

**BEFORE THE ALCOHOLIC BEVERAGE CONTROL APPEALS BOARD
OF THE STATE OF CALIFORNIA**

AB-9668

File: 20-447767; Reg: 17085407

7-ELEVEN, INC. and AMBER, INC.,
dba 7-Eleven Store #13576
698 H Street, Chula Vista, CA 91910-4219,
Appellants/Licensees

v.

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL,
Respondent

Administrative Law Judge at the Dept. Hearing: Doris Huebel

Appeals Board Hearing: August 2, 2018
Los Angeles, CA

ISSUED AUGUST 20, 2018

Appearances: *Appellants:* Donna J. Hooper, of Solomon, Saltsman & Jamieson,
as counsel for 7-Eleven, Inc. and Amber, Inc.,

Respondent: Jonathan V. Nguyen, as counsel for Department of
Alcoholic Beverage Control.

OPINION

7-Eleven, Inc. and Amber; Inc., doing business as 7-Eleven Store #13576,
appeal from a decision of the Department of Alcoholic Beverage Control,¹ suspending
their license for 10 days because their clerk sold an alcoholic beverage to a police
minor decoy, in violation of Business and Professions Code section 25658, subdivision
(a).

¹The decision of the Department, dated September 26, 2017, is set forth in the
appendix.

FACTS AND PROCEDURAL HISTORY

Appellants' off-sale beer and wine license was issued on February 1, 2007, and there is no record of prior departmental discipline against the license.

On March 13, 2017, the Department filed an accusation against appellants charging that, on August 5, 2016, appellants' clerk, Jose Enrique Angulo (the clerk), sold an alcoholic beverage to 19-year-old Alexis Lopez. Although not noted in the accusation, Lopez was working as a minor decoy in a joint operation between the Chula Vista Police Department and the Department of Alcoholic Beverage Control at the time.

At the administrative hearing held on August 1, 2017, documentary evidence was received and testimony concerning the sale was presented by Lopez (the decoy); by Jesse Vincente, a Chula Vista Police police officer; and by one of the licensees, Gurkirpal Morrow, president of Amber, Inc.

Testimony established that on August 5, 2016, the decoy entered the licensed premises, followed shortly thereafter by Officer Vincente and Department Agent Sarah Hudson. The decoy went to the coolers and selected a six-pack of Bud Light beer in bottles which she took to the sales counter. She waited in line behind one person, then set the beer down. The clerk scanned the beer and was prompted by the register to ask for identification. The clerk did not ask for identification. Instead, he pressed a "Visual ID OK" bypass button on the screen. The clerk then completed the sale without asking any age-related questions.

The decoy exited the premises, followed by Agent Hudson. Officer Vincente remained in the store. He identified himself to the clerk as a police officer and explained the violation to him. The clerk was asked to step out from behind the register.

The decoy re-entered the premises and was asked by Officer Vincente to identify the person who had sold her the beer. The decoy pointed at the clerk and said "He did." The decoy and clerk were standing approximately three feet apart and facing each other during the identification. A photo of the two of them was taken (exh. 2) and the clerk was subsequently issued a citation. These facts are not at issue in this appeal.

The administrative law judge (ALJ) submitted a proposed decision on August 2, 2017, sustaining the accusation and recommending that the license be suspended for 10 days. The Department adopted the decision in its entirety and issued its decision on September 26, 2017.

Appellants then filed a timely appeal contending the ALJ failed to proceed in a manner required by law by not considering mitigating circumstances when determining the penalty and by failing to articulate the reasoning supporting her penalty decision. These issues will be considered together.

DISCUSSION

Appellants contend that the ALJ failed to proceed in a manner required by law by not considering mitigating circumstances when determining the penalty and by failing to articulate the reasoning supporting her penalty decision. As a result, appellants argue the decision must be reversed. (AOB at pp. 5-10.)

The Board will not disturb the Department's penalty order in the absence of an abuse of discretion. (*Martin v. Alcoholic Bev. Control Appeals Bd. & Haley* (1959) 52 Cal.2d 287, 291 [341 P.2d 296].) "Abuse of discretion" in the legal sense is defined as discretion exercised to an end or purpose not justified by and clearly against reason, all of the facts and circumstances being considered. [Citations.] (*Brown v. Gordon*, 240

Cal. App. 2d 659, 666-667 (1966) [49 Cal. Rptr. 901].) If the penalty imposed is reasonable, the Board must uphold it even if another penalty would be equally, or even more, reasonable. "If reasonable minds might differ as to the propriety of the penalty imposed, this fact serves to fortify the conclusion that the Department acted within its discretion." (*Harris v. Alcoholic Bev. Control Appeals Bd.* (1965) 62 Cal.2d 589, 594 [43 Cal.Rptr. 633].)

