



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. 173579-2008 SS Business ID 201794 File # D-72120; D132.5

1. Name of Licensee C J Mahoney's of Troy LLC 2. Doing Business As C J Mahoney's of Troy

3. Mailing Address (street, city, zip code) 2511 Livernois; Troy, Michigan 48084

4. Township _____ 5. County Oakland

6. Type of License(s) & Permit(s) Class C

7. Date of Violation: Thursday 10/02/08 6:15 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? _____ 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 # 2008-34309

* 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) John Schaufler, Police Sergeant

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

WITNESSES

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

Will testify to: Purchased alcohol

2. Name Kristen Japowicz Address 54616 Mahogany Dr; Macomb MI

Will testify to: Sold alcohol to minor

3. Name Tom Everson Address 2511 Livernois; Troy MI 48084

Will testify to: Manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain):

Troy PD Arrest Report

Case No. 0800008577
Report No. 0800008577.1
Report Date: 10/3/2008

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

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Page 1 of 3

Subject: 4171 violation of liquor laws

Case Report Status	I - In Process	Entered On	10/3/2008 4:22:11 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00065 - Morgan, Joseph	Assisted By	00201 - Schaufler, John
Agency City/Township	84 - Troy	Verified On		Agency Assisted	
Occurred On Or Between	10/2/2008 6:15:00 PM	Verified By		Call for Service #	080034309
Business Name		Approved On			
Location	2511 Livernois Ave	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	Report Type	Arrest Report		
Call Source	Telephone	Division	Patrol		
Vehicle Activity		Notified			
Dir. Veh. Traveling		Related Cases			
Cross Street					
Means					
Motive					

Report Narrative 2008-34309

Writer, Officer Morgan, and Police Service Aide _____ went to CJ Mahoney's located at 2511 Livernois to conduct an L.C.C. inspection. _____ had no identification on him, it was being held at the Police Department. _____ proceeded inside CJ Mahoney's and sat at the main bar. _____ ordered a Jack & Coke from the bartender, listed Kristen Japowicz. Japowicz never asked _____ for any identification or what his D.O.B. was. Japowicz served a Jack & Coke. The cost of the drink cost \$5.50 and _____ presented a \$20 for payment. _____ notified Officer Shuler and I that he had been served. I then contacted Sgt. Schaufler and advised him of same.

A short time later Sgt. Schaufler and I entered the business and made contact with owner Tom Everson. We explained the situation and issued Japowicz a citation for, "Fail to Inquire As to Age." (citation #710346) We gathered the required license information to complete a L.C.C. violation report and advised Everson what would be required by the business.

No further action taken by officers.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	21 - Restaurant	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					

Call For Service

CFS Number: 080034309

Date: 10/1/2008

Call For Service

CFS Number	080034309	Complainant	
Date	10/1/2008	Address	2511 Livernois Ave
Dispatcher	00512 - Jelley, Renee	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	11:06:24 PM	Call type	
Dispatched	11:06:24 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	11:06:49 PM	Tow Company	
Location	2511 Livernois Ave	Vehicle	
City, State, Zip	TROY, MI 48083	Vehicle License	
Jurisdiction		Disposition	R - Report Taken
Grid		Priority	
Sector		Classification	
Map	0 - N/A	Agency	TR - Troy PD
X Coordinate	4100094	Case	0800008577
Y Coordinate	0118217		

Officers

00065 - Morgan, Joseph

Notes - C3309 LIQUOR INSPECT

00512 - 23:06:24 Original Location : CJ MAHONEYS

Troy PD Arrest Report

Case No. 0800008577
 Report No. 0800008577.1
 Report Date: 10/3/2008

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

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Force Level
 Weapons

Arrestee A1: Japowicz, Kristen Marie

Arrestee Number	A1	DOB	1982	Place of Birth	
Name	Japowicz, Kristen Marie	Age	25	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	54616 Mohagan dr	Ht.		Occupation/Grade	
CSZ	Macomb Twp, MI 48042	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
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Physical Characteristics

Type	Descriptor	Description
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Arrest No. **710346**
 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**

Armed With **01 - Unarmed**
 Multi. Clearance **N - Not Applicable**

Fingerprints

Booked On

Multi. Clearance
 Offense

Photos

Booked Location

Prev. Suspect No.
 Notified Name

Miranda Read

Released Location

Miranda Waived

Released On

Number of Warrants

Released By

Juvenile Disposition

Release Reason

Adult Present

Held For

Date/Time Arrested

10/2/2008 6:15:00 PM

Arrest Notes

Detention Name

Arrest Location

Troy PD Arrest Report

Case No. 0800008577
Report No. 0800008577.1
Report Date: 10/3/2008

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

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Witness W1:

