

STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

Edinson M. Heredia, Permittee  
639 Bank Street  
New London, CT 06320

Cilantro Cafe  
Case No. 2016- 455  
Liquor Permit LCA.7660  
Backer: Ecuamerican Bar Café  
LLC

MEMORANDUM OF DECISION

This matter involves a liquor permit issued to Cilantro Café, 639 Bank Street, New London, Connecticut. A formal administrative hearing was held before the Department of Consumer Protection on November 17, 2016. Despite proper notice, Edinson M. Heredia, permittee, did not appear.

The allegations against the permit premises arose from an investigation conducted by the Department of Consumer Protection's Liquor Control Division based upon an anonymous tip and referrals from the New London Police Department. It is alleged that on or about June 5, 2016, a disturbance occurred inside the permit premises. A male patron sustained a stab wound and a female patron sustained facial cuts as a result of the fight. This incident was in alleged violation of Section 30-6-A24(a) of the Regulations of Connecticut State Agencies. It is further alleged that on June 6, 2016, the Respondent again violated Sec. 30-6-A24(a) of the Regulations of Connecticut State Agencies when a window was broken by a patron at the premises. Also

on that date, it was alleged that a minor was allowed in the barroom of the premises in violation of Section 30-90 of the Connecticut General Statutes.

The following facts are found based upon the testimony and evidence adduced at the hearing. On June 2, 2016, Agent Jenel Lanuza received an anonymous complaint concerning Cilantro Café. The caller stated minors with fake ID's are being served and patrons are being served to the point of intoxication. Agent Lanuza also received police referrals from the New London Police Department concerning two incidents that occurred at Cilantro Café on June 5 and 6, 2016.

Officers Kelley, Jones and Linderson of the New London Police Department testified to the June 5<sup>th</sup> and 6<sup>th</sup> incidents. They described in great detail the events that took place, including their interviews of a stab victim and a second victim hit in the face with a bottle on June 5<sup>th</sup>, and the presence of an underage patron who shattered a window at the premises the next day.

On June 30, 2016, Mr. Heredia met with Department representatives and Captain Keating of the New London Police Department to address concerns regarding security, overcrowding, over serving, the presence of minors and the hours of entertainment. A follow up inspection on July 7, 2016 by Agent Lanuza found steps had been taken to address some of the concerns.

Mr. Heredia did not appear at the hearing to provide any testimony or evidence on his own behalf.

Based upon the substantial evidence presented, we hereby find the Respondent guilty of violating all charges as alleged. The Liquor Control Act grants the Liquor Control Commission a liberal discretionary power to determine factual matters with regard to liquor permits and to suspend or revoke the permit after a hearing. Balog v. Liquor Control Commission, 150 Conn. 473, 191 A.2d 20 (1963).

The Respondent's liquor permit is suspended for a period of three (3) days and for an additional seven (7) days. In lieu of the additional 7-day suspension, however, we will accept of fine of \$525 in accordance with Sections 30-6-A8(i) and (k) of the Regulations of Connecticut State Agencies.

**DEPARTMENT OF CONSUMER PROTECTION  
LIQUOR CONTROL COMMISSION**

BY: Anne K. Stiber  
Anne K. Stiber, Esq.  
Designated Presiding Officer

Angelo J. Faenza  
Angelo J. Faenza, Commissioner

David A. Scribner  
David A. Scribner, Commissioner

Approved, adopted and so ordered this 12<sup>th</sup> day of January, 2017.

Jonathan A. Harris  
Jonathan A. Harris  
Commissioner of Consumer Protection

Non-Parties:

John Suchy, Director, Liquor Control Division

Connecticut Beverage Journal

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