Rule 144² provides:

In reaching a decision on a disciplinary action under the Alcoholic Beverage Control Act (Bus. and Prof. Code Sections 23000, et seq.), and the Administrative Procedures Act (Govt. Code Sections 11400, et seq.), the Department shall consider the disciplinary guidelines entitled "Penalty Guidelines" (dated 12/17/2003) which are hereby incorporated by reference. Deviation from these guidelines is appropriate where the Department in its sole discretion determines that the facts of the particular case warrant such a deviation - such as where facts in aggravation or mitigation exist.

(Cal. Code Regs., tit. 4, § 144.) Among the mitigating factors provided by the rule are the length of licensure without prior discipline, positive actions taken by the licensee to correct the problem, cooperation by the licensee in the investigation, and documented training of the licensee and employees. Aggravating factors include, *inter alia*, prior disciplinary history, licensee involvement, lack of cooperation by the licensee in the investigation, and a continuing course or pattern of conduct. (*Ibid.*)

The Penalty Policy Guidelines further address the discretion necessarily involved in an ALJ's recognition of aggravating or mitigating evidence:

Penalty Policy Guidelines:

The California Constitution authorizes the Department, in its

²References to rule 141 and its subdivisions are to section 141 of title 4 of the California Code of Regulations, and to the various subdivisions of that section.

discretion[,] to suspend or revoke any license to sell alcoholic beverages if it shall determine for good cause that the continuance of such license would be contrary to the public welfare or morals. The Department may use a range of progressive and proportional penalties. This range will typically extend from Letters of Warning to Revocation. These guidelines contain a schedule of penalties that the Department usually imposes for the first offense of the law listed (except as otherwise indicated). These guidelines are not intended to be an exhaustive, comprehensive or complete list of all bases upon which disciplinary action may be taken against a license or licensee; nor are these guidelines intended to preclude, prevent, or impede the seeking, recommendation, or imposition of discipline greater than or less than those listed herein, in the proper exercise of the Department's discretion.

(Ibid.)

In the decision, the ALJ devotes a separate section to the issue of penalty:

The Department requested the Respondents' license be suspended for a period of 15 days, addressing that any mitigation by Respondents was taken after the minor decoy operation of August 5, 2016, and that Mr. Morrow was an absentee licensee prior to the said decoy operation admitting to not being involved in the day-to-day operations prior thereto. The Respondents argued that, if the accusation were not dismissed, a mitigated penalty of five (5) days stayed was appropriate, or requested that any penalty be stayed, given Respondents were discipline-free since 2007 and took immediate action after the said decoy operation to remove the "Visual ID OK" button from the register and Mr. Morrow personally retrained the employees relating to the sale of alcoholic beverages to prevent future sales to minors. A mitigated penalty is warranted given the length of discipline-free licensure. The penalty recommended herein complies with rule 144.

(Decision, at pp. 5-6.)

Appellants argue that additional evidence of mitigation was presented at the hearing but was not considered: namely, that the offending clerk was fired and that all the employees were personally retrained by the licensee. Appellant contends that these efforts should have been considered as additional positive actions by the licensees to correct the problem — meriting additional mitigation of the penalty. Appellants contend the ALJ gave no weight to those actions and only considered the

length of licensure without discipline and the removal of the Visual ID OK button as factors in mitigation. (AOB at p. 6.)

In addition, appellants question whether the comment about being an “absentee licensee” was considered as an aggravating factor. They assert that this statement is unsupported by the evidence and should not have been considered.

Finally, appellants complain that the ALJ failed to construct an “analytical bridge” connecting the evidence and the penalty assigned, in violation of *Topanga* which states: “[I]mplicit in [the law] is a requirement that the agency which renders the challenged decision must set forth findings to bridge the analytic gap between the raw evidence and ultimate decision or order.” (*Topanga Assn. for a Scenic Community v. Co. of Los Angeles* (1974) 11 Cal.3d 506, 515 [113 Cal.Rptr. 836].)

