

STATE OF NEW MEXICO
REGULATION AND LICENSING DEPARTMENT
ALCOHOLIC BEVERAGE CONTROL DIVISION

IN THE MATTER OF:

G-12 ENTERTAINMENT, INC., LICENSEE
D/B/A KNOCKOUTS
LIQUOR LICENSE NO. 2754,
RESPONDENT.

CAUSE NO. 2024-01

CHARGE FOR VIOLATIONS OF THE NEW MEXICO LIQUOR CONTROL ACT

You are hereby notified that the Director (“Director”) of the New Mexico Regulation and Licensing Department’s Alcoholic Beverage Control Division (“Division”) has before him sufficient evidence that probable cause exists which, if not satisfactorily explained or rebutted, will justify the Director in suspending or revoking Liquor License 2754, or imposing a fine against G-12 Entertainment, Inc., Licensee (“Respondent”) to operate as a licensed liquor establishment in the State of New Mexico, City of Albuquerque, or both, as follows:

1. Sale to Intoxicated Persons:

The Special Investigations Unit (“SIU”) of the New Mexico Department of Public Safety issued the citations against Respondent, listed below, on or about the 29th day of December, 2023, alleging that on or about the 18th day of December, 2023, and the 19th day of December, 2023, Respondent violated NMSA 1978, Section 60-7A-16 of the New Mexico Liquor Control Act and/or NMAC 15.10.51.11, of the Division’s Rules and Regulations filed in accordance with the Liquor Control Act, based upon the probable cause as set forth below for each citation issued, as follows:

A. Citation No. 4UCNA3AYH

Probable Cause: Respondent, through its employees and/or agents, sold and/or served alcohol to a person on the licensed premises while the person was already intoxicated. Employees of Respondent, during their employment, served *John Doe 1* alcoholic beverages despite him demonstrating visible signs of impairment, including but not limited to: being overly friendly with others, leaning on others, being overly affectionate to others, and being overly animated as observed by server permitted witness.

Witnesses:

1. Agent Bryana Salas
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
2. Agent Majid Gayles
DPS Special Investigations Unit

6301 Indian School Rd NE
Albuquerque, NM 87110

3. David Vasquez
4. Martin Vela
P.O. Box 36433
Albuquerque, NM 87176

B. Citation No. 4UCNA3AZL

Probable Cause: Respondent, through its employees and/or agents, sold and/or served alcohol to a person on the licensed premises while the person was already intoxicated. Employees of Respondent, during their employment, served *John Doe 2* alcoholic beverages despite him demonstrating visible signs of impairment, including but not limited to: being overly friendly with others, leaning on others, being overly affectionate to others, and being overly animated as observed by server permitted witness.

Witnesses:

1. Agent Bryana Salas
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
2. Agent Majid Gayles
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
3. David Vasquez
4. Martin Vela
P.O. Box 36433
Albuquerque, NM 87176

2. Selling or Giving Alcoholic Beverages to Minors:

The Special Investigations Unit ("SIU") of the New Mexico Department of Public Safety issued the citations against Respondent, listed below, on or about the 29th day of December, 2023, alleging that on or about the 18th day of December, 2023, and the 19th day of December, 2023, Respondent violated NMSA 1978, Section 60-7B-1 of the New Mexico Liquor Control Act and/or NMAC 15.10.33.10, of the Division's Rules and Regulations filed in accordance with the Liquor Control Act, based upon the probable cause as set forth below, as follows:

A. Citation No. 4UCNA3AY8

Probable Cause: Respondent, through its employees and/or agent, sold and/or served alcohol to a minor on the licensed premises. "L.S." a sixteen (16) year old minor was served an alcoholic beverage while on the licensed premises of Respondent, as told to Albuquerque Police Department detectives by Respondent's bartender on duty.

