

Cancelled

due to lack of quorum

AGENDA

Regular Meeting of the

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

FEBRUARY 11, 2009

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.

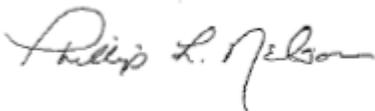
Identified below are outcome statements for the City, which have been advanced by the governing body; and Agenda items submitted for your consideration are on course with these goals.

Outcome Statements

- I. Troy enhances the health and safety of the community
- II. Troy adds value to properties through maintenance or upgrades of infrastructure and quality of life venues
- III. Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world

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 11, 2009 – 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

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 - b) Rite Aid Discount Pharmacy (dba: Rite Aid #4305)..... 4
 - c) 7-Eleven, Inc. (dba: 7-Eleven)..... 5
 - d) Arbor Drugs, Inc. (dba: CVS Pharmacy #8162)..... 6
 - e) ADI Realty, Inc. (dba: CVS Pharmacy #8242)..... 7
 - f) MK2, LLC (dba: Lucky’s Market) 8
 - g) K-Mart Corporation (dba: Big K-Mart No. 4082) 9
 - h) NLM, Inc. (dba: Manny’s Liquor Shoppe) 11
 - i) Troy Cheese & Wine Market, Inc. (dba: Troy Cheese & Wine Market) 12
 - j) Wal-Mart Store No. 2873. (dba: Wal-Mart)..... 13
 - k) Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market) 14
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- Wednesday, February 18, 2009 (Liquor Violation Hearing) Regular City Council . 19
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- Monday, March 30, 2009 Regular City Council 19
- Monday, April 6, 2009 Regular City Council 19

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
Mayor Pro Tem 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: Rite Aid of Michigan, Inc. (dba: Rite Aid #2731)
Address: 1981 W. South Blvd., 48098
License No.: SDM (78430-2008)
- b) Name: Rite Aid Discount Pharmacy (dba: Rite Aid #4305)
Address: 2971 W. Maple Road, 48084
License No.: SDD/SDM (10077-2008 SS)
- c) Name: 7-Eleven, Inc. (dba: 7-Eleven)
Address: 1650 Crooks Road, 48084
License No.: SDD (18175-2007 SS); SDM (14683-2007)
- d) Name: Arbor Drugs, Inc. (dba: CVS Pharmacy #8162)
Address: 2045 W. South Boulevard, 48098
License No.: SDM (0815-2008)
- e) Name: ADI Realty, Inc. (dba: CVS Pharmacy #8242)
Address: 4963 John R, 48085
License No.: SDM (73139-2007)
- f) Name: MK2, LLC (dba: Lucky's Market)
Address: 4835 John R, 48085
License No.: SDD (134567-2008 SS); SDM (134568-2008)
- g) Name: K-Mart Corporation (dba: Big K-Mart No. 4082)
Address: 100 E. Maple Road, 48083
License No.: SDM (172382-2008)
- h) Name: NLM, Inc. (dba: Manny's Liquor Shoppe)
Address: 42951 Dequindre, 48098
License No.: SDD (10801); SDM (13095)
- i) Name: Troy Cheese & Wine Market, Inc.
(dba: Troy Cheese & Wine Market)
Address: 2558 E. Maple Road, 48083
License No.: SDD/SDM; (18079) (11930)
- j) Name: Wal-Mart Store No. 2873. (dba: Wal-Mart)
Address: 2001 W. Maple Road, 48084
License No.: SDM (165039-2008)

- k) Name: Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market)
Address: 2967 E. Big Beaver Road, 48083
License No.: SDM (133734-2008)
- l) Name: Good Food Company East (dba: Good Food Company)
Address: 74 W. Maple Road, 48084
License No.: SDM (105946-2008)
- m) Name: Konja 1, Inc. (dba: Carl's Liquor Store)
Address: 5903 John R, 48085
License No.: SDD/SDM (164595-2008)
- n) Name: Agrusa International Marketplace
(dba: Agrusa International Marketplace)
Address: 5047 Rochester Road, 48085
License No.: SDM (179471-2008)

1.0 Liquor Violations – SDD & SDM

a) Rite Aid of Michigan, Inc. (dba: Rite Aid #2731)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Rite Aid of Michigan, Inc. (dba: Rite Aid #2731)
Address: 1981 W. South Blvd., 48098
License No.: SDM (78430-2008)

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 21, 2008;

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 11, 2009;

WHEREAS, The licensee has had prior violations dated: June 19, 2003 - SALE TO MINOR (Compliance Test); February 28, 2002 - 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 78430-2008 in the name of Rite Aid of Michigan, 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) Rite Aid Discount Pharmacy (dba: Rite Aid #4305)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Rite Aid Discount Pharmacy (dba: Rite Aid #4305)

Address: 2971 W. Maple Road, 48084

License No.: SDD/SDM (10077-2008 SS)

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 October 10, 2008;

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 11, 2009;

WHEREAS, The licensee has had prior violations dated: September 25, 2001 - SALE TO MINOR (Compliance Test); October 27, 1999 - SALE TO MINOR (Compliance Test); June 25, 1992 - SALE TO MINOR; February 6, 1992 - SALE TO MINOR (Compliance Test); October 4, 1991 – SALE TO MINOR; August 2, 1991 – SALE TO MINOR; October 26, 1989 – SALE TO MINOR (Compliance Test); March 3, 1989 – SALE TO MINOR (Controlled Buy); August 22, 1981 – SALE TO MINOR; August 22, 1981 – SALE TO MINOR; 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM/SDM License Number 10077-2008 SS in the name of Rite Aid Discount Pharmacy 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) 7-Eleven, Inc. (dba: 7-Eleven)

Suggested Resolution
Resolution #2009-02-
Moved by
Seconded by

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

Name: 7-Eleven, Inc. (dba: 7-Eleven)
Address: 1650 Crooks Road, 48084
License No.: SDD (18175-2007 SS); SDM (14683-2007)

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 February 21, 2008;

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 11, 2009;

WHEREAS, This licensee has had prior violations dated: February 11, 2006 – SALE TO MINOR (LCC Investigation); June 25, 2002 – SALE TO MINOR (Compliance Test); October 23, 1987 - SALE TO MINOR (Compliance Test); November 24, 1985 – SALE TO INTOXICATED PERSON; February 26, 1983 – SALE AFTER HOURS; September 26, 1981 – SALE TO MINOR; April 17, 1981 – SALE TO MINOR; December 22, 1980 – SALE TO MINOR; 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 18175-2007 SS & SDM License Number 14683-2007 in the name of 7-Eleven, 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and.

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) Arbor Drugs, Inc. (dba: CVS Pharmacy #8162)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Arbor Drugs, Inc. (dba: CVS Pharmacy #8162)

Address: 2045 W. South Boulevard, 48098

License No.: SDM (0815-2008)

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 21, 2008;

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 11, 2009;

WHEREAS, This licensee has had prior violations dated: August 23, 2007 – SALE TO MINOR (Compliance Test); May 10, 2008 – 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 0815-2008 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) ADI Realty, Inc. (dba: CVS Pharmacy #8242)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: ADI Realty, Inc. (dba: CVS Pharmacy #8242)
Address: 4963 John R, 48085
License No.: SDM (73139-2007)

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 February 21, 2008;

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 11, 2009;

WHEREAS, This licensee has had prior violations dated: May 3, 2007 – SALE TO MINOR (Compliance Test); 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 73139-2007 in the name of ADI Realty, 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) MK2, LLC (dba: Lucky's Market)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: MK2, LLC (dba: Lucky's Market)
 Address: 4835 John R, 48085
 License No.: SDD (134567-2008 SS); SDM (134568-2008)

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 21, 2008;

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 11, 2009;

WHEREAS, This licensee has had a prior violation dated: June 22, 2006 – 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 134568-2008 and SDD License Number 134568-2008 in the name of MK2, LLC 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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

Suggested Resolution
 Resolution #2009-02-
 Moved by
 Seconded by

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

Name: K-Mart Corporation (dba: Big K-Mart No. 4082)
Address: 100 E. Maple Road, 48083
License No.: SDM (172382-2008)

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 December 30, 2008;

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 11, 2009;

WHEREAS, This licensee has had prior violations dated; August 23, 2007 – SALE TO MINOR (Compliance Test); 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 172382-2008 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) NLM, Inc. (dba: Manny's Liquor Shoppe)Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: NLM, Inc. (dba: Manny's Liquor Shoppe)

Address: 42951 Dequindre, 48098

License No.: SDD (10801); SDM (13095)

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 (MLCC Compliance Test) on May 29, 2008;

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 11, 2009;

WHEREAS, This licensee has had prior violations dated: December 6, 2006 – CITY ORDINANCE VIOLATION FOR IMPROPER DISPLAY OF ALCOHOL; July 25, 2000 – SALE TO MINOR (Compliance Test); July 21, 1999 – MLCC SALE TO MINOR (Compliance Test); October 28, 1998 – SALE TO MINOR (Compliance Test); July 23, 1992 – FURNISH ALCOHOL TO MINOR; October 26, 1989 – SALE TO MINOR (Compliance Test); October 23, 1987 – 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 10801 and SDM License Number 13095 in the name of NLM, 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) Troy Cheese & Wine Market, Inc. (dba: Troy Cheese & Wine Market)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Troy Cheese & Wine Market, Inc. (dba: Troy Cheese & Wine Market)
 Address: 2558 E. Maple Road, 48083
 License No.: SDD/SDM; (18079) (11930)

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 21, 2008;

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 11, 2009;

WHEREAS, This licensee has had prior violations dated: October 27, 2000 – SELLING SPIRITS WHICH HAVE BEEN PURCHASED FROM AN ILLEGAL SOURCE FROM BETWEEN 06/28/00-8/28/00 TO PRESENT; May 23, 1991 – SALE TO MINOR (Compliance Test); February 19, 1987 – SALE TO MINOR (Compliance Test); May 25, 1985 – SALE TO MINOR; September 18, 1981 – SALE TO MINOR; 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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Numbers 18079/11930 in the name of Troy Cheese & Wine Market, 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) Wal-Mart Store No. 2873. (dba: Wal-Mart)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Wal-Mart Store No. 2873 (dba: Wal-Mart)

Address: 2001 W. Maple Road, 48084

License No.: SDM (165039-2008)

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 October 2, 2008;

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 11, 2009;

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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 165039-2008 in the name of Wal-Mart Store No. 2873 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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:

k) Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Aldi, Inc. (Michigan) Store #90 (dba: Aldi Food Market)

Address: 2967 E. Big Beaver Road, 48083

License No.: SDM (133734-2008)

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 October 2, 2008;

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 11, 2009;

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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDM License Number 133734-2008 in the name of Aldi, Inc. (Michigan) Store #90 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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) Good Food Company East (dba: Good Food Company)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Good Food Company East (dba: Good Food Company)
Address: 74 W. Maple Road, 48084
License No.: SDM (105946-2008)

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 October 2, 2008;

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 11, 2009;

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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD License Number 105946-2008 in the name of Good Food Company East 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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:

m) Konja 1, Inc. (dba: Carl's Liquor Store)

Suggested Resolution

Resolution #2009-02-

Moved by

Seconded by

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

Name: Konja 1, Inc. (dba: Carl's Liquor Store)
Address: 5903 John R, 48085
License No.: SDD/SDM (164595-2008)

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 on December 8, 2008;

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 11, 2009;

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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Number 164595-2008 in the name of Konja 1, 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

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:

n) Agrusa International Marketplace (dba: Agrusa International Marketplace)

Suggested Resolution
Resolution #2009-02-
Moved by
Seconded by

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

Name: Agrusa International Marketplace
(dba: Agrusa International Marketplace)
Address: 5047 Rochester Road, 48085
License No.: SDM (179471-2008)

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 December 30, 2008;

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 11, 2009;

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 11, 2009;

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; and

BE IT FURTHER RESOLVED, That the Troy City Council **REQUIRES** the licensee (SDD/SDM License Number 179471-2008 in the name of Agrusa International Marketplace 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 RESOLVED, That notice of the above referenced violation **SHALL BE PUBLISHED** in a local newspaper of general circulation; and

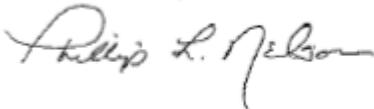
BE IT FURTHER RESOLVED, That a certified copy of this resolution be **SENT** to the Michigan Liquor Control Commission for inclusion in the licensee's file.

Yes:

No:

ADJOURNMENT

Respectfully submitted,



Phillip L. Nelson, City Manager

FUTURE CITY COUNCIL PUBLIC HEARINGS:

Monday, February 16, 2009

1. Special Assessment Roll for Asphalt Paving of Florence, in Section 9, Project No. 08.108.1
2. Street Vacation – Portions of Daley Street abutting Lots 28 and 33 of Supervisors Plat No. 11 Subdivision, South of Big Beaver, North of I-75, Section 26

SCHEDULED CITY COUNCIL MEETINGS:

Monday, February 16, 2009 Regular City Council
Wednesday, February 18, 2009 (Liquor Violation Hearing) Regular City Council
Monday, March 2, 2009 Regular City Council
Monday, March 23, 2009 Regular City Council
Monday, March 30, 2009 Regular City Council
Monday, April 6, 2009 Regular City Council



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. SDM 78430-2008 Business ID 132003 File # D-67981; D 132.5

1. Name of Licensee Rite Aid of Michigan, Inc. 2. Doing Business As Rite Aid #2731

3. Mailing Address (street, city, zip code) 1981 W South Boulevard; Troy 48098

4. Township 5. County Oakland

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

7. Date of Violation: Wednesday 05/21/08 7:10 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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 # 08-17738

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

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

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

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 of Heineken beer

2. Name _____ Address _____

Will testify to: Sold alcohol to minor

3. Name Anita _____ Address 1981 W South Blvd; Troy MI 48098

Will testify to: Store manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Maxell cassette tape and store receipt

Case #0800004539

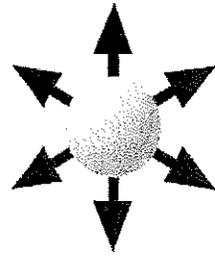
Face Sheet Printed: 5/22/2008 3:18:55 PM

Case Open Date: 5/22/2008

Case Close Date: N/A

Case Subject: 4198 - Liquor - Furnishing Alcohol to a Minor

Agency: TR - Troy PD



Status: OPEN

CR No: 0800004539.1 Status: S - Submitted

Involved Entities

Entity Type	Entity Name	Offense
Arrestee		Liquor - Furnishing Alcohol to a Minor
Property		

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

Call for Service Information

CFS Number: 080017716

CFS Date: 5/20/2008

Time Received: 10:36:33 PM

Time Arrived:

Location: 2560 E Maple Rd
City: TROY

Disposition: Report Taken

Reported Offense: C3309 - Liquor Inspection

Verified Offense: 4171 - Violation of Liquor Control
Laws

Officers: 00048 - Redmond, Matthew

Assignment History

Officer: 00048 - Redmond, Matthew

Date Assigned: 5/22/2008 2:37:29 PM

Date Unassigned: N/A

Troy PD Arrest Report

Case No. 0800004539
Report No. 0800004539.1
Report Date: 5/22/2008

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

1

Page 1 of 3

Subject: 4198 - Liquor - Furnishing Alcohol to a Minor

Case Report Status	I - In Process	Entered On	5/22/2008 3:06:36 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew	00048 - Redmond, Matthew	
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	5/21/2008 7:08:00 PM	Verified By		00065 - Morgan, Joseph	
Or Between		Approved On		Agency Assisted	
Business Name	Rite Aid	Approved By		Call for Service #	
Location	2560 E MAPLE RD	Related Cases		080017716	
CSZ	Troy, MI 48083	Disposition	Arrest		
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Report Type	Arrest Report		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 08-17738

Ofc Morgan and I (Ofc M. Redmond) and Student Enforcement Aide _____, went to Rite Aid located at 1981 W South Blvd to conduct an L.C.C. inspection. I _____ had no identification with her as it was held at the Troy Police Department. She entered the business and selected a six pack of Heineken bottled beer and brought it to the front register. The sales clerk, later identified as _____ did not ask _____ or her identification. _____ processed the sale for \$9.60 which _____ paid for in cash before exiting the store. Ofc Morgan and I entered the store and spoke with _____ and Rite Aid Store Manager Anita. _____ acknowledged to Ofc's the he did not ask for identification from _____ and believed she was "old enough" and sold the alcohol to her without asking for identification. I gathered the the necessary information from the store's liquor license and completed the Violation Report. Ofc Morgan advised _____ what would be required of him. _____ was issued citation #720295 for Furnishing Alcohol to a Minor.

The sales receipt and an audio cassette recording of the sale was tagged and placed into evidence (tag #145741).

No further action taken.

Offense Detail: 4198 - Liquor - Furnishing Alcohol to a Minor

Offense Description	4198 - Liquor - Furnishing Alcohol to a Minor	Location Type	09 - Drug Store/Doctors Office/Hospital
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	
		Tools Used	

Troy PD Arrest Report

Case No. 0800004539
Report No. 0800004539.1
Report Date: 5/22/2008

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

2

Page 2 of 3

Using
Criminal Activity
Force Level
Weapons

Arrestee A1: [REDACTED]

Arrestee Number	A1	DOB	[REDACTED] 1988	Place of Birth	
Name	[REDACTED]	Age	19	SSN	
Aliases	[REDACTED]	Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	1981 W South Blvd	Ht.		Occupation/Grade	
CSZ	Troy, MI 48098	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	C - Resides in the County but not the community where the offense occurred
		Complexion			
		Build			
		Teeth			

Phone/Email Type Description

Supplemental IDs ID Number ID Issuer Name

Physical Characteristics Type Descriptor Description

Arrest No.	720295	Arrested For	4198 - Liquor - Furnishing Alcohol to a Minor
Arrest Type	S - Summoned/Cited	Count	
FBI No.		Fingerprints	
Criminal Tracking Number CTN		Photos	
Transaction Control Number TCN		Miranda Read	
Person Control Number PCN		Miranda Waived	
State No.		Number of Warrants	
Armed With	01 - Unarmed	Juvenile Disposition	
Multi. Clearance	N - Not Applicable	Adult Present	
Multi. Clearance Offense		Detention Name	
Prev. Suspect No.			
Notified Name			
Arrest Notes			
		Booked On	
		Booked Location	
		Released Location	
		Released On	
		Released By	
		Release Reason	
		Heid For	
		Date/Time Arrested	5/21/2008 7:08:00 PM
		Arrest Location	

Troy PD Arrest Report

Case No. 0800004539
Report No. 0800004539.1
Report Date: 5/22/2008

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

3

Page 3 of 3

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - cassette recording and sales receipt

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 **1**
Manufacturer
Model
Serial No.
License No.
Color
Description **cassette recording and sales receipt**
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition **depository**
Evidence Tag **145741**
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

NARRATIVE REPORT WITNESS STATEMENT

01	DATE: 05/21/08	DAY: WED	SHIFT: 12	PLAT: 919	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: 08	INCIDENT #: 17738
----	----------------	----------	-----------	-----------	-------------	-------------	--	-------------	----------	-------------------

02 Home Phone: 39

03 Business Phone:

04 State: MI Zip: [redacted]

05 E-mail Address: Cell Phone:

06 I went into Prite Aid, I went to the
07 cooler and selected a 6 pack of Heinekens and proceeded
08 to the cashier. The cashier did not ask for any I.D.
09 or birth date. The clerk rang up the beer which
10 totaled, \$9.50. I proceeded with the beer and brought
11 it back to officer Morgan and officer Redmond.

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27 X: [redacted]

28 Taken By: [Signature] #65 (SIGNATURE)

29 Place: SA ToD Date: 5-21-08 Time: 2:45

INVESTIGATING OFFICER(S) Morgan #65 / Redmond #48	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--	-------------	---------------------	--------------

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG **145741**

COMPLAINT# CB-17738

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # _____

CHARGE / INCIDENT Furnish Alcohol Person 521 DESCRIPTION 1 Marcell cassette tape
& 1 receipt from Auto Aid

SERIAL # _____ DRUG WT. _____

REPORTING OFFICER M. Redmond #44 DATE 5-21-08 TIME 2047

DEFENDANT: _____
Last First Middle DOB 88

DEFENDANT: _____
Last First Middle DOB

INSTRUCTIONS TO PROPERTY SECTIONS: Hold for court

OWNER: NAME _____ PHONE _____

ADDRESS _____ CITY _____ ZIP _____

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

DISPOSITION: AUCTIONED DESTROYED REUSED OTHER DATE _____



With us, it's personal.

Store #02731
1981 W.SOUTH BLVD
TROY, MI 48098
(248) 813-9581

Register #2 Transaction #694817
Cashier #27316556 5/21/08 7:05PM

1 HEINEKEN 12Z 6PK NR	8.49	T
1 Bottle Deposit	0.60	F
1 Items	Subtotal	9.09
	Tax	.51
	Total	9.60
CASH PAYMENT		20.00
	Tendered	20.00
	Cash Change	10.40

Internet Refills at RiteAid.com
powered by drugstore.com
1-800-RITEAID for customer service

State of Michigan
Uniform Law Citation

Ticket No. 120295 Victim Involved

US DOT # _____ Incident No. 2008-17738 Dept No. 787

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

Local Use/Arrest No. _____ Detection Device _____

OF: TROY BAC _____

THE UNDERSIGNED SAYS THAT ON: Month 5 Day 21 Year 08 At approximately 7:08 A.M. P.M. Date Month Day Year 98

State Oper./Chauff. CDL

Race W Sex He

Name (First) _____

Street _____

City _____

Ve _____

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

UPON 1981 W. SOUTH BOULEVARD

AT OR NEAR _____

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 checked="" type="checkbox"/> C/I <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv	UNLAWFUL/SECC A.K.O.H. TO APPEAR UNDER 21	1
<input type="checkbox"/> C/I <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <input type="checkbox"/> Fug <input type="checkbox"/> Waiv		2
<input type="checkbox"/> C/I <input type="checkbox"/> Misd <input type="checkbox"/> Fel	<input type="checkbox"/> Warn <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) 1 436.17011-A 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: RITE AD

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 JUNE 17 2008 8:30 AM
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 _____ Month 5 Day 21 Year 08

Officer's Name (printed) TROY POLICE DEPARTMENT Officer's ID No. 65148

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

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

Ticket 720295

Name

Case No.

