



4800 Ashford Dunwoody Road  
Dunwoody, Georgia 30338  
dunwoodyga.gov | 678-382-6700

April 10, 2023

**VIA: Personal Service**

Turquoise Oletha Lett  
1934 Boulder Gate Drive  
Ellenwood, GA 30294

**RE: Suspension/Revocation Hearing for the City of Dunwoody Alcoholic Beverage License for Total Wine & More, 124 Perimeter Center West, Dunwoody, GA 30338, License #3751**

Dear Registered Agent,

Per section 4-69(d) of the Official Code of the City of Dunwoody, this letter hereby serves you notice that there will be a hearing to consider the suspension/revocation of your 2023 City of Dunwoody Alcoholic Beverages License.

Grounds for this suspension/revocation include the following violations cited in O.C.G.A. Code Section 3-3-23(a)(1):

*"Section 3-3-23(a)(1) No person, directly or through another person, shall furnish, cause to be furnished, or permit any person in such person's employ to furnish any alcoholic beverage to any person under 21 years of age."*

The hearing will take place on Tuesday, April 25, 2023, at 3:00 pm at Dunwoody City Hall, Dunwoody Hall, 4800 Ashford Dunwoody Road, Dunwoody, GA 30338.

Please find included with this letter Article III, Sections 4-69 and 4-70 of the Official Code of the City of Dunwoody, which outlines the hearing procedures and appeal process.

Should you have questions or concerns pertaining to this notice, please contact the City Clerk's Office at 678-382-6711.

Lynn Deutsch Mayor  
Eric Linton ICMA-CM City Manager  
Sharon Lowery CMC City Clerk

Catherine Lautenbacher City Council Post 1  
Rob Price City Council Post 2  
Tom Lambert City Council Post 3

Stacey Harris City Council Post 4  
Joe Seconder City Council Post 5  
John Heneghan City Council Post 6



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Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Linton".

Eric Linton  
City Manager

Enclosures

**Lynn Deutsch** Mayor  
**Eric Linton** ICMA-CM City Manager  
**Sharon Lowery** CMC City Clerk

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April 10, 2023

**VIA: CERTIFIED MAIL #70191640000157667015**

Tabitha A. Favors  
Total Wine & More  
124 Perimeter Center West  
Dunwoody, GA 30338

**RE: Suspension/Revocation Hearing for the City of Dunwoody Alcoholic Beverage License for Total Wine & More, 124 Perimeter Center West, Dunwoody, GA 30338, License #3751**

Dear Licensee,

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# INCIDENT/INVESTIGATION REPORT

Agency Name <i>Dunwoody Police Department</i>
ORI <i>GA0447100</i>

Case# <i>23-001721</i>
Date / Time Reported <i>03/13/2023 12:29 Mon</i>
Last Known Secure <i>03/13/2023 12:20 Mon</i>
At Found <i>03/13/2023 12:23 Mon</i>

Location of Incident <i>124 PERIMETER CTR W, Dunwoody GA 30346</i>	Gang Relat <i>NO</i>	Premise Type <i>Convenience Store</i>	Zone/Tract <i>30</i>
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#	Crime Incident(s)	(Com)	Weapon / Tools	Activity
<i>#1</i>	<i>Alcohol-unageconsum/pur/poss/fur To/sell To/false Id To Buy - 3-3-23A2A</i>	<i>M</i>	Entry      Exit      Security	
<i>#2</i>	Crime Incident	( )	Weapon / Tools	Activity
			Entry      Exit      Security	
<i>#3</i>	Crime Incident	( )	Weapon / Tools	Activity
			Entry      Exit      Security	

# of Victims <i>0</i>	Type:	Injury:	Domestic: <i>NO</i>
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<b>V1</b>	Victim/Business Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
			Age					
Home Address			Email			Home Phone		
Employer Name/Address			Business Phone			Mobile Phone		
VYR	Make	Model	Style	Color	Lic/Lis	VIN		

CODES: V- Victim (Denote V2, V3)    WI = Witness    IO = Involved Other    RP = Reporting Person (if other than victim)									
Type: <i>LAW ENFORCEMENT</i>					Injury:				

