



BEER BOARD MEETING AGENDA

TUESDAY, AUGUST 3, 2021 - BARTLETT CITY HALL - 6:00 PM

MINUTES APPROVAL

Minutes of the July 6, 2021 Beer Board Regular Meeting

NEW BUSINESS

Assessment of penalties for violations of Section 8-310(5) of the City of Bartlett Codified Ordinances which makes it unlawful for a permit holder to make or allow any sale of beer to a minor under twenty-one (21) years of age.

1 Abuelo's Mexican Restaurant, 8274 Highway 64 (Penny Medlock, City Clerk)

First violation - June 9, 2015
Beer Board gave 15-day suspension

Second violation - June 11, 2019*
Third violation - November 20, 2019*
Fourth violation - May 5, 2021*

2 Los Cabos Mexican Bar & Grill, 6600 Stage Road, Suite 106 (Penny Medlock, City Clerk)

First violation - June 11, 2019*

ADJOURNMENT

At the April 7, 2015 Beer Board meeting, the Board agreed upon the following guidelines for beer permit violators:

First offense: 15-day suspension or \$1,000 civil penalty

Second offense: 30-day suspension or \$2,500 civil penalty

Third offense: Revocation of permit for one year

Offenses accumulated over the preceding three-year period.

Responsible vendors (with current certification)

\$1,000 per offense

If a responsible vendor has two offenses within a 12-month period, the Alcoholic Beverage Commission shall revoke the permit for three years.



BEER BOARD MEETING MINUTES

TUESDAY, JULY 6, 2021 - BARTLETT CITY HALL - 6:00 PM

CALL TO ORDER

Cordell Battles: Present, Deborah Williams: Absent, Ryan Smith: Present, Anna Brown: Absent, C.E. Zobell: Present.

MINUTES APPROVAL

Minutes of the April 6, 2021 Beer Board Regular Meeting

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Cordell Battles
SECONDER:	C.E. Zobell
AYES:	Battles, Smith, Zobell

PUBLIC HEARING

Individuals will have a maximum of three minutes to speak either for or against the item, with a total of 20 minutes for each side.

- I. Biscuits & Jams, LLC, owned by Monique Williams, 8477 Spotted Fawn Drive, Bartlett, TN 38133; Derrick Bryant, 6337 Coventry Drive, Florissant, MO 63033; Marco Goodman, 45 Caleb Road, Oakland, TN 38060 and Dylan Christian Bledsoe, 8071 Irene Boulevard #205, Memphis, TN 38125 has applied for an on-premises permit to sell beer at Biscuits & Jams, LLC located at 5806/5808 Stage Road, Bartlett, TN 38134.

Majority owner, Monique Williams, 8477 Spotted Fawn Drive, Bartlett, TN 38133 shared her excitement of opening Biscuits and Jams. She confirmed that everyone would be carded and the owners take selling to minors a serious offense.

No one spoke against.

Adjourned at 6:05 p.m.

NEW BUSINESS

- I. Biscuits & Jams, LLC, owned by Monique Williams, 8477 Spotted Fawn Drive, Bartlett, TN 38133; Derrick Bryant, 6337 Coventry Drive, Florissant, MO 63033; Marco Goodman, 45 Caleb Road, Oakland, TN 38060 and Dylan Christian Bledsoe, 8071 Irene Boulevard #205, Memphis, TN 38125 has applied for an on-premises permit to sell beer at Biscuits & Jams, LLC located at 5806/5808 Stage Road, Bartlett, TN 38134.

Minutes Acceptance: Minutes of Jul 6, 2021 6:00 PM (Minutes Approval)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Cordell Battles
SECONDER:	C.E. Zobell
AYES:	Cordell Battles, Ryan Smith, C.E. Zobell

ADJOURNMENT

Meeting adjourned at 6:09 PM

Ryan Smith, Acting Chairperson

Penny Medlock, City Clerk

Minutes Acceptance: Minutes of Jul 6, 2021 6:00 PM (Minutes Approval)



Beer Board

SCHEDULED

BEER AGENDA ITEM (ID # 3001)

Meeting: 08/03/21 06:00 PM
 Department: Beer Board
 Category: Presentation
 Prepared By: Penny Medlock
 Initiator: Penny Medlock
 Sponsors:
 DOC ID: 3001

Abuelo's Mexican Restaurant, 8274 Highway 64

June 11, 2019 violation:

Underage operative's birthdate: September 12, 1999

Underage operative's age during sting: 19 years old

Business: Abuelo's Mexican Restaurant

Permit holder: Food Concepts International, Abuelo's International LP, based in Lubbock, Texas

Permit held since July 2004

Employee who allegedly sold to a minor: Danyiel Latrice Brown

Brown's age at time of sting: 33 years old

Alcohol sold: Bud Light beer, 22 oz.

Defendant's plea: Unknown. Case was Nolle Prosequi per Shelby County Criminal Justice Portal.

November 20, 2019 violation:

Underage operative's birthdate: March 16, 2001

Underage operative's age during sting: 18 years old

Business: Abuelo's Mexican Restaurant

Permit holder: Food Concepts International, Abuelo's International LP, based in Lubbock, Texas

Permit held since July 2004

Employee who allegedly sold to a minor: Faith Nicole Adam

Adam's age at time of sting: 22 years old

Alcohol sold: Light beer, 12 oz.

Defendant's plea: Unknown. Case was Nolle Prosequi no Court Costs per Shelby County Criminal Justice

May 5, 2021 violation:

Underage operative's birthdate: May 22, 2002

Underage operative's age during sting: 18 years old

Business: Abuelo's Mexican Restaurant

Permit holder: Food Concepts International, Abuelo's International LP, based in
Lubbock, Texas

Permit held since July 2004

Employee who allegedly sold to a minor: Ryan Phillip Bittner

Bittner's age at time of sting: 25 years old

Alcohol sold: Negra Modelo beer, 22 oz.

Defendant's plea: Paid fine to TABC.

