



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

STATE LIQUOR AUTHORITY

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STATE LIQUOR AUTHORITY SUSPENDS LICENSES OF THREE CAPITAL REGION BARS

Albany, NY- The New York State Liquor Authority (SLA) summarily suspended the licenses of three Capital Region bars on Wednesday. The emergency suspension was ordered by the Members of the State Liquor Authority, Chairman Daniel B. Boyle and Commissioner Lawrence J. Gedda, on Tuesday, March 28, 2006 at the full board meeting.

In three separate orders, the State Liquor Authority immediately suspended the licenses of Assunta Inc. doing business as "Bogies" at 297 Ontario Street in Albany, West Lane Associates Inc. doing business as "Hudson Duster" at 40 3rd Street in Troy, and of BJT of New York Inc. doing business as "Mardi Gras" at 418 Broadway in Albany.

"The Members of the Authority determined that all three of these licensed establishments posed an imminent threat to the public and voted to summarily suspend their licenses," said Chief Executive Officer Joshua B. Toas. "Effective immediately, no alcohol can be served or consumed at these establishments."

The State Administrative Procedure Act authorizes a State agency to summarily suspend a license when the agency finds that public health, safety, or welfare imperatively requires emergency action. When the SLA summarily suspends a liquor license, it also serves upon the licensee a Notice of Pleading alleging one or more disciplinary violations. In invoking a summary suspension, the SLA has deemed the violation(s), considering each licensee's disciplinary history, to be sufficiently serious upon initial review to warrant an immediate suspension.

SLA Investigators served a summary suspension order upon the owner of Bogies. The order was issued due to an alleged assault and unlawful imprisonment involving staff from the bar on March 15, 2006. The University at Albany Police Department was instrumental in making arrests and providing information to support this action. Any further questions about their involvement may be directed to the University at Albany Police Department.

SLA Investigators in conjunction with the Troy Police Department served a summary suspension order upon the owners of the Hudson Duster. The bar has five prior adjudicated violations and seven pending charges including four violations for disorderly premises. The current incident involves allegations of an assault at the bar on March 11, 2006. The investigation by the SLA into this matter is ongoing.

SLA Investigators served a summary suspension order upon the owner of Mardi Gras. The bar has a prior adjudicated violation of sale to a minor and four pending cases involving underage sales. On March 2-3, 2006, the Liquor Authority, the Albany Police Department, and the New York State Department of Motor Vehicles conducted an undercover investigation where nine minors were observed being served alcohol and eleven minors admitted they had purchased alcohol at the premises. The investigation by the SLA into this matter is ongoing.

The SLA's decision to summarily suspend a license is not a final determination on the merits of the case. The licensee is entitled to an expedited hearing before an administrative law judge to address the alleged violation(s) that led to the suspension. An order of summary suspension remains in effect until such time as it is modified by the State Liquor Authority or a reviewing Court.

The State Liquor Authority regulates and controls the manufacture, sale and distribution of alcoholic beverages within the State. The Authority works with local law enforcement agencies and localities across the State to ensure compliance with the Alcoholic Beverage Control Law. In addition, the Authority issues and renews licenses and permits to manufacturers, distributors, wholesalers and retailers of alcoholic beverages.

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