

DOCKET NO. 458-05-6936

**TEXAS ALCOHOLIC BEVERAGE
COMMISSION, Petitioner**

BEFORE THE STATE OFFICE

V.

OF

**PRASOPXAY SOUTTHICHACK
D/B/A STICKY RICE RESTAURANT,
Respondent
(TABC CASE NO. 616203)**

ADMINISTRATIVE HEARING

PROPOSAL FOR DECISION

The Texas Alcoholic Beverage Commission (TABC) Staff brought this disciplinary action¹ against Prasopxay Southichack d/b/a Sticky Rice Restaurant (Respondent), alleging that Respondent committed several violations of the Texas Alcoholic Beverage Code (the Code). These violations include: failing to immediately mutilate the identification stamp on an empty bottle that has contained distilled spirits; knowingly possessing or permitting possession of alcoholic beverages not covered by invoice on the licensed premises; failing to purchase beer from a permittee or licensee

¹ The Commission or administrator may suspend for not more than 60 days or cancel an original or renewal permit if it is found after notice and hearing, that any the permittee/retail dealer violated a provision of the Code or a rule of the Commission. TEX. ALCO. BEV. CODE ANN. § 11.61(b)(2).

* * * * *

The holder of a mixed beverage permit may also be issued a food and beverage certificate by the commission if the gross receipts of mixed beverages sold by the holder are 50% or less of the total receipts of the premises. TEX. ALCO. BEV. CODE ANN. § 28.18. Any action taken against a permittees primary permit is applicable to secondary permits or certificates.

* * * * *

Permittee means a person who holds a permit provided for in the Code, or an agent, servant, or employee of that person. TEX. ALCO. BEV. CODE ANN. § 1.04(11)

Person means a natural person or association of natural persons, trustee, receiver, partnership, corporation, organization, or the manager, agent, servant, or employee of any them. TEX. ALCO. BEV. CODE ANN. § 1.04(6).

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authorized to sell that beverage for resale; operating his business in a place or manner that warranted a suspension or cancellation of his permits based upon the general welfare, health, peace, morals, and safety of the people and the public sense of decency because Respondent permitted a person to consume, or possess with intent to consume, an alcoholic beverage on the licensed premises, a public place, at any time on Sunday between 1:15 a.m. and 12 noon or any other day between 12:15 a.m. and 7:00 a.m.; and sold, offered for sale, and possessed mixed beverages, including distilled spirits, for consumption off the licensed premises. TABC Staff sought cancellation of Respondent's permit and certificate in relation to these allegations.

The ALJ finds the evidence was sufficient to establish that Respondent committed these violations. Therefore, the ALJ recommends that Respondent's permit and certificate be cancelled.

I. JURISDICTION, NOTICE, AND PROCEDURAL HISTORY

TABC has jurisdiction over this matter under TEX. ALCO. BEV. CODE ANN. chs. 5, 11, and 28 and 16 TEX. ADMIN. CODE § 31.1 *et. seq.* (the Rules). The State Office of Administrative Hearings (SOAH) has jurisdiction over all matters related to conducting a hearing in this proceeding, including the preparation of a proposal for decision with findings of fact and conclusions of law, under TEX. GOV'T CODE ANN. chs. 2001 and 2003. There were no contested issues of notice or jurisdiction in this proceeding.

On February 17, 2006, a hearing convened before ALJ Tanya Cooper, at the SOAH offices located at 6777 Camp Bowie Blvd., Suite 400, Fort Worth, Texas. TABC Staff was represented at the hearing by Diane Brown, TABC Staff Attorney. Respondent appeared and was represented by Kirk L. Pittard, attorney at law. The hearing concluded and the record closed on that same day.

II. EVIDENCE

Respondent holds a Mixed Beverage Permit, MB548429, and a Food and Beverage

Certificate, FB548430, issued by TABC for Respondent's premises located at 133 S. Ector Drive, Suite 135, Euless, Tarrant County, Texas. Respondent's permits were initially issued on December 12, 2003, and have been continuously renewed since that date. TABC Agent T. Parsons, TABC Agent W. Miers, and Respondent testified at the hearing.

A. Agent T. Parsons' testimony.

Agent Parsons stated that on April 5, 2005, he made an inspection of Respondent's licensed premises, Sticky Rice Restaurant. When he arrived for the inspection, the restaurant was closed. Agent Parsons said he went next door to Savanth Market, another licensed premises operated by Respondent. Respondent was at the market. When Agent Parsons asked to inspect the restaurant, Respondent took Agent Parsons to the rear of the building. They entered into the restaurant from the market through a door near the rear of the building that had been opened in a common wall between the two premises.

