		
02/27/05	05-06650	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS	
03/04/05	05-07251	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS	
03/13/05	05-08311	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
04/07/05	05-11227	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
05/20/05	05-16821	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
08/14/05	05-28598	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
09/18/05	05-33089	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
10/13/05		Compliance Test	PASSED	
12/30/05	05-46074	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS	
02/04/06	06-4762	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS	
03/14/06	06-9767	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS	
06/19/06	06-23168	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS	
09/11/06	06-35248	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS	
11/02/06	06-41867	Liquor Inspection (Road Patrol- Rockafellow)	NO VIOLATIONS	
12/21/06		Compliance Test	PASSED	
01/13/07	07-1568	Liquor Inspection (Road Patrol- Giovannoni)	NO VIOLATIONS	
05/03/07	07-16124	Compliance Test	PASSED	
07/07/07	07-25413	Liquor Inspection (Road Patrol- Swift)	NO VIOLATIONS	
08/04/07	07-29422	Liquor Inspection (Road Patrol- Swift)	NO VIOLATIONS	

08/23/07 11/26/07 10/24/07	07-32116	Sale to Minor-Compliance Test Dist Ct MLCC: Violation Upheld	Violation YTA 12 mo Probation \$600 Fine
08/30/07	07-33260	Liquor Inspection (Road Patrol- Swift)	NO VIOLATIONS
11/07/07	07-42226	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS
12/06/07	07-45871	Compliance Test	PASSED
01/02/08	08/178	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain *License No., Bus. ID and File #* directly from the liquor license *

License No. 8174-2007 Business ID 15052 File # _____

1. Name of Licensee K-MART CORPORATION 2. Doing Business As K-Mart

3. Mailing Address (street, city, zip code) 100 East Maple Road; Troy, Michigan 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM - on premise seating

7. Date of Violation: Thursday 08/23/07 2059 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY ? Yes No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-32186

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] # 078 Name and Title (print) Officer Michael Giorgi

Officer Signature [Signature] # 80 Name and Title (print) Officer Timothy Daniels

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

1. Name _____ Address 500 West Big Beaver Road; Troy MI

Will testify to: Purchased 750 ml bottle of Turning Leaf Chardonnay

2. Name _____ Address _____

Will testify to: Sold wine to student enforcement aide

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property tag 142235
750 ml bottle of Turning Leaf Chardonnay

Case #0700008021

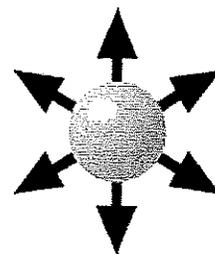
Face Sheet Printed: 8/27/2007 9:03:40 PM

Case Open Date: 8/27/2007

Case Close Date: N/A

Case Subject: C3309 - Liquor Inspection

Agency: TR - Troy PD



Status: OPEN

CR No: 0700008021.1 Status: S - Submitted

Property

Property Type	Property Description	Property Status
Wine 5402	750 ml wine	Information Only

Call for Service Information

CFS Number: 070032186

CFS Date: 8/23/2007

Time Received: 1:41:25 PM

Time Arrived:

Location: 100 E Maple Rd

City: Troy

Disposition: Report Taken

Reported Offense: C3309 - Liquor Inspection

Verified Offense: C3309 - Liquor Inspection

Officers: 00080 - Daniels, Timothy

00019 - Galich, Daniel

00073 - Giorgi, Michael

Assignment History

Officer: 00080 - Daniels, Timothy

Date Assigned: 8/27/2007 7:44:50 PM

Date Unassigned: N/A

Officer: 00019 - Galich, Daniel

Date Assigned: 8/27/2007 8:12:58 PM

Date Unassigned: N/A

Officer: 00073 - Giorgi, Michael

Date Assigned: 8/27/2007 8:12:58 PM

Date Unassigned: N/A

Troy PD Crime Report

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

Case No. 0700008021
Report No. 0700008021.1
Report Date: 8/27/2007

1

Page 1 of 1

Subject: **C3309 - Liquor Inspection**

Case Report Status	I - In Process	Entered On	8/27/2007 7:46:16 PM	Reporting Officer	
County	63 - Oakland	Entered By	00080 - Daniels, Timothy	Assisted By	00080 - Daniels, Timothy
City/Township	84 - Troy	Verified On		Agency Assisted	
Occurred On	8/23/2007 8:59:00 PM	Verified By			
Or Between		Approved On			
Location	100 E Maple Rd	Approved By			
CSZ	Troy, MI 48083	Related Cases			
Census/Geo Code		Disposition	Citation		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					
Report Narrative	07-32186				

On 08/23/2007 this officer, Officer Giorgi and Officer Galich were conducting a liquor enforcement detail. At approximately 2050 hrs liquor decoy entered Kmart at 100 E. Maple Rd to perform a liquor compliance check. Identification was removed prior to conducting inspections and held by the Troy Police Department. Activated a small tape recorder prior to entering Kmart. Entered Kmart and selected a 750 ml bottle of Turning Leaf Chardonnay. Proceeded to check out lane #5, manned by Kmart employee (according to name tag), later identified as presented the bottle to sales clerk. In an attempt to purchase. Looked around and rang up bottle of wine without saying a word. Then stated \$9.53. Said thank you and walked away with purchased bottle of wine. Exited store and immediately turned the bottle of wine over to officers and gave a quick rundown of the events as they had occurred. Officers made contact with and store supervisor Grossberg. Stated that he was only 17 years of age and was instructed by the store to contact a manager in order to get them, the manager, to sell alcohol but he felt like it was more of a bother to the managers then it was worth.

was issued citation #705625 for failure to inquire age. L.C.C. violation report completed with two violations noted.

Evidence was tagged 142235 and placed into locker #14. Property report was completed and submitted.

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	08 - Department/Discount Store	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER				
PACC					

Troy PD Crime Report

Case No. 0700008021
Report No. 0700008021.1
Report Date: 8/27/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 2

Local Code

Using

Criminal Activity

Force Level

Suspect S1:

Suspect Number
Name
Aliases
Alert(s)
Address
CSZ
Home Phone
Work Phone
Email Address

Scars/Marks/Tattoos

MO

Attire

Habitual Offender
Status

Suspect Notes

Facial Hair

Complexion

Build

Teeth

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

**USA - United
States of America
S - Resides in the
State but not the
county or
community where
the offense
occurred**

Issued Citation #705625 for Failing to Inquire age.

Witness W1

Witness Cod

Nam

Aliase

Alert(s)

Address

CS

Home Phon

Work Phon

Email Address

Attir

Witness Notes

Student enforcement aid

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Testify

Troy PD Crime Report

Case No. 0700008021
Report No. 0700008021.1
Report Date: 8/27/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 3

Other Entity: O1 -- Grossberg, Jeffrey Scott

Entity Code	O1	DOB	3/30/1966	Place of Birth	
Entity Type	X - Miscellaneous	Age	41	SSN	
Name	Grossberg, Jeffrey Scott	Sex	M - Male	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	100 E Maple	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Home Phone		Eye Color		Employer Address	
Work Phone	248 588-9966	Hair Color		Employer CSZ	
Email Address		Facial Hair		Res. County	
Complexion				Res. Country	
Attire				Resident Status	
Entity Notes	KMart mannager				

Property Description Item 1: 1206 - Wine 5402 - 750 ml wine

Item No.	1
Property Category	1206 - Wine 5402
Property Class	02
IBR Type	02 - Alcohol
UCR Type	I - Consumable Goods
Status	I - Information Only
Count	1
Value	9.53
Manufacturer	turning leaf
Model	chardonnay
Serial No.	
License No.	
Color	
Description	750 ml wine
Vehicle Year	
Body Style	
State	
License Year	
Recovered Date/Time	
Owner	
Disposition	
Evidence Tag	
Alert(s)	
Evidence Recovered By	
Evidence Recovered From	
Evidence Location	
Drug Type	
Drug Quantity	
Drug Measure	

Troy PD Crime Report

Case No. 0700008021
Report No. 0700008021.1
Report Date: 8/27/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 4

Property Notes Also tagged w/ Wine: one receipt, and audio tape of transaction.

NARRATIVE REPORT
WITNESS STATEMENT

01
02
03
04
05

06 On August 23, 2007 I
07 entered K-mart at 100 E. Maple.
08 Upon entering I went to the back of
09 the store to get a bottle of Chardonnay
10 which I purchased for \$9.53. I approached
11 cash register 5 and the tellers name
12 was Jeff. He never spoke during the
13 transaction, only to tell me that my
14 total was \$9.53. I said thank-you
15 and walked out.

16
17
18
19
20
21
22
23
24
25
26

27
28 Taken By: Sgt. J. Schuyler X:
(SIGNATURE)

29 Place: K MART 100 E Maple Date: 8/23/07 Time: _____
INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO

DPH - 610291 / Amiees GALICIA

POB
08/23/07

07-32166



BIG KMART STORE 4082
100 E MAPLE ROAD
TROY, MI 48083
(248)588-9966

** WELCOME TO YOUR **
** KMART STORE 4082 **

CASHIER: JEFF

GENERAL MERCHANDISE

08500000239 WINE 8.99 T

**** TAX .54 BAL 9.53
Cash 10.00
CHANGE .47

TOTAL NUMBER OF ITEMS = 1



ØP9 LPP 37M ØØW MYB KTQ

08/23/07 8:59 PM 4082 05 6902 0082

Merchandise included in today's
transaction may be returned or
exchanged before 11/21/07 with
this receipt.

The complete return & exchange policy
is available at the Service Desk.