Witnesses:

1. Agent Bryana Salas
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
2. Agent Majid Gayles
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
3. David Vasquez
4. Martin Vela
P.O. Box 36433
Albuquerque, NM 87176

3. Minors on Licensed Premises:

The Special Investigations Unit (“SIU”) of the New Mexico Department of Public Safety issued the citations against Respondent, listed below, on or about the 29th day of December, 2023, alleging that on or about the 18th day of December, 2023, and the 19th day of December, 2023, Respondent violated NMSA 1978, Section 60-7B-10 of the New Mexico Liquor Control Act and/or NMAC 15.10.33.8, of the Division’s Rules and Regulations filed in accordance with the Liquor Control Act, based upon the probable cause as set forth below, as follows:

A. Citation No. 4UCNA2CJR

Probable Cause: Respondent, through its employees and/or agent, allowed an unaccompanied minor to enter and remain on the license premises, in that Joseph Anthony Gutierrez, while employed by Respondent allowed “L.S.” a sixteen (16) year old minor to enter the licensed premises and remain on the premises while unaccompanied by a parent or guardian as observed by Respondent’s staff and witnesses.

Witnesses:

1. Agent Bryana Salas
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
2. Agent Majid Gayles
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
3. David Vasquez
4. Martin Vela
P.O. Box 36433
Albuquerque, NM 87176

4. Lighting of Licensed Premises:

The Special Investigations Unit (“SIU”) of the New Mexico Department of Public Safety issued the citations against Respondent, listed below, on or about the 29th day of December, 2023, alleging that on or about the 18th day of December, 2023, and the 19th day of December, 2023, Respondent violated NMAC 15.10.31.8, of the Division’s Rules and Regulations filed in accordance with the Liquor Control Act, based upon the probable cause as set forth below, as follows:

A. Citation No. 4UCNA2CIV

Probable Cause: Respondent, or Respondent’s employees and/or agents, failed to ensure the interior lighting of the licensed premises was sufficient to make easily discernible to persons of average vision, the appearance, age, and conduct of all persons on the premises where alcoholic beverages are sold, served, or consumed, in that the entrance was dark enough for employee(s) of Respondent to allow a sixteen (16) year old minor to carry into the licensed premises a .40 S&W caliber semi-automatic firearm with an extended capacity magazine, without detection. The area within the premises, described by multiple individuals as being “dark.”

Witnesses:

1. Agent Bryana Salas
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
2. Agent Majid Gayles
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
3. David Vasquez
4. Martin Vela
P.O. Box 36433
Albuquerque, NM 87176

5. Obstruction of the Administration of the Liquor Control Act:

The Special Investigations Unit (“SIU”) of the New Mexico Department of Public Safety issued the citations against Respondent, listed below, on or about the 29th day of December, 2023, alleging that on or about the 18th day of December, 2023, and the 19th day of December, 2023, Respondent violated NMSA 1978, Section 60-7A-24, based upon the probable cause as set forth below, as follows:

A. Citation No. 4UCNA3AYK

Probable Cause: Respondent, through its employees and/or agent, by force, bribe, threat, or other corrupt practice obstructed, impeded, or attempted to obstruct or impede the

administration of the provisions of the Liquor Control Act. Aaron Martinez, an employee of Respondent, instructed a witness not to be cooperative with law enforcement, at one point telling the witness to “shut up” or that Mr. Martinez would “slap” the witness. Jacqueline Flores, the Designated Resident for Respondent, instructed a witness not to say anything to law enforcement because she did not want the establishment to get shut down.


Witnesses:

1. Agent Bryana Salas
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110
2. Agent Majid Gayles
DPS Special Investigations Unit
6301 Indian School Rd NE
Albuquerque, NM 87110

All witnesses and addresses listed above will be supplemented when available.

Pursuant to NMSA 1978, §60-6C-1(C), any licensee aggrieved by the proposed revocation, suspension or fine shall be entitled to the hearing procedures set forth in Chapter 60, Article 6C, NMSA 1978 before the revocation, suspension or fine shall be effective.

1/9/24
Date


Phillip A. Sanchez, Director
Alcoholic Beverage Control Division
Regulation and Licensing Department