

Mailing Date: JAN 30 2007

COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF ADMINISTRATIVE LAW JUDGE  
FOR  
PENNSYLVANIA LIQUOR CONTROL BOARD

PENNSYLVANIA STATE	:	
POLICE, BUREAU OF	:	Citation No. 06-0741
LIQUOR CONTROL ENFORCEMENT	:	
	:	Incident No. W02-322074
v.	:	
	:	LID - 42777
SHANIX, INC.	:	
385-391 MAIN ST.	:	
KINGSTON, PA 18704-3230	:	
	:	
	:	
	:	
LUZERNE COUNTY	:	
LICENSE NO. R-AP-SS-EHF-15374	:	

**BEFORE:** JUDGE THAU

APPEARANCES:

For Bureau of Enforcement  
Craig A. Strong, Esquire  
Pennsylvania State Police  
8320 Schantz Road, Second Floor  
Breinigsville, PA 18031

For Licensee  
Nicholas Chirico  
Sole Corporate Officer

**ADJUDICATION**

BACKGROUND:

This proceeding arises out of a citation that was issued on May 17, 2006, by the Bureau of Liquor Control Enforcement of the Pennsylvania State Police (Bureau) against Shanix, Inc. (Licensee), License Number R-AP-SS-EHF-15374.

The citation charges Licensee with a violation of Sections 5512 and/or 5513 of the Crimes Code [18 Pa. C.S. §5512 and/or §5513] which is incorporated by reference in Liquor Code Section 471 [47 P.S. §4-471] as “other sufficient cause.” The charge is that on January 22, 2006, Licensee, by servants, agents or employes, possessed or operated gambling devices or paraphernalia or permitted gambling or lotteries, poolselling and/or bookmaking on its licensed premises.

An evidentiary hearing was conducted on December 14, 2006 at the Scranton State Office Building, PUC Hearing Room 318, 100 Lackawanna Avenue, Scranton, Pennsylvania. Licensee was represented by its Sole Corporate Officer and Manager, Mr. Nicholas Chirico.

At this time the Bureau motioned to withdraw the citation. I granted said Motion.

ORDER:

NOW THEREFORE, it is ordered that Citation No. 06-0741 issued against Shanix, Inc., is hereby WITHDRAWN, with prejudice.

Dated this 22<sup>nd</sup> day of January, 2007.

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Felix Thau, A.L.J.

pm

**MOTIONS FOR RECONSIDERATION MUST BE RECEIVED WITHIN 15 DAYS OF THE MAILING DATE OF THIS ORDER TO THE OFFICE OF ADMINISTRATIVE LAW JUDGE AND REQUIRE A \$25.00 FILING FEE. A WRITTEN REQUEST FOR RECONSIDERATION MUST BE SUBMITTED WITH THE FILING FEE.**