Code <i>IO</i>	Name (Last, First, Middle) <i>GRAY, THOMAS</i>	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status
			Age	<i>W</i>	<i>M</i>		<i>Non-Resident</i>	
Home Address <i>1800 CENTURY BLVD NE - 4235 ATLANTA, GA 30345</i>			Email			Home Phone		
Employer Name/Address			Business Phone			Mobile Phone		

Type:					Injury:				
Code	Name (Last, First, Middle)	Victim of Crime #	DOB	Race	Sex	Relationship To Offender	Resident Status	Military Branch/Status	
			Age						
Home Address			Email			Home Phone			
Employer Name/Address			Business Phone			Mobile Phone			

1 = None    2 = Burned    3 = Counterfeit / Forged    4 = Damaged / Vandalized    5 = Recovered    6 = Seized    7 = Stolen    8 = Unknown ("OJ" = Recovered for Other Jurisdiction)									
VI #	Code	Status Fm/Tc	Value	OJ	QTY	Property Description	Make/Model	Serial Number	

Officer/ID# <i>NELSON, H. E. (1452)</i>	Invest ID# <i>(0)</i>	Supervisor <i>NELSON, H. E. (1452)</i>
Complainant Signature	Case Status <i>Active/open</i>	Case Disposition: <i>03/13/2023</i>

Packet page:...

# INCIDENT/INVESTIGATION REPORT

Dunwoody Police Department

Case # 23-001721

Status Codes 1 = None 2 = Burned 3 = Counterfeit / Forged 4 = Damaged / Vandalized 5 = Recovered 6 = Seized 7 = Stolen 8 = Unknown

D R U G S	IBR	Status	Quantity	Type Measure	Suspected Type

Assisting Officers

Suspect Hate / Bias Motivated: *NONE (NO BIAS)*

## INCIDENT/INVESTIGATION REPORT

Narr. (cont.) OCA: 23-001721

Dunwoody Police Department

NARRATIVE

**REPORTING OFFICER NARRATIVE**

*Dunwoody Police Department*

OCA <i>23-001721</i>
Date / Time Reported <i>Mon 03/13/2023 12:29</i>

Victim	Offense <i>ALCOHOL-UNAGECONSUM/PUR/POSS/FUR</i>
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THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 3/13/2023 Officer W. Smith and I participated in a Georgia Department of Revenue (DOR) "underage alcohol" detail in the City of Dunwoody. At approximately 12:23PM I responded to 124 Perimeter Center West (Total Wine) in reference to a minor purchasing alcohol.

Per DOR Special Agent Thomas Gray (thomas.gray2@dor.ga.gov), minor #014901 purchased a Scofflaw pale ale beer valued at \$2.15 from the Total Wine cashier, Mr. Michael Mellars. Upon the minor and undercover agents leaving the premises, I arrived on scene.

Mellars was formally identified via his Georgia identification. He was cited and released for sale of alcohol to a minor. Special Agent Gray cited the business - administrative violation.

BWC utilized.

### Incident Report Suspect List

Dunwoody Police Department

OCA: 23-001721

<b>1</b>	Name (Last, First, Middle) <i>MELLARS, MICHAEL L</i>					Also Known As					Home Address <i>4215 REEF RD MARIETTA, GA 30066</i>				
	Business Address <i>TOTAL WINE, 124 PERIMETER CENTER WEST</i>														
	DOB [REDACTED] 1950	Age 72	Race W	Sex M	Eth N	Hgt 506	Wgt 205	Hair GRY	Eye BLU	Skin	Driver's License / State <i>042500646 GA</i>				
Scars, Marks, Tattoos, or other distinguishing features															
<i>Reported Suspect Detail</i>		Suspect Age			Race	Sex	Eth	Height		Weight		SSN			
Weapon, Type		Feature		Make		Model		Color		Caliber		Dir of Travel Mode of Travel			
Veh Yr / Make / Model			Drs	Style		Color		Lic Plate / State			VIN				
Notes							Physical Char								