LCC

Liquor Licensee History

Business Name: **Rite-Aid Pharmacy #2731**
 Address: 1981 W. South Blvd. (248) 813-9581
 Licensee: Rite Aid of Michigan, Inc.
 License Type: **SDM 78430-2008**
 Permits:
 Comments:

Date	Troy Incident #	Type	Disposition	Date
11/15/00	00-42346	Compliance Test	PASSED	
04/24/01		Compliance Test	PASSED	
08/14/01	01-29142	Compliance Test	PASSED	
09/25/01	01-34511	Compliance Test	PASSED	
10/31/01	01-39295	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/05/02	02-00498	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06347	Sale to Minor (Compliance Test)	\$500	7/17/02
03/02/02	02-06596	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/08/02	02-10621	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/25/02	02-	Compliance Test	PASSED	
07/06/02	02-21815	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
08/24/02	02-27882	Liquor Inspection (Road Patrol-MLivingston)	NO VIOLATIONS	
10/16/02	02-34065	Compliance Test	PASSED	
11/23/02	02-38039	Liquor Inspection (Road Patrol-Lepola)	NO VIOLATIONS	
12/21/02	02-41154	Liquor Inspection (Road Patrol-Lepola)	NO VIOLATIONS	
02/15/03	03-4767	Liquor Inspection (Road Patrol-Lepola)	NO VIOLATIONS	
02/26/03	Council	Public Hearings for 2002 Violation(s)-Must certify all employees's who sell alcohol in TIPS/TAMS; proof to PD within 90 days.		
03/24/03	03-8714	Compliance Test	PASSED	

06/12/03	03-17590	Liquor Inspection (Road Patrol-Kocenda)	NO VIOLATIONS	
06/19/03	03-18496	Sale to Minor (Compliance Test)	\$600 fine	10/28/03
07/22/03	03-22596	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS	
07/29/03	03-23411	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS	
10/27/03	03-33198	Compliance Test	PASSED	
02/08/04	04-03998	Liquor Inspection (Road Patrol- Nastasi)	NO VIOLATIONS	
02/13/04	04-04505	Liquor Inspection (Road Patrol- Nastasi)	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; must install an ID card scanner within 90 days		
03/12/04	04-07309	Liquor Inspection (Road Patrol- Nastasi)	NO VIOLATIONS	
03/29/04	04-09089	Liquor Inspection (Road Patrol- Nastasi)	NO VIOLATIONS	
03/22/04	04-08390	Compliance Test	PASSED	
05/30/04		Proof received		
07/23/04	04-22251	Liquor Inspection (Road Patrol- Nastasi)	NO VIOLATIONS	
02/11/05	05-04803	Compliance Test	PASSED	
02/15/05	05-05153	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS	
03/02/05	05-06972	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS	
05/18/05	05-16483	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS	
06/07/05	05-19090	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS	
08/02/05	05-26841	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS	
10/13/05		Compliance Test	PASSED	
12/17/05	05-44377	Liquor Inspection (Road Patrol- Stacey)	NO VIOLATIONS	
01/18/05	06-2239	Liquor Inspection (Road Patrol- Stacey)	NO VIOLATIONS	
02/25/06	06-7456	Liquor Inspection (Road Patrol- Stacey)	NO VIOLATIONS	
05/23/06	06-19386	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
08/30/06	06-33787	Liquor Inspection (Road Patrol- Stacey)	NO VIOLATIONS	
12/21/06		Compliance Test	PASSED	
01/12/07	07-1021	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS	
02/05/07	07-4559	Liquor Inspection (Road Patrol- Cole)	NO VIOLATIONS	

05/03/07	07-16143	Compliance Test	PASSED
06/03/07	07-20506	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
08/23/07	07-32141	Compliance Test	PASSED
09/17/07	07-35586	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
12/03/07	07-45533	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
12/06/07	07-45849	Compliance Test	PASSED
01/11/08	08-1440	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
02/21/08	08-6604	Compliance Test	PASSED
02/21/08	08-6640	Compliance Test	PASSED
03/08/08	08-8686	Liquor Inspection (Road Patrol-Laforest)	NO VIOLATIONS
03/17/08	08-9758	Liquor Inspection (Road Patrol-Feld)	NO VIOLATIONS
05/21/08	08-17738	Sale to Minor (Compliance Test)	
09/10/08		MLCC: Neg Settlement	\$700 Fine
01/15/09		TAM Proof received	
06/21/08	08-22000	Liquor Inspection (Road Patrol-N. Pappas)	NO VIOLATIONS
09/10/08	08-31718	Liquor Inspection (Road Patrol-N. Pappas)	NO VIOLATIONS
10/02/08	08-34278	Compliance Test	PASSED
12/30/08	08-44463	Compliance Test	PASSED

January 28, 2009

Rite Aid of Michigan, Inc
dba: Rite Aid #2731
1981 W. South Boulevard
Troy, Michigan 48098

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 78430-2008
Violation : Compliance Test - Sale to Minor
Violation Date(s): 5/21/2008

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: Michael J. Brown
Carlin, Edwards, Brown and Howe
Carlin, Edwards, Brown & Howe. PLLC
Lansing, MI 48919



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. 10077-2008 SS Business ID 9143 File # D-66860; D132.5

1. Name of Licensee Rite Aid Discount Pharmacy #4305 2. Doing Business As Rite Aid

3. Mailing Address (street, city, zip code) 2971 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

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

7. Date of Violation: Thursday 10/02/08 10:02 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 2008-34331

* 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) Frank Shuler, Police Officer

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 Laura Wasilco Address 3177 Caroline; Auburn Hills MI 48326

Will testify to: Sold alcohol to minor

3. Name Tammi Abernathy Address 2971 W Maple Rd; Troy MI 48084

Will testify to: Store manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

- Location Held (Explain):
- Maxell recording tape; Property Tag No. 147289
 - 16 ounce can of Sparks Alcoholic Energy Drink; Property Tag No. 147290
 - Sales receipt; Property Tag No. 147290

Troy PD Arrest Report

Case No. 0800008579
Report No. 0800008579.1
Report Date: 10/3/2008

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

1

Page 1 of 5

Subject: 4171 violation of liquor laws

Case Report Status I - In Process
Agency County 63 - Oakland

Entered On 10/3/2008 4:53:47 PM
Entered By 00065 - Morgan, Joseph

Reporting Officer
00065 - Morgan, Joseph

Agency City/Township 84 - Troy

Verified On
Verified By

Assisted By
00046 - Shuler, Frank

Occurred On 10/2/2008 10:02:00 PM
Or Between

Approved On
Approved By

Business Name

Related Cases

Agency Assisted

Location 2971 W Maple Rd
CSZ TROY, MI 48083

Disposition Arrest

Census/Geo Code

Excp. Clear Reason

Call for Service #

Jurisdiction

Excp. Clear Date

080034331

Grid

Reporting Agency

Report Type Troy PD
Arrest Report
Patrol

Sector

Division

Map 0 - N/A

Notified

Call Source Telephone

Related Cases

Vehicle Activity

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative 2008-34331

Writer, Officer Morgan, and Student Enforcement Aide [redacted], went to Rite Aid located at 2971 W. Maple to conduct an L.C.C. inspection. [redacted] had no identification on him, it was being held at the Police Department. [redacted] activated a small personal tape recorder and gave a brief introduction indicating the time, date and location. He then entered the business, selected a can of Sparks Alcoholic Energy Drink from the cooler and proceeded to the check out area. He presented the Sparks drink to sales clerk Laura Wasilco for purchase. Wasilco rang up the Sparks drink and asked for [redacted] J.O.B. which he stated was 01-23-89. Wasilco continued with the sale and [redacted] paid with \$2. [redacted] walked outside and handed me the Sparks drink.

A short time later Officer Shuler and I entered Rite Aid and made contact with Store Manager Tammi Abernathy. We explained the situation and issued Wasilco a citation for, "Fail to Inquire As to Age." (citation #710363) We gathered the required license information to complete a L.C.C. violation report and advised Abernathy what would be required by the business.

Officer Shuler tagged into evidence the cassette tape. (property tag #147289) Officer Shuler also tagged into evidence the Sparks Energy drink and the receipt from the transaction. (property tag #147290)

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	09 - Drug Store/Doctors Office/Hospital
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	41001 - LIQUOR LICENSE -ESTABLISHMENT		
PACC			
Local Code			

Printed For: [Signature]
Printed: October 3, 2008 - 5:56 PM

Call For Service

CFS Number: 080034331

Date: 10/1/2008

Call For Service

CFS Number 080034331
Date 10/1/2008
Dispatcher 00512 - Jelley, Renee
Call Source 0 - Telephone
Received 11:22:00 PM
Dispatched 11:22:00 PM
Arrived
Cleared 11:22:19 PM
Location 2971 W Maple Rd
City, State, Zip TROY, MI 48083
Jurisdiction
Grid
Sector
Map 0 - N/A
X Coordinate 4096998
Y Coordinate 0117009

Complainant
Address 2971 W Maple Rd
City, State, Zip TROY, MI 48083
Phone
Call type
Reported Offense C3309 - Liquor Inspection
Verified Offense 4171 - Violation of Liquor Control Laws
Tow Company
Vehicle
Vehicle License
Disposition R - Report Taken
Priority
Classification
Agency TR - Troy PD
Case 0800008579

Officers

00065 - Morgan, Joseph
Notes - C3309 LIQUOR INSPECT

00512 - 23:22:00 Original Location : RITE AID

Troy PD Arrest Report

Case No. 0800008579
 Report No. 0800008579.1
 Report Date: 10/3/2008

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

2

Using
 Criminal Activity
 Force Level
 Weapons

Arrestee A1: Wasilco, Laura Sue

Arrestee Number **A1**
 Name **Wasilco, Laura Sue**
 Aliases
 Alert(s)
 Address **3177 CAROLINE ST**
 CSZ **Auburn Hills, MI 48326**
 MO
 Attire
 Habitual Offender Status

DOB **1978**
 Age **30**
 Sex **F - Female**
 Race **W - White**
 Ethnicity **U - Unknown**
 Ht.
 Wt.
 Eye Color
 Hair Color
 Hair Style
 Hair Length
 Facial Hair

Place of Birth
 SSN
 DLN
 DL State
 DL Country
 Occupation/Grade
 Employer/School
 Employer Address
 Employer CSZ
 Res. County
 Res. Country
 Resident Status

Mr. [REDACTED]
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. **710363**
 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 **4171 - Violation of Liquor Control Laws**
 Count **1**
 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 **10/2/2008 10:02:00 PM**
 Arrest Location

Troy PD Arrest Report

Case No. 0800008579
Report No. 0800008579.1
Report Date: 10/3/2008

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

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Page 3 of 5

Witness W1:

Witness Code	W1	DOB	1989	Place of Birth	
Name	[REDACTED]	Age	19	SSN	
Aliases	[REDACTED]	Sex	M - Male	DLN	
Alert(s)		Race	W - White	DLN State	
		Ethnicity		DLN 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 Police Service Aide

Other Entity: O1 -- Abernathy, Tammi

Entity No.	O1	DOB	1977	Place of Birth	
Entity Type	I - Person Interview	Age	31	SSN	
Name	Abernathy, Tammi	Sex	F - Female	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	2971 W MAPLE RD	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 Store Manager

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

Troy PD Arrest Report

Case No. 0800008579
Report No. 0800008579.1
Report Date: 10/3/2008

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

4

Page 4 of 5

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
Vehicle Year
Body Style
State
License Year

Cassette Tape

Recovered Date/Time
Owner
Disposition
Evidence Tag 147289
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes Cassette Tape from transaction.

Property Description Item 2: 1812 - Receipt 5488 - Receipt and Sparks Energy Drink

Item No. 2
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 2
Value
Manufacturer
Model
Serial No.
License No.
Color
Description
Vehicle Year
Body Style

Receipt and Sparks Energy Drink

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 10/20/08	DAY THU	SHIFT 02	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 08	INCIDENT # 34331
----	------------------	------------	-------------	-------------	---------------	---------	---	------------	------------	---------------------

02 Statement of: _____ Home Phone: (248) 524-3477

03 Address: 500 W. Big Beaver (PLEASE PRINT) Business Phone: _____

04 City: Troy State: MI Zip: 48084

05 At _____ on October 2nd, 2008 I walked into Rite-Aid

06 Pharmacy located at Maple and Coolidge in Troy, MI and

07 selected a can of Sparks alcoholic energy drink from the

08 cooler. I took the item to the cashier, later identified as

09 Laura Wasilco. The cashier rang up the item and asked

10 for my DOB. I told her my actual DOB of 1/23/1989.

11 The cashier continued the sale and I payed with \$2.

12 I then walked outside and turned over the item to

13 Officer Morgan.

14

15 During this incident I did not have any FD on me,

16 it was at the station in Troy PD custody.

17

18

19

20

21

22

23

24

25

26

27 X: _____

28 Taken By: _____ (SIGNATURE)

29 Place: _____ Date: 10/20/08 Time: 2:30

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

State of Michigan
Uniform Law Citation

Ticket No. **710363**

Victim Involved

US DOT #

Incident No. **2008-34331**

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**

THE UNDERSIGNED SAYS THAT ON:

Month **10** Day **2** Year **08** At approximately **1:00** P.M. Date of Birth **10/2/78** Year **78**

State **MI** Oper./Chauff. CDL

Driver License No. **[REDACTED]** SSN (last 4 digits)

Race **W/F** Sex **[REDACTED]** Height **[REDACTED]** Weight **[REDACTED]** Hair **[REDACTED]** Eyes **[REDACTED]** Occupation/Employer

Name (First, Middle, Last) **LAURA SUE WASICCO**

Street **3177 CARDINE**

City **AUBURN HILLS** State **MI** Zip Code **48326**

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 **2921 W. MAPLE**

AT OR NEAR **RITE-AID**

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	98-10-21	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			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			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 **10-15-08 8:00 AM**
Hearing Date (if applicable) on **[REDACTED]** Contact Court Formal Hearing Required Court will Notify
 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 **[Signature]** Month **10** Day **2** Year **08**

Officer's Name (printed) **MORGAN SUE** Officer's ID No. **65146**

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

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

Ticket No. **710363**

Name

Case No.

LCC Liquor Licensee History

Business Name: **Rite Aid #4305**
 Address: 2971 W. Maple (586) 349-0600
 Licensee: Rite Aid of Michigan, Inc.
 License Type: **SDD 10077-2008 SS; SDM 4978-2002**
 Permits: SDD, SDM, Sunday Sales
 Comments: John Doyle, Atty,

Date	Troy Incident #	Type	Disposition	Date
1966		Licensed		
08/22/81	81-20315	Sale to minor	Fined \$150.	09/21/81
08/22/81	81-20316	Sale to minor	Fined \$150.	09/24/81
03/03/89	89-6169	Sale to minor Controlled Buy	Fined \$300.	01/05/90
10/26/89	89-33819	Sale to minor (Compliance test)	Fined \$600.	08/09/90
08/02/91	91-22546	Sale to minor	Fined \$1000. 2 Day Suspension	01/07/93 1/29-2/1/93
10/04/91	91-29567	Sale to minor	Fined \$1000.	06/08/92
02/06/92	92-3393	Sale to minor Compliance Test	Fined \$1000. 3daysuspension appealed 1 day suspension	01/07/93 04/14/93 05/21/93
04/13/92		Council resolution to revoke license		
06/25/92	92-18046	Sale to minor	Fined \$300.	01/28/93
9/28/98		Council approves move from 2830 to 2971 W. Maple		
03/05/99	99-08531	Compliance Test	PASSED	
06/23/99	99-23661	Compliance Test	PASSED	
10/27/99	99-41272	Sale to Minor (Compliance Test)	\$400	03/13/00

12/01/99	99-45848	Liquor Inspection (Road Patrol)	NO VIOLATIONS
07/25/00	none	Compliance Test	PASSED
11/15/00	00-42342	Compliance Test	PASSED
01/20/01	01-02362	Liquor Inspection (Road Patrol)	NO VIOLATIONS
03/20/01	01-09612	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/24/01		Compliance Test	PASSED
06/16/01	01-21245	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/14/01	01-29120	Compliance Test	PASSED
09/11/01	01-32697	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/25/01	01-34449	Sale to Minor (Compliance Test)	pending
10/20/01	01-37851	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/04/02	02-00360	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/23/02	02-05784	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/27/02	Council	Public Hearings for 2001 Violation(s)- Resolution requiring TIPS/TAM training for all employees who sell alcohol; proof to PD within 60 days; increased police surveillance; and history file published in newspaper	
02/28/02	02-06366	Compliance Test	PASSED
04/20/02	02-12182	Liquor Inspection (Road Patrol)	NO VIOLATIONS
04/22/02		Proof Received	
06/25/02	02-	Compliance Test	PASSED
06/30/02	02-21014	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/31/02	02-28785	Liquor Inspection (Road Patrol-Garcher)	NO VIOLATIONS
10/16/02	02-34086	Compliance Test	PASSED
11/24/02	02-38175	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS
01/03/03	03-296	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS
02/10/03	03-4215	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS
03/24/03	03-8726	Compliance Test	PASSED
05/10/03	03-13932	Liquor Inspection (Road Patrol-Fitzpatrick)	NO VIOLATIONS
06/15/03	03-17942	Liquor Inspection (Road Patrol-Fitzpatrick)	NO VIOLATIONS

06/19/03	03-18559	Compliance Test	PASSED
08/18/03	03-25766	Liquor Inspection (Road Patrol-Fitzpatrick)	NO VIOLATIONS
10/27/03	03-33200	Compliance Test	PASSED
03/22/04	04-08374	Compliance Test	PASSED
06/30/04	04-19806	Compliance Test	PASSED
07/08/04	04-20495	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS
02/10/05	05-04581	Liquor Inspection (Road Patrol-Fitzpatrick)	NO VIOLATIONS
02/11/05	05-04812	Compliance Test	PASSED
03/24/05	05-09559	Liquor Inspection (Road Patrol-Fitzpatrick)	NO VIOLATIONS
05/18/05	05-16498	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
08/05/05	05-27359	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
09/21/05	05-33451	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/28/05	05-45830	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
02/01/06	06-4234	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
03/21/06	06-10700	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
04/19/06	06-14663	Liquor Inspection (Road Patrol-Sewell)	NO VIOLATIONS
09/19/06	06-36384	Liquor Inspection (Road Patrol-Sewell)	NO VIOLATIONS
05/03/07	07-16126	Compliance Test	PASSED
08/16/07	07-31200	Liquor Inspection (Road Patrol-Quaiatto)	NO VIOLATIONS
09/21/07	07-36030	Liquor Inspection (Road Patrol-Quaiatto)	NO VIOLATIONS
10/23/07	07-32210	Compliance Test	PASSED
11/10/07	07-42654	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
12/06/07	07-45885	Compliance Test	PASSED
01/12/08	08-1556	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
03/08/08	08-8514	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
04/07/08	08-12223	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
05/21/08	08-17688	Compliance Test	PASSED

07/03/08	08-23457	Liquor Inspection (Road Patrol-Isham)	NO VIOLATIONS
10/02/08	08-34331	Compliance Test (DPU) Sale to Minor	VIOLATION
01/13/09		MLCC: Waived / Upheld	\$400 Fine
01/15/09		TAM Proofs Received	
12/30/08	08-44535	Compliance Test	PASSED

January 28, 2009

Rite Aide Discount Pharmacy
dba: Rite Aid #4305
2971 W. Maple Road
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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDD/SDM
License Number: 10077-2008 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: Michael J. Brown
Carlin, Edwards, Brown and Howe
Carlin, Edwards, Brown & Howe. PLLC
Lansing, MI 48919



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 *

SDD 18175-2007 SS
License No. SDM 14683-2007 Business ID 12499 File # D-48022
D-132.5

1. Name of Licensee 7-ELEVEN INC 2. Doing Business As 7-ELEVEN

3. Mailing Address (street, city, zip code) 1650 Crooks Road; Troy 48084

4. Township _____ 5. County Oakland

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

7. Date of Violation: Thursday 02/21/08 7:00 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 # 08-6606

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

Officer Signature Sgt. John Schaufler Name and Title (print) Sergeant John Schaufler

Officer Signature _____ Name and Title (print) _____

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 of Bud Light beer

2. Name Markita Nicole Jarrett Address 7448 Evergreen, Detroit MI

Will testify to: Sold alcohol to minor

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

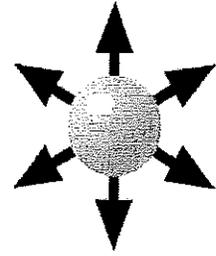
Will testify to:

EVIDENCE

Location Held (Explain): Tag No. 144532 - Alcohol and audio cassette of transaction

Case #0800001709

Face Sheet Printed: 2/22/2008 10:08:43 PM
 Case Open Date: 2/22/2008
 Case Close Date: N/A
 Case Subject: C3309 - Liquor Inspection
 Agency: TR - Troy PD

**Status: OPEN**

CR No: 0800001709.1 Status: I - In Process

Involved Entities

Entity Type	Entity Name	Offense
Arrestee	Jarrett, Markita Nicole	Liquor Violation - Sell
Property		
Property Type	Property Description	Property Status
Recording - Cassette Tape 5426	audiotape of transaction	Evidence (Including Other Seized Property And Tools)
Beer 5402	Six pack Bud Light Beer	Evidence (Including Other Seized Property And Tools)

Call for Service InformationCFS Number: **080006606**CFS Date: **2/21/2008**Time Received: **4:02:56 PM**

Time Arrived:

Location: **1650 Crooks Rd**
 City: **TROY**

Disposition: **Report Taken**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **C3309 - Liquor Inspection**Officers: **00080 - Daniels, Timothy****Assignment History**Officer: **00080 - Daniels, Timothy**Date Assigned: **2/22/2008 9:16:33 PM**Date Unassigned: **N/A**

Troy PD Arrest Report

Case No. 0800001709
Report No. 0800001709.1
Report Date: 2/22/2008

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

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Page 1 of 5

Subject: C3309 - Liquor Inspection

Case Report Status **I - In Process**
Agency County **63 - Oakland**
Agency City/Township **84 - Troy**
Occurred On **2/21/2008 7:00:00 PM**
Or Between
Business Name **7-11 Store**
Location **1650 Crooks 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 **2/22/2008 9:18:12 PM**
Entered By **00201 - Schaufler, John**
Verified On
Verified By
Approved On
Approved By
Related Cases
Disposition **Arrest**
Excp. Clear Reason
Excp. Clear Date
Reporting Agency **Troy PD**
Report Type **Arrest Report**
Division **Patrol**
Notified
Related Cases

Reporting Officer **00201 - Schaufler, John**
Assisted By
Agency Assisted
Call for Service # **080006606**

Report Narrative **08-6606**

I, Sgt. Schaufler, along with Student Enforcement Aide _____ went to 7-11 Store at 1650 Crooks Rd. in Troy to conduct an LCC inspection. _____ had no identification with him as it was held at the Troy Police Department. _____ activated a small personal tape recorder and gave a brief introduction indicating the time, date, and location. _____ then entered the business, selected a six pack of Bud Light beer and proceeded to the checkout register. The sales clerk, later identified as Markita Nicole Jarrett, initially asked _____ if he was old enough to purchase the alcohol. _____ stated he was 22 years old. Cashier Jarrett then requested identification from _____. He replied he did not have his ID on him. Cashier Jarrett then rang up the sale of the Bud Light beer for a total of \$6.74. _____ paid for the beer and exited the store carrying the Bud Light, which he handed over to me. I entered the 7-11 Store and made contact with sales clerk Jarrett. I obtained the required liquor license information and completed a LCC Violation Report. I issued Ms. Jarrett citation # 710342 for furnishing alcohol to a minor. The Bud Light beer and audiotape were tagged and placed into evidence (tag#144532). No further action taken.

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description **4102 - Liquor Violation - Sell**
IBR Code **90G - Liquor Law Violations**
IBR Group **B**
Crime Against **SO**
Offense File Class **41002 - LIQUOR VIOLATIONS -OTHER**

Location Type **07 - Convenience Store**
Offense Completed? **Yes**
Hate/Bias **00 - None (No Bias)**
Domestic Violence **No**

No. Prem. Entered
Entry Method
Type Security

PACC
Local Code

Tools Used

Using
Criminal Activity
Force Level
Weapons

Troy PD Arrest Report

Case No. 0800001709
Report No. 0800001709.1
Report Date: 2/22/2008

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

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Arrestee A1: Jarrett, Markita Nicole

Arrestee Number	A1	DOB	1980	Place of Birth	
Name	Jarrett, Markita Nicole	Age	27	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	B - Black	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	7448 Evergreen	Ht.		Occupation/Grade	
CSZ	Detroit, MI 48209	Wt.		Employer/School	
MO		Eye Color		Employer Address	
Attire		Hair Color	BLK - Black	Employer CSZ	
Habitual Offender Status		Hair Style		Res. County	wayne
		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. **710342**
Arrest Type **S - Summoned/Cited**
FBI No.