** THANK YOU FOR SHOPPING **
** YOUR TROY KMART **

State of Michigan
Uniform Law Citation

Ticket No. **705625** Victim Involved

US DOT # _____ Incident No. **07-32106** Dept. No. _____

The People of: the State of Michigan Local Use/Arrest No. _____ Detection Device _____
 Township City Village County

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule
 UPON **100 E. MARBLE RD**
 AT OR NEAR **KMART**
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND**

Type	MCL Cite/Pacc Code/Ordinance	Description (include any bond amount collected on each charge)	DID THE FOLLOWING Charge No.
<input checked="" type="checkbox"/> Misd	98.10.11	FAIL TO INQUIRE AGE	1
<input type="checkbox"/> Misd			2
<input type="checkbox"/> Misd			3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.
 Offense Code(s) _____
 1 _____ 2 _____ 3 _____
 Key for Type: CI = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: **WINE TURNING LEFT CHARDONNAY**
B.B.99

TOPPIN WAS IT AT THE TIME OF SALES

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
 Person in Active Military Service Yes No None

SEE DATE BELOW SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
 Appearance Date on or before _____
 Hearing Date (if applicable) on **04/12/07 0830AM** Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**
 Court Address & Phone Number
520 W. BIG BEAVER RD., TROY, MICHIGAN 48084
PHONE: (248) 528-0400

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best
 of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable: _____
 Officer's Name (printed): **COLIN GIORGI DANIGES** Month **08** Day **23** Year **07**
 Agency ORI: **MI-6378400** Agency Name: **TROY POLICE DEPARTMENT** Officer's ID No. **197780**
 UC-01a
 (rev. 9/02) Court Copy-1

Ticket: **705625**
 Name: _____
 Case No.: _____

JENNIFER M.
GRANHOLM
GOVERNOR



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF LABOR & ECONOMIC GROWTH
KEITH W. COOLEY, DIRECTOR

NIDA R.SAMONA
CHAIRPERSON

November 1, 2007

KMART CORPORATION
D/B/A KMART #4082
100 E. MAPLE
TROY, MI 48083

RE: Complaint No. 7-118085

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than December 3, 2007 as indicated on your Invoice No. 92342. Failure to submit the fine will result in confiscation of your license for the alternative penalty.

Should you wish to appeal the decision, a request for an appeal, accompanied by a fee of \$25, must be received in this office within 20 days from the mailing date of this Order. **IN FILING FOR AN APPEAL, YOU MUST STATE YOUR REASONS FOR REQUESTING THE APPEAL OR YOUR REQUEST WILL NOT BE HONORED.**

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION

A handwritten signature in cursive script that reads "Susan K. Conklin".

Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:wls

Enclosure

cc: Mailing Address
Troy PD

STATE OF MICHIGAN

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: KMART CORPORATION
D/B/A KMART #4082
100 E. MAPLE
TROY, MI. 48083

COMPLAINT NO. 7-118085
BUSINESS I.D. NO. 15052

SDM

_____/

CHARGE - August 23, 2007

- (1) Sell, furnish or give away alcoholic liquor to _____ who had not then attained the age of twenty-one (21) years, contrary to Const. 1963, Art. 4, §40, and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

The Commissioner finds as fact that based upon the signature of Lawrence J. Meerschaert, an officer of the above-named Licensed Corporation, on the Waiver and Acknowledgment form of the Michigan Liquor Control Commission (MLCC), the aforementioned Licensee in this case voluntarily waived right to contest the cited allegation in this matter and, further, waived right to a hearing and entered a plea of acknowledgment to the one charge stated in Case No. 7-118085 pursuant to Rule 436.1907 of the MLCC.

The Commissioner further accepts the Violation Report of this case and attachments therein and a True Copy of the prior record of this Licensee since being licensed by the MLCC at the above-named location under the current ownership as evidence in lieu of testimony in this matter.

The Commissioner believes and finds as fact, on the bases of the Violation Report and attachments therein, that _____ while under the direction of the Troy Police Department, entered the above named licensed establishment during August 23, 2007 and purchased alcoholic liquor from an employee of the above-named Licensee without showing proper proof of age.

The Commissioner further finds that the employee of the above-named Licensee in this case did not demand, nor was shown, proper proof of age and did not make a diligent inquiry to determine the proper true age of the purchaser.

The Commissioner further believes and finds as fact, on the bases of the Violation Report and attachments therein, that _____ was 19 years of age at the time of this incident.

The Commissioner took under consideration for mitigative circumstances a signed written statement submitted to the MLCC by Susan Senopole, an employee of the above-named Licensee, which stated, in part, that the employee involved in this case has been dismissed as a result of this incident.

CONCLUSIONS OF LAW

Based upon the aforementioned Acknowledgment and Findings of Fact, the Commissioner concludes that the Licensee in Case No. 7-118085 did violate MCL 436.1801(2), as cited.

KMART CORPORATION
D/B/A KMART #4082

COMPLAINT NO. 7-118085
PAGE 3

ORDER

In determining penalty for the charge for which a violation was found, the Commissioner considered the Licensee's total record which shows no prior violation since being licensed by the MLCC on July 25, 1997 at the above-named location under the current ownership.

The Commissioner, therefore, Orders a fine of \$600.00 as penalty in this matter. The Commissioner further Orders that a suspension of 30 days be imposed if the fine is not paid.

MICHIGAN LIQUOR CONTROL COMMISSION

Dated: 10/24/07



Virgie M. Rollins, Commissioner

LCC Liquor Licensee History

Business name: **Cost Plus**
 Address: 560 John R (248) 942-7799
 Licensee: Cost Plus, Inc.
 License type: **SDM** (13248-2002)
 Permits: DirConn-1
 Comments: Mgr: Sidney Graham (9/01)

Date	Troy Incident #	Type	Disposition	Date
03/17/99	99-10152	Liquor Inspection	NO VIOLATIONS	
06/22/99	99-23612	Compliance Test	PASSED	
07/18/00	00-25940	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00	none	Compliance Test	PASSED	
09/03/00	00-25940	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42368	Compliance Test	PASSED	
02/05/01	01-04255	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/04/01	01-07623	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/13/01	01-08724	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/11/01	01-12264	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/24/01		Compliance Test	PASSED	
06/21/01	01-21879	Liquor Inspection (Road Patrol)	Warning-Lic Display	
08/14/01	01-29129	Compliance Test	PASSED	
08/29/01	01-31043	Liquor Inspection (Road Patrol)	Warning-Lic Display	
09/10/01 est.		Spoke w/Mgr Sid Graham, found current license and displayed it		
09/25/01	01-34485	Compliance Test	PASSED	
11/16/01	01-41306	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/27/02	02-02925	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06381	Compliance Test	PASSED	

03/04/02	02-06804	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/17/02	02-11798	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
07/11/02	02-22476	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/07/02	02-29561	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
10/16/02	02-34090	Compliance Test	PASSED
11/25/02	02-38271	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
01/27/03	03-2751	Liquor Inspection (Road Patrol-Gobler/Kerezi)	NO VIOLATIONS
03/03/03	03-6438	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
03/24/03	03-8732	Compliance Test	PASSED
05/07/03	03-13624	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
06/13/03	03-17720	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
06/19/03	03-18554	Compliance Test	PASSED
09/10/03	03-28243	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
10/29/03	03-33462	Compliance Test	PASSED
01/28/04	04-02866	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
02/25/04	04-05667	Liquor Inspection (Road Patrol-Harrison)	NO VIOLATIONS
03/07/04	04-06776	Liquor Inspection (Road Patrol- Harrison)	NO VIOLATIONS
03/23/04	04-08556	Compliance Test	PASSED
06/30/04	04-19812	Compliance Test	PASSED
09/07/04	04-28040	Liquor Inspection (Road Patrol- Harrison)	NO VIOLATIONS
09/15/04	04-29078	Liquor Inspection (Road Patrol- Harrison)	NO VIOLATIONS
02/11/05	05-04798	Compliance Test	PASSED
05/01/05	05-14310	Liquor Inspection (Road Patrol- Dyjewski)	NO VIOLATIONS
06/21/05	05-21053	Liquor Inspection (Road Patrol- Dyjewski)	NO VIOLATIONS
09/04/05	05-31340	Liquor Inspection (Road Patrol- Dyjewski)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/27/05	05-45653	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS
02/19/06	06-6786	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS

03/20/06	06-10613	Liquor Inspection (Road Patrol- Schehr)	NO VIOLATIONS
06/23/06	06-23723	Liquor Inspection (Road Patrol- Villerot)	NO VIOLATIONS
08/29/06	06-33521	Liquor Inspection (Road Patrol- Villerot)	NO VIOLATIONS
11/02/06	06-41861	Liquor Inspection (Road Patrol- Trainer)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
01/31/07	07-3792	Liquor Inspection (Road Patrol- Giovannoni)	NO VIOLATIONS
05/03/07	07-16155	Compliance Test	PASSED
06/30/07	07-24422	Liquor Inspection (Road Patrol- LaMilza)	NO VIOLATIONS
07/27/07	07-28199	Liquor Inspection (Road Patrol- LaMilza)	NO VIOLATIONS
08/23/07	07-32088	Compliance Test	PASSED
09/02/07	07-33682	Liquor Inspection (Road Patrol- LaMilza)	NO VIOLATIONS
10/15/07	07-39256	Liquor Inspection (Road Patrol- Sinutko)	NO VIOLATIONS
12/06/07 12/19/07	07-45751	Compliance Test - Sale to Minor (DPU) Dist Ct Arraignment MLCC Hearing	Violation FTA – Warrant Pending
01/02/08	08/210	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 13248-2007 SDM Business ID 16284 File # D66581/D13215

1. Name of Licensee Cost Plus, Inc. 2. Doing Business As Cost Plus Market

3. Mailing Address (street, city, zip code) 560 John R; Troy 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDM

7. Date of Violation: Thursday 12/06/07 4:30 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY? Yes No If no, you MUST answer below:
 If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-45751

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Officer Joseph Morgan

Officer Signature [Signature] Name and Title (print) Officer Matthew Redmond

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Purchase - Roederer Estate wine

2. Name _____ Address _____

Will testify to: Sold alcohol to minor

3. Name _____ Address 560 John R; Troy MI 48083

Will testify to: Store manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): #143607 - sales receipt
#143608 - cassette tape
Business - bottle of wine

Call For Service

CFS Number: 070045751

Date: 12/5/2007

Call For Service

CFS Number	070045751	Complainant	
Date	12/5/2007	Address	560 John R Rd
Dispatcher	00445 - Kalef, Sam	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	2:42:10 PM	Call type	
Dispatched	2:45:36 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4102 - Liquor Violation - Sell
Cleared	2:45:39 PM	Tow Company	
Location	560 John R Rd	Vehicle	
City, State, Zip	TROY, MI 48083	Vehicle License	
Jurisdiction		Disposition	N - No Report
Grid		Priority	
Sector		Classification	
Map	0 - N/A	Agency	TR - Troy PD
X Coordinate	4103471	Case	0700011594
Y Coordinate	0116198		