First violation - June 9, 2015

Beer Board gave 15-day suspension

Second violation - June 11, 2019*

Third violation - November 20, 2019*

Fourth violation - May 5, 2021*



May 21, 2021

City of Bartlett Beer Board
6400 Stage Road
Bartlett, TN 38134

RE: Abuelo's International, L.P. D/B/A Abuelo's

Dear City of Bartlett Beer Board:

Pursuant to Tennessee Code Annotated sections 57-1-214, this letter is to inform you that the Tennessee Alcoholic Beverage Commission has suspended the liquor-by-the-drink license held by Abuelo's International, L.P. D/B/A Abuelo's, 8274 HWY 64 Bartlett, TN 38133, license number LBDRST-SHE-1801215. Enclosed you will find a copy of the citations issued by the TABC and the agreed order between the parties. If I can be of further assistance, do not hesitate to contact me directly at (615) 253-7288.

Sincerely,

Ryan Mercurio
Commission Counsel

Attachment: TABC, Abuelos (3001 : Abuelo's Mexican Restaurant Violation)



REGULATORY CITATION

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL)= 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 11 DAY OF June, 20 19

PERMITEE: Abuelo's International, LP ADDRESS: 8274 Hwy 64

CITY: Bartlett TN COUNTY: Shelby ZIP: 38133 PHONE: 901-672-0769

PERMIT NUMBER: LBDEST-SHE-180045 EXPIRATION DATE: 7/29/19

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

- ☒ Sale of Alcoholic Beverage/Beer to Minor \$1,500
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)
- ☐ Minor in Possession TCA§ 57-4-203(b)(2)(A) - \$1,500
- ☐ Sell/Furnishing Alcoholic Beverage to Visibly \$1,500
Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c)
- ☐ Failure to Properly Display Permit in a Conspicuous Place
TABC Rule #0100-1-03(17) - \$200.00
- ☐ Failure to Post "Pregnancy Warning" TCA§ 57-1-211 -
\$150.00
- ☐ Other _____
- ☐ Other _____

No. of Counts

- ☐ Employing Persons to Dispense Alcoholic Beverages W/O
a Permit TCA§ 57-4-203(h); 57-3-204(4)(c) - \$150.00
- ☐ Failure to Timely Renew TCA§57-3-605-\$150 (Non-
Resident); 57-3-213(a)(b)-\$350.00 (Retail); \$150 (Winery or
Direct Shipper); 57-4-201(a)-\$350 (LBD) - (Circle One)
- ☐ On Premises Sale By Bottle Restricted Rule #0100-1-.03(8)
TCA§57-4-203(e)(1) - \$250.00
- ☐ Hours of Sale Violation TCA§57-4-203(d); 57-3-406(e) Rule
#0100-1-.03(2); 0100-03-.13(4) - \$750.00
- ☐ Purchasing Alcoholic Beverages From Other Than A
Licensed Wholesaler TCA§57-3-404 et seq. - \$300/bottle
- ☐ Other _____
- ☐ Other _____

NARRATIVE: During UStop, Danyiel Latrice Brown, served a cooperating eighteen yr old individual a 32oz Bud Light. ID wasn't checked. Agent Sills witnessed the sale. Second violation.

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This H day of June, 20 19.

SPECIAL AGENT/REGULATORY OFFICER/ISSUING PERSONNEL:

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ 5000.00. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by contacting ABC by phone at 615-741-1602 or by mail at the following address: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, within 20 calendar days of receipt. This citation can only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail. Failing to satisfy this citation may result in administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice, and my signature below is an acknowledgement of my understanding, and not an admission of guilt.

Signature of Recipient/Authorized Agent of Permittee [Signature] Date 6/11/19 Recipient's Name and Title (PRINT) Chris B. York GM

IF MAILED: Date Mailed: _____ Mailed by: Initials: _____ Printed Name: _____

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ _____ (by business check, casher's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee _____ Date _____ Authorized Agent of Permittee or Permittee's Name and Title (PRINT) _____



11480
TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
 500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor; Nashville, TN 37243-0755 PHONE: (615) 741-1602



REGULATORY CITATION

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL) 1 (MAX: 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 20 DAY OF November, 2019

PERMITEE: Abuelo's Mexican ADDRESS: 8274 US Highway 64
 CITY: Memphis TN COUNTY: Shelby ZIP: 38133 PHONE: 901-672-0769
 PERMIT NUMBER: LBD-RST-SHA EXPIRATION DATE: 07-29-2019

1500903
1801215

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

☒

Sale of Alcoholic Beverage/Beer to Minor- \$1,500
 TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)

☐

Minor in Possession TCA§ 57-4-203(b)(2)(A)- \$1,500

☐

Sell/Furnishing Alcoholic Beverage to Visibly \$1,500
 Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c)

☐

Failure to Properly Display Permit in a Conspicuous Place
 TABC Rule #0100-1-03(17) - \$200.00

☐

Failure to Post "Pregnancy Warning" TCA§ 57-1-211 -
\$150.00

☐

Other _____

☐

Other _____

No. of Counts

☐

Employing Persons to Dispense Alcoholic Beverages W/O
 a Permit TCA§ 57-4-203(h); 57-3-204(4)(c)- \$150.00

☐

Failure to Timely Renew TCA§57-3-605- \$150 (Non-
 Resident); 57-3-213(a)(b)- \$350.00 (Retail); \$150 (Winery or
 Direct Shipper); 57-4-201(a)- \$350 (LBD) - (Circle One)

☐

On Premises Sale By Bottle Restricted Rule #0100-1-.03(8)
 TCA§57-4-203(e)(1)- \$250.00

☐

Hours of Sale Violation TCA§57-4-203(d); 57-3-406(e) Rule
 #0100-1-.03(2); 0100-03-.13(4)- \$750.00

☐

Purchasing Alcoholic Beverages From Other Than A
 Licensed Wholesaler TCA§57-3-404 et seq.- \$300/bottle

☐

Other _____

☐

Other _____

NARRATIVE: During USTAP, Nicole Faith Adams, Expire 5/7/23 Permit
 #PERSER-SHE-1807719 served a C I age 18 a 12oz Bud Light Beer
 ID was not checked. Third offence of a Third sell in the
 past 12 months.

