C-04e

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 (DAY) 10/02/08 (DATE) 7:53 (HOUR) ○ AM or ⊙ PM

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

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

COPY OF APPEARANCE TICKET MUST BE ATTACHED

9. Submit Report Below or Indicate Attached Report # 2008-34311

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

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

Officer Signature _____ Name and Title (print) Frank Shuler, Police Officer

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

LC-600 Rev. 4/99 4880-2362

CONTINUED

WITNESSES

1. Name [redacted] 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

Subject: **4171 - Violation of Liquor Control Laws**

Case Report Status	I - In Process	Entered On	10/3/2008 5:34:11 PM	Reporting Officer	
Agency County	63 - Oakland	Entered By	00065 - Morgan, Joseph		00065 - Morgan, Joseph
Agency City/Township	84 - Troy	Verified On			
		Verified By		Assisted By	
Occurred On	10/2/2008 7:53:00 PM	Approved On			00046 - Shuler, Frank
Or Between		Approved By			
Business Name		Related Cases		Agency Assisted	
Location	74 W Maple Rd	Disposition	Arrest		
CSZ	TROY, MI 48083	Excp. Clear Reason			
Census/Geo Code		Excp. Clear Date		Call for Service #	
Jurisdiction		Reporting Agency	Troy PD		080034311
Grid		Report Type	Arrest Report		
Sector		Division	Patrol		
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 recorderand 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				
IBR Code	90G - Liquor Law Violations	Location Type	12 - Grocery/Supermarket		
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	

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**		
X Coordinate	**4100069**	Agency	**TR - Troy PD**
Y Coordinate	**0117186**	Case	**0800008581**

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

PACC
Local Code

Using
Criminal Activity
Force Level
Weapons

Tools Used

Arrestee A1: Ollivierra, Antonio Ramon

Arrestee Number	A1	DOB	[redacted]1971	Place of Birth	
Name	Ollivierra, Antonio Ramon	Age	37	SSN	
Aliases		Sex	M - Male	DLN	[redacted]
Alert(s)		Race	W - White	DL State	MI - Michigan
		Ethnicity	U - Unknown	DL Country	
Address	6403 MAPLE HILLS DR	Ht.		Occupation/Grade	
CSZ	Bloomfield Twp, MI 48302	Wt.		Employer/School	
		Eye Color		Employer Address	
MO		Hair Color		Employer CSZ	
		Hair Style		Res. County	
Attire		Hair Length		Res. Country	
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	Description

Supplemental IDs

ID Type	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	Arrested For	4171 - Violation of Liquor Control Laws
Multi. Clearance	N - Not Applicable	Count	1
Multi. Clearance Offense		Fingerprints	
Prev. Suspect No.		Photos	
Notified Name		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

Arrest Notes | Detention Name | Arrest Location

Witness W1:

Witness Code	**W1**	DOB	**989**	Place of Birth	
Name	[redacted]	Age	**19**	SSN	
Aliases		Sex	**M - Male**	DLN	
Alert(s)		Race	**W - White**	DL State	
		Ethnicity		DL Country	
Address	**500 W BIG BEAVER RD**	Ht.		Occupation/Grade	
CSZ	**Troy, MI 48083**	Wt.		Employer/School	
		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 Police Service Aide

Other Entity: O1 -- Peters, Bridget

Entity No.	**O1**				
Entity Type	**I - Person Interview**				
Name	**Peters, Bridget**	DOB		Place of Birth	
AKA		Age		SSN	
Alert(s)		Sex	**F - Female**	DLN	
		Race	**W - White**	DLN State	
Address	**74 W MAPLE RD**	Ethnicity		DLN Country	
CSZ	**Troy, MI 48083**	Ht.		Occupation/Grade	
		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

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	

TROY POLICE DEPT.
500 W. Big Beaver, Troy, MI 48084
ORI # MI6378400

NARRATIVE REPORT
WITNESS STATEMENT

☐ SUPP ☐ CORR ☐ DELETE PAGE 1 OF 1

DATE	DAY	SHIFT	PLAT	BADGE 1	BADGE 2	INCIDENT STATUS	PRIM CLASS	YEAR	INCIDENT #
10/02/08	THU	02	919	65		☐ CLR ARREST ☐ UNF ☐ CLR EXCEPT ☐ INACT		08	34311

Statement of: (PLEASE PRINT) Home Phone: (248)524-3477

Address: 500 W. Big Beaver Business Phone:

City: Troy State: MI Zip: 48084

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

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

[redacted]

X: (SIGNATURE)

Taken By: (SIGNATURE) #65

Place: Station Date: 10-2-08 Time: 2318

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

11-95 CLEMS DP 455

State of Michigan
Uniform Law Citation

Ticket No. 724714 ☐ Victim Involved

US DOT #

Incident No. 2008-34311 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 7:53 ☐ A.M. ☒ P.M. Date of Birth Year 71 (4 digits)

State MI ☒ Oper./Chauff. ☐ CDL

Race W Sex M Hei

Name (First, Middle, Last) ANTONIO RAMON GILIVIERRA

Street 6403 MAPLE HILLS DR

City BLOOMFIELD HILLS State MI 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 GOOD FOODS

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.
☐ C/I ☐ Warn ☒ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend. 98.10.11	FAIL TO INQUIRE AS TO AGE	1
☐ C/I ☐ Warn ☐ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend.		2
☐ C/I ☐ Warn ☐ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend.		3

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

Offense Code(s) 1 2 3

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

Remarks:

CHECK IF APPROPRIATE ☐ Damage to Property ☐ Vehicle Impounded ☐ Injury ☐ Traffic Crash ☐ Death

☐ Local Court Bond $ ☐ License Posted in Lieu of Bond ☐ Appearance Certificate ☒ None

Person in Active Military Service ☐ Yes ☒ No

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

Appearance Date on or before 10-15-08 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 10 Day 2 Year 08

Officer's Name (printed) MONAH SULEM Officer's ID No. 6546

Agency ORI MI-6378400 Agency Name TROY POLICE DEPARTMENT

UC-01a (rev. 6/05)

COURT COPY 1

Ticket 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.