Officers

00080 - Daniels, Timothy
Notes - C3309 LIQUOR INSPECT

00445 - 14:42:10 Original Location : COST PLUS MARKET

Troy PD Arrest Report

Case No. 0700011594
Report No. 0700011594.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 5

unSubject: 4102 - Liquor Violation - Sell

Case Report Status	I - In Process	Entered On	12/7/2007 6:35:45 AM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00065 - Morgan, Joseph		00080 - Daniels, Timothy
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	12/6/2007 4:30:00 PM	Verified By		Agency Assisted	
Or Between		Approved On		Call for Service #	
Business Name		Approved By			070045751
Location	560 John R Rd	Related Cases		Reporting Agency	
CSZ	TROY, MI 48083	Disposition	Arrest	Report Type	Arrest Report
Census/Geo Code		Excp. Clear Reason		Division	Patrol
Jurisdiction		Excp. Clear Date		Notified	
Grid		Reporting Agency	Troy PD	Related Cases	
Sector		Report Type	Arrest Report		
Map	0 - N/A	Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 2007-45751

Officer Redmond and I, along with Student Enforcement Aide, _____, went to Cost Plus located at 560 John R to conduct an L.C.C. inspection. (_____) had no identification with her, it was being held at the Police Department. _____ activated a small personal tape recorder and gave a brief introduction indicating date and location. She then entered the business and selected a bottle of Roederer Estate wine and proceeded to the register. _____ presented the bottle of wine to sales clerk _____ for purchase. _____ asked _____ for identification. _____ advised _____ that she did not have her ID with her. _____ told _____ that she could provide her D.O.B. to him. _____ stated her dob was 09-25-86. _____ proceeded to type that into the computer. The transaction totaled \$18.01 and _____ provided _____ with a \$20 bill. _____ returned to our location and handed the bottled of wine to Officer Redmond and I. A short time later Officer Redmond and I entered the store and made contact with Deborah Ziehm, the store manager. We explained the situation to Ziehm and advised her what would be required of the store. I issued a citation to _____ for "Fail to Inquire as to age." (citation #720286) We gathered the required information to complete an L.C.C. violation report. The bottle of wine was returned to Ziehm and we were given a refund for the purchase. Officer Redmond tagged the receipt into evidence. (property tag #143607) The cassette tape was also tagged into evidence. (property tag #143608)

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	08 - Department/Discount Store
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes
IBR Group	B	Hate/Bias	00 - None (No Bias)
Crime Against	SO	Domestic Violence	No
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER	No. Prem. Entered	
PACC		Entry Method	
Local Code		Type Security	
Using		Tools Used	

Troy PD Arrest Report

Case No. 0700011594
Report No. 0700011594.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 5

Criminal Activity
Force Level
Weapons

Arrestee A1: Potter, Hakeem Johnathan

Arrestee Number

Name

Aliases

Alert(s)

Address

CSZ

MO

Attire

Habitual Offender
Status

Eye Color

Hair Color

Hair Style

Hair Length

Facial Hair

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

**S - Resides in the
State but not the
county or
community where
the offense
occurred**

Complexion

Build

Teeth

Phone/Email

Type

HOMEPHONE1 - Home Phone #1

Description

unknown

Supplemental IDs

ID Type

ID Number

ID Issuer

Name

Physical Characteristics

Type

Descriptor

Description

Arrest No. **720286**

Arrest Type **S - Summoned/Cited**

FBI No.

Criminal Tracking

Number CTN

Transaction Control

Number TCN

Person Control

Number PCN

State No.

Armed With

01 - Unarmed

Multi. Clearance

N - Not Applicable

Multi. Clearance

Offense

Prev. Suspect No.

Notified Name

Arrested For

4102 - Liquor Violation - Sell

Count

Fingerprints

Photos

Miranda Read

Miranda Waived

Number of Warrants

Juvenile Disposition

Adult Present

Detention Name

Booked On

Booked Location

Released Location

Released On

Released By

Release Reason

Held For

Date/Time Arrested

**12/6/2007 4:30:00
PM**

Arrest Location

Arrest Notes

Troy PD Arrest Report

Case No. 0700011594
 Report No. 0700011594.1
 Report Date: 12/7/2007

Troy PD
 500 W Big Beaver
 Troy, MI 48084
 248 524-3477

3

Witness W1

Witness Code

Name

Aliases

Alert(s)

Address **500 W BIG BEAVER RD**
 CSZ **Troy, MI 48084**

Attire

Ht.

Wt.

Eye Color

Hair Color

Facial Hair

Complexion

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Testify

Phone/Email
Type

Description

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Witness Notes Student enforcement Aide. Purchased a bottle of wine from Cost Plus.

Witness W2: Ziehm, Deborah

Witness Code

Name

Aliases

Alert(s)

Address **560 JOHN R RD**
 CSZ **Troy, MI 48085**

Attire

DOB

Age

Sex

Race

Ethnicity

Ht.

Wt.

Eye Color

Hair Color

Facial Hair

Complexion

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Testify

Phone/Email
Type

Description

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Witness Notes Cost Plus Store Manager.

Property Description Item 1: 1812 - Receipt 5488 - One receipt from purchase

Troy PD Arrest Report

Case No. 0700011594
Report No. 0700011594.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 5

Item No. **1**
Property Category **1812 - Receipt 5488**
Property Class **88**
IBR Type **77 - Other**
UCR Type **K - Miscellaneous**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**
Value **1801**

Manufacturer
Model
Serial No.
License No.
Color
Description
Vehicle Year
Body Style
State
License Year

One receipt from purchase

Recovered Date/Time

Owner

Disposition

Evidence Tag **143607**

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

Property Description Item 2: 1305 - Recording - Cassette Tape 5426 - One Maxell Tape

Item No. **2**
Property Category **1305 - Recording - Cassette Tape 5426**
Property Class **27**
IBR Type **27 - Recordings-Audio/Visual**
UCR Type **F - TV's, Radios, Stereos, Etc...**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**
Value

Manufacturer
Model
Serial No.
License No.
Color
Description
Vehicle Year
Body Style

One Maxell Tape

Troy PD Arrest Report

Case No. 0700011594
Report No. 0700011594.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

5

Page 5 of 5

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag **143608**

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 12/06/07	DAY THU	SHIFT 01	PLAT 01	BADGE 1 65	BADGE 2 48	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS	YEAR 07	INCIDENT # 45751
----	------------------	------------	-------------	------------	---------------	---------------	---	------------	------------	---------------------

02 Name: _____

03 Address: ^(PLEASE PRINT) 500 W. Big Beaver Business Phone: _____

04 City: Troy State: MI Zip: 48084

05 E-mail Address: _____ Cell Phone: _____

06 Today on December 6, 2007, I proceeded into Post Plus
 07 and picked up a bottle of Boederer estate wine and
 08 took it to the register. I did not have any identification
 09 with me, the sales clerk had a name tag on by the
 10 name of _____, who is a black male, he rang the
 11 wine up, which totaled \$18.01. He asked me for my
 12 I.D. and I told him I did not have it with me, I then
 13 told him I could give him my birth date and told
 14 him my birth date was 09/25/86 and he typed ~~it~~ it into
 15 the computer. Once I completed the purchase, I left the
 16 store and brought the receipt to officer Morgan and
 17 officer Redmond.

28 Taken By: *[Signature]* #65 X

29 Place: Station Date: 12/6/07 Time: 1:15

INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO

[Signature] #65

COST PLUS

WORLD MARKET

One World. One Store.

THANK YOU FOR SHOPPING WORLD MARKET
#58 - TROY (248) 589-9300

5826 CK01 0450 58 002

ROEDERER ESTATE BR 1A 16.99

000000910725

SUBTOTAL 16.99

6.00 % TAX 1.02

TOTAL 18.01

CASH 20.00

CHANGE 1.99

ONE WORLD. ONE STORE.

SHOP US ONLINE - www.worldmarket.com



1206070450005800005826002000018010000

DECEMBER 6, 2007 4:35 PM

State of Michigan
Uniform Law Citation

Ticket No. 700286 Victim Involved

DOT # _____ Incident No. 2007-45751 Dept. No. 754

Local Use/Arrest No. _____ Deflection Device _____

People of: the State of Michigan
Township City Village County

TROY BAC 1 of 1

UNDERSIGNED 12 Month 6 Day 07 Year At approximately 4:30 A.M. P.M. Date 1 Month 12 Day 6 Year

PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

ON 560 South

OR NEAR COSTERS WOODMANNEY

IN CITY VILLAGE TOWNSHIP OF TROY

COUNTY OF OAKLAND DID THE FOLLOWING

Type	Ordinance	Description (include any bond amount collected on each charge)	No.
C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	<u>98.10.11</u>	<u>FAIL TO INQUIRE AS TO AGE</u>	<u>1</u>
Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			<u>2</u>
Fel <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			<u>3</u>
Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
Fel <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			
Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
Fel <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) 436.17011A 2 3

for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Check if Appropriate: Damage to Property Local Court Bond S
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate
 Person in Active Military Service Yes No None

APPEARANCE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before DEC 19 2007 P.M.

Arriving Date (if applicable) on _____ Contact Court Court will Notify

Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required Court will Notify

Court 52-4 DISTRICT Court of OAKLAND COUNTY

Street Address & Phone Number
520 W. BIG BEAVER RD.
TROY, MI 48084
PHONE (248) 528-0400

I served a copy of the citation/infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable: [Signature] Month 12 Day 6 Year 07

Officer's Name (printed): MONTELL REYNOLDS Officer's ID No. 65148

Agency ORI: 6378400 Agency Name: TROY POLICE DEPARTMENT

Page: 01a
 Date: 6/05
 COURT COPY 1

Ticket: 700286
Name:
Case No.:

LCC Liquor Licensee History

Business name: **Troy Party Store**
 Address: 6990 John R. (248) 879-2550
 Licensee: Czaryd Enterprises, Inc.
 License type: **SDD (15685-2002) SDM (11856-2002)**
 Permits: Sunday Sales
 Comments:

Date	Troy Incident #	Type	Disposition	Date
6/10/80		SDM License Issued		
6/17/81		SDD License issued		
2/28/83	83-2146	Sale to Minor (Patrol Obs.)	Dismissed Witness DNA	6/21/83
10/26/83		Licenses transferred to Czaryd Enterprises, Inc.		
5/18/84	Unk	Sale to Minor (Patrol Obs.)	Fined \$300.	6/28/84
1997		Buscemi's applied to transfer License	Canceled	4/11/97
8/24/98	MLCC	Sale to Minor (MLCC Compliance Test)	Pending	
06/22/99	99-23607	Compliance Test	PASSED	
10/27/99	none	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/27/00	00-14284	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/06/00	00-24196	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00	none	Compliance Test	PASSED	
08/02/00	00-28191	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/25/00	00-38640	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42349	Compliance Test	PASSED	
01/24/01	none	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/13/01	none	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/21/01	01-13667	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