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the
 offense(s) herein set forth, contrary to Law and/or Rule. This 20 day of Nov, 2019.

Juan M Perez
 SPECIAL AGENT/REGULATORY OFFICER/ISSUING PERSONNEL

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ Heard If you choose to settle this Regulatory Citation without
 contesting the alleged violation(s), you are REQUIRED to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above.
 If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by contacting ABC by phone at 615-741-1602 or by mail at the
 following address: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, within 20 calendar days of receipt. This citation can
only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail. Failing to satisfy this citation may result in
 administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice, and my signature below is an acknowledgement of my understanding, and not an admission of guilt.

Katherine Rose
 Signature of Recipient/Authorized Agent of Permittee

11/20/19
 Date

Katherine Rose
 Recipient's Name and Title (PRINT)

IF MAILED: Date Mailed: _____ Mailed by: Initials: _____ Printed Name: _____

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty
 imposed, as noted above, and in the amount of \$ _____ (by business check, cashier's check or money order [no personal checks or cash accepted]).
 Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waiving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee

Date

Authorized Agent of Permittee or Permittee's Name and Title (PRINT)



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor, Nashville, TN 37243-0755 PHONE: (615) 741-1602

REGULATORY CITATION

34724



THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATIONS IS (TOTAL) 1 (MAX 5)

ON THE 5 DAY OF May, 2021 THE UNDERSIGNED BEING DUTY SWORN UPON HIS/HER OATH DEPOSES THAT

PERMITEE: Abuelos

ADDRESS: 8274 US Highway 64

CITY: Bartlett

IN COUNTY: Shelby

ZIP: 38133

PHONE: 901-672-0769

PERMIT NUMBER: LBDRST-SHC-

1801215

EXPIRATION DATE

ALORE SAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

☐

Sale of Alcoholic Beverage Beer to Minor
TCA § 57-4-205(b)(1)(A) or (B); 57-3-406(d)

☐

Failure to Properly Display Permit in a Conspicuous Place
TABC Rule #0100-1-03(17)

☐

Other

☐

Other

No. of Counts

☒

Employing Persons to Dispense Alcoholic Beverages W/o
a Permit TCA § 57-4-205(d); 57-3-406(e)

☐

Failure to Timely Renew TCA § 57-3-405 (Non-Residents;
57-3-213 and/or Retailer, Winery or Direct Shipper;
57-4-201 and/or BDO) - (Circle One)

☐

Other

☐

Other

NARRATIVE

Ryan Phillip Bittner sold a Negra Modelo 22oz to a 18 year old Cooperating individual with TABC. Witnessed by SA. Bowers. This is Abuelo's 3rd sale 06-11-19 & 11-20-19. Ryan B. Server Permit # PERJSER-SHC-2105479

The undersigned further states that he/she has just and reasonable grounds to believe and does believe that the person establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This is on 5 day of May, 2021

Julian Perea
SPECIAL AGENT/REGULATORY OFFICER ISSUING PERSONNEL

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ hearing. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein, you may do so by contacting TABC by phone at (615) 741-1602 or by mail at the following address: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, within 20 calendar days of receipt. This citation can only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail. Failure to satisfy this citation may result in administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice, and my signature below is an acknowledgement of my understanding, and not an admission of guilt.

Signature of Recipient/Authorized Agent of Permittee

Date

Recipient Name and Title (PRINT)

IF MAILED: Date Mailed: _____

Mailed by: Initials _____

Printed Name _____

PAYMENT INSTRUCTIONS:

PAY ONLINE AT: <https://paydirect.link2gov.com/TNABC>. Use Citation Number at top for Payment Reference Number. Please DO NOT mail check or ANY other type of payment to the TABC. By submitting your payment on-line at the above website, you are agreeing to settle this TABC Regulatory Citation with the admission of guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, and hereby waive any and all rights to a TABC administrative hearing and/or appeals.

STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
3RD FLOOR
NASHVILLE, TENNESSEE 37243-0755

IN THE MATTER OF:

TENNESSEE ALCOHOLIC BEVERAGE
COMMISSION,
Petitioner

v.

RI 21-34724

ABUELO'S INTERNATIONAL, LP
D/B/A ABUELO'S MEXICAN
FOOD EMBASSY
8274 U.S. HIGHWAY 64
BARTLETT, TENNESSEE 38133
LICENSE NO. LBDRST-SHE-1801215,
Respondent

AGREED ORDER

As evidenced by the signatures of counsel for the Tennessee Alcoholic Beverage Commission (TABC), Ryan Mercurio, and an agent for Respondent, it was determined that:

1. Respondent admits the TABC has jurisdiction over the matters herein contained.
2. Upon TABC investigation and report, TABC charged Respondent on May 5, 2021, in citation RI 21-34724 with selling, furnishing, disposing of, or giving a beer or alcoholic beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1). The TABC also charged Respondent with one count of employing persons to dispense alcoholic beverages without a permit in violation of Tennessee Code Annotated section 57-4-203(h)

3. Respondent was also previously cited on November 20, 2019, in citation RI 19-11480 with selling, furnishing, disposing of, or giving a beer or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1)(B). In resolution of this citation, Respondent's license was suspended, by agreement between these parties, for thirty (30) days.
4. Respondent was also previously cited on June 11, 2019, in citation RI 19-10949 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1)(B). Respondent paid a fine in resolution of that citation.
5. Respondent hereby admits guilt to the violation alleged in citation RI 21-34724.
6. In resolution of citation RI 21-34724, Respondent agrees to a suspension of its TABC license for thirty (30) days, scheduled as follows:
 - a. The suspension shall begin on Monday, May 24, 2021, at 12:01 a.m. and shall conclude on Tuesday, June 22, 2021 at 11:59 p.m.
7. On days of suspension, no sales of alcoholic beverages shall occur, no orders for alcoholic beverages shall be placed with wholesalers, and no deliveries of alcoholic beverages shall be accepted. The term "alcoholic beverages" is used in this paragraph as it is defined at Tennessee Code Annotated section 57-4-102(1).
8. Respondent further agrees to a probationary period that shall begin with the entry of this order and end one (1) year after entry of this order.
9. Respondent agrees that if, during the probationary period, it is issued a regulatory citation for providing an alcoholic beverage or beer to a minor in violation of Tennessee Code Annotated section 57-4-203(b), its TABC license shall immediately be suspended from the

date of the citation. That suspension shall continue until the adjudication of the violation by the administrative hearing process, but not more than sixty (60) days. Nothing in this agreement should be interpreted to limit the discretion of the hearing officer or the commission in imposing the appropriate penalty for any violation, including any penalty more severe than a suspension of sixty (60) days.

