

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Junco Market

Sofia A. Morel, Permittee

Junco & Daughter Market LLC, Backer

Permit #LGB-14191

Docket No. 10-1234

Case No. 2009-5627

September 9, 2010

MEMORANDUM OF DECISION

This matter involves a grocery beer liquor permit issued to Junco Market, 533 Herral Avenue, Bridgeport, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection, Liquor Control Commission, on August 26, 2010. Sofia A. Morel, permittee and member of the backer limited liability company, appeared at the hearing.

This matter arose from a joint investigation by Division of Liquor Control agents together with the Bridgeport Police Department Strategic Enforcement Team. It is alleged that on or about Sunday, August 30, 2009, the Respondent violated Section 30-91(d), Connecticut General Statutes, by permitting the sale or delivery of alcohol during prohibited hours. The premises operates under a grocery store beer permit. Section 30-91(d), Connecticut General Statutes, provides that the legal operating hours for sale or delivery of alcohol for premises operating under grocery store beer permits are from 8:00 a.m. to 9:00 p.m. Monday through Saturday. At the outset of the hearing, Ms. Morel admitted the violation. She testified that her brother, the sales clerk who sold the beer to a customer that Sunday, no longer works at Junco Market and she expressed her chagrin for the situation.

The Liquor Control Act vests in the Commission a liberal discretionary power to determine factual matters with regard to liquor permits and to suspend or revoke the permit, after a hearing, if it deems appropriate. Dadiskos v. Liquor Control Commission, 150 Conn. 425, 190 A.2d 490 (1963). Accordingly, we find the Respondent to be in violation of Section 30-91(d), Connecticut General Statutes.

Therefore, based upon the foregoing, we hereby suspend the Respondent's grocery store beer permit for seven days, three of which will be held in abeyance for six months, and impose a \$250 civil penalty. If there are no violations of Section 30-91(d), Connecticut General Statutes, during such abeyance period, the remaining three-day suspension will be dismissed.

**DEPARTMENT OF CONSUMER PROTECTION
LIQUOR CONTROL COMMISSION**

BY:

Elisa A. Nahas, Esq.
Designated Presiding Officer

Angelo J. Faenza, Commissioner

Stephen R. Somma, Commissioner

Parties:

Sofia A. Morel, Permittee, Junco Market, 533 Harral Avenue, Bridgeport, CT 06604

(Via US Mail and Certified Mail # 7010 0780 0000 5441 5558)

Sofia A. Morel, 497 Ogden Street, Bridgeport, CT 06608

Non-Parties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal

Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106

