

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: BH Hospitality LLC)
Moe and Curly's Pub and Grill)
1011 Capitol Avenue)
Omaha NE 68102)
)
On Suspension, Cancellation or Revocation of)
Retail Class I-122607 Liquor License.)

ORDER

Now on the 8th day of June 2021, 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 and represented by Attorney Kyle McGinn. 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:
FINDING OF FACT:

1. That the licensee did, on or about February 27, 2021 refuse to permit or unreasonably delay in permitting any law enforcement officers to enter the licensed premises to inspect such premises to determine if the licensee was violating any provisions of the Act or Rules and Regulations of the Nebraska Liquor Control Commission.

CONCLUSIONS OF LAW:

1. That refusing to permit or unreasonably delay in permitting any law enforcement officers to enter the licensed premises to inspect such premises to determine if the licensee was violating any provisions of the Act or Rules and Regulations of the Nebraska Liquor Control Commission, is in violation of Neb. Rev. Stat. Sec. 53-134(2) and/or 237-LCC6-019.01G of the Rules and Regulations of the Nebraska Liquor Control Commission.
2. That the license should be suspended for a period of thirty (30) days, with the option to pay a fine in lieu thereof.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Retail Class I Liquor License of BH Hospitality LLC, DBA – “Moe and Curly's Pub and Grill”, 1011 Capitol Avenue, Omaha, Nebraska, should be, and the same hereby is, suspended for a period of thirty (30) days, such suspension to commence at the closing hour of business on the 18th day of August 2021, and to continue until the opening hour of business on the 18th day of September 2021, with the option to pay a fine in lieu thereof.

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 \$93.71.

Dated this 30th day of June 2021.



NEBRASKA LIQUOR CONTROL COMMISSION

BY *Daniel 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 BH Hospitality LLC, Moe and Curly's Pub and Grill, 1011 Capitol Avenue, Omaha, NE 68102, and to Attorney Kyle McGinn, 20 N 16th Street, Council Bluff IA 51501 on this 30 day of June 2021.

Heidi R.
Executive Director