04/24/01		Compliance Test	PASSED	
07/07/01	01-24146	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/14/01	01-29125	Compliance Test	PASSED	
09/09/01	01-32429	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/25/01	01-34503	Compliance Test	PASSED	
10/21/01	01-37973	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/05/02	02-00509	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06385	Compliance Test	PASSED	
03/14/02	02-07972	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/24/02	02-20094	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/25/02	02-	Compliance Test	PASSED	
08/24/02	02-27914	Liquor Inspection (Road Patrol-LaForest)	NO VIOLATIONS	
10/16/02	02-34072	Compliance Test	PASSED	
12/10/02	02-39965	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
01/22/03	03-2285	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
03/06/03	03-6796	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS	
03/24/03	03-8720	Compliance Test	PASSED	
05/06/03	03-13495	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS	
06/19/03	03-18535	Compliance Test	PASSED	
08/12/03	03-24963	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS	
09/09/03	03-28135	Liquor Inspection (Road Patrol-Wolfe)	NO VIOLATIONS	
10/27/03	03-33131	Sale to Minor (compliance test)	\$500 fine	01/06/04
11/12/03	03-34873	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS	
01/21/04	04-02120	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS	
03/03/04	Council	Public Hearings for 2003 Violation(s)-Resolution requiring TIPS/TAM training for all employees who sell alcohol with proof to the PD within 90 days		
03/06/04	04-06680	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS	
03/22/04	04-08399	Compliance Test	PASSED	
03/29/04		Proof received		

06/30/04	04-19820	Compliance Test	PASSED
11/12/04	04-35930	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
01/30/05	05-03423	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
02/11/05	05-04801	Compliance Test	PASSED
03/13/05	05-08292	Liquor Inspection (Road Patrol- Daniels)	NO VIOLATIONS
05/13/05	05-15863	Liquor Inspection (Road Patrol-Mairorano)	NO VIOLATIONS
08/10/05	05-28097	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
09/16/05	05-32855	Liquor Inspection (Road Patrol- Mairorano)	NO VIOLATIONS
10/13/05	05-	Compliance Test	PASSED
12/03/05	05-42541	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
01/19/06	06-2444	Liquor Inspection (Road Patrol- Kerezi)	NO VIOLATIONS
04/01/06	06-12306	Liquor Inspection (Road Patrol- Livingston)	NO VIOLATIONS
06/19/06	06-23163	Liquor Inspection (Road Patrol- Livingston)	NO VIOLATIONS
09/01/06	06-34018	Liquor Inspection (Road Patrol- Livingston)	NO VIOLATIONS
11/19/06	06-43874	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
01/06/07	07-725	Liquor Inspection (Road Patrol- Livingston)	NO VIOLATIONS
02/10/07	07-5162	Liquor Inspection (Road Patrol- Livingston)	NO VIOLATIONS
05/03/07	07-16152	Compliance Test	PASSED
07/08/07	07-25556	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS
08/03/07	07-29290	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS
08/23/07 10/30/07 12/05/07	07-32147	Sale to Minor-Compliance Test Dist Ct MLCC Hearing: Plea Responsible	Violation P/G \$100 Fine \$500 Fine
09/09/07	07-34602	Liquor Inspection (Road Patrol- Dungjen)	NO VIOLATIONS
11/03/07	07-41750	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
12/06/07	07-45824	Compliance Test	PASSED
12/31/07	07-49068	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS



Michigan Department of Consumer & Industry Services
 MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 15685/15856-2007 SS Business ID 11416 File # D54244/D132.5

1. Name of Licensee CZARYD ENTERPRISES 2. Doing Business As Troy Party Store

3. Mailing Address (street, city, zip code) 6990 John R Road; Troy, Michigan 48085

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDD (SS) & SDM

7. Date of Violation: Thursday 08/23/07 7:15 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ ; this a DECOY ? Yes No If no, you MUST answer below:
 If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-32147

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature Sgt. John Schaufler Name and Title (print) Sergeant John Schaufler

Officer Signature Joseph Morgan Name and Title (print) Officer Joseph Morgan

Department Name Troy Police Department Phone # 248-524-3477

WITNESSES

1. Name _____ Address 500 West Big Beaver Road; Troy MI

Will testify to: Purchased six-pack of Mike's Cranberry Lemonade

2. Name Daniel Rydzewski Address 6745 John R Road; Troy MI

Will testify to: Sold six-pack of Mike's Cranberry Lemonade to student enforcement aide

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Property tag 142230
Six-pack of Mike's Cranberry Lemonade

Call For Service

CFS Number: 070032147

Date: 8/23/2007

Call For Service

CFS Number	070032147	Complainant	
Date	8/23/2007	Address	6990 John R Rd
Dispatcher	47714 - Robinson, Frederick	City, State, Zip	TROY, MI 48085
Call Source	0 - Telephone	Phone	
Received	12:51:50 PM	Call type	
Dispatched	1:03:32 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4102 - Liquor Violation - Sell
Cleared	1:03:42 PM	Tow Company	
Location	6990 John R Rd	Vehicle	
City, State, Zip	Troy, MI 48085	Vehicle License	
Jurisdiction		Disposition	N - No Report
Grid		Priority	
Sector		Classification	
Map			
X Coordinate	4103029	Agency	TR - Troy PD
Y Coordinate	0125569	Case	0700008057

Officers

00080 - Daniels, Timothy

00065 - Morgan, Joseph

Notes - C3309 LIQUOR INSPECT

47714 - 12:51:51 Original Location : TROY PARTY STORE

47714 - 12:51:51 ASSIGN D1

Troy PD Crime Report

Case No. 0700008057
Report No. 0700008057.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 3

Subject: 4102 - Liquor Violation - Sell

Case Report Status	I - In Process	Entered On	8/28/2007 3:27:53 PM	Reporting Officer	
County	63 - Oakland	Entered By	00065 - Morgan, Joseph		00080 - Daniels, Timothy
City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	8/23/2007 7:15:00 PM	Verified By			00065 - Morgan, Joseph
Or Between		Approved On		Agency Assisted	
Location	6990 John R Rd	Approved By			
CSZ	Troy, MI 48085	Related Cases			
Census/Geo Code		Disposition	Citation		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map		Division	1484		
Call Source	Telephone	Notified			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 2007-32147

Writer, Officer Morgan, and Student Enforcement Aide went to Troy Party Store located at 6990 John R to conduct a L.C.C. inspection. had no identification with him, it was being held at the Police Department. He activated a small personal tape recorder and gave a brief introduction indicating time, date and location. He then entered the business, selected a 6 pack of Mike's Cranberry Lemonade and proceeded to the cash register. presented the 6 pack to sales clerk Daniel Rydzewski for purchase. Rydzewski never asked for any identification, and then rang up the sale. gave Rydzewski a \$20 bill to pay for the Lemonade. returned to our location and handed the 6 pack of Mik'e Hard Lemonade over to Sgt. Schaufler and I. A short time later Sgt. Schaufler and I entered the store and made contact with store owner Daniel Rydzewski. We explained the situation and issued a citation to him for "Fail to Inquire as to Age." (citation #710332) Rydzewski acknowledged selling to the Student Enforcement Aide and further advised officers that he was really busy. We gathered the required information to complete an L.C.C. violation report and advised Daniel what would be required by him. The 6 pack and cassette tape were taken to TPD and processed as evidence. (tag #142230)

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	17 - Liquor Store	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER				
PACC					
Local Code					
Using					
Criminal Activity					
Force Level					

Troy PD Crime Report

Case No. 0700008057
Report No. 0700008057.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

2

Page 2 of 3

Suspect S1: Rydzewski, Daniel

Suspect Number	S1	DOB		Place of Birth	
Name	Rydzewski, Daniel	Age	41	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	6745 John R Rd	Ht.		Occupation/Grade	
CSZ	Troy, MI 48085	Wt.		Employer/School	
Home Phone		Eye Color		Employer Address	
Work Phone		Hair Color		Employer CSZ	
Email Address		Hair Style		Res. County	
Scars/Marks/Tattoos		Hair Length		Res. Country	
		Facial Hair		Resident Status	R - Resident of the community, city, or town where the offense occurred
MO		Complexion			
Attire		Build			
Habitual Offender Status		Teeth			
Suspect Notes	Troy Party Store owner. Sold 6 pack of Mike's Cranberry Lemonade to Student Enforcement Aide.				

Witness W1:

Witness Code		Place of Birth	
Name		SSN	
Aliases		DLN	
Alert(s)		DL State	
		DL Country	
Address	500 E Big Beaver Rd	Occupation/Grade	
CSZ	Troy, MI 48083	Employer/School	
Home Phone		Employer Address	
Work Phone		Employer CSZ	
Email Address		Res. County	
Attire		Res. Country	
Witness Notes	Student Enforcement Aide. Purchased 6 pack of Mike's Hard Lemonade from Troy Party Store.		
		Resident Status	
		Testify	

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - Cassette Tape of transaction

Item No. **1**
Property Category **1305 - Recording - Cassette Tape 5426**
Property Class **27**
IBR Type **27 - Recordings-Audio/Visual**
UCR Type **F - TV's, Radios, Stereos, Etc...**

Troy PD Crime Report

Case No. 0700008057
Report No. 0700008057.1
Report Date: 8/28/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 3

Status **E - Evidence (Including Other Seized
Property And Tools)**

Count **1**

Value

Manufacturer

Model

Serial No.

License No.

Color

Description **Cassette Tape of transaction**

Vehicle Year

Body Style

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag **142230**

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes	1-cassette tape and 1-6 pack of Mike's Cranberry Lemonade
----------------	---

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE <u>082307</u>	DAY <u></u>	SHIFT <u>02</u>	PLAT <u>99</u>	BADGE 1 <u>201</u>	BADGE 2 <u>065</u>	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS <u></u>	YEAR <u>07</u>	INCIDENT # <u>32147</u>
----	-----------------------	----------------	--------------------	-------------------	-----------------------	-----------------------	---	-----------------------	-------------------	----------------------------

02 Name:
 03 Addre
 04 City:
 05 E-mail

06 On August 23, 2007 I entered the Troy
 07 Party Store at 6990 John R in Troy, MI. Once inside
 08 I proceeded directly to the near cooler and picked up
 09 one six pack of Mike's Hard Cranberry Lemonade.
 10 I approached the clerk with the six pack. The clerk
 11 never asked to see any form of ID, nor for a
 12 date of birth. I paid with a \$20 bill. After the
 13 completion of the transaction I proceeded to leave the
 14 store with the six pack of Mike's Hard Cranberry
 15 Lemonade.

