

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

|  |                       |   |              |
|--|-----------------------|---|--------------|
| In Re:                                       | Ay Mi Madre LLC       | ) |              |
|  | Ay Mi Madre           | ) |              |
|  | 316 E 2nd St          | ) |              |
|  | Grand Island NE 68801 | ) | <b>ORDER</b> |
|  |                       | ) |              |
| On Suspension, Cancellation or Revocation of |                       | ) |              |
| Retail Class C-124940 Liquor License.        |                       | ) |              |

Now on the 5th day of December 2023, this matter came on for consideration before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled, or revoked as more fully set out herein.

The licensee was present. The Commission was represented by Ken Yoho, Assistant Attorney General. A plea of guilty was given upon opening.

Upon consideration of all the evidence in this case, the Nebraska Liquor Control Commission finds:

**FINDINGS OF FACT:**

1. That the licensee did, on or about 9/24/2023, permit the selling, dispensing, or giving away of alcoholic liquor after the legal closing hours in the licensed premise.
2. That the licensee did, on or about 9/24/2023 permit the carrying out from its licensed premise, alcoholic liquor in open containers.

**CONCLUSION OF LAW:**

1. That permitting the selling, dispensing, or giving away of alcoholic liquor after the legal closing hours in the licensed premise, is in violation of the Neb. Rev. Stat. Sec. 53-179 and/or 237-LCC6-019.01C of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That permitting the carrying out from its licensed premise, alcoholic liquor in open containers, is in violation Neb. Rev. Stat. Sec. 53-123.04 and/or 237-LCC6-019.01H of the Rules and Regulations of the Nebraska Liquor Control Commission.
3. That the licensee should be suspended for twenty (20) days on charge #1 and suspended for ten (10) days on charge #2 for a total of thirty (30) days suspension.
4. A condition shall be added to the license of no business alcohol related violations for one (1) year from the date of this order.
5. That the licensee and all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order and shall show certification with complying with the provision of 237-LCC14-004 of the Rules and Regulations of the Nebraska Liquor Control Commission.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class C Liquor License of Ay Mi Madre LLC, DBA – “Ay Mi Madre”, 316 E 2nd St, Grand Island, Nebraska, should be, and the same hereby is, suspended for twenty (20) days on charge #1 and suspended for ten (10) days on charge #2 for a total period of thirty (30) days, such suspension to commence at the closing hour of business on the 21st day of January 2024, and to continue until the opening hour of business on the 21st day of February 2024, with the option to pay a penalty in lieu thereof. Furthermore, a condition shall be placed on the license of no business alcohol related violations for one (1) year from the date of this order. Additionally, that the licensee and all staff shall complete an approved alcohol server training program within sixty (60) days from the date of this Order and shall show certification with complying with the provision of 237-LCC14-004 of the Rules and Regulations of the Nebraska Liquor Control Commission.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the Licensee shall pay costs of this action, assessed in the amount of \$66.50.

Dated this 15<sup>th</sup> day of December 2023.

NEBRASKA LIQUOR CONTROL COMMISSION

BY

CHAIRMAN

I hereby certify this to be a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by regular U.S. Mail to Ay Mi Madre LLC, Ay Mi Madre, 316 E 2nd St, Grand Island, NE 68801-7712, on this 15<sup>th</sup> day of December 2023.

Executive Director

