

AL-48 Alcohol Law Enforcement Report of Enforcement Activity	CASE NUMBER	ABC FILE NUMBER			
	15-251-004	00187471AJ-999			
<input checked="" type="checkbox"/> Investigation <input checked="" type="checkbox"/> Violation <input checked="" type="checkbox"/> Arrest <input type="checkbox"/> Supplementary <input type="checkbox"/> Property <input type="checkbox"/> Felony	Hr.	Day/Wk	Mo.	Day	Year
	3:05 AM	Wednesday	February	18	2015
PERMITTEE/LOCATION OF OFFENSE(S): Altamont Brewing Company Inc. ALTAMONT BREWING COMPANY 1042 Haywood Road Asheville, NC 28806 Buncombe County	Fingerprint Information: Prints Obtained <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Date Printed: Date Submitted: Final Disposition: Date Submitted:				
SUBJECT(S) AND OFFENSE(S): See Continuation Page					
PERMITS: On Premise Malt Beverage: 187471AJ On Premise Unfortified Wine: 187471AL Mixed Beverage Private Club: 187471MB					
PREVIOUS ABC COMMISSION ACTION: Yes					
WITNESSES AND EXHIBITS: 1. ALE Special Agent Bradley Baker, District VIII, 5 Barbeta Drive, Asheville, NC 28806. (828) 670-5055					
<i>I Bradley Baker acknowledge by my signature below that the contents of the foregoing investigation and all attachments regarding the above named location are true and accurate to my own personal knowledge, except as to matters stated on information and belief and as to those matters I believe them to be true.</i>			DATE: 2/26/2015		<input checked="" type="checkbox"/> INVEST. <input type="checkbox"/> CLOSED <input type="checkbox"/> CLEAR/ARR. <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> X-CLEARED
AGENT'S SIGNATURE: 	SUPERVISOR'S REVIEW: 		<input type="checkbox"/> HEADQUARTERS <input checked="" type="checkbox"/> ABC COMM. <input type="checkbox"/> DISTRICT <input type="checkbox"/> OTHER		

NC ABC
LEGAL DIVISION
2 MAR '15 PM 2:05

SUBJECT(S) AND OFFENSE(S)

ALTAMONT BREWING COMPANY

18B-1004(a), Consume an alcoholic beverage between the hours of 2:30 a.m. and 7:00 a.m.

18B-1005(a), Employee knowingly allowed any violation to occur on the licensed premises.

02S .0212(a)(3), Employee performed services for the business after consuming alcoholic beverages.

BAUMANN, Jacob John

18B-1004(a), Consume an alcoholic beverage between the hours of 2:30 a.m. and 7:00 a.m.

18B-1005(a), Employee knowingly allowed any violation to occur on the licensed premises.

02S .0212(a)(3), Employee performed services for the business after consuming alcoholic beverages.

Oneill, Christopher Morgan

18B-1004(a), Consume an alcoholic beverage between the hours of 2:30 a.m. and 7:00 a.m.

CHRONOLOGY OF EVENTS

On Wednesday, February 18, 2015, at approximately 2:30 a.m., I drove past ALTAMONT BREWING COMPANY, 1042 Haywood Road, Asheville, NC. I observed three individuals inside the establishment seated at the bar with beverage glasses in front of them.

At approximately 2:35 a.m., I parked my vehicle across the street from ALTAMONT BREWING COMPANY and looked through the front window using binoculars. An unidentified white male and female were exiting the establishment. I saw a white male, later identified as Christopher Morgan Oneill, seated at the bar drinking from a glass containing a dark liquid. Working behind the bar I observed a white male, later identified as Jacob John BAUMANN. BAUMANN was washing glasses and cleaning up around the bar. BAUMANN would frequently pick up a glass containing a dark liquid from behind the bar and drink from it.

At approximately 2:50 a.m., BAUMANN picked up the empty glass Oneill was drinking from. He refilled the glass with a dark colored liquid from a tap on the wall and returned it to Oneill. BAUMANN continued to wash glasses and clean bar mats behind the bar.

At approximately 3:00 a.m., BAUMANN picked up the empty glass he was drinking from and refilled it with a dark liquid from a tap on the wall. It was the same tap he refilled Oneill's glass from. BAUMANN and Oneill frequently drank from the glasses. BAUMANN continued to clean behind the bar.

At approximately 3:05 a.m., I walked into ALTAMONT BREWING COMPANY and identified myself as Alcohol Law Enforcement. BAUMANN identified himself as the one in charge of the premises and said Oneill was a patron. I located the glass behind the bar BAUMANN was drinking from and retrieved the glass Oneill was holding. BAUMANN admitted both glasses contained Altamont Porter malt beverages. I located the tap on the wall where I observed BAUMANN fill the glasses. It was labeled Altamont Porter. When I asked why they were consuming alcoholic beverages after 2:30 a.m. BAUMANN told me he was just trying to wind down. BAUMANN said he knew he was not allowed to consume alcoholic beverages while working nor after 2:30 a.m.

I observed the liquids from BAUMANN and Oneill's glasses. The liquids were dark in color, had foamy heads, and odors consistent with that of a malt beverage.

BAUMANN submitted to an Alco-sensor test. He registered a .07. BAUMANN stated, "I've had two beers since 2:30 a.m. hit." BAUMANN informed me he has worked at ALTAMONT BREWING COMPANY for approximately six months. He said he has work as a bartender in Asheville for over a year and is aware of the laws, rules, and regulations.

I issued a citation to BAUMANN for consuming alcoholic beverages on an ABC licensed premises after 2:30 a.m. Oneill was issued a verbal warning and released.

AGENT'S NAME: Bradley Baker	AGENT'S SIGNATURE: 	DATE: 2/26/15	SUPERVISOR'S REVIEW 
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On Thursday, February 26, 2015, I contacted Gordon Kear, the permittee of ALTAMONT BREWING COMPANY. I advised him of the violation that occurred. Kear said he was aware and was currently making in-house changes to correct the problems. I informed Kear a violation report will be submitted to the ABC Commission.

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