

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: Jose Aguirre-Ayala )  
El Agave Mexican Restaurant )  
548 N Minden Avenue )  
Minden NE 68959 )  
On Suspension, Cancellation or Revocation of )  
Retail Class I-104578 Liquor License. )

ORDER

Now on the 7th day of October 2020, this matter came on for hearing before the Nebraska Liquor Control Commission upon an order to show cause why the license should not be suspended, cancelled, or revoked due to character and reputation and filing of false renewals in violation of Neb. Rev. Stat. Sec. 53-131.01, NSP report shows that Jose Aguirre-Ayala plead guilty to:

- 1/16/2020- Attempt of Class IV Felony
- 1/16/2020-DUI

The applicant was present and represented by Attorney Shon Lieske. The Commission was represented by Milissa Johnson-Wiles, Assistant Attorney General.

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

1. That the licensee did file false renewals.

CONCLUSIONS OF LAW:

1. That filing false renewals is in violation of Neb. Rev. Stat. Sec. 53-131.01.
2. That the license should be suspended for a period of five (5) days, with the option to pay a fine in lieu thereof.
3. That a condition shall be added to the license, of no alcohol related violations both personal and on premises for one (1) year from the date of this Order.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class IK Liquor License of Jose Aguirre-Ayala, DBA – “El Agave Mexican Restaurant”, 548 N Minden Avenue, Minden, Nebraska, should be, and the same hereby is, suspended for a period of five (5) days, such suspension to commence at the closing hour of business on the 20th day of December 2020, and to continue until the opening hour of business on the 26th day of December 2020, with the option to pay a fine in lieu thereof. Additionally, that a condition shall be added to the license, of no alcohol related violations both personal and on premises for one (1) year from the date of this Order.

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 \$25.00.

Dated this 9<sup>th</sup> day of November 2020.

NEBRASKA LIQUOR CONTROL COMMISSION  
BY *David S. Eily*  
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 Jose Aguirre-Ayala, El Agave Mexican Restaurant, 548 N Minden Avenue, Minden, NE 68959, and to Attorney Shon Lieske, 333 N Colorado Avenue, Minden NE 68959-0267, on this 9<sup>th</sup> day of November 2020.



*[Signature]*  
Executive Director