Agent Parsons said that when he entered Sticky Rice, he saw an empty bottle of cognac sitting on a shelf. This bottle's local tax stamp was intact and was not mutilated as required by the Code and TABC Rules. A second empty cognac bottle was found behind the restaurant's bar that had an uncut stamp affixed to it, and upon a closer inspection of the area behind the bar, Agent Parsons found several other empty cognac bottles that had tax stamps affixed and intact. When asked about the bottles found by Agent Parsons, Respondent told Agent Parsons that he mutilated the stamps when he throws the bottles out.

Agent Parsons continued his inspection of the restaurant by examining the contents of a beer cooler that was just inside the door between the restaurant and the market. The cooler contained numerous bottles of Corona Extra Gold and Heineken beer. Agent Parsons asked to see the invoices for the beer. Respondent left the restaurant and went over to the market. None of the invoices produced by Respondent indicated that beer was purchased for resale at the restaurant, but there were invoices evidencing purchases of beer for the market. Agent Parsons said he asked Respondent

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about the lack of invoices for beer purchases at the restaurant. Respondent told Agent Parsons that when he needed beer for sales at the restaurant, he brought beer from the market. Agent Parsons testified that he saw the same type of beer for resale in the market when he later inspected that premises. Agent Parsons stated that he told Respondent that purchases for each licensed premises must be invoiced separately from an appropriate beer seller, a person or entity holding a TABC-issued beer wholesale distributor permit.

Agent Parsons acknowledged that there was a language barrier between Respondent and himself, but ultimately they had been able to communicate with each other. He further said that he thought their communications went well up until the point when Respondent realized he was going to be cited for the violations Agent Parsons had discovered.

On May 5, 2005, Agent Parsons said that he contacted Miller Distributing to see if it had sold the brands of beer (Corona Extra Gold and Heineken) to Respondent that Agent Parsons saw on both licensed premises. The distributing company confirmed sales to Respondent and Agent Parsons was advised that Miller Distributing had begun receiving separate orders for beer from Sticky Rice Restaurant and Savanth Market on April 8, 2005, which was subsequent to Agent Parsons' inspection of that licensed premises.

B. Agent W. Miers' testimony

Agent Miers testified that he inspected the licensed premises, Sticky Rice Restaurant, on February 18, 2005. While there, Agent Miers said that he spoke with Respondent. Agent Miers said that he asked about the restaurant's hours of operations, and Respondent told him that the restaurant opened at 10:00 a.m., and remained open until 3:00 or 4:00 a.m. on the following day. Respondent told Agent Miers that alcoholic beverages were sold during those times, and that if customers wanted to take an alcoholic beverage with them from the restaurant, they were provided with to-go cups.

While inspecting the restaurant, Agent Miers said that he saw a partially full bottle of cognac

near the licensed premises' cash register that did not have a local distributor's stamp on it. Agent Miers said that he also saw several gift box sets of cognac at Respondent's licensed premises that did not contain distributor stamps. Agent Miers stated that he inquired about the source of the liquor because there were no distributor's stamps on the liquor bottles. According to Agent Miers, Respondent said that he purchased the alcoholic beverage from a friend at Bluebonnet Liquors. Respondent stated that he paid his friend cash and got a better price for the liquor.

Agent Miers said that Bluebonnet Liquors holds a Package Store Permit, and did not hold a distributor's permit that was required in order to make sales of alcoholic beverages to retailers for resale purposes. Agent Miers testified that he informed Respondent about this Code requirement, and Respondent said he was not aware of that regulation on purchases of alcoholic beverage.

Agent Mier's said that while he was in training, he had the opportunity to sit in on Respondent's initial application interview. He also confirmed that there was a language barrier for Respondent, but that Respondent came to the interview accompanied by several other people. Respondent, as well as the people with him, asked numerous questions and received clarifications throughout the interview. Agent Miers said that frequently licensees or permittees have a first language other than English, and TABC Staff encourages these individuals to bring others with them to aid in translation. Agent Miers said that during interviews visual aids, such as distributor stamps, are used, and the way to properly mutilate a stamp once a bottle is emptied is explained. During his contacts with Respondent, Agent Miers said they had been able to communicate effectively directly or with the assistance of Respondent's sister-in-law.