Unless some statute requires it, an administrative agency’s decision need not include findings with regard to mitigation. (*Vienna v. Cal. Horse Racing Bd.* (1982) 133 Cal.App.3d 387, 400 [184 Cal.Rptr. 64]; *Otash v. Bureau of Private Investigators* (1964) 230 Cal.App.2d 568, 574-575 [41 Cal.Rptr. 263].) Appellants have not pointed out a statute with such requirements. Findings regarding the penalty imposed are not necessary as long as specific findings are made that support the decision to impose disciplinary action. (*Williamson v. Bd. of Med. Quality Assurance* (1990) 217 Cal.App.3d 1343, 1346-1347 [266 Cal.Rptr. 520].)

This Board has repeatedly rejected the very same interpretation of *Topanga* that appellants now advocate. (See, e.g., *Mtanos Hawara & Susan Issa Hawara* (2015) AB-9512 at pp. 7-9; *Garfield Beach CVS, LLC/Longs Drug Store Cal., LLC* (2013) AB-9236, at pp. 3-4.) With regard to factual findings supporting the actual charges —

not the penalty imposed — this Board has said:

If this Board observes that the evidence appears to contradict the findings of fact, it will review the ALJ's analysis — assuming some reasoning is provided — to determine whether the ALJ's findings were nevertheless proper. Should this Board be faced with evidence clearly at odds with the findings and no explanation from the ALJ as to how he or she reached those findings, this Board will not hesitate to reverse. . . . While an ALJ may better shield himself against reversal by thoroughly explaining his reasoning, he is not required to do so. The omission of analysis alone is not grounds for reversal, provided findings have been made.

(*Garfield Beach CVS, LLC/Longs Drug Stores Cal., LLC* (2015) AB-9514, at pp. 6-7.)

However, the Board has firmly clarified that it will not widen this holding to include the penalty:

We emphasize that this above language does *not* extend to the penalty. No “analytical bridge” of any sort is required in imposing a penalty. Provided the penalty is reasonable, this Board will have no cause to retrace the ALJ's reasoning.

(*Hawara, supra* at p. 9.)

Appellant's disagreement with the penalty imposed does not mean the Department abused its discretion. As we have said time and again, this Board's review of a penalty looks only to see whether it can be considered reasonable, and, if it is reasonable, the Board's inquiry ends there. In this case, the penalty was not only within the guidelines of rule 144, it was mitigated by the ALJ to make it more reasonable in light of the length of licensure without discipline and actions taken by the licensee to correct the problem. (See Cal. Code Regs., tit. 4, § 144, *supra*.)

We see no grounds to reconsider the penalty, let alone reverse the entire decision.

ORDER

The decision of the Department is affirmed.³

BAXTER RICE, CHAIRMAN
PETER J. RODDY, MEMBER
MEGAN McGUINNESS, MEMBER
ALCOHOLIC BEVERAGE CONTROL
APPEALS BOARD

³This final order is filed in accordance with Business and Professions Code section 23088, and shall become effective 30 days following the date of the filing of this order as provided by section 23090.7 of said code.

Any party, before this final order becomes effective, may apply to the appropriate court of appeal, or the California Supreme Court, for a writ of review of this final order in accordance with Business and Professions Code section 23090 et seq.

APPENDIX

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

**IN THE MATTER OF THE ACCUSATION
AGAINST:**

7-ELEVEN INC AND AMBER INC
7-ELEVEN #13576
698 H STREET
CHULA VISTA, CA 91910-4219

OFF-SALE BEER AND WINE - LICENSE

Respondent(s)/Licensee(s)
Under the Alcoholic Beverage Control Act

SAN DIEGO DISTRICT OFFICE

AB 9668
File: 20-447767

Reg: 17085407

CERTIFICATE OF DECISION

It is hereby certified that, having reviewed the findings of fact, determination of issues, and recommendation in the attached proposed decision, the Department of Alcoholic Beverage Control adopted said proposed decision as its decision in the case on September 11, 2017. Pursuant to Government Code section 11519, this decision shall become effective 30 days after it is delivered or mailed.

Any party may petition for reconsideration of this decision. Pursuant to Government Code section 11521(a), the Department's power to order reconsideration expires 30 days after the delivery or mailing of this decision, or if an earlier effective date is stated above, upon such earlier effective date of the decision.