Witness Code	W1	DOB	_/1989	Place of Birth	
Name		Age	19	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	
		Ethnicity		DL Country	
Address	500 W BIG BEAVER RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Attire		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Witness Notes Student Enforcement Aide

Other Entity: O1 -- Everson, Tom

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Everson, Tom	Sex	M - Male	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	2511 LIVERNOIS AVE	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Complexion		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
				Res. Country	
				Resident Status	

Phone/Email
Type Description

Supplemental IDs
ID Type ID Number ID Issuer Name

Entity Notes Owner of CJ Mahoney's

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 10/02/08	DAY W	SHIFT 02	PLAT 99	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 08	INCIDENT # 34309
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02 Statement of: _____ Home Phone: (248) 524-3477

03 Address: ^(PLEASE PRINT) 500 ~~W~~ Big Beaver Business Phone:

04 City: Troy State: MI Zip: 48084

05 At _____ on October 2nd, 2008 I walked into C.J.
 06 Mahoney's located on Livernois in Troy, MI and approached
 07 the bar. One of the bartenders, later identified as Kristen
 08 Japowicz, took my order of a Jack and Coke. The cost
 09 of the drink was \$5.50 and I paid with a \$20 bill. The
 10 bartender never asked for any ID or a DOB. I was served the
 11 drink and notified Officer Joseph Morgan of the sale.

12
 13 During the incident I did not have any ID on me, it
 14 was at the station in Troy PD custody.

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27 X: _____
 (SIGNATURE)

28 Taken By: _____
 (SIGNATURE)

29 Place: STAN Date: 10/20/08 Time: 2321

INVESTIGATING OFFICER(S) STAN	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
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State of Michigan
Uniform Law Citation

Ticket No. **710346** Victim Involved

US DOT # _____ In No. **08-34309** Dept. No. **184**

The People of the State of Michigan
 Township City Village County

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

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **02** Year **08** At approximately **6:15** A.M. P.M. of _____ Year **22** (gits)

State Oper./Chauff. CDL

Race _____ Sex **W** He **F**

Name (First, Middle, Last) **KRISTEN MARIE JAPOWICZ**

Street **54616 MOHAGANY DR**

City **MACOMB MI** State **MI** Zip Code **48042**

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 **2511 LIVERNOIS**

AT OR NEAR **CJ MAHONEY'S**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND** DID THE FOLLOWING

Type	Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	FURNISH/SELL ALCOHOL TO A MINOR	1
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	98,10,06	2
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <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: **SOLD MIXED DRINK TO POLICE DECOY**

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 **10/15/08**
Hearing Date (if applicable) on **8:30 AM** 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 _____
Officer's Name (printed) **Schubler** Officer's ID No. **201**

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

UC-01a (rev. 6/05) COURT COPY 1

Ticket No. 710346

Name

Case No.

LCC Liquor Licensee History

Business Name: **C.J. MAHONEY'S OF TROY**
Address: 2511 Livernois
Licensee: C J Mahoney's of Troy, LLC
License Type: **Class C (173579-2008 SS)**
(Transferred from Southfield)
Permits: Sunday Sales, Entertainment, Dance, Outdoor Service
Comments: Thomas W. Everson-Member / Curtiss E. Pagels-Member

Date	Troy Incident #	Type	Disposition	Date
06/02/08		Council approves license		
06/30/08		MLCC notice of deficiency received		
09/02/08		Final inspection complete		
10/02/08	08-34309	Compliance Test (DPU) Sale to Minor	VIOLATION	
12/30/08	08-44571	Compliance Test	PASSED	

January 28, 2009

C J Mahoney's of Troy, LLC
dba: C J Mahoney's of Troy
2511 Livernois
Troy, Michigan 48084

Re: NOTICE OF PUBLIC HEARING - Liquor License Violation

To whom it may concern:

A Public Hearing will be held by and before the Council of the City of Troy at City Hall, 500 W Big Beaver, Troy, Michigan on **Wednesday, February 18, 2009 at 7:30 PM**, or as soon thereafter as the agenda will permit, to determine whether the City Council should recommend to the Michigan Liquor Control Commission, the renewal or non-renewal of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: Class C
License Number: 173579-2008 SS
Violation : Compliance Test (DPU) - Sale to Minor
Violation Date(s): 10/2/2008

You will be given an opportunity to be heard and present evidence at the public hearing and legal counsel may represent you. If you have questions regarding the procedure or the facts and circumstances surrounding your violation(s), you may contact the City Attorney's office at 248-524-3320.

Sincerely,

Barbara A. Pallotta, CMC
Deputy City Clerk

c: Attorney: Contact not on file.