

Via US Mail and Certified Mail # 7010 1670 000 0762 0863  
November 3, 2011

Maria G. Guerrero, Permittee  
Caffe Italia  
1556 North Main Street  
Waterbury, CT 06704

Permit No. LIR.17590  
Backer: LADN, LLC  
Docket No. 11-859  
Case No. 2011-428

On September 8, 2011, after due and proper notice, the Department of Consumer Protection, Liquor Control Commission, held a formal administrative hearing. The following charges are alleged against the Respondent. It is alleged that on May 20, 2011, the Respondent violated: (1) Sec. 30-22(a) of the Connecticut General Statutes, (2) Sec. 30-22(f) of the Connecticut General Statutes, (3) Sec. 30-6-A24(a) of the Regulations of Connecticut State Agencies; (4) Sec. 30-53 of the Connecticut General Statutes, and (5) Sec. 30-6-B25a of the Regulations of Connecticut State Agencies. Despite proper notice, the respondent did not appear. On September 21, 2011, the department granted the respondent's request that the hearing be reopened. The reopened hearing was held on October 20, 2011, and the respondent appeared and testified. The record was left open at the conclusion of the hearing for the submission of additional evidence relating to the menu offered at this restaurant premises.

Based upon the testimony and documents submitted at the hearing, and the posthearing submission, the charges are dismissed based upon a lack of substantial evidence. Administrative findings must be based upon substantial evidence. Nelseco Navigation Company v. Department of Liquor Control, 34 Conn. App. 352, 354, 641 A.2d 827 (1994).

**DEPARTMENT OF CONSUMER PROTECTION**  
**LIQUOR CONTROL COMMISSION**  
BY

---

Elisa A. Nahas, Esq.  
Presiding Officer

---

Angelo J. Faenza, Commissioner

---

Stephen R. Somma  
Commissioner

**Parties:**

Maria G. Guerrero  
52 Hillside Drive  
Wolcott, CT 06716

**Non-parties:**

John Suchy, Director, Liquor Control Division  
Connecticut Beverage Journal, 2508 Whitney Ave., P.O. Box 185159, Hamden, CT 06518  
Connecticut State Library, 231 Capitol Avenue, Hartford, CT 06106