Any appeal of this decision must be made in accordance with Business and Professions Code sections 23080-23089. For further information, call the Alcoholic Beverage Control Appeals Board at (916) 445-4005, or mail your written appeal to the Alcoholic Beverage Control Appeals Board, 300 Capitol Mall, Suite 1245, Sacramento, CA 95814.

On or after November 6, 2017, a representative of the Department will contact you to arrange to pick-up the license certificate.

Sacramento, California

Dated: September 26, 2017



Matthew D. Botting
General Counsel

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE ACCUSATION AGAINST:

7 Eleven Inc., and Amber Inc.
dba 7 Eleven # 13576
698 H Street
Chula Vista, California 91910-4219

Respondents

Off-Sale Beer And Wine License

} File: 20-447767
}
} Reg.: 17085407
}
} License Type: 20
}
} Word Count: 8,350
}
} Reporter:
} Kasey Mobley
} California Reporting
}
} **PROPOSED DECISION**

Administrative Law Judge D. Huebel, Administrative Hearing Office, Department of Alcoholic Beverage Control, heard this matter at San Diego, California, on August 1, 2017.

Jonathan Nguyen, Attorney, represented the Department of Alcoholic Beverage Control (the Department).

Donna Hooper, Attorney, represented Respondents, 7 Eleven Inc., and Amber Inc. Gurkirpal Morrow, Franchisee/Licensee, appeared and testified.

The Department seeks to discipline the Respondents' license on the grounds that, on or about August 5, 2016, the Respondents, through their agent or employee, sold, furnished, or gave alcoholic beverages to Alexis Lopez, an individual under the age of 21, in violation of Business and Professions Code section 25658(a).¹ (Exhibit 1.)

Oral evidence, documentary evidence, and evidence by oral stipulation on the record was received at the hearing. The matter was argued and submitted for decision on August 1, 2017.

FINDINGS OF FACT

1. The Department filed the accusation on March 14, 2017.

¹ All statutory references are to the Business and Professions Code unless otherwise noted.

2. The Department issued a type 20, off-sale beer and wine license to the Respondents for the above-described location on February 1, 2007 (the Licensed Premises).
3. There is no record of prior departmental discipline against the Respondents' license.
4. Alexis Lopez was born on April 14, 1997. On August 5, 2016, she was 19 years old. On that date she served as a minor decoy in an operation conducted by the Chula Vista Police Department (Chula Vista PD) in conjunction with the Department.
5. Decoy Lopez appeared and testified at the hearing. On August 5, 2016, she was 5'4" tall and weighed 135 pounds. She was wearing white jeans, a buttoned-up denim shirt, black and white Vans shoes, and two hair ties on her right wrist. Her hair was worn down, past her shoulders, with her hair a brown color from the roots of her head continuing half-way down the length of her hair, and an auburn color from the halfway point to the ends of her hair. She wore a black Casio watch on her left wrist, which she removed prior to entering the Licensed Premises (Exhibits 2 and 3.) Her appearance at the hearing was the same, except she weighed 130 pounds, wore a different watch on her left wrist, and the auburn in her hair was colored blond from the midway point to the ends of her hair.
6. On August 5, 2016, decoy Lopez entered the Licensed Premises, followed shortly thereafter by Chula Vista PD officer Jesse Vicente and Department agent Sarah Hudson. Decoy Lopez walked to the back of the store to the beer cooler section and selected a six-pack of Bud Light beer bottles. (Exhibit 2.) Beer is an alcoholic beverage. Decoy Lopez brought the six-pack of beer to the front sales counter for purchase. She waited in line behind one person. There was no one standing in line behind her.
7. At the counter decoy Lopez set down the six-pack of Bud Light beer. Clerk Jose Enrique Angulo scanned the six-pack of Bud Light beer. A yellow screen appeared on the cash register screen instructing the clerk to request the identification (ID) of anyone under 30, compare the picture on the ID with the customer, and swipe the ID or manually enter the customer's birthdate. (Exhibit 4A.) Clerk Angulo did not ask for the decoy's ID or any age-related questions. Clerk Angulo pressed a "Visual ID OK" bypass button on the cash register screen to override the system's request. Clerk Angulo proceeded with the alcohol sales transaction. Decoy Lopez handed clerk Angulo \$10, which the clerk accepted. Clerk Angulo then gave the decoy change and bagged the six-pack of Bud Light beer. Decoy Lopez took the six-pack of beer and exited the store. Officer Vicente was inside the store and witnessed these events (except for what was depicted on the cash register screen). Agent Hudson exited the store immediately after the decoy. Officer Vicente remained in the store to observe clerk Angulo.