27 X: _____

28 Taken By: Sgt. J. Schantz (SIGNATURE)

29 Place: 6745 JOHN R RD TROY Date: 8/23/07 Time: 19:30

INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO

Reviewed By: _____

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG 142230

COMPLAINT# 2002-32147 FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # 12

CHARGE / INCIDENT FAIL TO ANSWER AS TO AGE DESCRIPTION 16 pack of M&M'S CANDIES
LEONARD C 1-CAJUN TAGE

REPORTING OFFICER Morgan #65 SERIAL # _____ DRUG WT. _____
DATE 8-23-02 TIME 2:30-5

DEFENDANT: RYDZENSKI DANIEL 5-21-66
Last First Middle DOB

DEFENDANT: _____
Last First Middle DOB

INSTRUCTIONS TO PROPERTY SECTIONS: NO FOR THESE ACC WEAPONS

OWNER: NAME _____ PHONE _____

ADDRESS _____ CITY _____ ZIP _____

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

DISPOSITION: AUCTIONED DESTROYED REUSED OTHER DATE _____

State of Michigan
Uniform Law Citation

Ticket No. **710332** Victim Involved

US DOT # _____ Incident No. **2007-32147** Dept. No. **784**

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____

Name (First, Middle, Last) **DANIEL RYDZEWSKI**

Street **6745 SUNK**

City **Troy** State **MI** Zip Code **48063**

Vehicle Plate No. _____ Year _____ State _____ Vehicle Description (Year, Make, Color) _____ Veh. Type _____

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

UPON **6990 RATED SUNK**

AT OR NEAR **TROY PARKS ST**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND**

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	98.10.11	FAIL TO INCREASE TO AGE	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	<input type="checkbox"/> Authorization pend.		3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) **1** **2** **3**

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: _____

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ _____
 Vehicle Impounded Injury License Posted in Lieu of Bond _____
 Traffic Crash Death Appearance Certificate _____

Person in Active Military Service Yes No None

SEE DATE BELOW: SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before **SEP 23 2007**

Hearing Date (if applicable) on _____

Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the **52-4 DISTRICT** Court of **OAKLAND COUNTY**

Court Address & Phone Number
**520 W. BIG BEAVER RD.
 TROY, MI 48084
 PHONE (248) 528-0400**

I received a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
 I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt if applicable _____

Month **8** Day **23** Year **2007**

Officer's Name (printed) **WALTER SUTSKAMP** Officer's ID No. **65120**

Agency ORI **MI-6378400** Agency Name **TROY POLICE DEPARTMENT**

Ticket
710332

Name

Case No.



State of Michigan
 Department of Labor and Economic Growth
LIQUOR CONTROL COMMISSION
 7150 Harris Drive
 P.O. Box 30005
 Lansing, Michigan 48909-7505

Complaint No. 7-118072
 Business ID No. 11416
F-3

In Re: Czaryd Enterprises, Inc.
 d/b/a Troy Party Store
 6990 John R
 Troy, MI 48098

Date: September 14, 2007

SDD SDM SS

COMPLAINT

This Complaint alleges that on August 23, 2007, the licensee or the licensee's agent, clerk or employee:

sold or furnished alcoholic liquor to minor _____ who was
 less than twenty-one (21) years old, contrary to Const 1963, art 4, § 40 and contrary to Section 801(2)
 and/or Section 701(1) of the Michigan Liquor Control Code, MCL 436.1801(2) and/or MCL
 436.1701(1).

Wherefore, it is requested that a hearing be conducted, and a decision make in accordance with section 903 of the Michigan Liquor Control Code being MCL 436.1903, and the Commission's Rules.

List of Witnesses:

* Korey McCandlish
 Sgt. John Schaufler, Troy PD
 Ofc. Joseph Morgan, Troy PD

LIQUOR CONTROL COMMISSION
 LICENSING AND ENFORCEMENT DIVISION

By

Daniel J. Bragdon

ACKNOWLEDGMENTS

This complaint was drafted pursuant to a written Violation Report or other information which was submitted to the enforcement arm of the Commission. A copy of the Violation Report or other information is being furnished to you along with this Complaint. The licensee may waive a hearing and acknowledge the facts pursuant to this Report.

SEE REVERSE SIDE FOR WAIVER OF HEARING AND ACKNOWLEDGMENT FORM

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION
7150 HARRIS DRIVE, P.O. BOX 30005
LANSING, MI 48909

NOTICE OF SCHEDULED HEARING
(Authorized by M.A.C R436.1909)

October 30, 2007

TO: CHIEF
TROY POLICE
500 W BIG BEAVER
TROY, MI 48084

RE: CZARYD ENTERPRISES, INC.
D/B/A TROY PARTY STORE
6990 JOHN R
TROY, MI 48098
Complaint No. 7-118072

A complaint has been filed against the above licensee alleging:

SALE TO MINOR (18) AUGUST 23, 2007

This matter is being scheduled for hearing at the following location, date, and time:

LIQUOR CONTROL COMMISSION
24155 DRAKE RD
FARMINGTON, MI 48335

**WEDNESDAY
DECEMBER 5, 2007
10:30AM

The officer(s) listed below are requested to attend the hearing and bring whatever evidence they have in connection with the case: *Please review charges and witnesses on the attached Complaint and contact this office immediately if you have any questions.

SGT. JOHN SCHAUFLER OFC. JOSEPH MORGAN

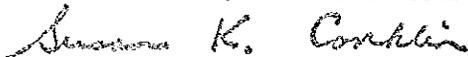
Enclosed is the subpoena for the witness involved in this case. We request it be served by your agency. If witness resides outside of your jurisdiction, please forward to proper agency. Please notify this office a minimum of 5 working days prior to the scheduled hearing date if subpoena has not been served.

TROY PD

Any request for postponement must be in writing and must be received in this office no less than two working days prior to the date of the hearing as required by Rule 434.1931 of the Hearings and Appeal Practice Rules. Please direct any postponement request to Lori Schrader at (517) 636-5299. If you have any questions, contact the Hearings and Appeals Section at (517) 322-1390. Our office hours are 8:00 a.m. to 5:00 p.m. Monday through Friday.

MICHIGAN LIQUOR CONTROL COMMISSION

**YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO
SCHEDULED DATE TO CONFIRM HEARING**



Susan K. Conklin, Supervisor
Hearings and Appeals Section
SKC:ll
enclosure

c: SGT. JOHN SCHAUFLER
OFC. JOSEPH MORGAN

In case of inclement weather call 517-322-1390 to verify if hearings are being held

STATE OF MICHIGAN DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES	SUBPOENA ORDER TO APPEAR	LIQUOR CONTROL COMMISSION P.O. Box 30005 Lansing, Michigan 48909-7505 (517) 322-1390
--	---	---

Issued To:

[REDACTED]
c/o TROY PD



By the authority of Section 217(4) of the Michigan Liquor Control Code of 1998, you are ordered to appear before the Liquor Control Commission on the day and at the time and place stated to give evidence on this complaint.

Reference Licensee:

CZARYD ENTERPRISES, INC.
D/B/A TROY PARTY STORE
6990 JOHN R
TROY, MI 48098

Complaint No. 7-118072

Complaint:

SALE TO MINOR (18) AUGUST 23, 2007

**** YOU MAY CALL OUR OFFICE ONE WORKING DAY PRIOR TO SCHEDULED DATE TO CONFIRM HEARING IS BEING HELD ****

Hearing Location: LIQUOR CONTROL COMMISSION 24155 DRAKE RD FARMINGTON, MI 48335	Date and time: *** WEDNESDAY DECEMBER 5, 2007 10:30AM
--	--

FAILURE TO APPEAR AT THE STATED TIME AND PLACE, OR FAILURE TO PRODUCE THE PAPERS AND DOCUMENTS REQUIRED WILL SUBJECT YOU TO CONTEMPT PROCEEDINGS THROUGH THE APPROPRIATE COUNTY CIRCUIT COURT.

MICHIGAN LIQUOR CONTROL COMMISSION

By: Suzanne K. Conklin Date: October 30, 2007

CERTIFICATE OF SERVICE

I certify that I am an authorized law enforcement or commission agent and that I personally served a copy of the subpoena on:

Name: _____ Complete address of service: _____ Day/Time/Date: _____
Signature of Agent: _____ Title: _____ Date: _____



STATE OF MICHIGAN
LIQUOR CONTROL COMMISSION
DEPARTMENT OF CONSUMER & INDUSTRY SERVICES
KEITH W. COOLEY, DIRECTOR

JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

January 10, 2008

CZARYD ENTERPRISES, INC.
D/B/A TROY PARTY STORE
6990 JOHN R
TROY, MI 48098

RE: Complaint No. 7-118072

Dear Licensee:

Enclosed is a copy of the Commissioner's Order issued as the result of the above Complaint.

If you elect to pay the fine, a bank or postal money order, certified check, or authorized credit card payable to the STATE OF MICHIGAN must be received in this office no later than FEBRUARY 11, 2008 as indicated on your Invoice No. 92797. Failure to submit the fine will result in confiscation of your license for the alternative penalty. In any event, costs assessed must be paid, as only fines assessed are alternative to a suspension.

Should you wish to appeal the decision, a request for an appeal, accompanied by a fee of \$25, must be received in this office within 20 days from the mailing date of this Order. **IN FILING FOR AN APPEAL, YOU MUST STATE YOUR REASONS FOR REQUESTING THE APPEAL OR YOUR REQUEST WILL NOT BE HONORED.**

If there are any questions regarding this Order, please contact Hearings and Appeals at (517) 322-1390. Our office hours are from 8:00 a.m. to 5:00 p.m.

Sincerely,

MICHIGAN LIQUOR CONTROL COMMISSION

Susan K. Conklin, Supervisor
Hearings and Appeals

SKC:ll

Enclosures

c: Troy PD

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: CZARYD ENTERPRISES, INC.
D/B/A TROY PARTY STORE
6990 JOHN R
TROY, MI 48098

HEARING: DECEMBER 5, 2007
PLACE: FARMINGTON
COMPLAINT NO: 7-118072
BUSINESS ID NO. 11416
SDD SDM SS

CHARGES - AUGUST 23, 2007

- (1) Sold or furnished alcoholic liquor to minor
who was less than twenty-one (21) years old, contrary to Const 1963, art 4,
§ 40 and contrary to Section 801(2) and/or Section 701(1) of the Michigan Liquor
Control Code, MCL 436.1801(2) and/or MCL 436.1701(1).