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

Arrested For **4102 - Liquor Violation - Sell**

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

Count
Fingerprints
Booked On

Multi. Clearance
Offense
Prev. Suspect No.
Notified Name

Photos
Miranda Read
Released Location

Miranda Waived
Released On

Number of Warrants
Released By

Juvenile Disposition
Held For

Adult Present
Date/Time Arrested **2/21/2008 7:00:00 PM**

Arrest Notes **7-11 Sales Clerk sold Bud Light to Student enforcement Aide McCandlish**

Detention Name
Arrest Location **1650 Crooks Rd.**

Troy PD Arrest Report

Case No. 0800001709
Report No. 0800001709.1
Report Date: 2/22/2008

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

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Page 3 of 5

Witness W1:

Witness Code	W1	DOB	1989	Place of Birth	
Name		Age	19	SSN	
Aliases		Sex		DLN	
Alert(s)		Race		DL State	
Address		Ethnicity		DL Country	
CSZ		Ht.		Occupation/Grade	
Attire		Wt.		Employer/School	
		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 -- [E] 7-11 Store

Entity No.	O1	DOB		Place of Birth	
Entity Type	B - Business, Institution, Etc.	Age		SSN	
Name	[E] 7-11 Store	Sex		DLN	
AKA		Race		DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	1650 Crooks Rd.	Ht.		Occupation/Grade	
CSZ	Troy, MI 48084	Wt.		Employer/School	
Complexion		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
		Facial Hair		Res. County	Oakland
				Res. Country	USA - United States of America
				Resident Status	

Phone/Email Type Description

Supplemental IDs ID Type ID Number ID Issuer Name

Entity Notes

Property Description Item 1: 1200 - Beer 5402 - Six pack Bud Light Beer

Troy PD Arrest Report

Case No. 0800001709
Report No. 0800001709.1
Report Date: 2/22/2008

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

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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
Manufacturer
Model
Serial No.
License No.
Color
Description Six pack Bud Light Beer
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition Held as Evidence
Evidence Tag 144532
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 - audiotape of transaction

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 audiotape of transaction
Vehicle Year
Body Style

JR

Reviewed By: _____

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG 144532

COMPLAINT# 08-6606

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # 21

CHARGE / INCIDENT SALE of ALCOHOL TO MINOR DESCRIPTION 1 6 pack of Bud Light Beer 12 oz Bottles, Unopened, 1 Maxell Cassette Tape

REPORTING OFFICER Schantz SERIAL # _____ DATE 2/21/08 DRUG WT. _____

DEFENDANT: JARRETT MARKITA Nicola TIME 11:00 PM

DEFENDANT: _____ DOB _____

INSTRUCTIONS TO PROPERTY SECTIONS: Held for Court + LCC Admin Hearing

OWNER: NAME _____ PHONE _____

ADDRESS _____ CITY _____ ZIP _____

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

NARRATIVE REPORT
WITNESS STATEMENT

SUPP CORR DELETE PAGE 1 OF 1

01	DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
	02/21/08	THU	02	02	201		<input type="checkbox"/> CLR ARREST <input type="checkbox"/> CLR EXCEPT	<input type="checkbox"/> UNF <input type="checkbox"/> INACT		08 6606

02 Nam. [REDACTED] 1989 Home Phone: [REDACTED]

03 Addr. [REDACTED] Business Phone: [REDACTED]

04 City: [REDACTED] State: MI Zip: 48072

05 E-mail Address: [REDACTED] Cell Phone: [REDACTED]

06 On Thursday February 21st, 2008 at approximately 19:00 hours I
07 walked into the 7-11 located at 1650 Crooks in Troy, MI. After entering
08 the store I selected a six pack of Bud Light and continued to
09 the front counter. The cashier asked me whether I was old enough
10 to purchase the alcohol, I responded that I was 22 y/o. The
11 cashier proceeded to ask to see my ID to which I responded that
12 I did not have it on me. The cashier continued with the
13 sale and gave me the total of \$6.74. I payed the clerk
14 and proceeded outside to Sgt. John Schantler.

15
16
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22
23
24
25
26
27

X: [REDACTED]
(SIGNATURE)

28 Taken By: Sgt. J. Schantler
(SIGNATURE)

29 Place: 1650 CROOKS RD - 7-11 Date: 2/21/08 Time: 7:15P.

INVESTIGATING OFFICER(S) REVIEWED BY ASSIGNED TO / BADGE ATTENTION TO
Sgt. J. Schantler

State of Michigan
Uniform Law Citation

Ticket No. **710342** Victim Involved

US DOT #

Infractor No. **08-6606** 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

THE UNDERSIGNED Month Day Year At approximately A.M. P.M. Date Month Day Year
SAYS THAT ON: **02 21 08 7:00** **80** (digits)

State Oper./Chauff. Driver License CDL

Race **B** Sex **F** H

Name (First, Middle, Last) **MARKITA N. JARRETT**

Street **7448 EVERGREEN**

City **DETROIT** State **MI** Zip Code **48029**

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 **7-11 STORE**

AT OR NEAR **1650 CROOKS RD**

WITHIN CITY VILLAGE TOWNSHIP OF **TROY**

COUNTY OF **OAKLAND** DID THE FOLLOWING Charge

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.	98.10.06	FURNISH/SELL ALCOHOL TO A MINOR	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv			
<input type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			2
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			
<input type="checkbox"/> Fel <input type="checkbox"/> Waiv			
<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) **436.1701A2** 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: **DECOY OPERATION**
SOLD BUD LIGHT BEER TO
POLICE DECOY

Ticket No. **710342**

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 FOR BACK OF CITATION FOR EXPLANATION AND INSTRUCTIONS
Appearance (in person) on **03-05-08**
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
J. Schawler Month **02** Day **21** Year **08**

Officer's Name (printed) **J. SCHAWLER** Officer's ID No. **201**

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

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

Name Case No.

LCC Liquor Licensee History

Business Name: **7-Eleven**
 Address: 1650 Crooks (248) 362-4390
 Licensee: 7-Eleven, Inc.
 License Type: **SDD (18175-2007) SDM (14683-2007)**
 Permits: Sunday Sales
 Comments:

Date	Troy Incident #	Type	Disposition	Date
12/22/80	80-30020	Sale to Minor	Fined \$150.	6/3/82
4/17/81	81-8857	Sale to Minor	Dismissed	6/3/82
9/26/81	81-23388	Sale to Minor	Fined \$150.	6/3/82
2/26/83	83-4346	Sale after hours; Taken under advisement	1/25/84	
11/24/85	85-34735	Sale to intoxicated person	Fined \$300. 3 Day Susp.	6/6/86
10/23/87	87-33797	Sale to Minor (Compliance Insp.)	Fined \$300	12/15/88
05/13/98		David & Karen Drapinski dropped as Co-Licensees.		
10/23/98		Req to add Teresa Higginbotham as co-licensee		
02/03/99		Southland Corp terminates agreement with Teresa Higginbotham before L. A. B. appearance.		
02/24/99	99-07397	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
05/13/99	99-17668	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/23/99	99-23650	Compliance Test	PASSED	
07/29/99	99-28831	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
09/10/99	99-34863	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
10/27/99	none	Compliance Test	PASSED	
11/24/99	99-45008	Liquor Inspection (Road Patrol)	NO VIOLATIONS	

05/01/00		Council approves add co-licensee Ahmad Raza		
07/25/00	none	Compliance Test	PASSED	
11/15/00	00-42353	Compliance Test	PASSED	

03/12/01	MLCC	Drops Ahmad Raza, adds Noor Enterprises, Inc.		
04/24/01		Compliance Test	PASSED	
08/14/01	01-29101	Compliance Test	PASSED	
09/25/01	01-34482	Compliance Test	PASSED	
11/06/01	01-39642	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/05/02	02-00487	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06373	Compliance Test	PASSED	
03/01/02	02-06430	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/22/02	02-?????	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/17/02	02-19115	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/25/02	02-20247	Sale to Minor (Compliance Test)	Fined \$500	9/17/02
08/29/02	02-28512	Liquor Inspection (Road Patrol-Owczarzak)	NO VIOLATIONS	
10/16/02	02-34087	Compliance Test	PASSED	
12/18/02	02-40811	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS	
01/24/03	03-2427	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS	
02/26/03	Council	Public Hearings for 2002 Violation(s)-Must certify all employees who sell alcohol in TIPS/TAMS; proof to PD within 90 days.		
03/12/03	03-7379	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS	
03/24/03	03-8719	Compliance Test	PASSED	
04/19/03	03-11614	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
05/24/03	03-15437	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
06/19/03	03-18556	Compliance Test	PASSED	
07/25/03	03-22925	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS	
10/27/03	03-33163	Compliance Test	PASSED	
03/22/04	04-08377	Compliance Test	PASSED	

06/30/04	04-19809	Compliance Test	PASSED
02/04/05	05-	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
02/11/05	05-04808	Compliance Test	PASSED
03/20/05	05-09053	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
04/13/05	05-11951	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
05/21/05	05-16906	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
08/03/05	05-26983	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/31/05	05-46198	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
02/12/06	06-5832	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
02/11/06 05/23/06		Sale to Minor(LCC Investigation) MLCC: Neg. Settlement	\$600 Fine
03/19/06	06-10503	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
05/15/06	06-18186	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
06/19/06	06-23162	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
09/11/06	06-35252	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
11/18/06	06-43776	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
01/28/07	07-3450	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
05/03/07	07-16120	Compliance Test	PASSED
07/10/07	07-25857	Liquor Inspection (Road Patrol-Stacey)	NO VIOLATIONS
08/09/07	07-30138	Liquor Inspection (Road Patrol-Stacey)	NO VIOLATIONS
08/23/07	07-32169	Compliance Test	PASSED
12/03/07	07-45413	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
12/06/07	07-45854	Compliance Test	PASSED
01/14/08	08-1714	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
02/21/08 06/23/08	08-6606	Sale to Minor (DPU) Compliance Test MLCC: Negotiated Settlement	VIOLATION \$700 Fine
05/21/08	08-17659	Compliance Test	PASSED

06/06/08	08-19960	Liquor Inspection (Road Patrol-S. Smith)	NO VIOLATIONS
07/22/08	08-26753	Liquor Inspection (Road Patrol- S. Smith)	NO VIOLATIONS
10/02/08	08-34301	Compliance Test	PASSED
12/30/08	08-44582	Compliance Test	PASSED

January 28, 2009

7-Eleven, Inc.
dba: 7-Eleven
1650 Crooks Road
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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDD/SDM/SS
License Number: SDD 18175-2007 SS; SDM 14683-2007
Violation : Compliance Test (DPU) - Sale to Minor
Violation Date(s): 2/21/2008

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: Elaine Murphy Pohl
Kupelian, Ormond & Magy, PC
25800 Northwestern Hwy. - Suite 950
Southfield, MI 48075



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

1.0 d

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. SDM 0815-2008 Business ID 14491 File # D-64487; D132.5

1. Name of Licensee Arbor Drugs Inc. 2. Doing Business As CVS Pharmacy #8162

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

4. Township _____ 5. County Oakland

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

7. Date of Violation: Wednesday 05/21/08 7:27 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 # 08-17721

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

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

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

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 of Miller Chill beer

2. Name Katie Lynn Ross Address 2375 Walton Blvd; #23; Roch Hills MI 48

Will testify to: Sold alcohol to minor

3. Name Matt Weiland Address 2045 W South Blvd; Troy MI 48098

Will testify to: Store manager/shift supervisor

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Maxell cassette tape and store receipt

Call For Service

CFS Number: 080017721

Date: 5/20/2008

Call For Service

CFS Number 080017721
Date 5/20/2008
Dispatcher 00512 - Jelley, Renee
Call Source 0 - Telephone
Received 10:41:12 PM
Dispatched
Arrived
Cleared 10:46:41 PM
Location 2045 W Southboulevard
City, State, Zip TROY, MI 48083
Jurisdiction
Grid
Sector
Map 0 - N/A
X Coordinate 4098074
Y Coordinate 0125303

Complainant
Address 2045 W Southboulevard
City, State, Zip TROY, MI 48083
Phone
Call type
Reported Offense C3309 - Liquor Inspection
Verified Offense 4171 - Violation of Liquor Control Laws
Tow Company
Vehicle
Vehicle License
Disposition R - Report Taken
Priority
Classification
Agency TR - Troy PD
Case 0800004538

Officers

Notes - C3309 LIQUOR INSPECT

00512 - 22:41:12 Original Location : CVS

Troy PD Arrest Report

Case No. 0800004538
Report No. 0800004538.1
Report Date: 5/22/2008

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

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Page 1 of 4

Subject: violation of liquor control laws

Case Report Status	I - In Process	Entered On	5/22/2008 2:31:39 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00065 - Morgan, Joseph	00065 - Morgan, Joseph	
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	5/21/2008 7:23:00 PM	Verified By		00048 - Redmond, Matthew	
Or Between Business Name		Approved On		Agency Assisted	
Location	2045 west south boulevard	Approved By		Call for Service #	
CSZ	Troy, MI 48083	Related Cases	Arrest	080017721	
Census/Geo Code		Disposition	Troy PD Arrest Report Patrol		
Jurisdiction		Excp. Clear Reason			
Grid		Excp. Clear Date			
Sector		Reporting Agency			
Map		Report Type			
Call Source		Division			
Vehicle Activity		Notified			
Dir. Veh. Traveling		Related Cases			
Cross Street					
Means					
Motive					

Report Narrative 2008-17721

Writer, Officer Morgan, and Student Enforcement Aide _____, went to CVS Pharmacy located at 2045 West South Boulevard 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 the time, date, and location. She then entered the business, selected a 6 pack of Miller Chill Beer and proceeded to the check out area. She presented the 6 pack of beer to sales clerk Ross for purchase. Ross asked _____ for identification. _____ advised Ross that she did not have ID with her. Ross then asked _____ what her birthdate was and she replied 09-25-86. Ross typed that birthdate into the computer and completed the transaction which totaled \$8.01. _____ returned to my location and handed the beer over to me. A short time later Officer Redmond and I entered the store and made contact with Ross. Ross told Officer Redmond and I that she sold the beer to Frye because, "She looked old enough." Officer Redmond and I spoke to Matt Weiland, Shift Supervisor. We explained the situation and issued a citation to Ross for "Furnish/Sell Alcohol to a Person under 21. (citation #720296) We gathered the required license information to complete a L.C.C. violation report and advised Weiland what would be required by the business.

The 6 pack of beer was left at the store. The cassette tape and receipt from the transaction was tagged into evidence. (property tag #145742)

Offense Detail: 4198 - Liquor - Furnishing Alcohol to a Minor

Offense Description	4198 - Liquor - Furnishing Alcohol to a Minor	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					

Printed For: 
Printed: May 22, 2008 - 2:54 PM

Troy PD Arrest Report

Case No. 0800004538
 Report No. 0800004538.1
 Report Date: 5/22/2008

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

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Using
 Criminal Activity
 Force Level
 Weapons

Arrestee A1: Ross, Katie Lynn

Arrestee Number	A1	DOB	1970	Place of Birth	
Name	Ross, Katie Lynn	Age	38	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	2375 WALTON BLVD UNIT 23	Ht.		Occupation/Grade	
CSZ	Rochester Hills, MI 48307	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. **720296**
 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
 Arrest Notes

Arrested For **4198 - Liquor - Furnishing Alcohol to a Minor**
 Count **1**

Fingerprints
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants
 Juvenile Disposition
 Adult Present

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason
 Held For
 Date/Time Arrested **5/21/2008 7:23:00 PM**
 Arrest Location

Detention Name

Arrest Location

Troy PD Arrest Report

Case No. 0800004538
Report No. 0800004538.1
Report Date: 5/22/2008

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

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Page 3 of 4

Witness W1

Witness Code	W1	DOB	989	Place of Birth	
Name		Age	18	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 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 Enforment Aide. Purchased 6 pack of Miller Chill Beer.

Other Entity: O1 -- Weiland, Matt

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Weiland, Matt	Sex	M - Male	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	2045 west south boulevard	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 Shift Supervisor at CVS. Advised of the sale to Student Enforcement Aide Frye.

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - One Maxell Tape and Receipt from transaction

Item No.	1
Property Category	1305 - Recording - Cassette Tape 5426
Property Class	27
IBR Type	27 - Recordings-Audio/Visual

Troy PD Arrest Report

Case No. 0800004538
Report No. 0800004538.1
Report Date: 5/22/2008

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

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Page 4 of 4

UCR Type **F - TV's, Radios, Stereos, Etc...**
Status **E - Evidence (Including Other Seized Property And Tools)**

Count **2**
Value

Manufacturer
Model

Serial No.
License No.
Color

Description **One Maxell Tape and Receipt from transaction**

Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner

Disposition

Evidence Tag **145742**
Alert(s)

Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 05/21/08	DAY Wed	SHIFT 012	PLAT 99	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 08	INCIDENT # 17721
----	------------------	------------	--------------	------------	---------------	---------------	---	------------	------------	---------------------

02 Name: _____ NOB: 189 Home Phone: _____

03 Addr _____ Business Phone: _____

04 City: _____ State: MI Zip: _____

05 E-mail Address: _____ Cell Phone: _____

06 I proceeded into CVS located at 2045
 07 W. South Blvd. I went to the cooler and selected a
 08 6-pack of Miller Chill and proceeded to the cashier
 09 who asked me for I.D. and I told her I did not
 10 have it on me, she then asked for my birth date
 11 and I told her 09/25/86 she typed it into the register
 12 and proceeded with the transaction. The sale totaled
 13 to \$8.01, and then I brought the beer back
 14 to officer Morgan and officer Redmond.

28 Taken By: [Signature] (SIGNATURE)

29 Place: 5th Ave Date: 5/21/08 Time: 2:50

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

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG 145742

COMPLAINT# 08-17721

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # _____

CHARGE / INCIDENT Furnish Alcohol to Person under 21 DESCRIPTION 1 Maxell cassette Tape & 1 CVS receipt

SERIAL # _____ DRUG WT. _____

REPORTING OFFICER M. Redmond #45 DATE 5/21/08 TIME 2050

DEFENDANT: Ross Katie Lynn 70
Last First Middle DOB

DEFENDANT: _____
Last First Middle DOB

INSTRUCTIONS TO PROPERTY SECTIONS: Hold for Court

OWNER: NAME _____ PHONE _____

ADDRESS _____ CITY _____ ZIP _____

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

DISPOSITION: AUCTIONED DESTROYED REUSED OTHER DATE _____

CVS/pharmacy[®]

for all the ways you care[™]

2045 SOUTH BLVD, WEST, TROY, MI
PHARMACY: 879-8322 STORE: 879-2463

REG#01 TRAN#0007 CSHR#535668 STR#8162

1 MILLER CHILL 12Z	6.99T
1 BOTTLE DEPOSIT	.60F

2 ITEMS	
SUBTOTAL	7.59
MI 6.0% TAX	.42
TOTAL	8.01
CASH	10.00
CHANGE	1.99



5816 2814 2000 7017
RETURNS WITH RECEIPT THRU 07/20/2008

MAY 21, 2008

7:24 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
 US DOT # _____
 Incident No. 2008-17721 Dept. No. 784
 Local Use/Arrest No. _____
 Detection Device _____
 OF: TROY BAC _____
 THE UNDERSIGNED SAYS THAT ON: Month 5 Day 21 Year 08 At approximately 7:23 P.M. Date of Birth _____
 State Oper./Chauff. Driver License No. _____
 MCL CDL

Race W Sex F Hair _____
 Name (First, Middle, Last) KATIE LYNN ROSS
 Street 2375 WATSON BLVD UNIT 23
 City ROCHESTER HILLS MI State MI Zip Code 48309
 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 2045 W. SUTY BOWEN RD
 AT OR NEAR _____
 WITHIN CITY VILLAGE TOWNSHIP OF TROY
 COUNTY OF OAKLAND

Type	Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> Misd	<input checked="" type="checkbox"/> Fug	<u>FURNISH/SELL ALCOHOL TO A PERSON UNDER 21</u>	<u>1</u>
<input checked="" type="checkbox"/> Fel	<input checked="" type="checkbox"/> Waiv	<u>98-10-06</u>	<u>2</u>
<input checked="" type="checkbox"/> Misd	<input checked="" type="checkbox"/> Fug	<u>21</u>	<u>3</u>
<input checked="" type="checkbox"/> Fel	<input checked="" type="checkbox"/> Waiv		

TO THE COURT: Do not arraign on a felony charge until an authorized complaint is filed.
 Offense Code(s) 1 436.17011-A2 3
 Key for Types: CI = Civil Infraction Misd = Misdemeanor Fel = Felony Wam = Warning Fug = Fugitive
 Waiv = Violation for Which Fines/Costs May be Waived Authorization pend. = Authorization pending

Remarks: AW

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 JUNE 17 2008
 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 _____
 Officer's Name (printed) MONTE REEDMAN Month 5 Day 21 Year 08
 Officer's ID No. 65148

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT
 UC-01a (rev. 6/05) COURT COPY 1

Ticket No. 720296
 Name _____
 Case No. _____

LCC

Liquor Licensee History

Business Name: **CVS Pharmacy #8162**

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

Licensee: Arbor Drugs Inc.

License Type: **SDM (0815-2008)**

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			
01/03/08		MLCC: Neg. Settlement	\$400 Fine
02/13/08		Council orders training	
05/16/08		Proof Received	
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
02/19/08	08-6230	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
02/21/08	08-6585	Compliance Test	PASSED
04/07/08	08-12201	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
05/21/08	08-17721	Sale to Minor (Compliance Test)	
08/26/08		MLCC: Negotiated Settlement:	\$600 Fine
06/30/08	08-23056	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/25/08	08-29807	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
10/02/08	08-34261	Compliance Test	PASSED
11/24/08		Council Approves transfer request to Woodward Detroit LLC	
12/30/08	08-44448	Compliance Test	PASSED

January 28, 2009

Arbor Drugs, Inc.
dba: CVS Pharmacy #8162
2045 W. South Boulevard
Troy, Michigan 48098

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 0815-2008
Violation : Compliance Test - Sale to Minor
Violation Date(s): 5/21/2008

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.