10. Respondent agrees that the finding of a violation of the terms of this Agreed Order, after any appropriate hearing or proceeding, shall result in the revocation of the license.
11. This Agreed Order serves as notice that the violation will be used to enhance the penalty in any future proceedings on other violations.
12. As to citation RI 21-34724, Respondent waives all rights to a hearing and appeal under the provisions of the Uniform Administrative Procedures Act at Tennessee Code Annotated sections 4-5-101 *et seq.* and Title 57 of the Tennessee Code Annotated.

It is therefore ordered that the settlement of this matter is by consent without having afforded either party the opportunity for a contested case hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

(Signature page follows.)

Entered into this _____ day of _____, 2021.

Approved for entry by:

Ryan Mercurio, BPR #36874
Assistant Counsel
Tennessee Alcoholic Beverage Commission
Davy Crockett Tower, 3rd Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

Terry Cleeland
Agent for Respondent (please print name, position, and sign)

Attachment: TABC, Abuelos (3001 : Abuelo's Mexican Restaurant Violation)

From: Tim Rush [<mailto:Tim.Rush@tn.gov>]
Sent: Monday, July 26, 2021 9:45 AM
To: Penny Medlock <pmedlock@cityofbartlett.org>
Cc: Ryan Mercurio <Ryan.Mercurio@tn.gov>
Subject: [External] RE: Beer Board Violation Meeting

Abuelo's Information:

Underage operative's birthdate: September 12, 1999

Underage operative's age during sting: 19 years old

Business: Abuelo's Mexican Food Embassy

Permit holder: Abuelo's International, LP 4413 82nd Street Suite 250 Lubbock, TX 79424

Permit held since July 2018

Employee who allegedly sold to a minor: Danyiel Brown

Brown's age at time of sting: 33 years old

Alcohol sold: Bud Light Beer

Defendant's plea: Unknown. Case was Nolle Prosequi per Shelby County Criminal Justice Portal.

Underage operative's birthdate: March 16, 2001

Underage operative's age during sting: 18 years old

Business: Abuelo's Mexican Food Embassy

Permit holder: Abuelo's International, LP 4413 82nd Street Suite 250 Lubbock, TX 79424

Permit held since July 2018

Employee who allegedly sold to a minor: Nicole Adams

Adams' age at time of sting: 22 years old

Alcohol sold: Miller Lite Beer

Defendant's plea: Unknown. Case was Nolle Prosequi no Court Costs per Shelby County Criminal Justice Portal.

Attachment: TABC; Special Agent Rush details, Abuelos (3001 : Abuelo's Mexican Restaurant Violation)

Underage operative's birthdate: May 22, 2002

Underage operative's age during sting: 18 years old

Business: Abuelo's Mexican Food Embassy

Permit holder: Abuelo's International, LP 4413 82nd Street Suite 250 Lubbock, TX 79424

Permit held since July 2018

Employee who allegedly sold to a minor: Ryan Bittner

Bittner's age at time of sting: 25 years old

Alcohol sold: Negra Modelo Beer

Defendant's plea: Paid fine to TABC.



Tim Rush | Special Agent in Charge
Tennessee Alcoholic Beverage Commission
40 South Main Street, 4th Floor | Memphis, TN 38103
Office: 901-543-7284
tim.rush@tn.gov
tn.gov/abc

**Beer Board****SCHEDULED****BEER AGENDA ITEM (ID # 3002)**

Meeting: 08/03/21 06:00 PM

Department: Beer Board

Category: Presentation

Prepared By: Penny Medlock

Initiator: Penny Medlock

Sponsors:

DOC ID: 3002

Los Cabos Mexican Bar & Grill, 6600 Stage Road, Suite 106

Underage operative's birthdate: September 12, 1999

Underage operative's age during sting: 19 years old

Business: Los Cabos Mexican Bar & Grill, 6600 Stage Road, Suite 106

Permit holder: Alfonso Herrera Hernandez, 256 East Rhonda Circle, Memphis, TN 38018

Permit held since August 2016

Employee who allegedly sold to a minor: Astrid Hernandez

Hernandez's age at time of sting: 28 years old

Alcohol sold: Bud Light beer, 16 oz.

Defendant's plea: unknown

First violation - June 11, 2019*



February 22, 2021

City of Bartlett Beer Board
6400 Stage Road
Bartlett, TN 38134

RE: LOS CABOS MEXICAN BAR & GRILL, BARTLETT, INC.,
D/B/A LOS CABOS MEXICAN BAR & GRILL

Dear City of Bartlett Beer Board:

Pursuant to Tennessee Code Annotated sections 57-1-214, this letter is to inform you that the Tennessee Alcoholic Beverage Commission has suspended the liquor-by-the-drink license held by LOS CABOS MEXICAN BAR & GRILL, BARTLETT, INC., D/B/A LOS CABOS MEXICAN BAR & GRILL, 6600 STAGE ROAD, SUITE 106, BARTLETT, TENNESSEE 38134, license number LBDRST-SHE-1800964. Enclosed you will find a copy of the citations issued by the TABC and the agreed order between the parties. If I can be of further assistance, do not hesitate to contact me directly at (615) 253-7288.