FINDINGS OF FACT

Daniel Rydzewski, President of the above named Licensed Corporation, appeared before this Administrative Law Judge (ALJ) and after being advised of his constitutional right to be represented by an attorney pursuant to Rule 436.1909(2), as promulgated in the Michigan Administrative Code, waived right to legal counsel and entered a plea of acknowledgment to the one charge as stated in Case No. 7-118072 pursuant to Section 903 of the Michigan Liquor Control Code, MCL 436.1903, and Rule 436.1909(1) of the Michigan Liquor Control Commission (MLCC).

The ALJ accepted said plea of acknowledgment after being assured it was entered voluntarily and with the full understanding of its meaning and implications.

On Motion of Rosendo Asevedo, Assistant Attorney General who represented all law enforcement in this matter, the ALJ entered the Violation Report of this case and attachments thereto into the record as evidence without objection.

The ALJ believes and finds as fact, on the basis of the Violation Report, that one [redacted] while under the direction of the Troy Police Department, entered the above named licensed establishment on August 23, 2007, and purchased alcoholic liquor from the President of the above named Licensed Corporation without showing proper proof of age.

The ALJ further believes and finds as fact, on the basis of his statements, that said [redacted] was 18 years of age at the time of the incident. The ALJ further concluded from his appearance at the hearing that said [redacted] looked his true age of 18; the ALJ also concluded that a prudent person would not mistake said [redacted] of being of legal drinking age without making a further diligent inquiry.

The ALJ further finds that the President of the Licensed Corporation in this case neither demanded, nor was shown proper proof of age and did not make a diligent inquiry to determine the proper true age of the purchaser.

CONCLUSIONS OF LAW

Based upon the aforementioned Plea and Findings of Fact, the ALJ concludes that the Licensed Corporation in Case No. 7-118072, did violate Section 801(2) of the Michigan Liquor Control Code, MCL 436.1801(2), as cited in the one charge of the Complaint in this matter.

ORDER

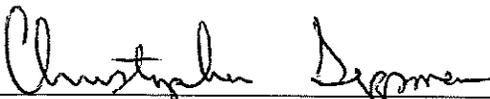
In determining penalty for the charge for which a violation was found, the ALJ considered the Licensed Corporation's total record, which shows three previous violations, all similar to the charge in this complaint, with the most recent violation occurred on October 27, 2003, since being licensed on November 23, 1983 at the above location under the current ownership.

Further, in determining penalty for the charge for which a violation was found, the ALJ considered that the Licensed Corporation purchased an "age and ID verifier" machine on October 30, 2007 as a result of this incident. See Exhibit #1

The ALJ, therefore, Orders a fine of \$500 as penalty in this matter. The ALJ further Orders that a suspension of 25 continuous days be imposed if the fine is not paid with this suspension, if served, to run consecutively and not concurrently with any other suspension Ordered by the Michigan Liquor Control Commission for this Licensed Corporation.

In addition, the ALJ Orders the Licensed Corporation to pay total cost of \$8.70 for witness fees involved in connection with the hearing.

MICHIGAN LIQUOR CONTROL COMMISSION



Christopher Seppanen, Administrative Law Judge

Dated: January 7, 2008

Rosendo Asevedo
Assistant Attorney General
24155 Drake Road
Farmington, MI 48335

CS: 7-118072

LCC Liquor Licensee History

Business name: **Buscemi's Party Shoppe**
 Address: 3176 Rochester (248) 689-5959
 Licensee: Jill-Nick Corporation
 License type: **SDD (73920-2002) SDM (14525-2002)**
 Permits: Sunday Sales
 Comments:

Date	Troy Incident #	Type	Disposition	Date
03/12/90		Council approves transfer of license to Jill-Nick Corporation (Anthony A. Buscemi) from Saddle, Inc.		
10/17/90		Sale to Minor (Compliance Test)	\$200 fine	03/21/91
10/05/92		Applies for SDD. Council recommends NO SDD be issued by MLCC due to limited number		
01/28/99	99-03952	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/04/99		Applies to transfer SDD from JADE DISTRIBUTING, withdraws request due to Jade's tax delinquency		
06/22/99	99-23595	Compliance Test	PASSED	
10/27/99	none	Compliance Test	PASSED	
01/04/2000		MLCC approves transfer of SDD from RAZOOK, INC. after appeal of original denial.		
03/21/00	MLCC	Charged with "...transfer interest without prior approval" on or about 01/01/97	\$500	
04/10/00		Council approves stock transfer (All) to Buscemi sons Paul, Anthony, & David Buscemi		
04/27/00	00-14306	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/25/00	none	Compliance Test	PASSED	
08/27/00	00-31758	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42339	Compliance Test	PASSED	
02/08/01	01-04629	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/17/01	01-09238	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

04/24/01		Compliance Test	PASSED
06/06/01	01-19810	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/14/01	01-29107	Compliance Test	PASSED
08/28/01	01-30948	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/25/01	01-34492	Compliance Test	PASSED
10/16/01	01-37338	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/28/02	02-06378	Compliance Test	PASSED
05/11/02	02-14745	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
07/07/02	02-21937	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/07/02	02-29605	Liquor Inspection (Road Patrol- Langbeen)	NO VIOLATIONS
10/16/02	02-34077	Compliance Test	PASSED
10/24/02	02-34942	Liquor Inspection (Road Patrol- Kocenda)	NO VIOLATIONS
12/12/02	02-40226	Liquor Inspection (Road Patrol-Kocenda)	NO VIOLATIONS
02/23/03	03-5646	Liquor Inspection (Road Patrol-Kocenda)	NO VIOLATIONS
03/24/03	03-8738	Compliance Test	PASSED
06/19/03	03-18547	Compliance Test	PASSED
07/08/03	03-20909	Liquor Inspection (Road Patrol-Dimaria)	NO VIOLATIONS
08/12/03	03-25007	Liquor Inspection (Road Patrol-Dimaria)	NO VIOLATIONS
09/08/03	03-28044	Liquor Inspection (Road Patrol-Dimaria)	NO VIOLATIONS
10/27/03	03-33168	Compliance Test	PASSED
11/28/03	03-36392	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
01/20/04	04-01965	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
02/17/04	04-04918	Liquor Inspection (Road Patrol-Cole)	NO VIOLATIONS
03/22/04	04-08397	Compliance Test	PASSED
05/19/04	04-14714	Liquor Inspection (Road Patrol-Dimaria)	NO VIOLATIONS
10/21/04	04-33348	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
11/15/04	04-36313	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
01/24/05	05-02701	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS

02/11/05	05-04767	Sale to Minor (Compliance Test)	\$500 fine	03/24/05
08/02/05	05-26933	Liquor Inspection (Road Patrol-Giorgi)	NO VIOLATIONS	
09/22/05	05-33634	Liquor Inspection (Road Patrol-Minton/Giorgi)	NO VIOLATIONS	
10/13/05		Compliance Test	PASSED	
12/31/05	05-46221	Liquor Inspection (Road Patrol-Ersig)	NO VIOLATIONS	
03/15/06	06-9924	Liquor Inspection (Road Patrol-Ersig)	NO VIOLATIONS	
04/13/06	06-13866	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS	
05/25/06	06-19607	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS	
08/03/06	06-29682	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS	
11/02/06	06-41862	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS	
12/21/06		Compliance Test	PASSED	
01/14/07	07-1665	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS	
03/05/07		Final Approval for New Location at 3176 Rochester		
05/03/07	07-16130	Compliance Test	PASSED	
06/30/07	07-24423	Liquor Inspection (Road Patrol-C. Villerot)	NO VIOLATIONS	
08/19/07	07-31546	Liquor Inspection (Road Patrol-C. Villerot)	NO VIOLATIONS	
08/31/07	07-33402	Liquor Inspection (Road Patrol-C. Villerot)	NO VIOLATIONS	
08/23/07	07-32110	Compliance Test	PASSED	
11/03/07	07-	Liquor Inspection (Road Patrol-C. Villerot)	NO VIOLATIONS	
12/06/07	07-45774	Compliance Test - Sale to Minor (DPU)	Violation	
02/11/08		Dist Ct	Pending	
		MLCC Hearing	Pending	



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
 7150 Harris Drive - P.O. Box 30005
 Lansing, Michigan 48909-7505
 Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
 (Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 73920-2007 SS Business ID 16590 File # _____

1. Name of Licensee Jill-Nick Corporation 2. Doing Business As Buscemi's Party Shoppe

3. Mailing Address (street, city, zip code) 3176 Rochester Road; Troy 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDD/SDM

7. Date of Violation: Thursday 12/06/07 6:05 AM or PM
 (DAY) (DATE) (HOUR)

8. Violation Type: Minor Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY ? Yes No If no, you MUST answer below:
 If above minor violation was NOT a decoy describe enforcement action taken:

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-45774

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Officer Daniel Galich

Officer Signature [Signature] Name and Title (print) Officer Timothy Daniels

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Purchase - 24 oz can of Bud Light

2. Name Paul Buscemi Address 3084 Montclair Dr; Clarkston MI 48346

Will testify to: Sold alcohol to minor

3. Name _____ Address _____

Will testify to: Original cashier

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): #143615 - 24 oz can of Bud Light beer
#143614 - cassette tape

Troy PD Crime Report

Case No. 0700011599
Report No. 0700011599.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 5

unSubject: C3309 - Liquor Inspection

Case Report Status **S - Submitted**
Agency County **63 - Oakland**
Agency City/Township **84 - Troy**
Occurred On **12/6/2007 6:00:00 PM**
Or Between
Business Name **Buscemi's**
Location **3296 Rochester Rd**
CSZ **TROY, MI 48083**
Census/Geo Code
Jurisdiction
Grid
Sector
Map **0 - N/A**
Call Source **Telephone**
Vehicle Activity
Dir. Veh. Traveling
Cross Street
Means
Motive

Entered On **12/7/2007 7:38:03 AM**
Entered By **00019 - Galich, Daniel**
Verified On
Verified By
Approved On
Approved By
Related Cases
Disposition **Arrest**
Excp. Clear Reason
Excp. Clear Date
Reporting Agency **Troy PD**
Report Type **Crime Report**
Division **Patrol**
Notified
Related Cases

Reporting Officer **00019 - Galich, Daniel**
Assisted By **00080 - Daniels, Timothy**
Agency Assisted
Call for Service # **070045774**

Report Narrative **2007-45774**

On the listed date, time and location Student Enforcement Aid entered Buscemi's, selected a can of Bud Light, and attempted to purchase it. The cashier, Piscopo, asked for identification. advised that he did not have identification on him, so Piscopo asked his age. advised that he was 21 and Piscopo stated that she would have to get her manager. Buscemi, the manager, asked his age and advised he was 21, Buscemi then asked his date of birth and advised it was 08/15/87. Buscemi then approved the sale. The beer cost \$2.69. r paid for the beer and left he store.