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. SDM 73139-2007 Business ID 131151 File # 11-73139-2007

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

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

4. Township 5. County Oakland

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

7. Date of Violation: Thursday 02/21/08 5:40 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 08-6541

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

Officer Signature [Signature] Name and Title (print) Officer Timothy Daniels

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 of Miller Genuine Draft beer

2. Name Aaron Agee Address 4988 Engleman; #B; Warren, MI 48091

Will testify to: Sold alcohol to minor

3. Name Dan Address 4963 John R; Troy, MI 48085

Will testify to: Manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

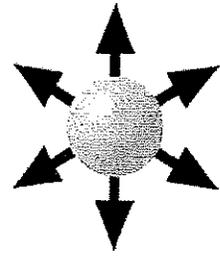
Will testify to:

EVIDENCE

Location Held (Explain): Tag No. 144531 - Alcohol, sales receipt, and audio cassette of transaction

Case #0800001662

Face Sheet Printed: 2/21/2008 11:16:41 PM
 Case Open Date: 2/21/2008
 Case Close Date: N/A
 Case Subject: C3309 - Liquor Inspection
 Agency: TR - Troy PD

**Status: OPEN****CR No: 0800001662.1 Status: S - Submitted****Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Agee, Aaron	Liquor - Furnishing Alcohol to a Minor
Property		

Property Type	Property Description	Property Status
Beer 5402	6 pack bottles (Miller Genuine Draft)	Evidence (Including Other Seized Property And Tools)

Call for Service InformationCFS Number: **080006541**CFS Date: **2/21/2008**Time Received: **2:21:06 PM**

Time Arrived:

Location: **4963 John R Rd**
City: **TROY**Disposition: **Report Taken**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **C3309 - Liquor Inspection**Officers: **00048 - Redmond, Matthew****Assignment History**Officer: **00048 - Redmond, Matthew**Date Assigned: **2/21/2008 10:53:11 PM**Date Unassigned: **N/A**

Troy PD Crime Report

Case No. 0800001662
Report No. 0800001662.1
Report Date: 2/21/2008

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

1

Page 1 of 4

Subject: **C3309 - Liquor Inspection**

Case Report Status	S - Submitted	Entered On	2/21/2008 10:54:22 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew		00048 - Redmond, Matthew
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	2/21/2008 5:45:00 PM	Verified By			00080 - Daniels, Timothy
Or Between		Approved On		Agency Assisted	
Business Name	CVS	Approved By		Call for Service #	
Location	4963 JOHN R RD	Related Cases			080006541
CSZ	Troy, MI 48083	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 **08-6541**

Ofc Daniels and I (Ofc M. Redmond) and Student Enforcement Aide _____ went to CVS located at 4963 John R to conduct an L.C.C. inspection. _____ had no identification with her as it was held at the Troy Police Department. She entered the business and selected a six pack of Miller Genuine Draft bottled beer and brought it to the front register. The sales clerk, later identified as Aaron Agee, did not ask _____ for her identification. Agee then asked _____ if she was "old enough." _____ stated "yes." Agee then asked _____ how old she was and she stated "21." Agee then asked _____ for her date of birth and she stated "9/25/1986." Agee entered her birthdate into the cash register and processed the sale for \$6.95 which _____ paid for in cash before exiting the store. Ofc Daniels and I entered the store and spoke with Agee and CVS Store Manager Dan. Agee acknowledged to Ofc's the he did not ask for identification from _____ and believed she was a repeat customer and sold the alcohol to her without asking for identification. Ofc Daniels gathered the the necessary information from the store's liquor license and completed the Violation Report and I advised Agee what would be required of him. Agee was issued citation #720290 for Furnishing Alcohol to a Minor.

The alcohol, sales receipt, and an audio cassette recording were tagged and placed into evidence (tag #144531).

No further action taken.

Offense Detail: 4198 - Liquor - Furnishing Alcohol to a Minor

Offense Description	4198 - Liquor - Furnishing Alcohol to a Minor	Location Type	09 - Drug Store/Doctors Office/Hospital
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		

Troy PD Crime Report

Case No. 0800001662
 Report No. 0800001662.1
 Report Date: 2/21/2008

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

2

PACC
 Local Code
 Using
 Criminal Activity
 Force Level
 Weapons

Tools Used

Arrestee A1: Agee, Aaron

Arrestee Number **A1**
 Name **Agee, Aaron**
 Aliases
 Alert(s)
 Address **4988 Englemon Ave Apt B**
 CSZ **Warren, MI 48091**
 MO
 Attire
 Habitual Offender Status

DOB **___/1983**
 Age **24**
 Sex **M - Male**
 Race **W - White**
 Ethnicity **U - Unknown**
 Ht.
 Wt.
 Eye Color
 Hair Color
 Hair Style
 Hair Length
 Facial Hair

Place of Birth
 SSN
 DLN
 DL State
 DL Country
 Occupation/Grade
 Employer/School
 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 Description

Supplemental IDs
 ID Type ID Number ID Issuer Name

Physical Characteristics
 Type Descriptor Description

Arrest No. **720290**
 Arrest Type **S - Summoned/Cited**
 FBI No.

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

Arrested For **4198 - Liquor - Furnishing Alcohol to a Minor**

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

Count
 Fingerprints
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason
 Held For
 Date/Time Arrested

2/21/2008 5:50:00

Juvenile Disposition
 Adult Present

Troy PD Crime Report

Case No. 0800001662
 Report No. 0800001662.1
 Report Date: 2/21/2008

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

3

Page 3 of 4

Arrest Notes

Detention Name

Arrest Location **PM**
4963 John R

Witness W1:

Witness Code	W1	DOB	1989	Place of Birth	
Name		Age	16	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	
		Eye Color		Employer Address	
Attire		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

Property Description Item 1: 1200 - Beer 5402 - 6 pack bottles (Miller Genuine Draft)

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	6
Value	6.95
Manufacturer	Miller
Model	
Serial No.	
License No.	
Color	
Description	6 pack bottles (Miller Genuine Draft)
Vehicle Year	
Body Style	
State	
License Year	
Recovered Date/Time	
Owner	
Disposition	property
Evidence Tag	144531

CVS/pharmacy
for all the ways you care™

4963 JOHN R, TROY, MI
PHARMACY: 689-2157 STORE: 689-2135

REG#03 TRAN#9179 CSHR#712127 STR#8242

1 MILLER DRFT L 12Z	5.99T
1 BOTTLE DEPOSIT	.60F

2 ITEMS

SUBTOTAL	6.59
MI 6.0% TAX	.36
TOTAL	6.95
CASH	10.00
CHANGE	3.05



5824 2805 2917 9037
RETURNS WITH RECEIPT THRU 04/21/2008

FEBRUARY 21, 2008 5:34 PM

GET YOUR CVS EXTRACARE CARD

SHOP 24 HOURS A DAY AT CVS.COM
THANK YOU FOR SHOPPING WITH US

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
	2/21/08	THU	012	9A	48	80	<input type="checkbox"/> CLR ARREST <input type="checkbox"/> UNF <input type="checkbox"/> CLR EXCEPT <input type="checkbox"/> INACT		018	6541

02
 03
 04
 05

06 Today on February 21, 2008, I proceeded into
 07 CVS Pharmacy and picked up a six pack of Miller Draft
 08 and took it to the register. I did not have any identification
 09 with me. I approached the cashier who had light blonde
 10 hair and an ear piercing. The cashier asked if I was old
 11 enough and I said yes, and he asked how old I was,
 12 and I told him 21. He then asked for my birthdate
 13 and I told him 09/25/86, and he typed this date into
 14 the register and then I proceeded to pay the
 15 \$6.95 for the beer. I then left the store and returned
 16 back to Officer Daniels and officer Redmond.

17
 18
 19
 20
 21
 22
 23
 24
 25
 26

X: [Signature]
 (SIGNATURE)

28 Taken By: M. R. M.
 (SIGNATURE)

29 Place: 500 W Big Beaver

Date: 2/21/08 Time: 2:00

INVESTIGATING OFFICER(S) <u>M. Belmont / Daniels</u>	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

**State of Michigan
Uniform Law Citation**

Ticket No. **720290** Victim Involved

US DOT # _____ Incident No. **08-0541** Dept. No. _____

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

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ of _____

THE UNDERSIGNED SAYS THAT ON: Month **02** Day **21** Year **08** At approximately **545** A.M. P.M. Date of Birth: Month **03** Day **03** Year **83**

State Oper./Chauf. CDL _____ SSN (last 4 digits) _____

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

Name (First, Middle, Last) **Aaron Matthew Agee**

Street **4988 Engleman Ave Apt B**

City **Warren** State **MI** Zip Code **48091**

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 **4963 John R - CVS**

AT OR NEAR _____
 WITHIN CITY VILLAGE TOWNSHIP OF **TROY**
 COUNTY OF **OAKLAND**

Type	MCL Cite/PACC Code	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> Misd	98.10.06	FURNISH ALCOHOL TO A MINOR	1
<input type="checkbox"/> Fel			
<input type="checkbox"/> Misd			
<input type="checkbox"/> Fel			
<input type="checkbox"/> Misd			
<input type="checkbox"/> Fel			

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

Offense Code(s)
 1 **43611011-A** 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:
DECOY OPERATION

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: **3-4-08**
 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: _____ Month **2** Day **21** Year **80**

Officer's Name (printed) **M. Redmond / T. Daniels** Officer's ID No. **48/80**

Agency ORI: **6378400** Agency Name: **TROY POLICE DEPARTMENT**

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

Ticket
720290
 Name
 Case No.

LCC

Liquor Licensee History

Business Name: **CVS Pharmacy #8242**

Address: 4963 John R (248) 689-2135

Licensee: ADI Realty, Inc.

License Type: **SDM (73139-2007)**

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
02/13/08		Council orders training	
04/15/08		Proof Received	
<hr/>			
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
08/23/07	07-32111	Compliance Test	PASSED
12/06/07	07-45777	Compliance Test	PASSED
12/27/07	07-48682	Liquor Inspection (Road Patrol-Lamilza)	PASSED
02/09/08	08-4982	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
02/21/08	08-6541	Sale to Minor (DPU) Compliance Test	VIOLATION
06/23/08		MLCC: Negotiated Settlement	\$300 Fine
03/16/08	08-9625	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
05/21/08	08-17749	Compliance Test	PASSED
08/04/08	08-27379	Liquor Inspection (Road Patrol-Malik)	NO VIOLATIONS
10/02/08	08-34224	Compliance Test	PASSED
11/24/08		Council Approves corporate transfer to Woodward Detroit LLC	
12/30/08	08-44477	Compliance Test	PASSED

January 28, 2009

ADI Realty, Inc.
dba: CVS Pharmacy #8242
4963 John R
Troy, Michigan 48085

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 73139-2007
Violation : Compliance Test (DPU) - Sale to Minor
Violation Date(s): 2/21/2008

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.



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 *

SDM 134568-2008

License No. SDD 134567-2008 SS Business ID 156515 File # D 7023; D 132.5

1. Name of Licensee MK² LLC 2. Doing Business As Lucky's Market

3. Mailing Address (street, city, zip code) 4835 John R; Troy 48085

4. Township _____ 5. County Oakland

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

7. Date of Violation: Wednesday 05/21/08 5:15 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 # 08-17764

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

Officer Signature Sgt. John Schaufler Name and Title (print) Sergeant John Schaufler

Officer Signature _____ Name and Title (print) _____

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 of Bud Light beer

2. Name Michael Konja Address 2821 Treyburn;W Bloomfield MI 48324

Will testify to: Sold alcohol to minor

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

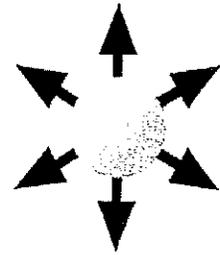
Will testify to:

EVIDENCE

Location Held (Explain): Maxell cassette tape and 6-pack of Bud Light beer

Case #0800004540

Face Sheet Printed: 5/22/2008 3:23:48 PM
 Case Open Date: 5/22/2008
 Case Close Date: N/A
 Case Subject: C3309 - Liquor Inspection
 Agency: TR - Troy PD

**Status: OPEN****CR No: 0800004540.1 Status: I - In Process****Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Konja, Michael Mansoor	Violation of Liquor Control Laws

Property

Property Type	Property Description	Property Status
Beer 5402	6 bur light 16oz long neck bottles	Evidence (Including Other Seized Property And Tools)
Recording - Cassette Tape 5426	cassette tape	Evidence (Including Other Seized Property And Tools)

Call for Service Information**CFS Number: 080017764**

CFS Date: 5/20/2008

Time Received: 11:43:39 PM

Time Arrived:

Location: 4835 John R Rd

City: TROY

Disposition: No Report

Reported Offense: C3309 - Liquor Inspection

Verified Offense: -

Officers: 00201 - Schaufler, John

Assignment History

Officer: 00201 - Schaufler, John

Date Assigned: 5/22/2008 2:39:18 PM

Date Unassigned: N/A

Troy PD Crime Report

Case No. 0800004540
Report No. 0800004540.1
Report Date: 5/22/2008

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

1

Page 1 of 5

Subject: C3309 - Liquor Inspection

Case Report Status: I - In Process
Agency County: 63 - Oakland
Agency City/Township: 84 - Troy
Occurred On: 5/21/2008 5:15:00 PM
Or Between:
Business Name:
Location: 4835 John R 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: 5/22/2008 2:40:51 PM
Entered By: 00201 - Schaufler, John
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: 00201 - Schaufler, John
Assisted By:
Agency Assisted:
Call for Service #: 080017764

Report Narrative: 08-17764

I, Sgt. Schaufler, along with student enforcement aide [redacted] went to Lucky's Market at 4835 John R in Troy to conduct an LCC inspection. [redacted] had no identification with him as it was held at the Troy Police Department. [redacted] activated a small personal tape recorder and gave a brief introduction indicating date, time and location. [redacted] then entered the business, selected a six pack of Bud light Beer from the cooler and proceeded to the sales register. The sales clerk, later identified as Michael Konja, rang up the sale totaling \$8.02 without asking for any identification. [redacted] paid for the Bud Light beer and exited the store with the beer, which he turned over to me. I entered the store and made contact with sales clerk Konja. I obtained the required liquor license information and completed a LCC Violation Report. I issued Michael Konja citation #710345 for furnishing alcohol to a minor. The Bud Light beer was tagged #145753, audiotape tagged #145752 and placed in to evidence.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description: 4171 - Violation of Liquor Control Laws
IBR Code: 90G - Liquor Law Violations
IBR Group: B
Crime Against: SO
Offense File Class: 41001 - LIQUOR LICENSE -ESTABLISHMENT
PACC:
Local Code:
Using:
Criminal Activity:
Force Level:
Weapons:
Location Type: 17 - Liquor Store
Offense Completed?: Yes
Hate/Bias: 00 - None (No Bias)
Domestic Violence: No
No. Prem. Entered:
Entry Method:
Type Security:
Tools Used:

Arrestee A1: Konja, Michael Mansoor

Troy PD Crime Report

Case No. 0800004540
 Report No. 0800004540.1
 Report Date: 5/22/2008

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

2

Page 2 of 5

Arrestee Number **A1**
 Name **Konja, Michael Mansoor**
 Aliases
 Alert(s)
 Address **2821 TREYBURN LN**
 CSZ **West Bloomfield Twp, MI 48324**
 MO
 Attire
 Habitual Offender Status

DOB **1934**
 Age **74**
 Sex **M - Male**
 Race **W - White**
 Ethnicity **U - Unknown**
 Ht.
 Wt.
 Eye Color
 Hair Color
 Hair Style
 Hair Length
 Facial Hair

Place of Birth
 SSN
 DLN
 DL State
 DL Country
 Occupation/Grade
 Employer/School
 Employer Address
 Employer CSZ
 Res. County
 Res. Country
 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. **cit 710345**
 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**

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

Count

Fingerprints

Photos

Miranda Read

Miranda Waived

Number of Warrants

Booked On

Booked Location

Released Location

Released On

Released By

Release Reason

Held For

Date/Time Arrested

5/21/2008 5:15:00 PM

Arrest Location

Juvenile Disposition

Adult Present

Arrest Notes

Detention Name

Witness W1:

Witness Code **W1**
 Name
 Aliases
 Alert(s)

DOB **1989**
 Age **19**
 Sex **M - Male**
 Race **W - White**

Place of Birth
 SSN
 DLN
 DL State

Troy PD Crime Report

Case No. 0800004540
Report No. 0800004540.1
Report Date: 5/22/2008

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

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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
Manufacturer
Model
Serial No.
License No.
Color
Description 6 bur light 16oz long neck bottles
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 Quantify
Drug Measure

Property Notes

Property Description Item 2: 1305 - Recording - Cassette Tape 5426 - cassette 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 maxwell
Model
Serial No.
License No.
Color
Description cassette tape
Vehicle Year
Body Style

NARRATIVE REPORT WITNESS STATEMENT

01	DATE 05/21/08	DAY Wed	SHIFT 02	PLAT 99	BADGE 1 201	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 # 17764
----	------------------	------------	-------------	------------	----------------	---------	---	------------	------------	---------------------

02 Name: _____ DOB: _____ 89 Home Phone: _____
03 Address: ^(PLEASE PRINT) 500 W. Big Beaver Business Phone: _____
04 City: Troy State: MI Zip: 48084
05 E-mail Address: _____ Cell Phone: _____

06 At approximately 17:15 on May 21st, 2008 I entered
07 Lucky's Market located at 4835 John R in Troy, MI. I went
08 to the cooler and selected one 6-pack of Bud Light. I then
09 proceeded to the front counter where the clerk rang up the beer
10 for a total of \$8.02. I paid with a \$10 bill and received
11 my change. After which I proceeded outside and turned over the
12 beer to Sgt. Schaufler.

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27 X: _____
28 Taken By: Sgt. J. Schaufler (SIGNATURE)
29 Place: 500 W. Big Beaver TROY PD Date: 5/21/08 Time: 8:45am

INVESTIGATING OFFICER(S) Sgt. J. Schaufler	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

State of Michigan
Uniform Law Citation

Ticket No. **710345** Victim Involved

US DOT # _____ Incident No. **08-17764** 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**

THE UNDERSIGNED SAYS THAT ON: Month **05** Day **21** Year **08** At approximately A.M. P.M. Dpt. of Birth Year **134** (4 digits)

State Oper./Cha CDL

Race **W** Sex **M**

Name (First, Middle, Last)
MICHAEL MANSOOR KONSA

Street
2821 TREYBURN LN.

City **WEST BLOOMFIELD MI** State **MI** Zip Code **48324**

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 **4835 JOHN R RD**

AT OR NEAR **LUCKY'S MARKET**

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 checked="" type="checkbox"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.	98.10.06	SOLD ALCOHOLIC BEVERAGE TO A MINOR	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			

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

Offense Code(s)
436.17011-A2

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 6-PACK BUDWEISER LIGHT BEER

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) **06-04-08**

Hearing Date (if applicable) on **8:30 AM** 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)
Sgt. J. Schaufler Month **05** Day **21** Year **08**

Officer's Name (printed) **J. SCHAUFLEER** Officer's ID No. **201**

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

Ticket
710345
Name
Case No.

LCC

Liquor Licensee History

Business Name: **Lucky's Market**
 Address: 4835 John R
 Licensee: MK2, LLC
 License Type: **SDM 134568-2008; SDD 134567-2008 SS**
 Permits: Sunday Sales
 Comments:

Date	Troy Incident #	Type	Disposition	Date
*****UNDER OWNERSHIP OF MK2, LLC*****				
01/24/05		Council approves transfer of licenses to MK2, LLC		
01/27/05	05-03050	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS	
02/11/05	05-04806	Compliance Test	PASSED	
03/23/05	05-	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS	
08/06/05	05-27530	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS	
09/09/05	05-31957	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS	
10/13/05		Compliance Test	PASSED	
12/3/05	05-42575	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS	
03/01/06	06-8034	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS	
05/24/06	06-19458	Liquor Inspection (Road Patrol- Brandimore)	NO VIOLATIONS	
06/22/06	06-23620	Sale to minor (Compliance Test)	\$600 Fine	
07/17/06	06-27282	Liquor Inspection (Road Patrol- Brandimore)	NO VIOLATIONS	
09/03/06	06-34261	Liquor Inspection (Road Patrol- Brandimore)	NO VIOLATIONS	
11/12/06	06-43032	Liquor Inspection (Road Patrol- Brandimore)	NO VIOLATIONS	
12/21/06		Compliance Test	PASSED	
01/02/07	07-144	Liquor Inspection (Road Patrol- Brandimore)	NO VIOLATIONS	
02/07/07		City Council Hearings-Ordered to have all employees attend Tips/Tams training and send proof to PD within 90 days.		

03/28/07		TIPS certification obtained by Michael Konja, sr and Michael Konja, jr. Copy in file	
05/03/07	07-16148	Compliance Test	PASSED
06/30/07	07-24407	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/05/07	07-29560	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
08/23/07	07-32123	Compliance Test	PASSED
08/26/07	07-32695	Liquor Inspection (Road Patrol- Piper)	NO VIOLATIONS
11/03/07	07-41752	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
12/06/07	07-45809	Compliance Test	PASSED
12/31/07	07-49067	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
02/21/08	08-6561	Compliance Test	PASSED
03/09/08	08-8754	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
04/29/08	08-15031	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
05/21/08 07/24/08	08-17764	Sale to minor (Compliance Test) MLCC: Violation upheld	\$750 Fine
07/15/08	08-24873	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
08/06/08	08-27561	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
10/09/08	08-34242	Compliance Test	PASSED
12/30/08	08-44492	Compliance Test	PASSED

January 28, 2009

MK2, LLC
dba: Lucky's Market
4835 John R
Troy, Michigan 48085

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDD/SDM/SS
License Number: SDD 134567-2008 SS; SDM 134568-2008
Violation : Compliance Test - Sale to Minor
Violation Date(s): 5/21/2008

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.