C. Respondent's testimony.

Respondent testified at the hearing via an Laotian interpreter. He stated that he was a Laotian native and moved to the United States in 1982. Laotian is his primary language, and according to Respondent, he reads and speaks only a little English. He stated that he received his TABC-issued permits in 2003, using an application consultant, Brian Harris, to prepare his application for him.

Respondent testified that he attended a meeting with TABC Staff prior to obtaining his permits. During that meeting, he recalled signing an acknowledgment of attending the application interview, but stated that he did not understand the acknowledgment's contents. Although the acknowledgment (See Respondent's Exhibit 2) makes references to Code and TABC Rule requirements and confirms Respondent's receipt of a booklet explaining common retailer questions, Respondent said that he could not remember receiving any written materials. He further said that even if he had received it, he would not have been able to have read it. When asked about what he normally does when he receives a document written in English, he said that he finds someone to interpret it for him.

Respondent said that he recalled some discussions during the interview concerning basic laws and requirements for stamps and invoices, but stated that he did not know what the terms, "stamp" or "invoice" meant. While at the interview, Respondent said that he felt he did not speak English well enough to ask for clarification of the terms and did not realize that items being discussed were that important.

Respondent testified that after the inspections performed by Agent Parsons and Agent Miers were completed, he understood the violations he was cited for and would comply with the various Code requirements in the future. He stated that when the agents came to his licensed premises, he was honest and cooperated with them to the best of his ability. Respondent maintained that he never knowingly violated a Code or TABC Rule provision associated with his licensed premises' operations.

Respondent said that approximately 25% of the restaurant's profits come from the sale of alcoholic beverages, and that his permits were needed in order to make his business profitable. He stated that he has no history of violations and requested that he be provided with another chance to operate his restaurant according to the laws applicable to it.

III. ANALYSIS

A. Possession of Alcoholic Beverage Not Covered by Invoice.

The Code provides that no holder of a mixed beverage permit may knowingly possess on the licensed premises any alcoholic beverage which is not covered by an invoice from the supplier² from whom the alcoholic beverage was purchased.³ An invoice is defined in the Rules as an instrument issued by the seller of alcoholic beverages to a permittee. The purpose of this recordkeeping requirement is to aid in the accurate calculation of taxes associated with the purchase and sale of alcoholic beverage.

1. February 18, 2005.

On February 18, 2005, Agent Miers¹ inspected Respondent's licensed premises, Sticky Rice, Restaurant. While there, he observed several bottles of cognac on the licensed premises. One bottle was open and partially consumed, while several other bottles were displayed as a part of boxed gift sets. These bottles did not contain identification stamps from an authorized distributor. When asked about these bottles of alcoholic beverage, Respondent told Agent Miers that he purchased them for a friend working at Bluebonnet Liquors. Respondent said he paid his friend in cash for the bottles and received a better price. Bluebonnet Liquors holds a TABC-issued Package Store Permit, not a Local Distributors Permit, and as a result, was not an authorized supplier for alcoholic beverage to a mixed beverage permittee.⁴ Consequently, Respondent did not have an invoice for this alcoholic

² An authorized supplier is the holder of a local distributor's permit. The holder of a local distributor's permit may sell and distribute alcoholic beverage to mixed beverage permittees. TEX. ALCO. BEV. CODE ANN. § 23.01(a)(2).

³ TEX. ALCO. BEV. CODE ANN. § 28.06 (c) and 16 TEX. ADMIN. CODE § 41.50(h).

⁴ TEX. ALCO. BEV. CODE ANN. § 23.01(a)(2).

beverage, which was in his possession on the licensed premises in violation of the Code and Rules.⁵

2. April 5, 2005.

In this instance, Agent Parsons requested invoices for alcoholic beverage, beer, that he observed on Respondent's licensed premises, Sticky Rice Restaurant, during an inspection on April 5, 2005. Respondent was apparently familiar with the requirement for maintaining invoices for alcoholic beverage purchases because he produced an invoice for the beer. However, the invoice that Respondent produced was for another of Respondent's licensed premises, Savanth Market, rather than the premises being inspected by Agent Parsons. Respondent further acknowledged to Agent Parsons that when he needed beer at the restaurant, he went next door to the market and got the beer.