Officer Daniels and I entered the store and advised Buscemi of the violation and checked the liquor license.

Buscemi was issued citation #717509.

The can of beer was entered into property tag #143615.
The cassette tape was entered into property tag #143614

identification was taken form him before the start of the operation.

Offense Detail: 4199 - Liquor Violations (Other)

Offense Description	4199 - Liquor Violations (Other)	Location Type	07 - Convenience Store	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)	Type Security	
Crime Against	SO	Domestic Violence	No	Tools Used	
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER				
PACC					
Local Code					

Troy PD Crime Report

Case No. 0700011599
 Report No. 0700011599.1
 Report Date: 12/7/2007

Troy PD
 500 W Big Beaver
 Troy, MI 48084
 248 524-3477

2

Using
 Criminal Activity
 Force Level
 Weapons

Arrestee A1: Buscemi, Paul Leon

Arrestee Number	A1	DOB		Place of Birth	
Name	Buscemi, Paul Leon	Age	42	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity	U - Unknown	DL Country	
Address	3084 Montclair Dr.	Ht.		Occupation/Grade	
CSZ	Clarkston, MI 48346	Wt.		Employer/School	
MO		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
Attire		Hair Style		Res. County	
Habitual Offender Status		Hair Length		Res. Country	
		Facial Hair		Resident Status	C - Resides in the County but not the community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email
Type

Description

Supplemental IDs

ID Type	ID Number	ID Issuer	Name
---------	-----------	-----------	------

Physical Characteristics

Type	Descriptor	Description
------	------------	-------------

Arrest No.	717509	Arrested For	4199 - Liquor Violations (Other)	Booked On	
Arrest Type	S - Summoned/Cited	Count		Booked Location	
FBI No.		Fingerprints		Released Location	
Criminal Tracking Number CTN		Photos		Released On	
Transaction Control Number TCN		Miranda Read		Released By	
Person Control Number PCN		Miranda Waived		Release Reason	
State No.		Number of Warrants		Held For	
Armed With	01 - Unarmed	Juvenile Disposition		Date/Time Arrested	12/6/2007 6:00:00 PM
Multi. Clearance	N - Not Applicable	Adult Present		Arrest Location	
Multi. Clearance Offense		Detention Name			
Prev. Suspect No.					
Notified Name					
Arrest Notes					

Troy PD Crime Report

Case No. 0700011599
Report No. 0700011599.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 5

Witness W1:

Witness Code

Name

Aliases

Alert(s)

Address **500 W. Big Beaver Rd.**
CSZ **Troy, MI 48084**

Attire

Race

Ethnicity

Ht.

Wt.

Eye Color

Hair Color

Facial Hair

Complexion

Place of Birth

SSN

DLN

DL State

DL Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Testify

Name

Entity No. **01**
Entity Type **X - Miscellaneous**

Name

AKA

Alert(s)

Address

CSZ

Complexion

Attire

Hair Color

Facial Hair

Place of Birth

SSN

DLN

DLN State

DLN Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. County

Res. Country

Resident Status

Busscemi's

Phone/Email
Type

Description

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Entity Notes **Cashier**

Property Description Item 1: 1200 - Beer 5402 - 1 Pint 8 oz. Can

Troy PD Crime Report

Case No. 0700011599
Report No. 0700011599.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 5

Item No. **1**
Property Category **1200 - Beer 5402**
Property Class **02**
IBR Type **02 - Alcohol**
UCR Type **I - Consumable Goods**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**
Value **2.69**
Manufacturer **Bud**
Model **Lite**
Serial No.
License No.
Color
Description **1 Pint 8 oz. Can**
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition
Evidence Tag **143615**
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

Property Description Item 2: 1305 - Recording - Cassette Tape 5426 - Tape

Item No. **2**
Property Category **1305 - Recording - Cassette Tape 5426**
Property Class **27**
IBR Type **27 - Recordings-Audio/Visual**
UCR Type **F - TV's, Radios, Stereos, Etc...**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **1**
Value
Manufacturer
Model
Serial No.
License No.
Color
Description **Tape**
Vehicle Year
Body Style

Troy PD Crime Report

Case No. 0700011599
Report No. 0700011599.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

5

Page 5 of 5

State

License Year

Recovered Date/Time

Owner

Disposition

Evidence Tag

143614

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 12/06/07	DAY THU	SHIFT 01	PLAT 99	BADGE 1 80	BADGE 2 19	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS 	YEAR 07	INCIDENT # 45774
----	------------------	------------	-------------	------------	---------------	---------------	---	----------------	------------	---------------------

02
03
04
05

06 At 6:00pm I entered Bussemis party store without
 07 any identification. I selected a 24 ounce can of
 08 Bud light. I approached the cashier to purchase the
 09 beverage. Asked for I. D. I told the cashier I
 10 came without one, she asked me my age I told
 11 her twenty-one. She told me to hold on as she
 12 went to ask the manager. The manager asked me
 13 my age and date of birth. I told him it was
 14 twenty-one and 8/15/87. He gave the okay to the
 15 cashier and she checked me out. I gave her
 16 \$2.69 for beverage and left the store.

17
18
19
20
21
22
23
24
25
26
27

28 Taken By: [Signature] X: _____ (SIC)
 29 Place: 500 W BIG BEAVER Date: 12/06/07 Time: 2100

INVESTIGATING OFFICER(S) <u>GALICH / DANVERS</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

State of Michigan
Uniform Law Citation

Ticket No. 717509 Victim Involved

US DOT # Incident No. 07-45774 Dept. No. 784

The People of: the State of Michigan
 Township City Village County

Local Use/Arrest No. Detection Device

OF: TROY BAC 1 1

Name (First, Middle, Last) PAUL LEON BUSCEMI

Street 3081 MONTCLAIR DR

City CLARKSTON State MI Zip Code 48348

Vehicle Plate No. Year State Vehicle Description (Year, Make, Color) Veh. Type

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

UPON 3176 ROXBOROUGH RD

AT OR NEAR

WITHIN CITY VILLAGE TOWNSHIP OF TROY

COUNTY OF OAKLAND

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	No.
<input checked="" type="checkbox"/> Misd	98.10.11	FAIL TO INQUIRE AS TO AGE	1
<input type="checkbox"/> C/I			2
<input type="checkbox"/> Misd			3

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) 1 2 3

Key for Type: C/I = Civil infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive
Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks:

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$
 Vehicle Impounded Injury License Posted in Lieu of Bond
 Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before 12-19-07 0810

Hearing Date (if applicable) on Contact Court
 Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the 52-4 DISTRICT Court of OAKLAND COUNTY

Court Address & Phone Number
520 W. BIG BEAVER RD.
TROY, MI 48084
PHONE (248) 528-0400

I served a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable).
I declare under the penalties of perjury that the statements above are true to the best of my information, knowledge, and belief.

Complainant's Signature and receipt (if applicable) *Paul Buscemi*

Month 12 Day 06 Year 07

Officer's Name (printed) GALICH, DANIELS

Officer's ID No. 19180

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

Ticket 717509
Name
Case No.

LCC Liquor Licensee History

Business name: **Atlas Blue Sky**
 Address: 36949 Dequindre
 Licensee: Atlas Blue Sky, Inc
 License type: SDD / SDM
 Comments: Raymond Elia / Ghassan Hermiz (248) 743-0797

Date	Troy Incident #	Type	Disposition	Date
09/10/07		Council approves new SDD / SDM		
10/23/07		Final Bldg inspections approved – MLCC notified		
12/06/07 02/25/08	07-45747	Compliance Test - Sale to Minor (DPU) Dist Ct MLCC Hearing	Violation Pending Pending	
01/02/08	08/209	Liquor Inspection (Road Patrol-Sinutko)	NO VIOLATIONS	



Michigan Department of Consumer & Industry Services
MICHIGAN LIQUOR CONTROL COMMISSION (MLCC)
7150 Harris Drive - P.O. Box 30005
Lansing, Michigan 48909-7505
Phone (517) 322-1390 ~ FAX (517) 322-6347

VIOLATION REPORT
(Authorized by P.A.58 of 1998)

* This report is not to be faxed or electronically submitted - an original signature is required*

* Officers please obtain License No., Bus. ID and File # directly from the liquor license *

License No. 163695-2007 SDD SS Business ID 194592 File # D71629
License No. 163696-2007 SDM Business ID 194592 File # D13215

1. Name of Licensee Atlas Market & Bakery 2. Doing Business As Atlas Blue Sky, Inc.

3. Mailing Address (street, city, zip code) 36949 Dequindre; Troy 48083

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) SDD/SDM

7. Date of Violation: Thursday 12/06/07 5:05 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: Minor
 Intoxicated Person After hours sales/consumption
 Gambling Fighting (must be inside licensed premises)
 Controlled Substances Failure to Cooperate
 Prohibited Conduct OTHER: _____

if MINOR: Birth date _____ Was this a DECOY ? Yes No If no, you MUST answer below:
If above minor violation was NOT a decoy describe enforcement action taken: _____

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 07-45747

* REMINDER, PLEASE MAIL THIS REPORT TO THE ADDRESS ABOVE.*

Officer Signature [Signature] Name and Title (print) Officer Joseph Morgan

Officer Signature [Signature] Name and Title (print) Officer Matthew Redmond

Department Name Troy Police Department Phone # 248-524-3431

WITNESSES

1. Name _____ Address 500 W Big Beaver Rd; Troy MI 48084

Will testify to: Purchase - 6-pack Mike's Hard Lemonade

2. Name Raymond Elia Address 3619 Jasper Dr; Sterling Hts MI 48313

Will testify to: Sold alcohol to minor

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): #143609 - sales receipt
Business - 6-pack Mike's Hard Lemonade

Call For Service

CFS Number: 070045747

Date: 12/5/2007

Call For Service

CFS Number	070045747	Complainant	
Date	12/5/2007	Address	36949 Dequindre Rd
Dispatcher	00445 - Kalef, Sam	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	2:40:34 PM	Call type	
Dispatched	2:45:06 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4102 - Liquor Violation - Sell
Cleared	2:45:10 PM	Tow Company	
Location	36949 Dequindre Rd	Vehicle	
City, State, Zip	TROY, MI 48083	Vehicle License	
Jurisdiction		Disposition	N - No Report
Grid		Priority	
Sector		Classification	
Map	0 - N/A	Agency	TR - Troy PD
X Coordinate	4104899	Case	0700011595
Y Coordinate	0118927		