Sincerely,

A handwritten signature in black ink, appearing to be "RM", enclosed within a circular scribble.

Ryan Mercurio
Commission Counsel

Attachment: TABC, Los Cabos (3002 : Los Cabos Violation)

STATE OF TENNESSEE
ALCOHOLIC BEVERAGE COMMISSION
DAVY CROCKETT TOWER
500 JAMES ROBERTSON PARKWAY
3RD FLOOR
NASHVILLE, TENNESSEE 37243-0755

IN THE MATTER OF:)

TENNESSEE ALCOHOLIC BEVERAGE)
COMMISSION,)
Petitioner)

v.)

RI 20-14459

LOS CABOS MEXICAN BAR & GRILL)
BARTLETT, INC.)
D/B/A LOS CABOS MEXICAN BAR & GRILL)
6600 STAGE ROAD, SUITE 106)
BARTLETT, TENNESSEE 38134)
LICENSE NO. LBDRST-SHE-1800964,)
Respondent)

AGREED ORDER

As evidenced by the signatures of counsel for the Tennessee Alcoholic Beverage Commission (TABC), Ryan Mercurio, and an agent for Respondent, it was determined that:

1. Respondent admits the TABC has jurisdiction over the matters herein contained.
2. Upon TABC investigation and report, TABC charged Respondent on October 20, 2020, in citation RI 20-14459 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer, or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1).

3. Respondent was also previously cited on December 11, 2019, in citation RI 19-10955 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1). Respondent paid a fine in resolution of that citation.
4. Respondent was also previously cited on June 11, 2019, in citation RI 19-11504 with selling, furnishing, disposing of, or giving an alcoholic beverage, beer or malt beverage to a person under twenty-one years of age, in violation of Tennessee Code Annotated section 57-4-203(b)(1). Respondent paid a fine in resolution of that citation.
5. Respondent hereby admits guilt to the violation alleged in citation RI 20-14459.
6. In resolution of citation RI 20-14459, Respondent agrees to a suspension of its TABC license for thirty (30) days, scheduled as follows:
 - a. The first suspension shall begin on Tuesday, December 22, 2020, at 12:01 a.m. and shall conclude on Wednesday, December 30, 2020, at 11:59 p.m.; and
 - b. Subsequent suspensions shall begin on Tuesday, January 5, 2021, at 12:01 a.m. and shall conclude on Wednesday, January 6, 2021, at 11:59 p.m.; and
 - c. Every consecutive Tuesday and Wednesday in the same manner, to conclude on Tuesday, March 16, 2021, at 11:59 p.m.
7. On days of suspension, no sales of alcoholic beverages shall occur, no orders for alcoholic beverages shall be placed with wholesalers, and no deliveries of alcoholic beverages shall be accepted. The term “alcoholic beverages” is used in this paragraph as it is defined at Tennessee Code Annotated section 57-4-102(1).
8. Respondent further agrees to a probationary period that shall begin with the entry of this order and end one year after entry of this order.

9. Respondent agrees that if, during the probationary period, it is issued a regulatory citation for providing an alcoholic beverage or beer to a minor in violation of Tennessee Code Annotated section 57-4-203(b), its TABC license shall immediately be suspended from the date of the citation. That suspension shall continue until the adjudication of the violation by the administrative hearing process, but not more than sixty days. Nothing in this agreement should be interpreted to limit the discretion of the hearing officer or the commission in imposing the appropriate penalty for any violation, including any penalty more severe than a suspension of sixty days.
10. Respondent agrees that the finding of a violation of the terms of this Agreed Order, after any appropriate hearing or proceeding, shall result in the revocation of the license.
11. This Agreed Order serves as notice that the violation will be used to enhance the penalty in any future proceedings on other violations.
12. As to citation RI-20-14459, Respondent waives all rights to a hearing and appeal under the provisions of the Uniform Administrative Procedures Act at Tennessee Code Annotated sections 4-5-101 *et seq.* and Title 57 of the Tennessee Code Annotated.

It is therefore ordered that the settlement of this matter is by consent without having afforded either party the opportunity for a contested case hearing held pursuant to the Tennessee Uniform Administrative Procedures Act.

(Signature page follows.)

Entered into this 16 day of December, 2020.

Approved for entry by:



Ryan Mercurio, BPR #36874
Assistant Counsel
Tennessee Alcoholic Beverage Commission
Davy Crockett Tower, 3rd Floor
500 James Robertson Parkway
Nashville, Tennessee 37243

Alonso Herrera Hernandez owner (President)
Agent for Respondent (please print name, position, and sign)

Attachment: TABC, Los Cabos (3002 : Los Cabos Violation)



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor; Nashville, TN 37243-0755 PHONE: (615) 741-1602

11504

REGULATORY CITATION



USTOP

THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL) = 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 11 DAY OF June, 20 19
 PERMITTEE Los Cabos Mexican Bar and Grill ADDRESS 6660 Stone Road
 CITY: Bartlett IN COUNTY: Shelby ZIP 38134 PHONE: 901-552-5215
 PERMIT NUMBER: UBDRST-SHE-1826915 EXPIRATION DATE: _____

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

- ☒ 1 Sale of Alcoholic Beverage/Beer to Minor-\$1,500
 TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)
- ☐ Minor in Possession TCA§ 57-4-203(b)(2)(A)- \$1,500
- ☐ Sell/Furnishing Alcoholic Beverage to Visibly \$1,500
 Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c)
- ☐ Failure to Properly Display Permit in a Conspicuous Place
 TABC Rule #0100-1-03(17) - \$200.00
- ☐ Failure to Post "Pregnancy Warning" TCA§ 57-1-211 -
\$150.00
- ☐ Other _____
- ☐ Other _____

No. of Counts

- ☐ Employing Persons to Dispense Alcoholic Beverages W/O
 a Permit TCA§ 57-4-203(h); 57-3-204(4)(c)-\$150.00
- ☐ Failure to Timely Renew TCA§57-3-605-\$150 (Non-
 Resident); 57-3-213(a)(b)-\$350.00 (Retail), \$150 (Winery or
 Direct Shipper); 57-4-201(a)-\$350 (LBD) - (Circle One)
- ☐ On Premises Sale By Bottle Restricted Rule #0100-1-.03(8)
 TCA§57-4-203(e)(1)-\$250.00
- ☐ Hours of Sale Violation TCA§57-4-203(d); 57-3-406(c) Rule
 #0100-1-.03(2); 0100-03-.13(4)-\$750.00
- ☐ Purchasing Alcoholic Beverages From Other Than A
 Licensed Wholesaler TCA§57-3-404 et seq.-\$300/bottle
- ☐ Other _____
- ☐ Other _____

NARRATIVE: On 6/11/19 TABC Agents were conducting a Minor Compliance Operation and Server Astid Hernandez served a corresponding minor a 16oz Bud Light. ID was checked

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 11 day of June, 20 19.