Respondent asserted that he did not know separate invoices must be maintained for beer used on different licensed premises. Further, once he was informed by Agent Parsons of the need to separate his beer purchases, he began to do so as demonstrated by Agent Parsons' findings when he checked on Respondent's beer purchases with the appropriate local beer supplier, Miller Distributing, in May 2005. However, given that Agent Miers had called this same type of requirement to Respondent's attention during the February 2005 inspection concerning distilled spirits found on the licensed premises, the ALJ believes that Respondent was aware of the need for an invoice to cover all alcoholic beverages on any licensed premises.

B. Place and Manner Violation/After-Hours Consumption.

It is a violation of the Code for a TABC permit holder to conduct business on the licensed premises in a place or manner which warrants the cancellation or suspension of any permit based on the general welfare, health, peace, morals, safety, and sense of decency of the people. TEX. ALCO.

⁵ TEX. ALCO. BEV. CODE ANN. §§23.01(a)(2) and 28.06(c) and 16 TEX. ADMIN. CODE § 41.50(h).

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BEV. CODE ANN. § 11.61(b)(7). In support of TABC Staff's allegation against Respondent in this matter, it further contended that Respondent permitted persons to consume, or possess with intent to consume, alcoholic beverage on the licensed premises at a time of day when that activity was prohibited.⁶ Respondent does not hold a TABC-issued Mixed Beverage Late-Hours Permit. Accordingly, standard hours of operation of Respondent's licensed premises, as set forth in Footnote 6, are applicable for sales and service of alcoholic beverages at Sticky Rice Restaurant.

One February 18, 2005, Agent Miers inspected Respondent's licensed premises. During that inspection, Respondent told Agent Miers that his hours of operation at the restaurant were from 10:00 a.m. until 3:00 or 4:00 a.m. on the following day, and that alcoholic beverages were sold on the licensed premises throughout these times. The early morning hours when Respondent was operating his business clearly exceeded 1:15 a.m. on Sunday and 12:15 a.m. on any other day. Accordingly, TABC Staff's evidence was sufficient to establish that Respondent committed a Code violation by allowing his patrons to consume or possess with intent to consume alcoholic beverages on the licensed premises, which was a public place, because it was open and serving alcoholic beverages to customers during prohibited hours.

C. Sales of Alcoholic Beverage with Off-Premises Consumption.

The holder of a Mixed Beverage Permit may sell, offer for sale, and possess mixed beverages, included distilled spirits, and wine, beer, ale, and malt liquor for consumption on the licensed premises.⁷ During Agent Miers' inspection on February 18, 2005, Respondent told him that patrons were given to-go cups for alcoholic beverages that were purchased, but not fully

⁶ In a standard hours area, a person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage in a public place at any time on Sunday between 1:15 a.m. and 12 noon or on any other date between 12:15 a.m. and 7 a.m. TEX. ALCO. BEV CODE ANN. § 105.06

⁷ TEX. ALCO. BEV. CODE ANN. § 28.01.

consumed in order that patrons could take alcoholic beverages off the licensed premises for consumption after leaving Respondent's restaurant. Based upon this evidence, Respondent violated Section 28.01 of the Code.

D. Failure to Mutilate Identification Stamp.

The Code requires that a holder of a Mixed Beverage Permit who empties a bottle containing distilled spirits on which the tax provided pursuant to the Code has been paid, shall immediately after emptying the bottle invalidate the identification stamp on the bottle in the manner prescribed by TABC Rules.⁸ The invalidation of identification stamps required by Section 28.09 of the Code shall be done by mutilating the stamp.⁹ The underlying purpose of these provisions is to prevent the practice of refilling bottles of distilled spirits with spirits obtained from an unauthorized source.

The evidence in this case shows that on April 5, 2005, Agent Parsons founds several empty bottles of cognac, a distilled spirit, with identification stamps intact on Respondent's licensed premises, Sticky Rice Restaurant. When asked about the stamps, Respondent acknowledged to Agent Parsons that he did not immediately mutilate the stamps upon emptying bottles, but instead damaged the stamps only when he discarded an empty bottle. Based upon this evidence, the ALJ finds that Respondent was not in compliance with Code and Rule provisions applicable to proper handling of empty bottles of distilled spirits on the licensed premises.

⁸ TEX. ALCO. BEV. CODE ANN. § 28.09(a).

⁹ 16 TEX. ADMIN. CODE § 41.72 further provides that "mutilate" means to scratch, cut, tear, or abrade in a manner which inflicts obvious and substantial damage to the stamp but does not totally remove or obliterate the stamp.