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. SDM 172382-2008 Business ID 134809 File #

1. Name of Licensee K-Mart of Michigan, Inc. 2. Doing Business As Big K-Mart No. 4082

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

7. Date of Violation: Tuesday 12/30/08 5:45 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 08-44565

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

Officer Signature [Signature] Name and Title (print) Officer Timothy Daniels

Officer Signature [Signature] Name and Title (print) Officer Frank Shuler

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 (6-pack of Bud Light)

2. Name Helen Marie Bryan Address 6036 Ashwood; Clarkston MI 48346

Will testify to: Sold alcohol to minor

3. Name Sherrri Haywood Address 100 East Maple Rd; Troy MI 48083

Will testify to: Store manager

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Store sales receipt for \$5.89
Maxell cassette audio tape

Case #0900000032

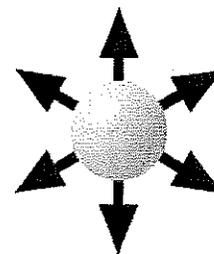
Face Sheet Printed: 1/2/2009 12:21:47 PM

Case Open Date: 1/2/2009

Case Close Date: N/A

Case Subject: 4171 - Violation of Liquor Control Laws

Agency: TR - Troy PD

**Status: OPEN****CR No: 0900000032.1 Status: S - Submitted****Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Bryan, Helen Marie	Violation of Liquor Control Laws
Property		

Property Type	Property Description	Property Status
Receipt 5488	receipt alcohol and audio tape of transaction	Evidence (Including Other Seized Property And Tools)

Call for Service InformationCFS Number: **080044565**CFS Date: **12/29/2008**Time Received: **6:32:48 PM**

Time Arrived:

Location: **100 E Maple Rd**
City: **TROY**Disposition: **No Report**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **4171 - Violation of Liquor Control Laws**Officers: **00080 - Daniels, Timothy**
00046 - Shuler, Frank**Assignment History**Officer: **00080 - Daniels, Timothy**Date Assigned: **1/2/2009 11:29:36 AM**Date Unassigned: **N/A**Officer: **00046 - Shuler, Frank**Date Assigned: **1/2/2009 11:29:36 AM**Date Unassigned: **N/A**

Troy PD Crime Report

Case No. 0900000032
Report No. 0900000032.1
Report Date: 12/30/2008 5:45:00 PM

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

1

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status **S - Submitted**
Agency County **63 - Oakland**

Entered On **1/2/2009 11:30:46 AM**
Entered By **00080 - Daniels, Timothy**

Reporting Officer
00080 - Daniels, Timothy

Agency City/Township **84 - Troy**

Verified On
Verified By

Assisted By
00046 - Shuler, Frank

Occurred On **12/30/2008 5:45:00 PM**
Or Between

Approved On
Approved By

Business Name
Location **100 E Maple Rd**
CSZ **TROY, MI 48083**

Related Cases
Disposition **Arrest**

Agency Assisted

Census/Geo Code

Excp. Clear Reason
Excp. Clear Date

Call for Service #

Jurisdiction

Reporting Agency **Troy PD**
Report Type **Crime Report**
Division **Patrol**

080044565

Grid

Report Type

Sector

Division

Map **0 - N/A**

Notified

Call Source **Telephone**

Related Cases

Vehicle Activity

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative **08-44565**

On 12/30/08 Officers were conducting an alcohol decoy operation with student enforcement aid. Officers held identification at the Police Dept. while the L.C.C. inspections took place. entered Kmart located at 100 E. Maple Rd. selected a 6 pack of Bud Light, 12oz bottles and proceeded to the checkout line. was asked for a date of birth and provided the birth date as 5/25/86. The cashier, identified as Helen Bryan, rang up the transaction and requested \$5.89 from for the alcohol. exited Kmart and immediately turned the alcohol over to officers. Officers made contact with store Manager Sherri Haywood. Haywood removed Bryan from the cash register and we all proceeded to an office. Haywood asked Bryan why she didn't ask for identification, Bryan stated that she messed up and wasn't thinking. Officers issued Bryan citation #737865 and completed the L.C.C. Violation report. Audio tape and receipt of transaction tagged #148312 and deposited into evidence.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description **4171 - Violation of Liquor Control Laws**

IBR Code **90G - Liquor Law Violations**

Location Type **08 - Department/Discount Store**

IBR Group **B**

Offense Completed? **Yes**

No. Prem. Entered

Crime Against **SO**

Hate/Bias **00 - None (No Bias)**

Entry Method

Offense File Class **41001 - LIQUOR LICENSE -ESTABLISHMENT**

Domestic Violence

No

Type Security

PACC

Tools Used

Local Code

Using

Criminal Activity

Force Level

Weapons

Arrestee A1: Bryan, Helen Marie

Troy PD Crime Report

Case No. 0900000032
 Report No. 0900000032.1
 Report Date: 12/30/2008 5:45:00 PM

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

3

Page 3 of 4

Address	500 W. Big beaver	Ethnicity		DL Country	
CSZ	Troy, MI 48083	Ht.		Occupation/Grade	
Attire		Wt.		Employer/School	
		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
		Facial Hair		Res. County	
		Complexion		Res. Country	
				Resident Status	
				Testify	

<u>Phone/Email</u>	
Type	Description

<u>Supplemental IDs</u>			
ID Type	ID Number	ID Issuer	Name

Witness Notes **Decoy**

Other Entity: O1 -- [E] KMart

Entity No.	O1	DOB		Place of Birth	
Entity Type	B - Business, Institution, Etc.	Age		SSN	
Name	[E] KMart	Sex		DLN	
AKA		Race		DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	100 E. Maple	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	

<u>Phone/Email</u>	
Type	Description

<u>Supplemental IDs</u>			
ID Type	ID Number	ID Issuer	Name

Entity Notes

Other Entity: O2 -- Haywood, Sherri

Entity No.	O2	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Haywood, Sherri	Sex	F - Female	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	100 E MAPLE RD	Ht.		Occupation/Grade	
CSZ	Troy, MI 48083	Wt.		Employer/School	
Complexion		Eye Color		Employer Address	
Attire		Hair Color		Employer CSZ	
		Facial Hair		Res. County	

Troy PD Crime Report

Case No. 0900000032
Report No. 0900000032.1
Report Date: 12/30/2008 5:45:00 PM

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

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Page 4 of 4

Res. Country
Resident Status

Phone/Email
Type

Description

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Entity Notes Store manager

Property Description Item 1: 1812 - Receipt 5488 - receipt alcohol and audio tape of transaction

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
Manufacturer
Model
Serial No.
License No.
Color
Description receipt alcohol and audio tape of transaction
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition
Evidence Tag 148312
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes \$5.89, total for one 6 pack of 12 oz bottles of bud light. Also an audio tape of transaction.

NARRATIVE REPORT WITNESS STATEMENT

01	DATE 12/30/08	DAY TUE	SHIFT 54	PLAT 54	BADGE 1 046	BADGE 2 080	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 # 44565
----	------------------	------------	-------------	------------	----------------	----------------	---	------------	------------	---------------------

02 Name: [REDACTED] DOE 39 Home Phone: _____
03 Addr: [REDACTED] Business Phone: _____
04 City: [REDACTED] State: MI Zip: [REDACTED]
05 E-mail Address: _____ Cell Phone: _____

06 I walked into R-mart, with no form of identification
07 and I picked up a six-pack of Bud light bottles. I
08 approached Helen ~~at~~ at the checkout and she did not
09 ask for any identification. She asked for my DOB and
10 I said 09-25-86. She typed it into the computer and
11 proceeded with the transaction. I then walked out to
12 the car and gave the beer to officer Daniels and
13 officer Shuler.

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28 Taken By: [Signature] #46
29 Place: STATION Date: 12/30/08 Time: 2210

INVESTIGATING OFFICER(S) SHULER / DANIELS,	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

Reviewed By: _____

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG 148312

COMPLAINT# 08-44565

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # DLP

CHARGE / INCIDENT LCC VIOLATION DESCRIPTION MAYELL TAPE + RECEIPT OF SALE

REPORTING OFFICER SHULER / DANIELS SERIAL # _____ DRUG WT. _____ DATE 12/30/06 TRAF 1745

DEFENDANT: BRYAN HAYDEN MARIA 60
Last First Middle BOB

DEFENDANT: _____
Last First Middle DOB

INSTRUCTIONS TO PROPERTY SECTIONS: HOLD FOR COURT (LCC HEARING)

OWNER: NAME K-MART PHONE _____

ADDRESS 100 E MAPLE CITY TROY ZIP 48064

CLAIMED BY: _____ DATE _____

FOR PROPERTY SECTION USE ONLY

DISPOSITION: AUCTIONED DESTROYED REUSED OTHER DATE _____



BIG KMART STORE 4082
 100 E MAPLE ROAD
 TROY, MI 48083
 (248)588-9966

** WELCOME TO YOUR **
 ** KMART STORE 4082 **

CASHIER: HELEN

~~GENERAL MERCHANDISE~~

01820000833	BEER	4.99	T
0061	DEPOSIT	.60	

**** TAX	.30	BAL	5.89
Cash			20.00
CHANGE			14.11

TOTAL NUMBER OF ITEMS = 2



ØXB ØPL X7M ØØW NID F8W

RECEIPT# 04082 123008 005 22032

12/30/08 5:45 PM 4082 05 2203 0076

Merchandise included in today's
 transaction may be returned or
 exchanged before 03/30/09 with
 this receipt.

The complete return & exchange policy
 is available at the Service Desk.



Tell us about your experience &
 you could win a
 \$2,500 Kmart gift card

Please visit our website within
 7 days of the date of purchase:

kmartfeedback.com

to complete the survey,
 you will need the 19 digit receipt
 number from your receipt

denos sus comentarios y podria

State of Michigan Uniform Law Citation Ticket No. 737865 Victim Involved

US DOT # Incident No. 08-44565-7861 Dept No. 1 of 1

The People of: the State of Michigan Township City Village County Local Use/Arrest No. Defection Device

OF: TROY BAC

THE UNDERSIGNED SAYS THAT ON: Month 12 Day 30 Year 08 At approximately 1745 P.M. Date of Birth 60

State of Driver/Chauffeur MI CDL

Race W Sex F Height

Name (First, Middle, Last) HELEN MARIE BRYAN

Street 6036 ASHWOOD CT

City CLARKSTON State MI Zip Code 48346

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 100 E MAPLE

AT OR NEAR K-MAC

WITHIN CITY VILLAGE TOWNSHIP OF TROY

COUNTY OF OAKLAND DID THE FOLLOWING

Type	MCL Cite/PACC Code	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.		SELL ALCOHOL TO A PERSON UNDER 21	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Fel <input type="checkbox"/> Waiv	98.10.06		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) 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: DECORATION OPERATION

737865 Ticket Name Case No.

CHECK IF APPROPRIATE Damage to Property Local Court Bond \$ License Posted in Lieu of Bond Appearance Certificate

Vehicle Impounded Injury Death

Traffic Crash Person in Active Military Service Yes No

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

Appearance Date on or before

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 48064 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) DANIELS / SHURR Officer's ID No. 20146

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

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

LCC Liquor Licensee History

Business Name: **Big K-mart #4082**
 Address: 100 E. Maple (248) 588-9966
 Licensee: Kmart Corporation of Michigan, Inc.
 License Type: **SDM 172382-2008**
 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 02/13/08 05/14/07	07-32116	Sale to Minor-Compliance Test Dist Ct MLCC: Violation Upheld Council orders TIPS / TAMS training Proofs Received	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
02/19/08	08-6238	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS
02/21/08	08-6622	Compliance Test	PASSED
04/11/08	08-12738	Liquor Inspection (Road Patrol-Strong)	NO VIOLATIONS
05/21/08	08-17674	Compliance Test	PASSED
06/30/08	08-23061	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
08/27/08	08-30036	Liquor Inspection (Road Patrol- Strong)	NO VIOLATIONS
10/02/08	08-34315	Compliance Test	PASSED
12/30/08	08-44565	Sale to Minor- Compliance Test	Violation

January 28, 2009

K-Mart Corporation
dba: Big K-Mart No. 4082
100 E. Maple Rd.
Troy, Michigan 48083

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 172382-2008
Violation : Compliance Test - Sale to Minor
Violation Date(s): 12/30/2008

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.



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

JENNIFER M. GRANHOLM
GOVERNOR

NIDA R. SAMONA
CHAIRPERSON

August 14, 2008

CORRECTED ORDER

NLM, Inc.
d/b/a Manny's Liquor Shoppe-Troy
42951 Dequindre
Troy MI 48098

RE: Complaint No. 8-126049

Dear Licensee:

Enclosed is a copy of the Corrected Commission's Order in the above matter. We have corrected the paragraph regarding the name of the person who sold the alcoholic liquor to the minor on page 2. Please discard the previous Commission Order.

Should any questions arise regarding this matter, 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

SKC:alf

cc: Inv. Kyra Jefferson, MLCC
Troy Police Department

STATE OF MICHIGAN

DEPARTMENT OF LABOR AND ECONOMIC GROWTH
LIQUOR CONTROL COMMISSION

IN RE: NLM, INC.
D/B/A MANNY'S LIQUOR SHOPPE-TROY
42951 DEQUINDRE
TROY, MI 48098

COMPLAINT NO. 8-126049
BUSINESS I.D. NO. 9431

SDD SDM

CHARGE - May 29, 2008

- (1) Sell, furnish or give away alcoholic liquor to an unnamed minor, X-170, date of birth February 16, 1990, 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 Ammanuel E. Yasso, 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. 8-126049 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 an unnamed minor, X-170, date of birth February 16, 1990, while under the direction of the Michigan Liquor Control Commission, entered the above named licensed establishment during May 29, 2008 and purchased alcoholic liquor from an employee of the above-named Licensee after showing proper proof of age which stated her true age of 18 and included the words "Under 21" on it.

The Commissioner further finds that the employee of the above-named Licensee in this case requested and 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 the unnamed minor, X-170, date of birth February 16, 1990, was 18 years of age at the time of this incident.

CONCLUSIONS OF LAW

Based upon the aforementioned Acknowledgment and Findings of Fact, the Commissioner concludes that the Licensee in Case No. 8-126049 did violate MCL 436.1801(2), as cited.

ORDER

In determining penalty for the charge for which a violation was found, the Commissioner considered the young age of the purchaser and the Licensee's total record which shows eight prior violations, four of which are similar to the Charge in this Complaint, the latest of which occurred in 2001, since being licensed by the MLCC on

NLM, INC.
D/B/A MANNY'S LIQUOR SHOPPE-TROY

COMPLAINT NO. 8-126049
PAGE 3

September 14, 1984, at the above-named location under the current ownership.

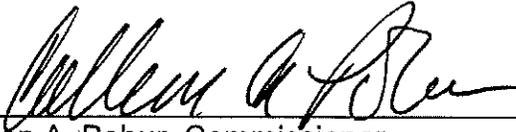
The Commissioner, therefore, Orders a fine of \$800.00 as penalty in this matter.
The Commissioner further Orders that a suspension of 40 days be imposed if the fine is not paid.

MICHIGAN LIQUOR CONTROL COMMISSION

Dated: _____

7/31/08

Colleen A. Pobur, Commissioner



LCC

Liquor Licensee History

Business name: **Manny's Liquor Shoppe**
 Address: 42951 Dequindre (248) 828-7245
 Licensee: NLM Inc.
 License type: **SDD (10801-2002) SDM (13095-2002)**
 Permits: Sunday Sales
 Comments:

Date	Troy Incident #	Type	Disposition	Date
8/20/84		Council approved transfer to NLM, Inc.		
5/20/85		Council approved location transfer		
10/23/87	87-33795	Sale to minor (compliance test)	Fined \$200	7/21/88
10/26/89	89-33806	Sale to minor (compliance test)	Fined \$500	5/24/90
7/23/92	92-21628	Furnish alcohol to minor	Dismissed	07/09/93
7/28/98		Transfer stock to Loreta Asmer, Nancy Yasso & Krist Yasso.		
10/28/98	98-43643	Sale to Minor (Compliance Test)	\$400	04/20/99
06/22/99	99-23606	Compliance Test	PASSED	
07/21/99	MLCC	Sale to Minor (MLCC Compliance Test)	Dismissed per attorney	11/19/99
10/27/99	none	Compliance Test	PASSED	
07/25/00	00-26964	Sale to Minor (Compliance Test)	\$600	01/22/01
11/15/00	00-42358	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		
04/24/01		Compliance Test	PASSED	
05/21/01		Reminder letter sent "Where's proof?" Response: TIPS training done- Scott Forbes was supposed to send certs. Will re-send them.		
08/14/01	01-29123	Compliance Test	PASSED	

09/25/01	01-34505	Compliance Test	PASSED
10/30/01	01-39155	Liquor Inspection (Road Patrol)	NO VIOLATIONS
01/02/02	02-00131	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/27/02	02-06914	Liquor Inspection (Road Patrol)	NO VIOLATIONS
02/28/02	02-06386	Compliance Test	PASSED
04/19/02	02-12009	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-20183	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
08/25/02	02-28008	Liquor Inspection (Road Patrol-Fitzpatrick)	NO VIOLATIONS
10/16/02	02-34074	Compliance Test	PASSED
12/10/02	02-39969	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
01/06/03	03-587	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
03/09/03	03-7072	Liquor Inspection (Road Patrol-Piper)	NO VIOLATIONS
03/24/03	03-8727	Compliance Test	PASSED
05/21/03	03-15121	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
06/19/03	03-18538	Compliance Test	PASSED
07/25/03	03-22944	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
09/04/03	03-27590	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
10/27/03	03-33202	Compliance Test	PASSED
11/13/03	03-35007	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
02/04/04	04-03564	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
03/03/04	04-06332	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
03/22/04	04-08405	Compliance Test	PASSED
04/15/04	04-10794	Liquor Inspection (Road Patrol-Beekman)	NO VIOLATIONS
06/30/04	04-19819	Compliance Test	PASSED
02/11/05	05-04780	Compliance Test	PASSED
03/07/05	05-07587	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
03/12/05	05-08172	Liquor Inspection (Road Patrol-Linton)	NO VIOLATIONS
06/02/05	05-18420	Liquor Inspection (Road Patrol- Baroky)	NO VIOLATIONS

08/25/05	05-30016	Liquor Inspection (Road Patrol- Baroky)	NO VIOLATIONS
09/17/05	05-32942	Liquor Inspection (Road Patrol- Baroky)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/13/05	05-43806	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS
01/16/06	06-1972	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS
03/08/06	06-8914	Liquor Inspection (Road Patrol- Wolfe)	NO VIOLATIONS
05/09/06	06-17409	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS
06/24/06	06-23914	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS
11/19/06	06-43911	Liquor Inspection (Road Patrol- Clark)	NO VIOLATIONS
12/06/06	06-46092	City Ordinance Violation for Improper Display of Alcohol	
05/03/07	07-16151	Compliance Test	PASSED
07/21/07	07-27388	Liquor Inspection (Road Patrol- Maczka)	NO VIOLATIONS
08/23/07	07-32126	Compliance Test	PASSED
10/26/07	07-40659	Liquor Inspection (Road Patrol- Bednard)	NO VIOLATIONS
12/06/07	07-45811	Compliance Test	PASSED
01/09/08	08-1134	Liquor Inspection (Road Patrol- Bednard)	NO VIOLATIONS
02/21/08	08-6562	Compliance Test	PASSED
03/11/08	08-8990	Liquor Inspection (Road Patrol-Bednard)	NO VIOLATIONS
04/29/08	08-15037	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
05/21/08	08-17765	Compliance Test	PASSED
07/15/08	08-24897	Liquor Inspection (Road Patrol- Barrows)	NO VIOLATIONS
05/29/08 07/31/08		MLCC Compliance Test: Sale to Minor Violation Upheld	VIOLATION \$800 Fine
10/02/08	08-34243	Compliance Test	PASSED
12/30/08	08-44493	Compliance Test	PASSED

January 28, 2009

NLM, Inc.
dba: Manny's Liquor Shoppe
42951 Dequindre
Troy, Michigan 48098

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDD/SDM
License Number: SDD 10801; SDM 13095
Violation : MLCC Compliance Test - Sale to Minor
Violation Date(s): 5/29/2008

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.



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. 18079, 11930 Business ID 12448 File # D-62846; D-132.5

1. Name of Licensee Troy Cheese & Wine Market 2. Doing Business As Troy Cheese & Wine Market, Inc.

3. Mailing Address (street, city, zip code) 2560 East Maple Road; Troy 48083

4. Township _____ 5. County Oakland

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

7. Date of Violation: Wednesday 05/21/08 4:00 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 # 08-17716

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

Officer Signature M.A. #48 Name and Title (print) Officer Matthew Redmond

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

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 of Mike's Hard Lemonade

2. Name Azzam Tobia Razzoki Address 37315 Agar Dr; Sterling Hts MI 48310

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): Maxell cassette tape and store receipt

Call For Service

CFS Number: 080017716

Date: 5/20/2008

Call For Service

CFS Number 080017716
Date 5/20/2008
Dispatcher 00512 - Jelley, Renee
Call Source 0 - Telephone
Received 10:36:33 PM
Dispatched
Arrived
Cleared 10:37:44 PM
Location 2560 E Maple Rd
City, State, Zip TROY, MI 48083
Jurisdiction
Grid
Sector
Map 0 - N/A
X Coordinate 4104331
Y Coordinate 0117317

Complainant
Address 2560 E Maple Rd
City, State, Zip TROY, MI 48083
Phone
Call type
Reported Offense C3309 - Liquor Inspection
Verified Offense 4171 - Violation of Liquor Control Laws
Tow Company
Vehicle
Vehicle License
Disposition R - Report Taken
Priority
Classification
Agency TR - Troy PD
Case 0800004539

Officers

00048 - Redmond, Matthew
Notes - C3309 LIQUOR INSPECT

00512 - 22:36:33 Original Location : TROY CHEESE & WINE

Troy PD Arrest Report

Case No. 0800004539
Report No. 0800004539.1
Report Date: 5/22/2008

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**
Agency County **63 - Oakland**

Entered On **5/22/2008 2:58:42 PM**
Entered By **00065 - Morgan, Joseph**

Reporting Officer
00065 - Morgan, Joseph

Agency City/Township **84 - Troy**

Verified On

Verified By

Assisted By

Occurred On **5/21/2008 4:00:00 PM**

Approved On

00048 - Redmond, Matthew

Or Between
Business Name

Approved By

Related Cases

Agency Assisted

Location **2560 E Maple Rd**
CSZ **TROY, MI 48083**

Disposition

Arrest

Census/Geo Code

Excp. Clear Reason

Excp. Clear Date

Call for Service #

Jurisdiction

Reporting Agency

Troy PD

080017716

Grid

Report Type

Arrest Report

Sector

Division

Patrol

Map

Notified

Call Source

Related Cases

0 - N/A Telephone

Vehicle Activity

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative **2008-17716**

Writer, Officer Morgan, and Student Enforcement Aide _____ went to Troy Cheese and Wine located at 2560 East Maple to conduct a L.C.C. inspection. _____ had not identification with her, it was being held at the Police Department. _____ activated a small personal tape recorder and gave a brief introduction indicating the time, date, and location. She then entered the business, selected a 6 pack of Uncle Mike's Hard Lemonade and proceeded to the cash register. _____ presented the 6 pack of Uncle Mike's Hard Lemonade to sales clerk Razzoki for purchase. Razzoki never asked _____ for any identification or what her D.O.B. was. Razzoki rang up the sale which totaled \$9.92. _____ returned to my location and handed the 6 pack of Uncle Mike's Hard Lemonade over to me. A short time later Officer Redmond and I entered the business and made contact with Razzoki. Razzoki denied selling the Uncle Mike's Hard Lemonade to _____ and stated several times, "I want to see her." We explained the situation and issued a citation to Razzoki for "Furnish/Sell Alcohol to a Person under 21." (citation number 720294) We gathered the required license information to complete a L.C.C. violation report and advised the store owner what would be required by him. The 6 pack of Uncle Mike's was left at the store.

The cassette tape and receipt from the transaction was tagged into evidence. (property tag #145740)

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description **4171 - Violation of Liquor Control Laws**

IBR Code **90G - Liquor Law Violations**

Location Type

17 - Liquor Store

IBR Group **B**

Offense Completed?

Yes

No. Prem. Entered

Crime Against **SO**

Hate/Bias

00 - None (No Bias)

Entry Method

Offense File Class **41001 - LIQUOR LICENSE -ESTABLISHMENT**

Domestic Violence

No

Type Security

PACC

Tools Used

Local Code

Troy PD Arrest Report

Case No. 0800004539
 Report No. 0800004539.1
 Report Date: 5/22/2008

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

2

Using
 Criminal Activity
 Force Level
 Weapons

Arrestee A1: Razzoki, Azzam Tobia

Arrestee Number **A1**
 Name **Razzoki, Azzam Tobia**
 Aliases
 Alert(s)
 Address **37315 AGAR DR**
 CSZ **Sterling Heights, MI 48313**
 MO
 Attire
 Habitual Offender Status

DOB **.953**
 Age **54**
 Sex **M - Male**
 Race **W - White**
 Ethnicity **A - Arab**
 HL
 Wt.
 Eye Color
 Hair Color
 Hair Style
 Hair Length
 Facial Hair

Place of Birth
 SSN
 DLN
 DL State
 DL Country
 Occupation/Grade
 Employer/School
 Employer Address
 Employer CSZ
 Res. Country
 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

Description

Supplemental IDs

ID Type	ID Number	ID Issuer	Name
---------	-----------	-----------	------

Physical Characteristics

Type	Descriptor	Description
------	------------	-------------

Arrest No. **720294**
 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
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason

Multi. Clearance Offense
 Prev. Suspect No.
 Notified Name

Juvenile Disposition
 Adult Present

Held For
 Date/Time Arrested **5/21/2008 4:00:00 PM**

Arrest Notes

Detention Name

Arrest Location

Troy PD Arrest Report

Case No. 0800004539
Report No. 0800004539.1
Report Date: 5/22/2008

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

3

Page 3 of 4

Witness W1:

Witness Code	W1	DOB	1989	Place of Birth	
Name		Age	18	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 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**

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - One Maxell Tape and one receipt from 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	2
Value	
Manufacturer	
Model	
Serial No.	
License No.	
Color	
Description	One Maxell Tape and one receipt from transaction
Vehicle Year	
Body Style	
State	
License Year	
Recovered Date/Time	
Owner	
Disposition	
Evidence Tag	145740
Alert(s)	
Evidence Recovered By	

NARRATIVE REPORT WITNESS STATEMENT

SUPP CORR DELETE

01	DATE 05/21/08	DAY Wed	SHIFT 02	PLAT 99	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 08	INCIDENT # 17716
----	------------------	------------	-------------	------------	---------------	---------------	---	------------	------------	---------------------

02 ..
03
04
05

06 I went into Troy Cheese and Wine, I
07 proceeded to the cooler and selected a 6-pack of
08 Uncle Mike's Hard Lemonade. I handed the 6-pack
09 to a older white male cashier. He did not ask for
10 I.D. or birthdate. I purchased the 6-pack and gave it
11 to Officer Morgan and Officer Redmond. Total purchase
12 price was \$9.92.