B. Carr
 SPECIAL AGENT/REGULATORY OFFICER/ISSUING PERSONNEL

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ 1500.00. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by contacting ABC by phone at 615-741-1602 or by mail at the following address: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, within 20 calendar days of receipt. This citation can only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail. Failing to satisfy this citation may result in administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice and my signature below is an acknowledgement of my understanding, and not an admission of guilt.

Brenda C. Herrera 06/11/19 Brenda C. Herrera MGR
 Signature of Recipient/Authorized Agent of Permittee Date Recipient's Name and Title (PRINT)

IF MAILED: Date Mailed: _____ Mailed by: Initials: _____ Printed Name: _____

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ _____ (by business check, cashier's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee

Date

Authorized Agent of Permittee or Permittee's Name and Title (PRINT)



TENNESSEE ALCOHOLIC BEVERAGE COMMISSION
500 James Robertson Pkwy, Davy Crockett Twr, 3rd Floor; Nashville, TN 37243-0755 PHONE: (615) 741-1602

10955

REGULATORY CITATION



THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL)= 1 (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 11 DAY OF December 20 19

PERMITEE: Los Cabos Mexican Restaurant ADDRESS: 1660 Sledge Road Ste 100

CITY: Bell City TN COUNTY: Blount ZIP: 38134 PHONE: 423-522-5515

PERMIT NUMBER: LPK097 SH-180764 EXPIRATION DATE: 8-15-20

AFORESAID DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

No. of Counts

☒

Sale of Alcoholic Beverage/Beer to Minor \$1,500
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)

☐

Minor in Possession TCA§ 57-4-203(b)(2)(A) - \$1,500

☐

Sell/Furnishing Alcoholic Beverage to Visibly \$1,500
Intoxicated Person TCA§ 57-4-203(c)(1); 57-3-406(c)

☐

Failure to Properly Display Permit in a Conspicuous Place
TABC Rule #0100-1-03(17) - \$200.00

☐

Failure to Post "Pregnancy Warning" TCA§ 57-1-211 -
\$150.00

☐

Other _____

☐

Other _____

No. of Counts

☐

Employing Persons to Dispense Alcoholic Beverages W/O
a Permit TCA§ 57-4-203(h); 57-3-204(4)(c) - \$150.00

☐

Failure to Timely Renew TCA§ 57-3-605 \$150 (Non-
Resident); 57-3-213(a)(b) - \$350.00 (Retail), \$150 (Winery or
Direct Shipper); 57-4-201(a) - \$350 (LBD) - (Circle One)

☐

On Premises Sale By Bottle Restricted Rule #0100-1-03(8)
TCA§ 57-4-203(c)(1) - \$250.00

☐

Hours of Sale Violation TCA§ 57-4-203(d); 57-3-406(e) Rule
#0100-1-03(2); 0100-03-13(4) - \$750.00

☐

Purchasing Alcoholic Beverages From Other Than A
Licensed Wholesaler TCA§ 57-3-404 et seq. - \$300/bottle

☐

Other _____

☐

Other _____

NARRATIVE: During inspection, the owner/manager, Ricardo, served a 16-year-old male a beer. The owner/manager, Ricardo, is a minor in possession of alcohol.

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 11 day of December 20 19.

SPECIAL AGENT/REGULATORY OFFICER/ISSUING PERSONNEL

\$ 5000.00²⁰

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ 1,500. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by contacting ABC by phone at 615-741-1602 or by mail at the following address: 500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755, within 20 calendar days of receipt. **This citation can only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail.** Failing to satisfy this citation may result in administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice, and my signature below is an acknowledgement of my understanding, and not an admission of guilt.

Signature of Recipient/Authorized Agent of Permittee

Date

Recipient's Name and Title (PRINT)

IF MAILED: Date Mailed: 12/12/19

Mailed by: Initials: TC

Printed Name: Ricardo Carter

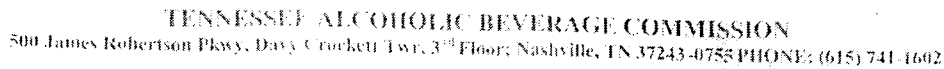
ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$ _____ (by business check, cashier's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waiving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee

Date

Authorized Agent of Permittee or Permittee's Name and Title (PRINT)



THE NUMBER OF VIOLATIONS ON THIS REGULATORY CITATION IS (TOTAL) = _____ (MAX. 5)

THE UNDERSIGNED BEING DULY SWORN UPON HIS/HER OATH DEPOSES THAT:

ON THE 16 DAY OF October 20 1991

PERMITEE: Leah Collins Alton ADDRESS: 6600 S. 10th St.