E. Purchase Beer from Unauthorized Source.

As cited earlier, an authorized supplier of alcoholic beverages must hold a TABC-issued local distributor's permit. (See Footnote 3) It is undisputed that Respondent did not possess this type of permit, and thus, it was a Code violation for Respondent to supply beer from his market to his restaurant.

IV. RECOMMENDATION

TABC Staff met its burden of proof in establishing the various Code and Rule violations discussed above. While the ALJ might have considered the mitigating factors presented on behalf of Respondent in recommending penalties for most of these violations, Section 28.06(d) of the Code requires that the permit of a permittee found to have violated subsection (c) of Section 28.06 of the Code (possession of alcoholic beverage not covered by invoice on the licensed premises) shall be cancelled. Accordingly, the ALJ recommends that Respondent's permit and certificate be cancelled for cause.

V. FINDINGS OF FACT

1. Prasopxay Southichack d/b/a Sticky Rice Restaurant (Respondent) holds a Mixed Beverage Permit, MB548429, and a Food and Beverage Certificate, FB548430, issued on December 12, 2003, by the Texas Alcoholic Beverage Commission (TABC) for the premises located at 133 S. Ector Drive, Suite 135, Euless, Tarrant County, Texas, and said permits have been continuously renewed since that time.
2. Respondent also holds of a TABC-issued off-premises license authorizing the retail sale of beer for a premises located next door to Sticky Rice Restaurant known as Savanth Market.
3. On February 18, 2005, TABC Agent W. Miers inspected the licensed premises, Sticky Rice Restaurant, and discussed Respondent's operations and handling of alcoholic beverage sales

at the restaurant.

4. While inspecting the licensed premises, Agent Miers saw bottles of alcoholic beverage, cognac, that did not bear TABC distributor identification stamps.
5. Respondent purchased the alcoholic beverage referenced in Finding of Fact No. 4 for cash from a friend working at Bluebonnet Liquors.
6. Bluebonnet Liquors does not hold an appropriate TABC-issued permit authorizing sales of alcoholic beverages to retailer sellers.
7. No invoice was available for the alcoholic beverage described in Finding of Fact No. 4 to confirm the source of the alcoholic beverages offered for sale on the licensed premises, Sticky Rice Restaurant.
8. On and before February 18, 2005, Sticky Rice Restaurant was open at midnight until 3:00 or 4:00 a.m. each day.
9. Sales of alcoholic beverages were ongoing at the licensed premises referenced in Finding of Fact No. 8 during those hours.
10. On and before February 18, 2005, Respondent allowed customers at Sticky Rice Restaurant to leave the licensed premises with to-do cups containing alcoholic beverage that was purchased from the restaurant.
11. On April 5, 2005, TABC Agent T. Parsons inspected Respondent's licensed premises, Sticky Rice Restaurant.
12. Agent Parsons saw empty bottles of alcoholic beverage, cognac, with TABC local distributor identification stamps intact and not mutilated.
13. Respondent's admitted he only mutilated stamps referenced in Finding of Fact No. 12 when a bottle was discarded and thrown away, rather than immediately after a bottle was emptied.
14. A cooler of Corona Extra Gold and Heineken beer bottles was inside Sticky Rice Restaurant on April 5, 2005.

15. No invoice concerning the alcoholic beverage described in Finding of Fact No. 14 was produced for the licensed premises, Sticky Rice Restaurant; the beer was invoiced in the name of Respondent's other licensed premises, Savanth Market.
16. Respondent supplied beer to the restaurant from his stock in the market when he did not hold an appropriate TABC-issued permit to resell beer to another retail dealer.
17. Respondent's business has been operated in a manner detrimental to the general public's interests.
18. A hearing in this matter was conducted on February 17, 2006, at the State Office of Administrative Hearings, 6777 Camp Bowie Blvd., Suite 400, Fort Worth, Texas. Administrative Law Judge Tanya Cooper presided. TABC Staff was represented by TABC Staff Attorney, Diane Brown. Respondent was represented by Kirk Pittard, attorney at law. The record closed in this case on the same day.