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27 X: [Redacted Signature]
28 Taken By: [Signature] (SIGNATURE)
29 Place: [Signature] Date: 5/21/08 Time: 2039

INVESTIGATING OFFICER(S) [Signature] #65 [Signature] #48	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
---	-------------	---------------------	--------------

05/21/2008 4:32PM 0008
000002#0367

BEER	11	\$8.79
DEPOSIT		\$0.60
MDSE ST		\$9.39
TAX1		\$0.53

***TOTAL		\$9.92
CASH		\$9.92
CHANGE		\$0.00

TROY
CHEESE & WINE
1-248-585-7226

TROY POLICE DEPARTMENT PROPERTY RECORD

TAG 145740

COMPLAINT# 08-17716

FOR PROPERTY SECTION USE ONLY - BIN # _____

EVIDENCE PERSONAL FOUND RECOVERED CONFISCATED LOCKER # _____

CHARGE / INCIDENT Furnish Alcohol Person <21 DESCRIPTION Marshall cassette tape and
and receipt from Troy Cheese & Wine Shop

SERIAL # _____ DRUG WT. _____

REPORTING OFFICER M. Redmond

DATE 5-21-08 TIME 2030

DEFENDANT: Razzoli
Last

Azzam
First

Tobin
Middle

53
DOB

DEFENDANT: _____
Last

First

Middle

DOB

INSTRUCTIONS TO PROPERTY SECTIONS: Hold for court

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. 120294 Victim Involved

US DOT # _____ Incident No. 2008-17716 Dept. No. 784

Local Use/Arrest No. _____ Detection Device _____

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

OF: TROY BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month 5 Day 21 Year 08 At approximately 4:00 P.M. Date of Birth 53 (4 digits)

State Oper./Chauff. CDL

Race W Sex M Height _____

Name (First, Middle, Last) AZZAM TORIA RAZZOHI

Street 3735 AGARDN

City STENING HEIGHTS MI State MI Zip Code 48310

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 2560 E. MICHIGAN

AT OR NEAR _____

WITHIN CITY VILLAGE TOWNSHIP OF TROY

COUNTY OF OAKLAND

Type	Ordinance	Description (include any bond amount collected on each charge)	Charge No.
<input checked="" type="checkbox"/> Misd <input type="checkbox"/> Fel	Warn Fug Waiv 98-10-06	FURNISH/SECL ALCOHOL TO A PERSON UNDER 21	1
<input type="checkbox"/> Misd <input type="checkbox"/> Fel	Warn Fug Waiv		2
<input type="checkbox"/> Misd <input type="checkbox"/> Fel	Warn Fug Waiv		3

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

Offense Code(s) 1 43627011-A 2 _____ 3 _____

Key for Types: 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: TROY CHEESE & WINE

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 JUNE 17 2008 P. PLIVAK

Hearing Date (if applicable) on _____ Contact Court Court Will Notify

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 48064
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 21 Year 08

Officer's Name (printed) Michael Romanos Officer's ID No. 65140

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

Ticket 720294
Name
Case No.

LCC

Liquor Licensee History

Business Name: **Troy Cheese and Wine Market**
 Address: 2560 E. Maple Rd. (248) 585-7226
 Licensee: Troy Cheese and Wine Market, Inc.
 License Type: **SDD (18079) SDM (11930)**
 Permits: Sunday Sales
 Comments: Licensed since 1989 as Troy Cheese & Wine

Date	Troy Incident #	Type	Disposition	Date
09/18/81	81-22711	Sale to Minor	\$200 fine	01/13/82
05/25/85	85-14687	Sale to Minor	\$250 fine	07/11/85
02/19/87	87-05268	Sale to Minor (Compliance Test)	\$250 fine	04/22/87
05/08/89		City Council approves transfer/sale to new licensee Zaia Shango		
05/23/91	91-14207	Sale to Minor (Compliance Test)	\$200 fine	05/14/92
01/28/99	99-03946	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/22/99	99-23588	Compliance Test	PASSED	
10/27/99	none	Compliance Test	PASSED	
01/1700		Council approves transfer of stock to 3 sons: Rakan, Steven, & Adnan Shango		
04/26/00	00-14163	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
07/17/00		Council approves adding Nadia Kassab as stockholder		
07/25/00	none	Compliance Test	PASSED	
10/27/00	MLCC	Violation: "Selling spirits which have been purchased from an illegal source from between 6/28/00 – 8/28/00 to present"	pending	
10/31/00	00-38641	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
11/15/00	00-42350	Compliance Test	PASSED	
01/24/01	none	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
03/13/01	none	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
04/24/01		Compliance Test	PASSED	

07/09/01	01-24409	Liquor Inspection (Road Patrol)	NO VIOLATIONS
08/14/01	01-29124	Compliance Test	PASSED
09/03/01	01-31617	Liquor Inspection (Road Patrol)	NO VIOLATIONS
09/25/01	01-34488	Compliance Test	PASSED
02/28/02	02-06388	Compliance Test	PASSED
04/30/02	02-13385	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/03/02	02-17386	Liquor Inspection (Road Patrol)	NO VIOLATIONS
06/25/02	02-	Compliance Test	PASSED
08/24/02	02-27907	Liquor Inspection (Road Patrol-Novak)	NO VIOLATIONS
10/16/02	02-34093	Compliance Test	PASSED
02/16/03	03-4870	Liquor Inspection (Road Patrol-Giordano)	NO VIOLATIONS
03/24/03	03-8734	Compliance Test	PASSED
05/28/03	03-15840	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
06/19/03	03-18552	Compliance Test	PASSED
08/12/03	03-24961	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
10/27/03	03-33204	Compliance Test	PASSED
11/08/03	03-34518	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
01/11/04	04-01011	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
03/05/04	04-06578	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
03/22/04	04-08385	Compliance Test	PASSED
05/30/04	04-15809	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
06/30/04	04-19814	Compliance Test	PASSED
07/22/04	04-22182	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
09/16/04	04-29206	Liquor Inspection (Road Patrol- Feld)	NO VIOLATIONS
11/12/04	04-35918	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
01/27/05	05-03060	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
02/11/05	05-04774	Compliance Test	PASSED
03/23/05	05-09427	Liquor Inspection (Road Patrol-Kerezi)	NO VIOLATIONS
06/22/05	05-21189	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS

08/31/05	05-30833	Liquor Inspection (Road Patrol-Swift)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
01/25/06	06-3277	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
03/11/06	06-9361	Liquor Inspection (Road Patrol-Barrows)	NO VIOLATIONS
03/29/06	06-11813	Liquor Inspection (Road Patrol-Pokley/Jones)	NO VIOLATIONS
05/03/05	07-16136	Compliance Test	PASSED
09/15/06	06-35346	Liquor Inspection (Road Patrol-Broderick)	NO VIOLATIONS
08/23/07	07-32102	Compliance Test	PASSED
11/03/07	07-41755	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
12/06/07	07-45765	Compliance Test	PASSED
12/31/07	07-49066	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
02/21/08	08-6528	Compliance Test	PASSED
03/09/08	08-8751	Liquor Inspection (Road Patrol-Dungjen)	NO VIOLATIONS
04/25/08	08-14562	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
05/21/08	08-17716	Sale to Minor (Compliance Test)	
08/26/08		MLCC: Negotiated Settlement	\$450 Fine
06/27/08	08-22740	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
08/28/08	08-30196	Liquor Inspection (Road Patrol- Lamilza)	NO VIOLATIONS
10/09/08	08-34299	Compliance Test	PASSED
12/30/08	08-44433	Compliance Test	PASSED

January 28, 2009

Troy Cheese & Wine Market, Inc.
dba: Troy Cheese & Wine Market
2558 E. Maple Road
Troy, Michigan 48083

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDD/SDM
License Number: 18079; 11930
Violation : Compliance Test - Sale to Minor
Violation Date(s): 5/21/2008

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.



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. 165039-2008 Business ID 202135 File # D-71728; D132.5

1. Name of Licensee Wal-Mart Store No. 2873 2. Doing Business As Wal-Mart

3. Mailing Address (street, city, zip code) 2001 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

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

7. Date of Violation: Thursday 10/02/08 9:35 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 2008-34337

* 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) Frank Shuler, Police Officer

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 _____ Address _____

Will testify to: Sold alcohol to minor

3. Name Sylvia Mead _____ Address 2001 W Maple Rd; Troy MI 48084

Will testify to: Assistant Manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

- Location Held (Explain):
- Maxell recording tape; Property Tag No. 147291
 - Four-pack cans of Guinness beer; Property Tag No. 147292
 - Sales receipt; Property Tag No. 147292

Call For Service

CFS Number: 080034337

Date: 10/1/2008

Call For Service

CFS Number	080034337	Complainant	
Date	10/1/2008	Address	2001 W Maple
Dispatcher	00512 - Jelley, Renee	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	11:27:11 PM	Call type	
Dispatched	11:27:12 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	11:27:33 PM	Tow Company	
Location	2001 W Maple	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	4098101	Case	0800008580
Y Coordinate	0116960		

Officers

00065 - Morgan, Joseph
Notes - C3309 LIQUOR INSPECT

00512 - 23:27:12 Original Location : WALMART

Troy PD Arrest Report

Case No. 0800008580
Report No. 0800008580.1
Report Date: 10/3/2008

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

1

Page 1 of 5

Subject: 4171 violation of liquor laws

Case Report Status: I - In Process
Agency County: 63 - Oakland

Entered On: 10/3/2008 5:12:45 PM
Entered By: 00065 - Morgan, Joseph

Reporting Officer: 00065 - Morgan, Joseph

Agency City/Township: 84 - Troy

Verified On:
Verified By:

Assisted By: 00046 - Shuler, Frank

Occurred On: 10/2/2008 9:35:00 PM
Or Between:

Approved On:
Approved By:

Business Name:

Related Cases:

Agency Assisted:

Location: 2001 W Maple
CSZ: TROY, MI 48083

Disposition: Arrest

Census/Geo Code:

Excp. Clear Reason:

Call for Service #:

Jurisdiction:

Excp. Clear Date:

080034337

Grid:

Reporting Agency: Troy PD

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: 2008-34337

Writer, Officer Morgan, and Police Service Aide _____ went to Walmart located at 2001 W. Maple to conduct an L.C.C. inspection. _____ had no identification with him, it was being held at the Police Department. _____ activated a small personal tape recorder and gave a brief introduction indicating the time, date and location. He then entered the business, selected a 4-pack of Guinness Draft Beer from the beer aisle and proceeded to the check out area. _____ presented the Guinness to sales clerk _____ for purchase. _____ rang up the sale and asked _____ for his identification. _____ advised _____ that he did not have his ID but stated his D.O.B. was _____. _____ continued with the sale and _____ paid with a \$10 bill. _____ proceeded outside and gave Officer Shuler and I the 4-pack of Guinness.

A short time later Officer Shuler and I entered Walmart and made contact with Assistant Manager Sylvia Mead. We explained the situation and issued a citation to _____ for, "Fail to Inquire As to Age." (citation #710362) We gathered the required license information to complete a L.C.C. violation report and advised Mead what would be required by the business.

Officer Shuler tagged into evidence the cassette tape. (property tag #147291) Officer Shuler also tagged into evidence the 4-pack of Guinness and the receipt. (property tag #147292)

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	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	41001 - LIQUOR LICENSE -ESTABLISHMENT		
PACC			Tools Used
Local Code			

Troy PD Arrest Report

Case No. 0800008580
Report No. 0800008580.1
Report Date: 10/3/2008

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

2

Page 2 of 5

Using
Criminal Activity
Force Level
Weapons

Arrestee A1: Pullen, Tiffany Monteria

Arrestee Number	A1	DOB		Place of Birth	
Name		Age	19	SSN	
Aliases		Sex	F - Female	DLN	
Alert(s)		Race	B - Black	DL State	MI - Michigan
Address		Ethnicity	U - Unknown	DL Country	
CSZ		Ht.		Occupation/Grade	
MO		Wt.		Employer/School	
Attire		Eye Color		Employer Address	
Habitual Offender Status		Hair Color		Employer CSZ	
		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. **710362**
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 **4171 - Violation of Liquor Control Laws**
Count **1**
Fingerprints
Photos
Miranda Read
Miranda Waived
Number of Warrants

Booked On
Booked Location
Released Location
Released On
Released By
Release Reason
Held For
Date/Time Arrested **10/2/2008 9:35:00 PM**
Arrest Location

Arrest Notes Detention Name

Troy PD Arrest Report

Case No. 0800008580
Report No. 0800008580.1
Report Date: 10/3/2008

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

3

Page 3 of 5

Witness W1:

Witness Code	W1	DOB	[REDACTED]	Place of Birth	
Name	[REDACTED]	Age	19	SSN	
Aliases	[REDACTED]	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 Police Service Aide

Other Entity: O1 -- Mead, Sylvia

Entity No.	O1	DOB	9/19/1982	Place of Birth	
Entity Type	I - Person Interview	Age	26	SSN	
Name	Mead, Sylvia	Sex	F - Female	DLN	
AKA		Race	B - Black	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	2001 W MAPLE RD	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 Assistant Store Manager

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

Troy PD Arrest Report

Case No. 0800008580
Report No. 0800008580.1
Report Date: 10/3/2008

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

4

Page 4 of 5

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 147291
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location
Drug Type
Drug Quantity
Drug Measure

Property Notes

Property Description Item 2: 1200 - Beer 5402 - 4-Pack of Guinness

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
Model
Serial No.
License No.
Color
Description **4-Pack of Guinness**
Vehicle Year
Body Style

**NARRATIVE REPORT
 WITNESS STATEMENT**

01	DATE 10 02 08	DAY Thu	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 # 34337
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02 Statement of: _____ Home Phone: (248) 524-3477

03 Address: 500 W. Big Beaver (PLEASE PRINT) Business Phone: _____

04 City: Troy State: MI Zip: 48084

05 A+ on October 2nd, 2008 I walked into Walmart
 06 located on Maple Rd in Troy, MI and selected a 4pk. of
 07 Guinness Draft from the beer aisle. I proceeded to the cashier,
 08 later identified as _____, with my selection. The
 09 cashier rang up the sale and asked for my ID. I replied
 10 that I did not have it, to which she asked my DOB. I
 11 replied with my actual DOB of _____. The cashier
 12 continued with the sale and I payed with a \$10 bill. I
 13 walked out of the Walmart with the beer and turned it over
 14 to Officer Morgan.

16 During this incident I did not have any ID on me, it
 17 was at the station in Troy PD custody.

28 Taken By: _____ (SIGNATURE)
 _____ (SIGNATURE)

29 Place: _____ Date: 10/2/08 Time: 2310

INVESTIGATING OFFICER(S) Morgan #6	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
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State of Michigan
Uniform Law Citation

Ticket No. **710362**

US DOT # _____ Incident No. **2008-34337** Dept. No. **78**

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

Local Use/Arrest No. _____ Detection Div. _____

OF: **TROY** BAC _____

THE UNDERSIGNED Month **10** Day **20** Year **08** At approximately A.M. P.M. Date of Birth **1** of _____

SAYS THAT ON: _____

State Oper./Chauff CDL _____

Race **R** Name (First, Last) _____

Street _____

City _____

Vehicle Plate No. _____

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

UPON **2001 W. MAPLE**

AT OR NEAR **WALMAAT**

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
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LCC Liquor Licensee History

Business Name: **Wal-Mart #2873**
 Address: 2001 W. maple
 Licensee: Wal-Mart Stores East
 License Type: **165039-2008**
 Permits: SDM
 Comments: Rep: Sandra Cotter (517) 374-9129, scotter@dykema.com

Date	Troy Incident #	Type	Disposition	Date
12/03/07		Council approves new SDM		
04/16/08	08-13351	Liquor Inspection (Road Patrol-Stacey)	NO VIOLATIONS	
05/21/08	08-17694	Compliance Test	PASSED	
08/07/08	08-27712	Liquor Inspection (Road Patrol- Stacey)	NO VIOLATIONS	
09/01/08	08-30665	Liquor Inspection (Road Patrol-Stacey)	NO VIOLATIONS	
10/02/08 12/03/08	08-34337	Compliance Test (DPU) Sale to Minor MLCC: Violation Upheld	VIOLATION \$500 Fine	
12/30/08	08-44521	Compliance Test	PASSED	

January 28, 2009

Wal-Mart Store No. 2873
dba: Wal-Mart
2001 W. Maple Road
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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 165039-2008
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: Sandra Cotter
Dykema Gossett
201 Townsend - Suite 900
Lansing, MI 48933



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. 133734-2008 Business ID 155711 File # D132.5

1. Name of Licensee Aldi Inc. (Michigan) Store #90 2. Doing Business As Aldi Food Market

3. Mailing Address (street, city, zip code) 2967 East Big Beaver Road; Troy, Michigan 48083

4. Township 5. County Oakland

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

7. Date of Violation: Thursday 10/02/08 7:31 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 2008-34214

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

Officer Signature [Signature] Name and Title (print) Timothy Daniels, Police Officer

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

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

Case #0800008584

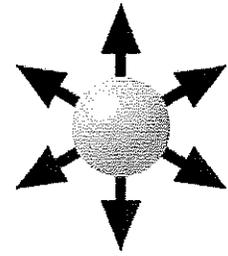
Face Sheet Printed: 10/3/2008 8:03:28 PM

Case Open Date: 10/3/2008

Case Close Date: N/A

Case Subject: 4198 - Liquor - Furnishing Alcohol to a Minor

Agency: TR - Troy PD

**Status: OPEN****CR No: 0800008584.1 Status: I - In Process****Involved Entities**

Entity Type	Entity Name	Offense
Arrestee	Jarbo, Intisar	Liquor - Furnishing Alcohol to a Minor

Property Type	Property Description	Property Status
Recording - Cassette Tape 5426	audio cassette and receipt	Evidence (Including Other Seized Property And Tools)

Call for Service InformationCFS Number: **080034214**CFS Date: **10/1/2008**Time Received: **9:56:47 PM**

Time Arrived:

Location: **2967 E Big Beaver Rd**
City: **TROY**Disposition: **Report Taken**Reported Offense: **C3309 - Liquor Inspection**Verified Offense: **4198 - Liquor - Furnishing
Alcohol to a Minor**Officers: **00048 - Redmond, Matthew****Assignment History**Officer: **00048 - Redmond, Matthew**Date Assigned: **10/3/2008 7:28:49 PM**Date Unassigned: **N/A**

Troy PD Arrest Report

Case No. 0800008584
Report No. 0800008584.1
Report Date: 10/3/2008

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	10/3/2008 7:30:21 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew	00048 - Redmond, Matthew	
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	10/2/2008 7:31:00 PM	Verified By		00080 - Daniels, Timothy	
Or Between		Approved On		Agency Assisted	
Business Name	Aldi	Approved By		Call for Service #	
Location	2967 E BIG BEAVER RD	Related Cases		080034214	
CSZ	Troy, MI 48083	Disposition	Arrest		
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Report Type	Arrest Report		
Map		Division	Patrol		
Call Source	Telephone	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 08-34214

Ofc Daniels and I (Ofc M. Redmond), along with Student Enforcement Aide _____, went to Aldi located at 2967 E. Big Beavere 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 the time, date and location. She then entered the business, selected a bottle of cabernet souvingon wine and proceeded to the cash register. _____ presented the bottle of wine to sales clerk Intisar Jarbo for purchase. Jarbo asked _____ for her identification and she stated she didn't have it with her. Jarbo asked _____ how old she was and she stated she was 21 years old. Jarbo rang up the sale which totaled \$5.29. _____ returned to our location and handed the wine over to Ofc Daniels. A short time later Ofc Daniels and I entered the business and made contact with the assistant store manager who called Jarbo into the office with us. Jarbo admitted to selling the bottle of wine to _____ and stated "she told me she was 21." Jarbo admitted to not having seen any form of identification. We explained the situation and issued a citation to Jarbo for "Furnish/Sell Alcohol to a person under 21." (citation number 720297). We gathered the required license information to complete a L.C.C. violation report and advised the store manager (Amy) what would be required by her. The bottle of wine was left at the store.

The cassette tape and receipt from the transaction was tagged into evidence. (property tag #147285).

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					

Troy PD Arrest Report

Case No. 0800008584
 Report No. 0800008584.1
 Report Date: 10/3/2008

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

2

Local Code

Using

Criminal Activity

Force Level

Weapons

Arrestee A1: Jarbo, Intisar

Arrestee Number **A1**
 Name **Jarbo, Intisar**
 Aliases
 Alert(s)
 Address **2967 E BIG BEAVER RD**
 CSZ **Troy, MI 48083**
 MO
 Attire
 Habitual Offender Status

DOB **1976**
 Age **32**
 Sex **F - Female**
 Race **W - White**
 Ethnicity **U - Unknown**
 HI.
 Wt.
 Eye Color
 Hair Color
 Hair Style
 Hair Length
 Facial Hair

Place of Birth
 SSN
 DLN
 DL State **MI - Michigan**
 DL Country
 Occupation/Grade
 Employer/School
 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 Description

Supplemental IDs
 ID Type ID Number ID Issuer Name

Physical Characteristics
 Type Descriptor Description

Arrest No. **720297**
 Arrest Type **O - On-view**
 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 **4198 - Liquor - Furnishing Alcohol to a Minor**
 Count
 Fingerprints
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants
 Juvenile Disposition
 Adult Present

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason
 Held For
 Date/Time Arrested **10/2/2008 7:31:00 PM**

Troy PD Arrest Report

Case No. 0800008584
Report No. 0800008584.1
Report Date: 10/3/2008

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

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Page 3 of 3

Arrest Notes

Detention Name

Arrest Location **2967 E Big Beaver**

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - audio cassette and receipt

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 **1**
Manufacturer **Maxell**
Model
Serial No.
License No.
Color
Description **audio cassette and receipt**
Vehicle Year
Body Style
State
License Year

Recovered Date/Time **10/2/2008 10:35:00 PM**
Owner
Disposition **depository**
Evidence Tag **147285**
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 PAGE 1 OF 1

01	DATE 1/10/08 10:18	DAY THU	SHIFT 02	PLAT 99	BADGE 1 080	BADGE 2 048	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 # 34214	
02	Nam					DOB: 09/25/89	Home Phone:				
03	Add					Business Phone:					
04	City					State: MI	Zip:				
05	E-mail Address:					Cell Phone:					

06 I walked into Aldi and picked up a bottle of
07 Cabernet Sauvignon wine and continued to the register
08 to purchase the wine. The cashier, in hisar scanned the
09 bottle and asked for my identification. I told her I did
10 not have it and she asked "well how old are you?" and
11 I responded stating that I was 21 and she continued
12 to take my money and I paid \$5.29. I then
13 proceeded to the car and gave the bottle to officer
14 Redmond and officer Daniels.
15
16
17
18
19
20
21
22
23
24
25
26

27 X: ~~_____~~
(Signature)

28 Taken By: M.S. #80
(Signature)

29 Place: 500 W BIG BEAVER Date: 10-2-08 Time: 2:30

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

State of Michigan
Uniform Law Citation

Ticket No. **720297** Victim Involved

US DOT # _____ Incident No. **08-34314** Dept. No. _____

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

Local Use/Arrest No. _____ Detection Device _____

OF: **TROY** BAC _____ of _____

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **20** Year **08** At approximately A.M. P.M. **7:30** Year **76**

State Oper CDL

Race **W** Sex **F** Height _____ Weight _____ Hair _____ Eyes _____ Occupation/Employer **Aldi - Cashier**

Name (First, Middle, Last) **Intisar Jarbo**

Street **41819 Rhinestone**

City **Sterling Heights** State **MI** Zip Code **48314**

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 **2967 E Big Beaver - Aldi**

AT OR NEAR _____

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)	Charge No.
<input checked="" type="checkbox"/> Misd	98.1006	Furnish Alcohol to a minor	1
<input type="checkbox"/> C/I			2
<input type="checkbox"/> C/I			3

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

Offense Code(s) **1 98.1006 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: **43617011-A**

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** 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 **10** Day **10** Year **08**

Officer's Name (printed) **Michael Daniels** Officer's ID No. **48180**

Agency ORI _____ Agency Name _____

Ticket No. 720297

Name

Case No.