CITY: Boston IN COUNTY: Worcester ZIP: 01504 PHONE: 701-587-3600

PERMIT NUMBER: 0000000000 EXPIRATION DATE: 0000000000

AFORES Aid DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE(S):

 Sale of Alcoholic Beverage/Beer to Minor \$1,500
TCA§ 57-4-203(b)(1)(A) or (B); 57-3-406(d)

Minor in Possession TCA§ 57-4-203(b)(2)(A) - \$1,500

☐ Sell/Furnishing Alcoholic Beverage to Visibly \$1,500
Intoxicated Person TCA§57-4-203(c)(1); 57-3-406(c)

	Failure to Properly Display Permit in a Conspicuous Place TABC Rule #0100-1-03(17) - \$200.00
--	--

Failure to Post "Pregnancy Warning" TCA§ 57-1-211 -
\$150.00

Other _____

Other	
-------	--

Employing Persons to Dispense Alcoholic Beverages W/O
a Permit TCA§ 57-4-203(h); 57-3-204(4)(c)-\$150.00

☐ Failure to Timely Renew TCA§57-3-605-~~\$150~~ (Non-Resident); 57-3-213(a)(b)-~~\$350.00~~ (Retail), ~~\$150~~ (Winery or Direct Shipper); 57-4-201(a)-~~\$350~~ (LBD)—(Circle One)

On Premises Sale By Bottle Restricted Rule #0100-1-03(8)
TCA§57-4-203(c)(1)-\$250.00

Hours of Sale Violation TCA§57-4-203(d); 57-3-406(c) Rule
#0100-1-.03(2); 0100-03-.13(4)-\$750.00

Purchasing Alcoholic Beverages From Other Than A
Licensed Wholesaler TCA§57-3-404 et seq.-\$300/bottle

	Other	Non-union	Union	Total
Number of employees	10	10	10	30
Number of hours worked	10	10	10	30
Number of accidents	10	10	10	30
Number of lost workdays	10	10	10	30
Number of days off due to illness	10	10	10	30
Number of days off due to injury	10	10	10	30
Number of days off due to other reasons	10	10	10	30
Number of days off due to vacation	10	10	10	30
Number of days off due to family leave	10	10	10	30
Number of days off due to military service	10	10	10	30
Number of days off due to jury duty	10	10	10	30
Number of days off due to court appearances	10	10	10	30
Number of days off due to bereavement	10	10	10	30
Number of days off due to sick leave	10	10	10	30
Number of days off due to unpaid leave	10	10	10	30
Number of days off due to retirement	10	10	10	30
Number of days off due to disability	10	10	10	30
Number of days off due to maternity leave	10	10	10	30
Number of days off due to paternity leave	10	10	10	30
Number of days off due to parental leave	10	10	10	30
Number of days off due to caregiver leave	10	10	10	30
Number of days off due to elder care leave	10	10	10	30
Number of days off due to child care leave	10	10	10	30
Number of days off due to education leave	10	10	10	30
Number of days off due to training leave	10	10	10	30
Number of days off due to professional development leave	10	10	10	30
Number of days off due to sabbatical leave	10	10	10	30
Number of days off due to unpaid sabbatical leave	10	10	10	30
Number of days off due to unpaid leave without pay	10	10	10	30
Number of days off due to unpaid leave without benefits	10	10	10	30
Number of days off due to unpaid leave without health insurance	10	10	10	30
Number of days off due to unpaid leave without dental insurance	10	10	10	30
Number of days off due to unpaid leave without vision insurance	10	10	10	30
Number of days off due to unpaid leave without life insurance	10	10	10	30
Number of days off due to unpaid leave without disability insurance	10	10	10	30
Number of days off due to unpaid leave without long-term care insurance	10	10	10	30
Number of days off due to unpaid leave without annuity insurance	10	10	10	30
Number of days off due to unpaid leave without pension insurance	10	10	10	30
Number of days off due to unpaid leave without profit sharing plan	10	10	10	30
Number of days off due to unpaid leave without 401(k) plan	10	10	10	30
Number of days off due to unpaid leave without 408(a) plan	10	10	10	30
Number of days off due to unpaid leave without 457(b) plan	10	10	10	30
Number of days off due to unpaid leave without 529 plan	10	10	10	30
Number of days off due to unpaid leave without 529(e) plan	10	10	10	30
Number of days off due to unpaid leave without 529(f) plan	10	10	10	30
Number of days off due to unpaid leave without 529(g) plan	10	10	10	30
Number of days off due to unpaid leave without 529(h) plan	10	10	10	30
Number of days off due to unpaid leave without 529(i) plan	10	10	10	30
Number of days off due to unpaid leave without 529(j) plan	10	10	10	30
Number of days off due to unpaid leave without 529(k) plan	10	10	10	30
Number of days off due to unpaid leave without 529(l) plan	10	10	10	30
Number of days off due to unpaid leave without 529(m) plan	10	10	10	30
Number of days off due to unpaid leave without 529(n) plan	10	10	10	30
Number of days off due to unpaid leave without 529(o) plan	10	10	10	30
Number of days off due to unpaid leave without 529(p) plan	10	10	10	30
Number of days off due to unpaid leave without 529(q) plan	10	10	10	30
Number of days off due to unpaid leave without 529(r) plan	10	10	10	30
Number of days off due to unpaid leave without 529(s) plan	10	10	10	30
Number of days off due to unpaid leave without 529(t) plan	10	10	10	30
Number of days off due to unpaid leave without 529(u) plan	10	10	10	30
Number of days off due to unpaid leave without 529(v) plan	10	10	10	30
Number of days off due to unpaid leave without 529(w) plan	10	10	10	30
Number of days off due to unpaid leave without 529(x) plan	10	10	10	30
Number of days off due to unpaid leave without 529(y) plan	10	10	10	30
Number of days off due to unpaid leave without 529(z) plan	10	10	10	30
Number of days off due to unpaid leave without 529(aa) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ab) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ac) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ad) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ae) plan	10	10	10	30
Number of days off due to unpaid leave without 529(af) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ag) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ah) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ai) plan	10	10	10	30
Number of days off due to unpaid leave without 529(aj) plan	10	10	10	30
Number of days off due to unpaid leave without 529(ak) plan	10	10	10	30
Number of days off due to unpaid leave without 529(al) plan	10	10	10	30
Number of days off due to unpaid leave without 529(am) plan	10	10	10	30
Number of days off due to unpaid leave without 529(an) plan	10	10	1	

Other

NARRATIVE:

The undersigned further states that he/she has just and reasonable grounds to believe and does believe, that the person/establishment named above committed the offense(s) herein set forth, contrary to Law and/or Rule. This 20 day of October, 2020.