VI. CONCLUSIONS OF LAW

1. TABC has jurisdiction over this matter under TEX. ALCO. BEV. CODE ANN. chs. 5, 6, 11, 23, and 28.
2. The State Office of Administrative Hearings has jurisdiction over all matters related to conducting a hearing in this proceeding, including the preparation of a proposal for decision with findings of fact and conclusions of law, pursuant to TEX. GOV'T CODE ANN. chs. 2001 and 2003.
3. Respondent received adequate notice of the proceedings and hearing as required by TEX. GOV'T CODE ANN. §§ 2001.051 and 2001.052.
3. Based upon Findings of Fact Nos. 1 - 7, 11, and 14 -16, Respondent knowingly possessed alcoholic beverages not covered by invoice in violation of TEX. ALCO. BEV. CODE ANN. §§ 11.61(b)(2), 23.01(a)(2) and 28.06(c), and 16 TEX. ADMIN. CODE § 41.50(h).
4. Based upon Findings of Fact Nos. 1, and 11 - 13, Respondent failed to immediately mutilate identification stamps on empty bottles that contained distilled spirits in violation of TEX. ALCO. BEV. CODE §§ 11.61(b)(2) and 28.09(a) and 16 TEX. ADMIN. CODE 41.72.

STATE OFFICE OF ADMINISTRATIVE HEARINGS

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SERVICE LIST

AGENCY: TEXAS ALCOHOLIC BEVERAGE COMMISSION
CASE: Prasopxay Southichack d/b/a Sticky Rice Restaurant
DOCKET NUMBER: 458-05-6936
AGENCY CASE NO: 616203

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ATTORNEY FOR RESPONDENT
BY FAX

as of March 15, 2006

State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

March 15, 2006

Alan Steen, Administrator
Texas Alcoholic Beverage Commission

VIA FACSIMILE 512/206-3498

**RE: Docket No. 458-05-6936; Texas Alcoholic Beverage Commission vs Prasopxay Southchick
d/b/a Sticky Rice Restaurant (TABC Case No. 616203)**

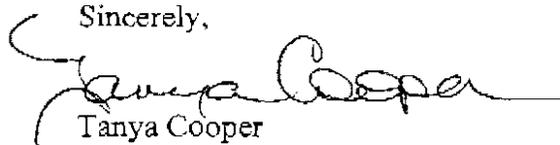
Dear Mr. Steen:

Enclosed please find a Proposal for Decision in the above-referenced cause for the consideration of the Texas Alcoholic Beverage Commission. Copies of the proposal are being sent to Diane Brown, attorney for Texas Alcoholic Beverage Commission, and to Kirk Pittard, Attorney for the Respondent. The Texas Alcoholic Beverage Commission (TABC) Staff brought this disciplinary action against Prasopxay Southchick d/b/a Sticky Rice Restaurant (Respondent), alleging that Respondent committed several violations of the Texas Alcoholic Beverage Code (the Code). These violations include: failing to immediately mutilate the identification stamp on any empty bottle that has contained distilled spirits; knowingly possessing or permitting possession of alcoholic beverage not covered by invoice on the licensed premises; failing to purchase beer from a permittee or licensee authorized to sell that beverage for resale; operating his business in a place or manner that warranted a suspension or cancellation of his permits based upon the general welfare, health, peace, morals, and safety of the people and the public sense of decency because Respondent permitted a person to consume, or possess with intent to consume, an alcoholic beverage on this licensed premises, a public place, at any time on Sunday between 1:15 a.m. and 12 noon or any other day between 12:15 a.m. and 7:00 a.m.; and sold, offered for sale, and possessed mixed beverages, including distilled spirits, for consumption off the licensed premises. TABC Staff sought cancellation of Respondent's permit and certificate in relation to these allegations.

The ALJ finds the evidence was sufficient to establish that Respondent committed these violations. Therefore, the ALJ recommends that Respondent's permit and certificate be cancelled.

Pursuant to the Administrative Procedure Act, each party has the right to file exceptions to the proposal, accompanied by supporting briefs. Exceptions, replies to the exceptions, and supporting briefs must be filed with the Commission according to the agency's rules, with a copy to the State Office of Administrative Hearings, located at 6777 Camp Bowie Blvd., Suite 400, Fort Worth, Texas 76116. A party filing exceptions, replies, and briefs must serve a copy on the other party hereto.

Sincerely,



Tanya Cooper
Administrative Law Judge

TC/ds
attachments

Kirk Pittard, Attorney for Respondent, VIA FACSIMILE 214/946-8433
Diane Brown, TABC Staff Attorney, VIA FACSIMILE 214/678-4001