C-04f

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 (DAY) 12/30/08 (DATE) 5:50 (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 # 08-44467

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

Officer Signature MRR #48 Name and Title (print) Officer Matthew Redmond

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

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

LC-600 Rev. 4/99 4880-2362

CONTINUED

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	[redacted]	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			
		Verified By		Assisted By	
Occurred On	12/30/2008 5:50:00 PM	Approved On			00201 - Schaufler, John
Or Between		Approved By			
Business Name	Agrusa Market	Related Cases		Agency Assisted	
Location	5047 ROCHESTER RD	Disposition	Arrest		
CSZ	Troy, MI 48083	Excp. Clear Reason			
Census/Geo Code		Excp. Clear Date		Call for Service #	
Jurisdiction		Reporting Agency	Troy PD		080044467
Grid		Report Type	Crime Report		
Sector		Division	Patrol		
Map		Notified			
Call Source	Telephone	Related Cases			
Vehicle Activity					
Dir. Veh. Traveling					
Cross Street					
Means					
Motive					

Report Narrative **08-44467**

Sgt Schaufler and I (Ofc M. Redmond), along with Student Enforcement Aide ____ went to Agrusa Market located at 5047 Rochester 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 6-pack of Samuel Adams Boston Lager (bottles) and proceeded to the cash register. ____ presented the beer to sales clerk Mariam Mikha for purchase. Mikha called another employee, ____ over to complete the sale since she is not permitted to sell alcohol. ____ did not ask ____ for any identification and overrode the cash register when it asked for a date of birth to be entered. ____ completed the sale which totaled $9.81. ____ 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 ____ over to us. ____ admitted to selling the beer to ____ without asking for identificaion. We explained the situation and issued a citation to ____ 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	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:

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	**Agrusa Market**
		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	**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**				
Arrest Type	**S - Summoned/Cited**				
FBI No.					
Criminal Tracking Number CTN					
Transaction Control Number TCN					
Person Control Number PCN		Arrested For	**4171 - Violation of Liquor Control Laws**		
State No.		Count			
Armed With	**01 - Unarmed**	Fingerprints		Booked On	
Multi. Clearance	**N - Not Applicable**	Photos		Booked Location	
Multi. Clearance Offense		Miranda Read		Released Location	
Prev. Suspect No.		Miranda Waived		Released On	
Notified Name		Number of Warrants		Released By	
				Release Reason	
		Juvenile Disposition		Held For	
		Adult Present		Date/Time Arrested	**12/30/2008 5:50:00 PM**

Arrest Notes | Detention Name | Arrest Location

Other Entity: O1 -- Agrusa, Vito

Entity No. **O1**
Entity Type **I - Person Interview**

Name	**Agrusa, Vito**	DOB		Place of Birth	
AKA		Age		SSN	
Alert(s)		Sex	**M - Male**	DLN	
		Race	**W - White**	DLN State	
Address	**5047 ROCHESTER RD**	Ethnicity	**U - Unknown**	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
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**
Entity Type **I - Person Interview**

Name	**Mikha, Mariam**	DOB		Place of Birth	
AKA		Age		SSN	
Alert(s)		Sex		DLN	
		Race		DLN State	
Address	**2911 GROVES DR**	Ethnicity		DLN Country	
CSZ	**Sterling Heights, MI 48313**	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

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

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 ☐ CLR ARREST ☐ UNF ☐ CLR EXCEPT ☐ INACT	PRIM CLASS	YEAR	INCIDENT #
								08	44467

Statement of: [redacted] (PLEASE PRINT) Home Phone: 248-524-3466

Address: 500 W. Big Beaver Business Phone:

City: Troy State: MI Zip: 48084

On 12/30/08 I entered Agrusa Market located in Troy, MI and walked to the rear beverage cooler. I selected one 6-pack of Samual Adams Boston Lager and took the item to the register. The cashier was a minor so she called over another employee, later identified as [redacted] rang up the item without inquiring as to my age or if I had any identification on me at the time. [redacted] then returned to his work and the original cashier gave me a total of $9.81. I payed for the item, recieved my change, and left the store. I then turned over the item, reciept, and change to Ofc. Redmond and Sgt. Schaufler and told them of the transaction.

X [redacted] 4/47

Taken By: [signature] (SIGNATURE)

Place: 500 W Big Beaver Date: ~~12-30-08~~ 1-2-09 Time: 1200

INVESTIGATING OFFICER(S)	REVIEWED BY	ASSIGNED TO / BADGE	ATTENTION TO
M. Redmond / Schaufler			

11-95 CLEMS DP 455

AGRUSA INTERNATIONAL MARKETPLACE
5047 ROCHESTER RD
TROY MI. 48085

MARIAN
0001 05 05108159 12/30/08 5:49pm 114

SAMUEL ADAMS	$8.69	T
DEPOSIT	$0.60	

0

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. 08-44467 | 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 SAYS THAT ON: Month 12 | Day 30 | Year 08 | At approximately 5:50 ☐ A.M. ☒ P.M. | Date of Birth Month Day Year 90 (last 4 digits)

State ☐ Oper./CI ☐ CDL

Race W

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/PACC Code/ Ordinance	Description (include any bond amount collected on each charge)	Charge No.
☒ C/I ☐ Warn ☐ Misd ☐ Fug ☐ Fel ☐ Waiv	☐ Authorization pend. 98.10.06	SOLD ALCOHOLIC BEVERAGE TO A MINOR	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: SOLD SIX PACK SAMUEL ADAMS BOSTON LAGER BEER

* DECOY OPERATION *

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

Person in Active Military Service ☐ Yes ☒ No

☐ Local Court Bond $ ____ ☐ License Posted in Lieu of Bond ☐ Appearance Certificate ☐ 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: [signature] | Month 12 | Day 30 | Year 08

Officer's Name (printed): Schaufler / Redmond | Officer's ID No. 201/48

Agency ORI MI-6378400 | Agency Name 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.