8. Officer Vicente contacted clerk Angulo, identified himself as a police officer with his Department issued credentials, and explained the violation to clerk Angulo. Clerk Angulo was standing behind the register at the time. Officer Vicente thereafter asked clerk Angulo to step around to the customer side of the counter, which the clerk did.
9. Decoy Lopez re-entered the Licensed Premises and stood next to officer Vicente, who was on the customer side of the counter with clerk Angulo. Officer Vicente asked decoy Lopez to identify the person who sold her the beer. Decoy Lopez pointed at clerk Angulo and said, "He did." Decoy Lopez and clerk Angulo were standing three feet apart, facing and looking at each other at the time of this identification. A photo of clerk Angulo and decoy Lopez was taken after the face-to-face identification, with decoy Lopez holding the six-pack of beer while standing next to clerk Angulo. (Exhibit 2.)
10. Clerk Angulo was issued a citation after the face-to-face identification. Clerk Angulo did not appear and did not testify at the hearing.
11. On August 5, 2016, decoy Lopez visited a total of approximately seven locations, with only the Licensed Premises having sold alcoholic beverages to her. Prior to August 5, 2016, decoy Lopez had participated in three shoulder tap decoy operations. She learned about the decoy program through her experience as a Police Explorer with the Chula Vista PD. As of August 5, 2016, decoy Lopez had three years' experience as a Police Explorer and reached the rank of lieutenant. She volunteers 30 hours a week as a Police Explorer, during which she receives scenario training in building searches, traffic control and using the radio. She participates in ride-a-longs.
12. Decoy Lopez appeared her age at the time of the decoy operation. Based on her overall appearance, i.e., her physical appearance, dress, poise, demeanor, maturity, and mannerisms shown at the hearing, and her appearance and conduct in front of clerk Angulo at the Licensed Premises on August 5, 2016, decoy Lopez displayed the appearance which could generally be expected of a person under 21 years of age under the actual circumstances presented to the clerk. Decoy Lopez has a youthful appearance.
13. Officer Jesse Vicente appeared and testified at the hearing. Officer Vicente said that on August 5, 2016, he questioned clerk Angulo after the face-to-face identification. After initially advising clerk Angulo he would be placed under arrest for having sold alcohol to a minor, clerk Angulo replied that he "had messed up." Officer Vicente asked clerk Angulo to explain and demonstrate how the cash register processed alcohol sales transactions. Clerk Angulo described and demonstrated that when an alcoholic beverage is scanned the cash register prompts the clerk with a yellow screen, which reads, "ID 30 and under. Must be 21 to purchase. 1. Picture on I.D. must match the customer 2. Scan or swipe I.D. OR if birthdate is on or before 08-05-95 press (Manual Enter)" with three button options of, "Manual Enter," "Visual ID OK," and "Exit." (Exhibit 4A.) Clerk

Angulo explained and demonstrated that during the sales transaction with decoy Lopez he had bypassed the prompt screen requirement by pressing the "Visual ID OK" button, which led to a second screen (Exhibit 4B) enabling clerk Angulo to complete the sale of alcohol to the minor decoy.

14. Gurkirpal Morrow appeared and testified at the hearing. Mr. Morrow is the franchisee of the Licensed Premises and president of Amber Inc. On August 5, 2016, one hour after the minor decoy operation was completed Mr. Morrow had his store manager remove the "Visual ID OK" override button from the cash register to prevent any future clerks from using that override button to avoid either scanning IDs or manually entering customer birthdates. Store policy requires Respondents' clerks to request ID of anyone under 30 years of age, regardless of whether they are a new or old customer, scan every ID or manually enter the customer birthdate if the ID's magnetic strip is of poor quality. Clerk Angulo was trained on Respondents' store policy relating to alcohol sales but did not follow any store procedure or policy during the sales transaction with decoy Lopez. Mr. Morrow fired clerk Angulo one week after the said decoy operation. Clerk Angulo worked one day and one-half shift after August 5, 2016, during which he was prohibited from working behind the register and allowed to perform cover duties of stocking and cleaning. Prior to the said decoy operation, Mr. Morrow was not involved in the day-to-day operations, leaving his manager in charge of the store and all hiring and training. After August 5, 2016, Mr. Morrow retrained all employees on the computer based alcohol sales training module and had employees perform "dummy tests" of several different transactions involving the sale of age-restricted merchandise, requiring employees to check and scan identifications, as well as manually enter birthdates. When Mr. Morrow is confident an employee will follow store policy he places the employee on the schedule. At some unknown time, prior to the minor decoy operation of August 5, 2016, the Licensed Premises received a letter from the Chula Vista PD for having successfully passed a decoy operation. The Licensed Premises has monthly secret shoppers through the BARS program, where its clerks receive green cards when they ask for identification relating to tobacco sales.

