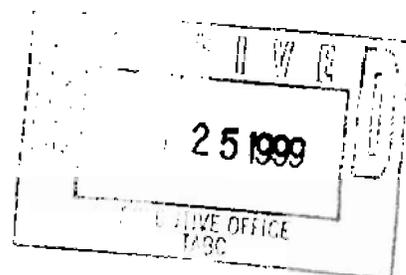


State Office of Administrative Hearings



Shelia Bailey Taylor
Chief Administrative Law Judge

October 22, 1999



Doyme Bailey
Administrator
Texas Alcoholic Beverage Commission
5806 Mesa Drive, Suite 160
Austin, Texas 78731

Certified Mail No. Z133586757

**RE: Docket No. 458-99-1514; Texas Alcoholic Beverage Commission vs. Crawdaddy's Bar & Grill
(TABC Case No. 584378)**

Dear Mr. Bailey:

Enclosed please find a Proposal for Decision in the above-referenced cause for the consideration of the Texas Alcoholic Beverage Commission. Copies of the proposal are being sent to Gayle Gordon, Legal Director for Texas Alcoholic Beverage Commission, and to Luis Aguilar, Attorney for Respondent.

Pursuant to the Administrative Procedure Act, each party has the right to file exceptions to the proposal, accompanied by supporting briefs. Exceptions, replies to the exceptions, and supporting briefs must be filed with the Commission according to the agency's rules, with a copy to the State Office of Administrative Hearings. A party filing exceptions, replies, and briefs must serve a copy on the other party hereto.

Sincerely,

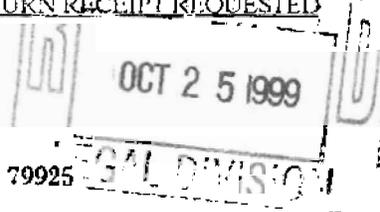
A handwritten signature in cursive script, appearing to read "Luis R. Lopez".

Louis R. Lopez
Administrative Law Judge

LRL:et
Enclosure

xc: Shanee Woodbridge, Docket Clerk, State Office of Administrative Hearing -REGULAR MAIL
Gayle Gordon, Legal Director, Texas Alcoholic Beverage Commission -CERTIFIED MAIL NO Z 133 586 758
Steve E. Anderson, Atty. - CERTIFIED MAIL NO Z 133 586 759, RETURN RECEIPT REQUESTED

Willows Office Complex
9434 Viscount, Suite 102 ♦ El Paso, Texas 79925
(915) 595-0052 Fax (915) 595-0362



TEXAS ALCOHOLIC BEVERAGE
COMMISSION

VS.

CRAWDADDY'S BAR & GRILL, INC.
PERMIT NO. BG-319986
LICENSE NO. BL-319987
EL PASO COUNTY, TEXAS

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BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

PROPOSAL FOR DECISION

The TEXAS ALCOHOLIC BEVERAGE COMMISSION (TABC), Petitioner, brought this action against CRAWDADDY'S BAR & GRILL, INC., Respondent, to determine whether the conditions had been met for the forfeiture of Respondent's conduct surety bond.

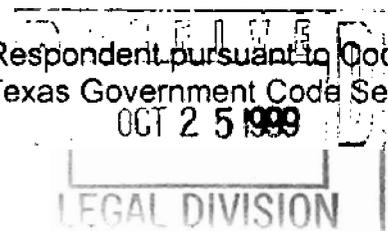
At the hearing, there was a stipulation by the parties to the evidence.

FINDINGS OF FACT

1. Crawdaddy's Bar & Grill, Inc. is located at 212 Cincinnati, El Paso, El Paso County, Texas. Respondent was issued Wine and Beer Retailer's Permit No. BG-319986 and Retail Dealer's On-Premise Late Hours License No. BL-319987 by the Texas Alcoholic Beverage Commission (TABC) on August 2, 1996, and these have been regularly renewed.
2. On September 8, 1999, a hearing was held before Administrative Law Judge Louis Lopez in El Paso. Petitioner was represented by attorney Gayle Gordon, and Respondent was represented by attorney Steven E. Anderson. The parties stipulated to the sufficiency of jurisdiction and that the notice of hearing was proper. The Respondent stipulated to the admission of exhibits offered by Petitioner and did not present any evidence.
3. Respondent committed violations of the Code on respective dates as follows: (a) permitted minor to possess or consume an alcoholic beverage on August 8, 1997; (b) failed to identify to peace officer on February 27, 1998; and (c) failed to report a breach of the peace on January 24, 1999.

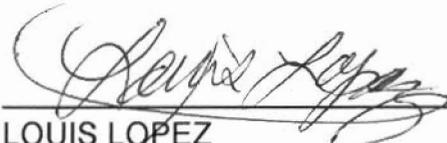
CONCLUSIONS OF LAW

1. The Texas Alcoholic Beverage Commission has jurisdiction over this matter pursuant to any or all of the following: Texas Alcoholic Beverage Code [Code] Sections 5.31--5.44, 6.01, 11.61, 61.71, and 32.01.
2. Service of proper notice of the hearing was made on Respondent pursuant to Code Section 11.63 and the Administrative Procedure Act, Texas Government Code Sections 2001.051 and 2001.052.



3. The State Office of Administrative Hearings has jurisdiction over matters related to the hearing in this proceeding pursuant to Code Section 5.43(a) and the Tex. Govt. Code Chapter 2003.
4. Based on Respondent's three violations of the Code since September 1, 1995, as set out in Finding of Fact No. 3, the criteria have been met for the forfeiture of Respondent's conduct surety bond in accordance with Texas Alcoholic Beverage Commission Rule 33.24(j)(1).

SIGNED this 21st day of October, 1999.



LOUIS LOPEZ
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS