

Complaint Nos. 2-154811, 2-154660 and 2-154661, and ordered a fine in the amount of \$200.00 for each charge, for a total consolidated fine of \$600.00. As added penalty, the Administrative Law Judge ordered the licensee to serve a thirty (30) consecutive day suspension period if the fine was not paid within forty-five (45) days from the date of the order. Further, the Administrative Law Judge ordered the licensee to pay for purchases of alcoholic liquor from the Commission by certified check, cashier's check, or money order for a period of twelve (12) months from the date of the order. The consolidated order was entered after a hearing was held pursuant to administrative rule 436.1915(1)(e) as a representative of the licensee failed to appear at the violation hearing held in these matters on December 14, 2012 in Pittsfield, Michigan.

John Goci submitted a timely request for an appeal hearing in this matter and represented the licensee at the March 21, 2013 hearing, held at the Commission's Southfield office.

After hearing arguments on behalf of the licensee, reviewing the MLCC files, and discussion of the issue on the record, the Commission does not find error with the application of the MLCC Code or Administrative Rules; however, for the reasons stated on the record, the order of Administrative Law Judge Mourning dated January 15, 2013 issued in this matter should be reversed, in part, by striking a portion of the order where the licensee was ordered to pay for purchases of alcoholic liquor from the Commission by certified check, cashier check, or money order for a period of twelve (12) months from the date of the order;

THEREFORE, IT IS ORDERED that:

A. The order of Administrative Law Judge Robert Mourning dated January 15, 2013 issued in this matter is REVERSED in part, by STRIKING that part of the order where the licensee was ordered to pay for purchases of alcoholic liquor from the Commission by

certified check, cashier check, or money order for a period of twelve (12) months from the date of the order.

B. The remainder of the order of Administrative Law Judge Robert Mourning dated January 15, 2013 issued in this matter is AFFIRMED, and the fine in the amount of \$200.00 for each charge in each complaint, for a total consolidated fine of \$600.00, is due within forty-five (45) days from the date of this order. Failure to remit the \$600.00 fine within forty-five (45) days from the date of this order will result in a thirty (30) consecutive day suspension period.

MICHIGAN LIQUOR CONTROL COMMISSION

Andrew J. Deloney, Chairman

Teri L. Quimby, Commissioner

Dennis Olshove, Commissioner

Prepared by:
Terri Chase, Commission Aide

Date Mailed: _____