SPECIAL AGENT/REGULATORY OFFICER/ISSUING PERSONNEL

NOTICE: This Regulatory Citation imposes a total civil penalty in the amount of \$ 1000.00. If you choose to settle this Regulatory Citation without contesting the alleged violation(s), you are **REQUIRED** to pay the total civil penalty amount no later than twenty (20) calendar days from the citation date listed above. If you wish to contest this Regulatory Citation and the violation(s) contained therein you may do so by contacting ABC by phone at 615-741-1602 or by mail at the following address: **500 James Robertson Pkwy, Davy Crockett Tower, 3rd Floor, Nashville, TN 37243-0755**, within 20 calendar days of receipt. **This citation can only be satisfied by admitting to the violation and making payment, or by requesting a hearing by phone or mail.** Failing to satisfy this citation may result in administrative penalties and/or costs being assessed against you, including the suspension and/or revocation of your TABC permit.

I understand the above notice, and my signature below is an acknowledgement of my understanding, and not an admission of guilt.

Alfonso Heredia Hernandez 04/20/20 Alfonso Heredia Hernandez President

Signature of Recipient/Authorized Agent of Permittee Date Recipient's Name and Title (PRINT)

IF MAILED: Date Mailed: _____ Mailed by: Initials: _____ Printed Name: _____

ADMISSION OF GUILT:

I/we agree to settle this TABC Regulatory Citation with the admission of my/our guilt as to the violation(s) noted above and the payment of the total civil penalty imposed, as noted above, and in the amount of \$_____ (by business check, cashier's check or money order [no personal checks or cash accepted]). Upon the plea of guilty as to the above noted violations I/we enter a plea of guilt hereby waving any and all rights to a TABC administrative hearing and/or appeals.

Signature of Authorized Agent of Permittee or Permittee

Date _____

Authorized Agent of Permittee or Permittee's Name and Title (PRINT)

Attachment: TABC, Los Cabos (3002 : Los Cabos Violation)

From: Tim Rush [<mailto:Tim.Rush@tn.gov>]
Sent: Monday, July 26, 2021 9:45 AM
To: Penny Medlock <pmedlock@cityofbartlett.org>
Cc: Ryan Mercurio <Ryan.Mercurio@tn.gov>
Subject: [External] RE: Beer Board Violation Meeting

Underage sale date: 20 October 2020

Underage operative's birthdate: not listed

Underage operative's age during sting: 18 years old

Business: Los Cabos

Permit holder: Alfonso Herrera-Hernandez and Ana Herrera, 6600 Stage Road, Suite 106, Bartlett, TN 38134

Permit held since: Assigned 8/20/2018

Employee who allegedly sold to a minor: Dariela Guadalupe Hernandez Velazquez

Alcohol sold: 12 ounce Cantarito

ID was not checked

Defendant's plea: unknown

Underage sale date: 11 December 2019

Underage operative's birthdate: not listed

Underage operative's age during sting: 18 years old

Business: Los Cabos

Permit holder: Alfonso Herrera-Hernandez and Ana Herrera, 6600 Stage Road, Suite 106, Bartlett, TN 38134

Permit held since: Assigned 8/20/2018

Employee who allegedly sold to a minor: Brianna Leyua Acevedo

Alcohol sold: Margarita

Attachment: TABC, Special Agent Rush details, Los Cabos (3002 : Los Cabos Violation)

ID was not checked

Defendant's plea: unknown

Underage sale date: 11 June 2019

Underage operative's birthdate: 9/12/1999

Underage operative's age during sting: 19 years old

Business: Los Cabos

Permit holder: Alfonso Herrera-Hernandez and Ana Herrera, 6600 Stage Road, Suite 106, Bartlett, TN 38134

Permit held since: Assigned 8/20/2018

Employee who allegedly sold to a minor: Astrid Hernandez
Age at time of violation: 28-years-old

Alcohol sold: Bud Light

ID was checked

Defendant's plea: unknown

Abuelo's Information:

Underage operative's birthdate: September 12, 1999

Underage operative's age during sting: 19 years old

Business: Abuelo's Mexican Food Embassy

Permit holder: Abuelo's International, LP 4413 82nd Street Suite 250 Lubbock, TX 79424

Permit held since July 2018

Employee who allegedly sold to a minor: Danyiel Brown

Brown's age at time of sting: 33 years old

Alcohol sold: Bud Light Beer

Attachment: TABC, Special Agent Rush details, Los Cabos (3002 : Los Cabos Violation)

Defendant's plea: Unknown. Case was Nolle Prosequi per Shelby County Criminal Justice Portal.

Underage operative's birthdate: March 16, 2001

Underage operative's age during sting: 18 years old

Business: Abuelo's Mexican Food Embassy

Permit holder: Abuelo's International, LP 4413 82nd Street Suite 250 Lubbock, TX 79424

Permit held since July 2018

Employee who allegedly sold to a minor: Nicole Adams

Adams' age at time of sting: 22 years old

Alcohol sold: Miller Lite Beer

Defendant's plea: Unknown. Case was Nolle Prosequi no Court Costs per Shelby County Criminal Justice Portal.

Underage operative's birthdate: May 22, 2002

Underage operative's age during sting: 18 years old

Business: Abuelo's Mexican Food Embassy

Permit holder: Abuelo's International, LP 4413 82nd Street Suite 250 Lubbock, TX 79424

Permit held since July 2018

Employee who allegedly sold to a minor: Ryan Bittner

Bittner's age at time of sting: 25 years old

Alcohol sold: Negra Modelo Beer

Defendant's plea: Paid fine to TABC.



Tim Rush | Special Agent in Charge
Tennessee Alcoholic Beverage Commission
40 South Main Street, 4th Floor | Memphis, TN 38103
Office: 901-543-7284
tim.rush@tn.gov
tn.gov/abc