LCC

Liquor Licensee History

Business Name: **ALDI FOOD MARKET**

Address: 2967 E. Big Beaver Rd.

Licensee: Aldi, Inc. (Michigan) Store #90

License Type: **133734-2008**

Permits: SDM

Comments: Rep: Sue Chamberlain (517) 521-3907

Date	Troy Incident #	Type	Disposition	Date
09/20/04		Council approves new SDM		
02/11/05	05-04799	Compliance Test	PASSED	
05/16/05	05-16204	Liquor Inspection (Road Patrol- M. Villerot)	NO VIOLATIONS	
07/30/05	05-26460	Liquor Inspection (Road Patrol- M. Villerot)	NO VIOLATIONS	
09/04/05	05-31332	Liquor Inspection (Road Patrol- M. Villerot)	NO VIOLATIONS	
12/19/05	05-44663	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS	
01/24/06	06-3060	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS	
03/20/06	06-10569	Liquor Inspection (Road Patrol- Rushton)	NO VIOLATIONS	
04/09/06	06-13377	Liquor Inspection (Road Patrol- Campbell)	NO VIOLATIONS	
06/13/06	06-22268	Liquor Inspection (Road Patrol- Campbell)	NO VIOLATIONS	
09/05/06	06-34483	Liquor Inspection (Road Patrol- Campbell)	NO VIOLATIONS	
10/22/06	06-40531	Liquor Inspection (Road Patrol- Campbell)	NO VIOLATIONS	
12/21/06		Compliance Test	Passed	
01/06/07	07-742	Liquor Inspection (Road Patrol- Campbell)	NO VIOLATIONS	
05/03/07	07-16134	Compliance Test	Passed	
07/09/07	07-25674	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS	
08/20/07	07-31664	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS	

08/23/07	07-32083	Compliance Test	PASSED
09/11/07	07-34799	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
11/03/07	07-41741	Liquor Inspection (Road Patrol- Denny)	NO VIOLATIONS
12/06/07	07-45770	Compliance Test	PASSED
03/06/08	08-8347	Liquor Inspection (Road Patrol- C. Villerot)	NO VIOLATIONS
02/21/08	08-6531	Compliance Test	PASSED
04/03/08	08-11716	Liquor Inspection (Road Patrol- C. Villerot)	NO VIOLATIONS
05/21/08	08-17741	Compliance Test	PASSED
07/03/08	08-23444	Liquor Inspection (Road Patrol-M.Livingston)	NO VIOLATIONS
08/22/08	08-29432	Liquor Inspection (Road Patrol-M.Livingston)	NO VIOLATIONS
10/02/08	08-34214	Sale to Minor Compliance Test	VIOLATION
11/18/08		MLCC: Violation Acknowledged	\$600 Fine
12/30/08	08-44468	Compliance Test	PASSED

January 28, 2009

Aldi, Inc. (Michigan) Store #90
dba: Aldi Food Market
2967 E. Big Beaver Road
Troy, Michigan 48083

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 133734-2008
Violation : Compliance Test - 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.



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. 105946-2008 Business ID 136475 File # D-68392; D132.5

1. Name of Licensee Good Food Company East 2. Doing Business As Good Food Company

3. Mailing Address (street, city, zip code) 74 West Maple Road; Troy, Michigan 48084

4. Township 5. County Oakland

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

7. Date of Violation: Thursday 10/02/08 7:53 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 2008-34311

* 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) Frank Shuler, Police Officer

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 Antonio Ollivierra Address 6403 Maple Hills; Bloomfield Twp, MI

Will testify to: Sold alcohol to minor

3. Name Bridget Peters Address 74 W Maple Rd; Troy MI 48084

Will testify to: Store manager of business

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

- Location Held (Explain):
- Maxell recording tape; Property Tag No. 147293
 - Bonterra Vineyards Wine; Property Tag No. 147294
 - Sales receipt; Property Tag No. 147294

Troy PD Arrest Report

Case No. 0800008581
Report No. 0800008581.1
Report Date: 10/3/2008

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

1

Page 1 of 5

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status I - In Process
Agency County 63 - Oakland

Entered On 10/3/2008 5:34:11 PM
Entered By 00065 - Morgan, Joseph

Reporting Officer
00065 - Morgan, Joseph

Agency City/Township 84 - Troy

Verified On
Verified By

Assisted By

Occurred On 10/2/2008 7:53:00 PM
Or Between

Approved On
Approved By

00046 - Shuler, Frank

Business Name

Related Cases

Agency Assisted

Location 74 W Maple Rd
CSZ TROY, MI 48083

Disposition Arrest

Excp. Clear Reason

Census/Geo Code

Excp. Clear Date

Call for Service #

Jurisdiction

Reporting Agency

080034311

Grid

Report Type

Troy PD
Arrest Report
Patrol

Sector

Division

Map 0 - N/A

Notified

Call Source Telephone

Related Cases

Vehicle Activity

Dir. Veh. Traveling

Cross Street

Means

Motive

Report Narrative 2008-34311

Writer, Officer Morgan, and Police Service Aide [REDACTED], went to Good Foods located at 74 W. Maple to conduct an L.C.C. inspection. [REDACTED] had no identification on him, it was being held at the Police Department. [REDACTED] activated a small personal tape recorder and gave brief introduction indicating the time, date and location. [REDACTED] then entered the store and selected a bottle of Bonterra Vineyards wine and proceeded to the check out area. He presented the bottle of wine to sales clerk Antonio Ollivierra for purchase. Ollivierra did not ask [REDACTED] for any identification or what his D.O.B. was. Ollivierra rang up the sale which totalled \$20.71. [REDACTED] paid \$21 for the wine and proceeded outside and handed me the bottle.

A short time later Officer Shuler and I proceeded inside the store and made contact with manager Bridget Peters. We explained the situation and issued a citation to Ollivierra for, "Fail To Inquire As to Age." (citation #724714) We gathered the required license information to complete a L.C.C. violation report and advised Peters what would be required by the business.

Officer Shuler tagged the cassette tape into evidence. (property tag #147293) Officer Shuler also tagged into evidence the bottle of wine and the receipt. (property tag #147294)

No further action taken by officers.

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws	Location Type	12 - Grocery/Supermarket
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	41001 - LIQUOR LICENSE -ESTABLISHMENT	No. Prem. Entered	
		Entry Method	
		Type Security	

Call For Service

CFS Number: 080034311
Date: 10/1/2008

Call For Service

CFS Number	080034311	Complainant	
Date	10/1/2008	Address	74 W Maple Rd
Dispatcher	00512 - Jelley, Renee	City, State, Zip	TROY, MI 48083
Call Source	0 - Telephone	Phone	
Received	11:07:30 PM	Call type	
Dispatched	11:07:31 PM	Reported Offense	C3309 - Liquor Inspection
Arrived		Verified Offense	4171 - Violation of Liquor Control Laws
Cleared	11:07:51 PM	Tow Company	
Location	74 W Maple Rd	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	4100069	Case	0800008581
Y Coordinate	0117186		

Officers

00065 - Morgan, Joseph
Notes - C3309 LIQUOR INSPECT

00512 - 23:07:31 Original Location : GOOD FOODS

Troy PD Arrest Report

Case No. 0800008581
 Report No. 0800008581.1
 Report Date: 10/3/2008

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

2

PACC
 Local Code

Tools Used

Using
 Criminal Activity
 Force Level
 Weapons

Arrestee A1: Olliviera, Antonio Ramon

Arrestee Number **A1**
 Name **Olliviera, Antonio Ramon**
 Aliases
 Alert(s)
 Address **6403 MAPLE HILLS DR**
 CSZ **Bloomfield Twp, MI 48302**
 MO
 Attire
 Habitual Offender Status

DOB **1971**
 Age **37**
 Sex **M - Male**
 Race **W - White**
 Ethnicity **U - Unknown**
 Ht.
 Wt.
 Eye Color
 Hair Color
 Hair Style
 Hair Length
 Facial Hair

Place of Birth
 SSN
 DLN
 DL State **MI - Michigan**
 DL Country
 Occupation/Grade
 Employer/School
 Employer Address
 Employer CSZ
 Res. County
 Res. Country
 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 Number ID Issuer Name

Physical Characteristics Type Descriptor Description

Arrest No. **724714**
 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 **4171 - Violation of Liquor Control Laws**
 Count **1**
 Fingerprints
 Photos
 Miranda Read
 Miranda Waived
 Number of Warrants
 Juvenile Disposition
 Adult Present

Booked On
 Booked Location
 Released Location
 Released On
 Released By
 Release Reason
 Held For
 Date/Time Arrested **10/2/2008 7:53:00 PM**

Troy PD Arrest Report

Case No. 0800008581
Report No. 0800008581.1
Report Date: 10/3/2008

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

3

Page 3 of 5

Arrest Notes

Detention Name

Arrest Location

Witness W1:

Witness Code	W1	DOB	,989	Place of Birth	
Name	[REDACTED]	Age	19	SSN	
Aliases	[REDACTED]	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 Police Service Aide

Other Entity: O1 -- Peters, Bridget

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Peters, Bridget	Sex	F - Female	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	74 W MAPLE RD	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 Manager on Duty

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

Troy PD Arrest Report

Case No. 0800008581
Report No. 0800008581.1
Report Date: 10/3/2008

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

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Page 4 of 5

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 147293
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes Cassette Tape

Property Description Item 2: 1206 - Wine 5402 - Bottle of 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 Bonterra Vineyards
Model
Serial No.
License No.
Color
Description Bottle of wine
Vehicle Year
Body Style

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE 10/02/08	DAY THU	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 # 34311
----	------------------	------------	-------------	------------	---------------	---------	---	------------	------------	---------------------

02 Statement of: _____ Home Phone: (248) 524-3477

03 Address: 500 W. Big Beaver (PLEASE PRINT) Business Phone: _____

04 City: Troy State: MI Zip: 48064

05 At _____ on October 2nd, 2008 I walked into Good
 06 Food Company located on Maple Rd. in Troy, MI and proceeded
 07 to select a bottle of wine. I took the selection to the
 08 cashier, later identified as Antonio Olliviera. The cashier
 09 rang up the sale, totalling \$20.71, and I payed with \$21.
 10 No ID or DOB was requested from the cashier. I proceeded
 11 outside with the purchase and turned it over to Officer
 12 Morgan.

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

27 _____ X: _____
 28 Taken By: _____ (SIGNATURE)

29 Place: Station Date: 10-2-08 Time: 2:38

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

State of Michigan
Uniform Law Citation

Ticket No. **724714** Victim Involved

US DOT # _____ Incident No. **200834311** Dept. No. **789**

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

Local Use/Arrest No. _____ Detection Device _____

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

THE UNDERSIGNED SAYS THAT ON: Month **10** Day **2** Year **2008** At approximately **7:53** A.M. P.M. Date of Birth **71** (4 digits)

State Oper./Chauff. CDL

Race **W** Sex **M** Height _____

Name (First, Middle, Last) **ANTONIO RAMON GILIVIERA**

Street **6403 MAPLE HILLS DR**

City **BOONFIELD HILLS MI** State _____ Zip Code **48301**

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 **74 W. MAPLE**

AT OR NEAR **6000 7000S**

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)	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	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"/> Fel		<input type="checkbox"/> Authorization pend. <input type="checkbox"/> Fug <input type="checkbox"/> Waiv		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) **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 **10-15-08 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 _____ Month **10** Day **2** Year **08**

Officer's Name (printed) **MONA D. JENSEN** Officer's ID No. **65146**

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

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

Ticket No. **724714**

Name _____

Case No. _____

LCC

Liquor Licensee History

Business Name: **Good Food Company East, Inc.**

Address: 74 W. Maple Rd. (248) 362-0886

Licensee: Good Food Company East, Inc.

License : **105946-2008**

Permits: SDM

Comments: John Barnard, General Manager

Date	Troy Incident #	Type	Disposition	Date
06/04/01		Council approves new SDM		
08/14/01	01-29138	Compliance Test	PASSED	
10/23/01	01-38216	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
01/02/02	02-00113	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/19/02	02-05282	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
02/28/02	02-06375	Compliance Test	PASSED	
04/18/02	02-11910	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/13/02	02-18651	Liquor Inspection (Road Patrol)	NO VIOLATIONS	
06/25/02	02-	Compliance Test	PASSED	
09/12/02	02-30125	Liquor Inspection (Road Patrol- Satterfield)	NO VIOLATIONS	
10/16/02	02-34088	Compliance Test	PASSED	
12/12/02	02-40188	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS	
01/16/03	03-1619	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS	
02/20/03	03-5272	Liquor Inspection (Road Patrol-Satterfield)	NO VIOLATIONS	
03/24/03	03-8729	Compliance Test	PASSED	
05/17/03	03-14722	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS	
06/14/03	03-17818	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS	
06/19/03	03-18555	Compliance Test	PASSED	

07/28/03	03-23286	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS
10/27/03	03-33181	Compliance Test	PASSED
01/23/04	04-02305	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS
03/12/04	04-07252	Liquor Inspection (Road Patrol-Breidenich)	NO VIOLATIONS
03/22/04	04-08378	Compliance Test	PASSED
03/26/04	04-08835	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
05/29/04	04-15700	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
06/30/04	04-19810	Compliance Test	PASSED
09/09/04	04-28298	Liquor Inspection (Road Patrol-Livingston)	NO VIOLATIONS
02/16/05	05-05255	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS
03/24/05	05-09573	Liquor Inspection (Road Patrol-Nastasi)	NO VIOLATIONS
04/13/05	05-11984	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS
07/17/05	05-24717	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS
09/04/05	05-31331	Liquor Inspection (Road Patrol-Rockafellow)	NO VIOLATIONS
10/13/05		Compliance Test	PASSED
12/13/05	05-43791	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
01/17/06	06-2187	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
03/08/06	06-8901	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
03/29/06	06-11803	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
07/21/06	06-27858	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
10/06/06	06-38482	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
12/21/06		Compliance Test	PASSED
01/24/07	07-5009	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
05/03/07	07-16123	Compliance Test	PASSED
07/03/07	07-24751	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS
08/16/07	07-31760	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS
09/05/07	07-34040	Liquor Inspection (Road Patrol-Brandimore)	NO VIOLATIONS
10/03/07	07-37680	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS

10/23/07	07-32180	Compliance Test	PASSED
12/06/07	07-45864	Compliance Test	PASSED
01/02/08	08-208	Liquor Inspection (Road Patrol-Klute)	NO VIOLATIONS
02/21/08	08-6616	Compliance Test	PASSED
03/07/08	08-8495	Liquor Inspection (Road Patrol-Huck)	NO VIOLATIONS
04/25/08	08-14560	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
05/21/08	08-17668	Compliance Test	PASSED
06/27/08	08-22745	Liquor Inspection (Road Patrol-Lamilza)	NO VIOLATIONS
08/28/08	08-30200	Liquor Inspection (Road Patrol- Lamilza)	NO VIOLATIONS
10/02/08 11/26/08	08-34311	Compliance Test (DPU) Sale to Minor MLCC: Violation Upheld	VIOLATION \$500 Fine
12/30/08	08-44569	Compliance Test	PASSED

January 28, 2009

Good Food Company East
dba: Good Food Company
74 W. Maple Road
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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 105946-2008
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.



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. 164595-2008 Business ID 201036 File #

1. Name of Licensee Konja 1, Inc. 2. Doing Business As CARL'S LIQUOR STORE

3. Mailing Address (street, city, zip code) 5908 John R; Troy, Michigan 48085

4. Township 5. County Oakland

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

7. Date of Violation: Friday 11/14/08 10:35 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [X] 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:
Minor issued citation for "Minor in Possession"

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 08-39414

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

Officer Signature [Signature] Name and Title (print) Officer Christopher Huck

Officer Signature [Signature] #57 Name and Title (print) Officer Nicholas Pappas

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

WITNESSES

1. Name _____ Address _____

Will testify to: Minor who purchased 30-pack of Busch Light beer

2. Name Chrisopher Danial Konja Address 5146 Parkside; W Bloomfield MI 48323

Will testify to: Sold 30-pack of Busch Light beer to minor

3. Name _____ Address _____

Will testify to:

4. Name _____ Address _____

Will testify to:

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): 30-pack of Busch Light beer - Evidence Tag No. 147717

Troy PD Arrest Report

Case No. 0800010028
Report No. 0800010028.1
Report Date: 11/14/2008

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

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Page 1 of 7

Subject: L3570 TRAFFIC STOP

Case Report Status	V - Verified	Entered On	11/14/2008 11:40:23 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00057 - Pappas, Nick	00057 - Pappas, Nick	
Agency City/Township	84 - Troy	Verified On	11/15/2008 2:24:27 AM	Assisted By	
Occurred On	11/14/2008 10:30:00 PM	Verified By	00206 - Kowalski, Robert	48066 - Huck, Christopher	
Or Between		Approved On		Agency Assisted	
Business Name		Approved By		Call for Service #	
Location	Lakeside&John R 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	Arrest Report		
Map	0 - N/A	Division	Patrol		
Call Source	Field Initiated	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative 08-39414

Officer Huck and I (Officer Pappas) observed a Black Camaro parked in front of the 7-11 convenience store at John R and Long Lake. Officers observed three subjects exit the 7-11 and enter into the Camaro. The Camaro backed out of the parking spot and drove south towards the southern parking lot. The Camaro completed a u-turn in the parking lot and stopped next to a Dodge Intrepid (just entered parking lot from John R). After approximately 2-3 minutes the Camaro drove north through the parking lot and entered onto John R without stopping (fail to stop exiting a private drive). The Camaro drove N/B on John R and entered into the Carl's Liquor Store parking lot at John R and Square Lake.

Officers headed north around the building and back south behind the complex. Officers observed the Camaro re-enter onto John R after a brief period of time. The Camaro continued N/B on John R at a high rate of speed and completed a right turn onto Lakeside. The Camaro entered into a cul-de-sac on the North side of Lakeside (failed to use left turn indicator). Officers initiated a traffic stop on Lakeside near Southpoint.

Officer Huck and I made contact with the driver, _____. Officers observed two passengers in the vehicle with _____ (front passenger) and _____ (rear passenger). Officers determined that the occupants were approximately 17 years of age. I observed a 30 pack of Busch Light Beer Cans between _____ legs. I removed the case of beer (still cold to touch). Officers questioned the occupants about the alcohol. The juveniles initially advised that _____ took the beer from his home. Officers removed the occupants from the vehicle.

_____ stated that _____ purchased the alcohol from a party store. _____ advised that the party store was near John R and Square Lake. _____ advised that they were going to a party on Lakeside. _____ advised that they were not going to drink the alcohol.

Officers questioned _____ about the origin and ownership of the beer. _____ advised that the beer was from his home. Officers further questioned _____ about the beer and _____ admitted that the beer was from a party store. _____ stated that he entered the liquor store on John R at Square Lake (Carl's

Troy PD Arrest Report

Case No. 0800010028
Report No. 0800010028.1
Report Date: 11/14/2008

Troy PD
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Page 2 of 7

Liquor Store) and purchased the Busch Light for approximately \$20 (cash). [redacted] advised that the Liquor Store employee failed to ask for his identification. [redacted] stated that he did not produce a fake ID to purchase the alcohol. [redacted] described the employee as a late 20's, heavy set w/m with black hair. [redacted] advised that the employee was possibly Arabic. [redacted] advised that the employee who sold him the beer was alone.

Officers issued [redacted] citation # 732705 for minor in possession of alcohol. Officers released [redacted] on scene (juv's no HBD). Officers confiscated the beer and tagged it into evidence (#147717).

Officers attempted to make contact with the employee at Carl's Liquor Store. Officers' investigation found that Chris Konja was working at the Liquor store (information obtained via conversation with employees and patrons of CoffeeNet). I spoke with Carl Konja (co-owner of Carl's Liquor Store) on the telephone and he advised that his brother, Chris Konja, was working all night. Carl advised that his brother was on the way home.

I made contact with Chris Konja via telephone at the Troy P.D. Chris stated that he was working all night at the party store. Chris advised that he was the only employee working at approximately 2230 hrs. I advised Chris that he sold a 30-pack of Busch Light Beer to a minor at approximately 2225 hrs. Chris advised that he did not remember the transaction or the minor. Chris advised that he would be working at the liquor store on 11/15/08 (afternoon shift).

Officers will attempt to make contact with Chris Konja on 11/15/08. [redacted] LEIN/SOS work is attached. An MIP notification form was completed and mailed to [redacted] parents. A LCC violation report will be completed.

Offense Detail: 4196 - Liquor - Minor Possess/Consume/Purchase Attempts

Offense Description	4196 - Liquor - Minor Possess/Consume/Purchase Attempts		
IBR Code	90G - Liquor Law Violations	Location Type	13 - Highway/Road/Street/Alley
IBR Group	B	Offense Completed?	Yes
Crime Against	SO	Hate/Bias	00 - None (No Bias)
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER	Domestic Violence	No
PACC			
Local Code			
Using			
Criminal Activity			
Force Level			
Weapons			

Offense Detail: 4102 - Liquor Violation - Sell

Offense Description	4102 - Liquor Violation - Sell		
IBR Code	90G - Liquor Law Violations	Location Type	17 - Liquor Store
IBR Group	B	Offense Completed?	Yes
Crime Against	SO	Hate/Bias	00 - None (No Bias)
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER	Domestic Violence	No
PACC			
Local Code			
Using			
Criminal Activity			

Troy PD Arrest Report

Case No. 0800010028
 Report No. 0800010028.1
 Report Date: 11/14/2008

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

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Force Level
 Weapons

Suspect S1: Konja, Chris

Suspect Number	S1	DOB	1/1981	Place of Birth	
Name	Konja, Chris	Age	27	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	U - Unknown	DL State	
Address	5146 Parkside Dr	Ethnicity	U - Unknown	DL Country	
CSZ	West Bloomfield, MI 48323	Ht.		Occupation/Grade	
MO		Wt.		Employer/School	Carl's Liquor Store
Attire		Eye Color	BRO - Brown	Employer Address	
Habitual Offender Status		Hair Color	BLK - Black	Employer CSZ	
		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

CE - Cell Phone #1

Description

248 640-6669

Supplemental IDs

ID Type	ID Number	ID Issuer	Name
---------	-----------	-----------	------

Physical Characteristics

Type	Descriptor	Description
------	------------	-------------

Suspect Notes

Arrestee A1:

Arrestee Number	A1	DOB		Place of Birth	
Name		Age	17	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	4 MI - Michigan
Address		Ethnicity	O - Other	DL Country	USA - United States of America
CSZ		Ethnicity/National Origin		Occupation/Grade	
MO		Ht.		Employer/School	
Attire		Wt.		Employer Address	
		Eye Color		Employer CSZ	
		Hair Color		Res. County	Oakland
		Hair Style		Res. Country	USA - United States of America
		Hair Length			

Troy PD Arrest Report

Case No. 0800010028
Report No. 0800010028.1
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Troy PD
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Habitual Offender
Status

Facial Hair

Resident Status

**C - Resides in the
County but not
the community
where the offense
occurred**

Complexion

Build

Teeth

Phone/Email
Type

CE - Cell Phone #1

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Physical Characteristics
Type

Descriptor

Description

Arrest No. **732705**

Arrest Type **S - Summoned/Cited**

FBI No.