15. Except as set forth in this decision, all other allegations in the accusation and all other contentions of the parties lack merit.

CONCLUSIONS OF LAW

1. Article XX, section 22 of the California Constitution and section 24200(a) provide that a license to sell alcoholic beverages may be suspended or revoked if continuation of the license would be contrary to public welfare or morals.

2. Section 24200(b) provides that a licensee's violation, or causing or permitting of a violation, of any penal provision of California law prohibiting or regulating the sale of alcoholic beverages is also a basis for the suspension or revocation of the license.
3. Section 25658(a) provides that every person who sells, furnishes, gives, or causes to be sold, furnished, or given away, any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor.
4. Cause for suspension or revocation of the Respondents' license exists under Article XX, section 22 of the California State Constitution and sections 24200(a) and (b) on the basis that on August 5, 2016, the Respondents' clerk, Jose Enrique Angulo, inside the Licensed Premises, sold alcoholic beverages to Alexis Lopez, a person under the age of 21, in violation of Business and Professions Code section 25658(a). (Findings of Fact ¶¶ 4-12.)
5. The Respondents argued the decoy operation at the Licensed Premises failed to comply with rule 141(b)(2), therefore, the accusation should be dismissed pursuant to rule 141(c).

With respect to rule 141(b)(2), Respondents argued decoy Lopez did not have the appearance of someone under 21 because of several factors which made her appear to be older than 21. Those factors included the decoy's Police Explorer and decoy experience, as well as officer Vicente's testimony that decoy Lopez developed some amount of confidence from her experience as a decoy. This rule 141(b)(2) argument is rejected. There is no evidence that decoy Lopez' Police Explorer or decoy experience, or officer Vicente's belief decoy Lopez developed confidence from her experience had any impact on clerk Angulo. There was nothing about decoy Lopez' demeanor, or her experience which made her appear older than her actual age. Decoy Lopez appears her true age. In other words, decoy Lopez had the appearance generally expected of a person under the age of 21. (Finding of Fact ¶ 12.)

PENALTY

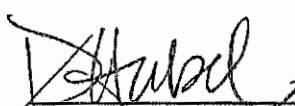
The Department requested the Respondents' license be suspended for a period of 15 days, addressing that any mitigation by Respondents was taken after the minor decoy operation of August 5, 2016, and that Mr. Morrow was an absentee licensee prior to the said decoy operation admitting to not being involved in the day-to-day operations prior thereto. The Respondents argued that, if the accusation were not dismissed, a mitigated penalty of five (5) days stayed was appropriate, or requested that any penalty be stayed, given Respondents were discipline-free since 2007 and took immediate action after the said decoy operation to remove the "Visual ID OK" button from the register and Mr. Morrow personally retrained the employees relating to the sale of alcoholic beverages to prevent

future sales to minors. A mitigated penalty is warranted given the length of discipline-free licensure. The penalty recommended herein complies with rule 144.

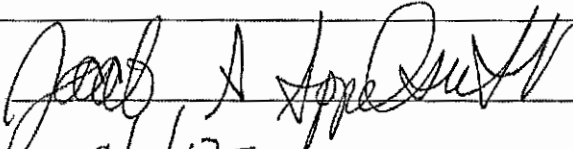
ORDER

The Respondents' off-sale beer and wine license is hereby suspended for a period of 10 days.

Dated: August 2, 2017



D. Huebel
Administrative Law Judge

<input checked="" type="checkbox"/> Adopt
<input type="checkbox"/> Non-Adopt: _____
By: 
Date: 8/11/17