Officers

00080 - Daniels, Timothy

Notes - C3309 LIQUOR INSPECT

00445 - 14:40:34 Original Location : ATLAS BLUE SKY

Troy PD Arrest Report

Case No. 0700011595
Report No. 0700011595.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

1

Page 1 of 4

unSubject: 4102 - Liquor Violation - Sell

Case Report Status	I - In Process	Entered On	12/7/2007 6:55:05 AM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00065 - Morgan, Joseph		00080 - Daniels, Timothy
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	12/6/2007 5:05:00 PM	Verified By			00048 - Redmond, Matthew
Or Between Business Name		Approved On		Agency Assisted	
Location	36949 Dequindre Rd	Approved By		Call for Service #	
CSZ	TROY, MI 48083	Related Cases			070045747
Census/Geo Code		Disposition	Arrest		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency	Troy PD		
Map	0 - N/A	Report Type	Arrest Report		
Call Source	Telephone	Division	Patrol		
Vehicle Activity		Notified			
Dir. Veh. Traveling		Related Cases			
Cross Street					
Means					
Motive					

Report Narrative 2007-45747

Officer Redmond and I, along with Student Enforcement Aide _____, went to Atlas Market located at 36949 Dequindre to conduct an L.C.C. inspection. _____ had no identification with her, it was being held at the Police Department. She activated a small personal tape recorder and gave a brief introduction indicating date and location. She then entered the business, selected a 6 pack of Uncle Mike's Hard Lemonade and proceeded to the sales clerk. _____ presented the 6 pack of Uncle Mike's hard Lemonade to Raymond Elia for purchase. Elia asked _____ for her identification. _____ told Elia that she did not have it with her. Elia asked _____ how old she was and she replied, "21." Elia then asked _____ if she was a police officer and she stated, "No." Elia continued on asking _____ if she had a boyfriend and made several advancing comments. Elia proceeded to ring up the 6 pack of Uncle Mike's Hard lemonade which totaled \$8.54. _____ gave Elia \$9.00 to complete the transaction. A short time later _____ returned to our location and handed the 6 pack of Uncle Mike's Hard Lemonade over to Officer Redmond and I. Officer Redmond and I entered the party store and made contact with the owner/sales clerk, Raymond Elia. Elia put his head down and shook his head as soon as he observed officers enter the store carrying the bag containing the Uncle Mike's. We explained the situation to Elia and advised him what would be required of his business. I issued a citation to Elia for "Fail to Inquire as to age." (citation #720287) We gathered the required information to complete an L.C.C. violation report. The 6 pack of Uncle Mike's Hard Lemonade was returned to Elia and a refund was given for the purchase.

Officer Redmond tagged the sales receipt into evidence. (property tag #143609)

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell	Location Type	17 - Liquor Store	No. Prem. Entered	
IBR Code	90G - Liquor Law Violations	Offense Completed?	Yes	Entry Method	
IBR Group	B	Hate/Bias	00 - None (No Bias)		
Crime Against	SO				

Troy PD Arrest Report

Case No. 0700011595
 Report No. 0700011595.1
 Report Date: 12/7/2007

Troy PD
 500 W Big Beaver
 Troy, MI 48084
 248 524-3477

2

Offense File Class **41002 - LIQUOR VIOLATIONS -OTHER** Domestic Violence **No** Type Security
 PACC Tools Used
 Local Code
 Using
 Criminal Activity
 Force Level
 Weapons

Arrestee A1: Elia, Raymond Amanuel

Arrestee Number	A1	DOB		Place of Birth	
Name	Elia, Raymond Amanuel	Age	30	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	A - Arab	DL Country	
Address	3619 JASPER DR	Ht.		Occupation/Grade	
CSZ	Sterling Heights, MI 48313	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	
		Hair Length		Res. Country	
		Facial Hair		Resident Status	S - Resides in the State but not the county or community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email
 Type Description

Supplemental IDs
 ID Type ID Number ID Issuer Name

Physical Characteristics
 Type Descriptor Description

Arrest No.	720287	Arrested For	4102 - Liquor Violation - Sell
Arrest Type	S - Summoned/Cited	Count	
FBI No.		Fingerprints	Booked On
Criminal Tracking Number CTN		Photos	Booked Location
Transaction Control Number TCN		Miranda Read	Released Location
Person Control Number PCN		Miranda Waived	Released On
State No.		Number of Warrants	Released By
Armed With	01 - Unarmed		Release Reason
Multi. Clearance	N - Not Applicable		
Multi. Clearance Offense			
Prev. Suspect No.			
Notified Name			

Troy PD Arrest Report

Case No. 0700011595
Report No. 0700011595.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

3

Page 3 of 4

Juvenile Disposition
Adult Present
Held For
Date/Time Arrested 12/6/2007 5:05:00 PM
Arrest Location
Arrest Notes
Detention Name

Witness W1

Witness Code
Name
Aliases
Alert(s)

Address 500 W BIG BEAVER RD
CSZ Troy, MI 48084

Attire

Ht.
Wt.
Eye Color
Hair Color
Facial Hair
Complexion

Place of Birth
SSN
DLN
DL State
DL Country
Occupation/Grade
Employer/School
Employer Address
Employer CSZ
Res. County
Res. Country
Resident Status
Testify

Phone/Email
Type

Description

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Witness Notes Student enforcement Aide.

Property Description Item 1: 1812 - Receipt 5488 - one receipt from purchase

Item No. 1
Property Category 1812 - Receipt 5488
Property Class 88
IBR Type 77 - Other
UCR Type K - Miscellaneous
Status E - Evidence (Including Other Seized Property And Tools)

Count 1
Value 854

Manufacturer
Model
Serial No.
License No.
Color
Description
Vehicle Year
Body Style
State
License Year

one receipt from purchase

Recovered Date/Time
Owner

Troy PD Arrest Report

Case No. 0700011595
Report No. 0700011595.1
Report Date: 12/7/2007

Troy PD
500 W Big Beaver
Troy, MI 48084
248 524-3477

4

Page 4 of 4

Disposition

Evidence Tag **143609**

Alert(s)

Evidence Recovered By

Evidence Recovered From

Evidence Location

Drug Type

Drug Quantity

Drug Measure

Property Notes

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 12/06/07	DAY THU	SHIFT 07	PLAT 0V	BADGE 1 65	BADGE 2 48	INCIDENT STATUS <input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT	PRIM CLASS 1 1 1	YEAR 17	INCIDENT # 45805
----	------------------	------------	-------------	------------	---------------	---------------	---	---------------------	------------	---------------------

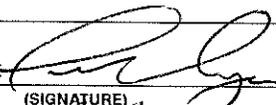
02

03 Address: ^(PLEASE PRINT) 500 W. Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48084

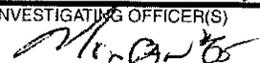
05 E-mail Address: Cell Phone:

06 Today on December 6, 2007, I proceeded into Atlas
07 Market and Bakery and picked up a case of
08 Mike's Hard Lemonade and took it to the register.
09 Raymond asked for my identification, and I told him
10 I did not have it with me, he then asked how old I was
11 and I told him I was 21. He then asked if I was a
12 police officer, and I told him no, and then he asked
13 if I had a boyfriend, and I answered yes. I then
14 paid him \$8.54 and left the store and returned
15 to Officer Morgan, and Officer Bedmond.

28 Taken By: 

29 Place: Station Date: 12-6-07 Time: 2:12

INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO



ATLAS MARKET & BAKERY
YOUR MIDDLE-EASTERN SUPERMRKT
(248)743-0797
THANK YOU

REG 12-06-2007 17:02
C01 MC #01 002384

1 MIKES HARD LEMONADE \$7.49
DEPOSIT \$0.60
2 No
TX1 \$0.45
TL \$8.54
CASH \$9.00
CG \$0.46

State of Michigan Uniform Law Citation

Ticket No. 720287 Victim Involved

DOT # Incident No. 2002-45747 Dept. No. 784

Local Use/Arrest No. Deflection Device

People of: the State of Michigan Township City Village County

TROY BAC 1 of 1

Sex Height Weight Hair Eyes Occupation/Employer

Sex: W

Name (First, Middle, Last) RAYMOND AMANVEU ELIA

Address 3619 SUSPEN DR

City State Zip Code STENING HEIGHTS MI 48320

Vehicle Plate No. Year State Vehicle Description (Year, Make, Color) Veh. Type

THE PERSON NAMED ABOVE, in violation of Local Ordinance State Law Administrative Rule

SECTION 36949 DEGRADATE

FOR OR NEAR ATLAS MONITOR

CITY VILLAGE TOWNSHIP OF TROY

COUNTY OF OAKLAND DID THE FOLLOWING

Type	MCL Cite/PACC Code/Ordinance	Description (include any bond amount collected on each charge)	Charge	No.
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	98.10.11	FAIL TO INCREASE AS TO AGE		1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv				2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.				3
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv				

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.

Offense Code(s) 436.7011A 2 3

Key for Type: C/I = Civil Infraction Misd = Misdemeanor Fel = Felony Warn = Warning Fug = Fugitive Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks:

720287

HECK IF APPROPRIATE Damage to Property Local Court Bond \$

Vehicle Impounded Injury License Posted in Lieu of Bond

Traffic Crash Death Appearance Certificate

Person in Active Military Service Yes No None

SEE DATE BELOW. SEE BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS

Appearance Date on or before 10-19-08 5016

Hearing Date (if applicable) on Juvenile Traffic Misd. (Court will Notify) Formal Hearing Required. (Court will Notify)

In the 52-4 DISTRICT Court of OAKLAND COUNTY

Court Address & Phone Number

520 W. BIG BEAVER RD.
TROY, MI 48084
PHONE (248) 528-0400

I have read a copy of the civil infraction complaint upon the defendant (or owner/occupant by posting if applicable), declare under the penalties of perjury that the statements above are true to the best of my information, knowledge and belief.

Complainant's Signature and receipt if applicable

Month 12 Day 6 Year 07

Officer's Name (Printed) TROY POLICE DEPARTMENT

Officer's ID No. 65748

Agency ORI 6378400 Agency Name TROY POLICE DEPARTMENT

Ticket 720287

Name

Case No.