Criminal Tracking
Number CTN
Transaction Control
Number TCN
Person Control
Number PCN

Arrested For **4196 - Liquor - Minor Possess/Consume/Purchase
Attempts**

State No.

Count

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

Fingerprints

Booked On

Multi. Clearance

Photos

Booked Location

Multi. Clearance
Offense

Miranda Read

Released Location

Prev. Suspect No.

Miranda Waived

Released On

Notified Name

Number of Warrants

Released By

Juvenile Disposition

**6 - Handled Within
Department**

Release Reason

Held For

Adult Present

Date/Time Arrested

11/14/2008

11:00:00 PM

Arrest Notes

Detention Name

Arrest Location

Other Entity: 01 ->

Entity No. **01**

Entity Type **I - Person Interview**

Name

DOB

Place of Birth

AKA

Age **17**

SSN

Alert(s)

Sex **M - Male**

DLN

Address

Race **W - White**

DLN State **MI - Michigan**

CSZ

Ethnicity **U - Unknown**

DLN Country

Complexion

Ht.

Occupation/Grade

Attire

Wt.

Employer/School

Eye Color

Employer Address

Hair Color

Employer CSZ

Facial Hair

Res. County

Troy PD Arrest Report

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Troy PD
500 W Big Beaver
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Res. Country
Resident Status

Phone/Email
Type

CE - Cell Phone #1

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Entity Notes Front Passenger

Other Entity: O2 --

Entity No. O2

Entity Type I - Person Interview

Name

AKA

Alert(s)

Address

CSZ

Complexion

Attire

DOB

Age 17

Sex

M - Male

Race

W - White

Ethnicity

U - Unknown

Ht.

Wt.

Eye Color

Hair Color

Facial Hair

Place of Birth

SSN

DLN

DLN State

MI - Michigan

DLN Country

Occupation/Grade

Employer/School

Employer Address

Employer CSZ

Res. Country

Res. Country

Resident Status

Phone/Email
Type

CE - Cell Phone #1

Description

Supplemental IDs
ID Type

ID Number

ID Issuer

Name

Entity Notes rear seat passenger

Property Description Item 1: 3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403 - susp vehicle

Troy PD Arrest Report

Case No. 0800010028
Report No. 0800010028.1
Report Date: 11/14/2008

Troy PD
500 W Big Beaver
Troy, MI 48084
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Item No. 1
Property Category 3501 - Automobile/Car/Vehicle (not Stolen Or Recovered) 5403
Property Class 03
IBR Type 03 - Automobiles
UCR Type V - Other Vehicle (not Stolen or Recovered)
Status I - Information Only

Count 1
Value
Manufacturer Chevrolet
Model Camaro
Serial No.
License No. BPL5796
Color BLK - Black
Description susp vehicle
Vehicle Year 1993
Body Style 2D - 2 Door
State MI - Michigan
License Year

Recovered Date/Time
Owner O1 -
Disposition
Evidence Tag
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

Property Description Item 2: 1200 - Beer 5402 - 30 pack busch light cans-cold

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 30
Value
Manufacturer Busch Light
Model 30 pack-cans
Serial No.
License No.
Color BLU - Blue
Description 30 pack busch light cans-cold
Vehicle Year

Troy PD Arrest Report

Case No. 0800010028
Report No. 0800010028.2
Report Date: 11/14/2008

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

1

Page 1 of 3

Subject: **Sell Alcohol to person under 21 yoa**

Case Report Status	V - Verified	Entered On	11/15/2008 6:00:52 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00057 - Pappas, Nick	00057 - Pappas, Nick	
Agency City/Township	84 - Troy	Verified On	11/15/2008 9:53:34 PM	Assisted By	
Occurred On	11/14/2008 10:30:00 PM	Verified By	00206 - Kowalski, Robert	48066 - Huck, Christopher	
Or Between		Approved On		Agency Assisted	
Business Name		Approved By		Call for Service #	
Location	Lakeside&John R Rd	Related Cases		080039414	
CSZ	TROY, MI 48085	Disposition	Arrest		
Census/Geo Code		Excp. Clear Reason			
Jurisdiction		Excp. Clear Date			
Grid		Reporting Agency	Troy PD		
Sector		Report Type	Arrest Report		
Map	0 - N/A	Division	Patrol		
Call Source	Field Initiated	Notified			
Vehicle Activity		Related Cases			
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative **08-39414**

Officers arrived at 5903 John R (Carl's Liquor Store) and spoke with Christopher Konja. Konja matched the physical description given by I __ Konja advised that he was working on 11/14/08 at approximately 2230 hrs. Officers noted that the Liquor store has the Busch Light 30 pack for sale in the rear cooler area. Officers advised Konja that he sold an underage male alcohol on 11/14/08 at approximately 2230 hrs. Konja advised that he did not have a video recording of the incident. Konja advised that he remembered entering his store on 11/14/08 at approximately 2200 hrs. Konja stated that __ grabbed a bottle of water and walked out. Konja advised that he would never sell alcohol to a minor.

Officers issued Konja citation # 732706 for "sell alcohol to a person under 21". Officers completed the LCC violation form and forwarded it with a copy of the citations and report. Konja's LEIN/SOS work is attached.

Offense Detail: 4196 - Liquor - Minor Possess/Consume/Purchase Attempts

Offense Description	4196 - Liquor - Minor Possess/Consume/Purchase Attempts		
IBR Code	90G - Liquor Law Violations	Location Type	13 - Highway/Road/Street/Alley
IBR Group	B	Offense Completed?	Yes
Crime Against	SO	Hate/Bias	00 - None (No Bias)
Offense File Class	41002 - LIQUOR VIOLATIONS -OTHER	Domestic Violence	No
PACC		No. Prem. Entered	
Local Code		Entry Method	
Using		Type Security	
Criminal Activity		Tools Used	
Force Level			
Weapons			

Troy PD Arrest Report

Case No. 0800010028
 Report No. 0800010028.2
 Report Date: 11/14/2008

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

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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					
Weapons					

Arrestee A2: Konja, Chris

Arrestee Number	A2	DOB	981	Place of Birth	
Name	Konja, Chris	Age	27	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	U - Unknown	DL State	
Address	5146 PARKSIDE DR	Ethnicity	U - Unknown	DL Country	
CSZ	West Bloomfield, MI 48323	Ht.		Occupation/Grade	
MO		Wt.		Employer/School	Carl's Liquor Store
Attire		Eye Color	BRO - Brown	Employer Address	
Habitual Offender Status		Hair Color	BLK - Black	Employer CSZ	
		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			

<u>Phone/Email</u>	<u>Description</u>
Type	
CE - Cell Phone #1	248 640-6669

<u>Supplemental IDs</u>	ID Number	ID Issuer	Name
ID Type			

<u>Physical Characteristics</u>	Descriptor	Description
Type		

Arrest No.	732706	Arrested For	4102 - Liquor Violation - Sell
Arrest Type	S - Summoned/Cited		
FBI No.			
Criminal Tracking Number CTN			
Transaction Control Number TCN			
Person Control Number PCN			

State of Michigan Uniform Law Citation Ticket No. **732705** Victim Involved

US DOT # _____ Incident No. **08-39414** Dept. No. **784**

The People of: the State of Michigan Local Use/Arrest No. _____ Detection Device _____
 Township City Village County

OF: **TROY** **994-FRI** BAC _____ 1 of 1

THE UNDERSIGNED SAYS THAT ON: Month **11** Day **14** Year **08** At approximately **10:30** A.M. P.M. Date of Birth _____ Year **90**

State Oper./Chauf. CDL _____ ISSN (last 4 digits) _____
MI

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

Vehicle Description (Year, Make, Color) **BPL 57969 ME 93 CHEVY CAMARO BLK PA**

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

UPON **LAKESIDE**

AT OR NEAR **SOUTH POINTE**

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)	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	98.10.03	MINOR IN POSSESSION	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			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			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: **MIP - POSS OF 30 RAK** **BUSCH LIGHT**

Ticket **732705**

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 **12/3/08 @ 830**

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 _____ Month **11** Day **14** Year **08**

Officer's Name (Printed) **N. PAPAS / C. HUCK** Officer's ID No. **57/85**

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

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

Case No. _____

State of Michigan Uniform Law Citation Ticket No. 732706 Victim Involved

US DOT # Incident No. 08-39414 Dept. No. 707

The People of: the State of Michigan Township City Village County Local Use/Arrest No. Detection Device

OF: TROY BAC

THE UNDERSIGNED SAYS THAT ON: Month 11 Day 14 Year 08 At approximately 10:30 A.M. P.M. Date of Birth [REDACTED]

State MI CDL Oper./Chauff. Driver License Number [REDACTED]

Race w Sex M Height 506 Weight 130 Hair BRO Eyes BRO Occupation/Employer

Name (First, Middle, Last) CHRISTOPHER PANIAL KONJA

Street 5146 PARKSIDE PK

City WEST BLOOMFIELD MI State MI Zip Code 48323

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

AT OR NEAR 5903 JOHN R

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 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	98.10.06	SELL ALCOHOL TO PERSON UNDER 21	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) 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: - DID NOT ASK PROOF FD
- CASH TRANSACTION
- CARL'S LIQUOR STORE

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 12/3/08 @ 830

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

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: [Signature] Month 11 Day 15 Year 08

Officer's Name (printed): N. PARRAS / C. HULL Officer's ID No. 57/85

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

Ticket
732706

Name

Case No.

LCC Liquor Licensee History

Business Name: **Carl's Liquor Store**
 Address: 5903 John R
 Licensee: Konja 1, Inc.
 License Type: **164595-2008**
 Permits: SDD, SDM
 Comments: Danial Konja (248) 514-2304

Date	Troy Incident #	Type	Disposition	Date
11/19/07		Council approves new SDD/SDM		
01/09/08	08-1132	Liquor Inspection (Road Patrol-Bednard)	NO VIOLATIONS	
02/21/08	08-6577	Compliance Test	PASSED	
03/11/08	08-8988	Liquor Inspection (Road Patrol-Bednard)	NO VIOLATIONS	
05/17/08	08-17277	Liquor Inspection (Road Patrol-Bednard)	NO VIOLATIONS	
05/20/08		Request to move location to 5903-5905 John R		
06/17/08		Request approved pending building inspection		
06/20/08		Final building inspection approved		
05/21/08	08-17747	Compliance Test	PASSED	
07/25/08	08-26133	Liquor Inspection (Road Patrol- Bednard)	NO VIOLATIONS	
08/30/08	08-30450	Liquor Inspection (Road Patrol- Bednard)	NO VIOLATIONS	
10/02/08	08-34222	Compliance Test	Passed	
12/08/08	08-39414	Sale to Minor (Huck /N. Pappas)	VIOLATION	
12/30/08	08-44475	Compliance Test	PASSED	

January 28, 2009

Konja 1, Inc.
dba: Carl's Liquor Store
5903 John R
Troy, Michigan 48085

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDD/SDM
License Number: 164595-2008
Violation : Sale to Minor
Violation Date(s): 11/14/2008

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.



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. SDM179471-2008 Business ID 204854 File # D-72160

1. Name of Licensee Agrusa International Marketplace 2. Doing Business As Agrusa International Marketplace

3. Mailing Address (street, city, zip code) 5047 Rochester Road; Troy, Michigan 48085

4. Township 5. County Oakland

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

7. Date of Violation: Tuesday 12/30/08 5:50 AM or PM
(DAY) (DATE) (HOUR)

8. Violation Type: [x] 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? [x] 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 # 08-44467

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

Officer Signature [Signature] #48 Name and Title (print) Officer Matthew Redmond

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

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 (6-pack of Sam Adams Boston Lager)

2. Name _____ Address _____

Will testify to: Sold alcohol to minor

3. Name Vito Agrusa Address 5047 Rochester Rd; Troy MI 48085

Will testify to: Store manager

4. Name Mariam Mikha Address 2911 Groves; Sterling Hts MI 48310

Will testify to: Cashier

5. Name _____ Address _____

Will testify to:

EVIDENCE

Location Held (Explain): Store sales receipt for \$9.81

Case #0900000033

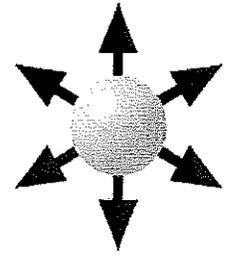
Face Sheet Printed: 1/2/2009 12:14:45 PM

Case Open Date: 1/2/2009

Case Close Date: N/A

Case Subject: 4171 - Violation of Liquor Control Laws

Agency: TR - Troy PD

**Status: OPEN**

CR No: 0900000033.1 Status: I - In Process

Involved Entities

Entity Type	Entity Name	Offense
Arrestee		Violation of Liquor Control Laws

Call for Service Information

CFS Number: 080044467

CFS Date: 12/29/2008

Time Received: 3:15:43 PM

Time Arrived:

Location: 5047 Rochester Rd
City: TROY

Disposition: Report Taken

Reported Offense: C3309 - Liquor Inspection

Verified Offense: 4171 - Violation of Liquor Control Laws

Officers: 00048 - Redmond, Matthew

Assignment History

Officer: 00080 - Daniels, Timothy

Date Assigned: 1/2/2009 11:40:53 AM

Date Unassigned: N/A

Officer: 00048 - Redmond, Matthew

Date Assigned: 1/2/2009 12:10:55 PM

Date Unassigned: N/A

Troy PD Crime Report

Case No. 0900000033
 Report No. 0900000033.1
 Report Date: 12/30/2008

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

1

Subject: 4171 - Violation of Liquor Control Laws

Case Report Status	I - In Process	Entered On	1/2/2009 11:42:41 AM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00048 - Redmond, Matthew		00048 - Redmond, Matthew
Agency City/Township	84 - Troy	Verified On		Assisted By	
Occurred On	12/30/2008 5:50:00 PM	Verified By			00201 - Schaufler, John
Or Between		Approved On		Agency Assisted	
Business Name	Agrusa Market	Approved By		Call for Service #	080044467
Location	5047 ROCHESTER RD	Related Cases			
CSZ	Troy, MI 48083	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 **08-44467**

Sgt Schaufler and I (Ofc M. Redmond), along with Student Enforcement Aide [redacted] went to Agrusa Market located at 5047 Rochester to conduct an L.C.C. inspection. [redacted] had no identification with him - it was being held at the Police Department. [redacted] activated a small personal tape recorder and gave a brief introduction indicating the time, date and location. He then entered the business, selected a 6-pack of Samuel Adams Boston Lager (bottles) and proceeded to the cash register. [redacted] presented the beer to sales clerk Mariam Mikha for purchase. Mikha called another employee, [redacted] over to complete the sale since she is not permitted to sell alcohol. [redacted] did not ask [redacted] for any identification and overrode the cash register when it asked for a date of birth to be entered. [redacted] completed the sale which totaled \$9.81. [redacted] returned to our location and handed the beer over to me. A short time later Sgt Schaufler and I entered the business and made contact with the store manager, Vito Agrusa, who called [redacted] over to us. [redacted] admitted to selling the beer to [redacted] without asking for identification. We explained the situation and issued a citation to [redacted] for "Furnish/Sell Alcohol to a person under 21." (citation number 736080). We gathered the required license information to complete a L.C.C. violation report and advised Mr. Agrusa what would be required of him.

The cassette tape and receipt from the transaction was tagged into evidence. (property tag #148311).

Offense Detail: 4171 - Violation of Liquor Control Laws

Offense Description	4171 - Violation of Liquor Control Laws		
IBR Code	90G - Liquor Law Violations	Location Type	12 - Grocery/Supermarket
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

Troy PD Crime Report

Case No. 0900000033
Report No. 0900000033.1
Report Date: 12/30/2008

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

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Page 2 of 4

Using
Criminal Activity
Force Level
Weapons

Arrestee A1:

Arrestee Number	A1	DOB		Place of Birth	
Name		Age	18	SSN	
Aliases		Sex	M - Male	DLN	
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	21658 KENDYL CT	Ht.		Occupation/Grade	
CSZ	Macomb Twp, MI 48044	Wt.		Employer/School	Agrosa Market
MO		Eye Color		Employer Address	
		Hair Color		Employer CSZ	
Altire		Hair Style		Res. County	
Habitual Offender Status		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
HM - Home Phone #1 **586 529-3179**

Supplemental IDs
ID Type ID Number ID Issuer Name

Physical Characteristics
Type Descriptor Description

Arrest No.	736080	Arrested For	4171 - Violation of Liquor Control Laws	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	12/30/2008 5:50:00 PM
Multi. Clearance	N - Not Applicable	Adult Present			
Multi. Clearance Offense					
Prev. Suspect No.					
Notified Name					

Troy PD Crime Report

Case No. 0900000033
Report No. 0900000033.1
Report Date: 12/30/2008

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

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Arrest Notes

Detention Name

Arrest Location

Other Entity: O1 -- Agrusa, Vito

Entity No.	O1	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Agrusa, Vito	Sex	M - Male	DLN	
AKA		Race	W - White	DLN State	
Alert(s)		Ethnicity	U - Unknown	DLN Country	
Address	5047 ROCHESTER RD	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
BU - Business Phone #1	248 457-0041

Supplemental IDs

ID Type	ID Number	ID Issuer	Name
---------	-----------	-----------	------

Entity Notes

Other Entity: O2 -- Mikha, Mariam

Entity No.	O2	DOB		Place of Birth	
Entity Type	I - Person Interview	Age		SSN	
Name	Mikha, Mariam	Sex		DLN	
AKA		Race		DLN State	
Alert(s)		Ethnicity		DLN Country	
Address	2911 GROVES DR	Ht.		Occupation/Grade	
CSZ	Sterling Heights, MI 48313	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

Property Description Item 1: 1305 - Recording - Cassette Tape 5426 - Tape recording and sales receipt

Troy PD Crime Report

Case No. 0900000033
Report No. 0900000033.1
Report Date: 12/30/2008

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

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Page 4 of 4

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 1
Manufacturer
Model
Serial No.
License No.
Color
Description Tape recording and sales receipt
Vehicle Year
Body Style
State
License Year

Recovered Date/Time
Owner
Disposition property
Evidence Tag 148311
Alert(s)
Evidence Recovered By
Evidence Recovered From
Evidence Location

Drug Type
Drug Quantity
Drug Measure

Property Notes

NARRATIVE REPORT
WITNESS STATEMENT

01	DATE	DAY	SHIFT	PLAT	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	INCIDENT #
									08	44467

02 Statement of: _____ Home Phone: 248-524-3466

03 Address: (PLEASE PRINT) 500 W. Big Beaver Business Phone: _____

04 City: Troy State: MI Zip: 48084

06 On 12/30/08 I entered Agrusa Market located in Troy, MI
 07 and walked to the rear beverage cooler. I selected one 6-pack
 08 of Samuel Adams Boston Lager and took the item to the
 09 register. The cashier was a minor so she called over another
 10 employee, later identified as _____
 11 rang up the item without inquiring as to my age or if I
 12 had any identification on me at the time. _____ then returned
 13 to his work and the original cashier gave me a total of
 14 \$9.81. I payed for the item, recieved my change, and left
 15 the store. I then turned over the item, receipt, and change to
 16 Ofc. Redmond and Sgt. Schaufler and told them of the transaction.

27 X. _____ 447

28 Taken By: MTA / MJA (SIGNATURE)

29 Place: 500 W Big Beaver Date: 12-30-08 Time: 1200

INVESTIGATING OFFICER(S) M. Redmond / Schaufler	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
--	-------------	---------------------	--------------



AGRUSA INTERNATIONAL MARKETPLACE
5047 ROCHESTER RD
TROY MI. 48085

MARIAM
0001 05 05108159 12/30/08 5:49pm 114
SAMUEL ADAMS \$8.69 T
DEPOSIT \$0.60

6

SUBTOTAL	\$9.29
TAX	\$0.52
TOTAL	\$9.81
CASH	\$20.00
CHANGE	\$10.19

OF ITEMS: 1

THANK YOU FOR SHOPPING

State of Michigan
Uniform Law Citation

Ticket No. 736080

Victim Involved

US DOT #

Incident No.

88-44467

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

THE UNDERSIGNED

Month Day Year

12 30 08

At approximately

5:30 P.M.

A.M.

Date of Birth

Month Day Year

1 1 90

State

Oper./CI

CDL

(last 4 digits)

Race

Name

St

City

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

AGRUSA MARKET

AT OR NEAR

5047 Rochester Rd

WITHIN

CITY

VILLAGE

TOWNSHIP OF

TROY

COUNTY OF

OAKLAND

DID THE FOLLOWING

Type	MCL Cite/PACG 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.	90.10.06	SOLD ALCOHOLIC BEVERAGE TO A MINOR	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"/> C/I <input type="checkbox"/> Warn <input type="checkbox"/> Authorization pend.			
<input type="checkbox"/> Misd <input type="checkbox"/> Fug <input type="checkbox"/> Waiv			

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 SIX PACK SAMUEL ADAMS BOSTON LAGER BEER

* DECOY OPERATION *

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

01/14/09

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

Month Day Year

Officer's Name (printed)

Schwartz/Resmond

12 30 08

Agency ORI

Agency Name

201/48

MI: 6378400

TROY POLICE DEPARTMENT

UC-01a

(rev. 6/05)

COURT COPY 1

Ticket
736080

Name

Case No.

LCC Liquor Licensee History

Business Name: **AGRUSA INTERNATIONAL MARKET PLACE**
Address: 5047 Rochester
Licensee: **AGRUSA INTERNATIONAL MARKET PLACE, LLC**
License Type: **SDM 179471-2008**
Permits:
Comments:

Date	Troy Incident #	Type	Disposition	Date
07/21/08		Council Approves License		
10/09/08	08-34213	Compliance Test	Passed	
12/30/08	08-44467	Sale to Minor Compliance Test	VIOLATION	

January 28, 2009

Agrusa International Marketplace
dba: Argusa International Marketplace
5047 Rochester Rd.
Troy, Michigan 48085

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 11, 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 revocation of licenses allowed for the sale and/or consumption of alcoholic beverage, for the following reasons:

License Type: SDM
License Number: 179471-2008
Violation : Compliance Test - Sale to Minor
Violation Date(s): 12/30/2008

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.