

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
VIRGINIA ALCOHOLIC BEVERAGE CONTROL BOARD
RICHMOND
FINAL DECISION AND ORDER
SUSPENDING LICENSE

IN THE MATTER OF: 202 MSC, LLC
202 MARKET
202 MARKET STREET SE
ROANOKE VA 24011-1802

LICENSE NO.: **045236 – MIXED BEVERAGE RESTAURANT**
ABC INCIDENT NO.: **201102180047**

After due notice, this matter was heard on December 6, 2011 by the Virginia Alcoholic Beverage Control Board, upon the appeal of the licensee, through counsel, from the initial decision of Elizabeth A. Flournoy, Administrative Hearing Officer, on the charge that:

1. On February 4, 2011 at approximately 10:10 p.m., the licensee allowed a striptease act, or the like, on the licensed premises, in violation of Sections 4.1-325 A.12. and 4.1-226 2. of the Code of Virginia.

Upon review of the record and argument on appeal, the Board is of the opinion that it has reasonable cause to believe the charge is substantiated; certain privileges of the license should be suspended, and the initial decision should be adopted and incorporated herein by reference as the final decision of the Board; therefore,

IT IS ORDERED that the privileges of purchasing and selling mixed beverages, granted by the license be, and the same are hereby, suspended for **ten (10) days**; during which period such privileges shall not be exercised; provided, however, that upon payment of a civil penalty in the sum of **One Thousand Dollars (\$1,000)**, the suspension shall be **terminated at the end of three (3) days**.

IT IS FURTHER ORDERED that an agent of the Board, who shall take up the license in accordance with this decision, serve a true copy of this order at the above establishment.

IT IS FINALLY ORDERED that the initial decision be, and the same is hereby, adopted and incorporated herein by reference as the final decision of the Board.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal with W. Curtis Coleburn, Secretary to the Board. In the event that this decision is served on you by mail, 3 days are added to that period.

ENTER: VIRGINIA ALCOHOLIC BEVERAGE CONTROL BOARD



ABC Commissioner

ATTEST:

DATE: January 9, 2012



Assistant Secretary

c: Anthony F. Anderson, Esquire, Anderson & Friedman, P. O. Box 1525, Roanoke, VA 24007

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