DDS-32 (01/10) **GEORGIA**  
**UNIFORM TRAFFIC CITATION, SUMMONS, ACCUSATION**

**GA0447100** **D00110668**

Court Case Number NCIC No. Citation Number

**DUNWOODY POLICE DEPARTMENT**

Upon Month **March** (Day) **13** (Year) **2023** at **12:36**  AM  PM

Operator License No. **042500646**

License Class or Type **C** State **GA** Endorsements Expires

Name **MELLARS** **MICHAEL** **L**

Address **4215 REEF RD** (First) (Middle)

City **MARIETTA** State **GA** Zip Code **30066**

DOB **1950** Hair **GRY** Hgt **5'06** Wgt **205** Sex **M** Eyes **BLU**

Veh. Yr. Make Style Color

Registration No. Yr. State

CDL  YES  NO ACCIDENT  YES  NO INJURIES  YES  NO FATALITIES  YES  NO

2-LANE ROAD  DRIVER REQUESTED ACCURACY CHECK  VASCAR  LASER  RADAR

Within the State of Georgia, did commit the following offense: SPEEDING - Clocked by  PATROL VEHICLE  OTHER

(Serial # Calibration/Check ) at MPH in a zone

DUI (Test Administered:  BLOOD  BREATH  URINE  OTHER) DUI Test Results

TEST ADMINISTERED BY (If Applicable):

OFFENSE (Other than above) **ALCOHOL-UNAGECONSUM/PUR/POSS/FUR TO/SELL**

In Violation of Code Section **3-3-23A2A** of  State Law  Local Ordinance

REMARKS: **23001721. sold scofflaw pale ale beer \$2.15 to minor. dor underage alcohol detail.**

CONTACT PHONE NUMBERS:

DUNWOODY CODE: CH. 13, A.1, S.1, STATE LAW ADOPTED BEAT UNIT #

WEATHER	(A) ROAD	(B)	TRAFFIC	LIGHTING	COMMERCIAL VEHICLE INFORMATION
<input type="checkbox"/> Clear	<input type="checkbox"/> Dry	<input type="checkbox"/> Concrete	<input type="checkbox"/> Light	<input type="checkbox"/> Daylight	<input type="checkbox"/> 16+ Passengers
<input type="checkbox"/> Cloudy	<input type="checkbox"/> Wet	<input type="checkbox"/> Blacktop	<input type="checkbox"/> Medium	<input type="checkbox"/> Darkness	<input type="checkbox"/> Commercial Vehicle Violation
<input type="checkbox"/> Raining	<input type="checkbox"/> Ice	<input type="checkbox"/> Dirt	<input type="checkbox"/> Heavy	<input type="checkbox"/> Other	<input type="checkbox"/> Hazardous Material Violation
<input type="checkbox"/> Other	<input type="checkbox"/> Other				

County of **DEKALB** and miles of (city) **DUNWOODY**

on **124 124 PERIMETER** at or near mile post or within (city) **DUNWOODY**

at/on (secondary location) **TOTAL WINE**

OFFICER (Print) **NELSON, H.** Badge # **1452** Div. **CRT**

You are hereby ordered to appear in Court to answer this charge on the **3** day of **May**

**2023** at **02:00**  AM  PM in the **MUNICIPAL COURT (NEW)** Court

at **4800 Ashford Dunwoody Road Ste 112**

City **Dunwoody**, Georgia 30346.

NOTICE: This citation shall constitute official notice to you that failure to appear in Court at the date and time stated on this citation to dispose of the cited charges against you shall cause the designated Court to forward your driver's license number to the Department of Driver Services, and your driver's license shall be suspended. (Georgia Code 17-6-11 and 40-5-56) The suspension shall remain in effect until such time as there is a satisfactory disposition in this matter or the Court notifies the Department of Driver Services.

LICENSE DISPLAYED IN LIEU OF BAIL  YES  NO RELEASED TO **PERSON**

SIGNATURE ACKNOWLEDGES SERVICE OF THIS SUMMONS AND RECEIPT OF COPY OF SAME

SIGNATURE

ARRESTING OFFICER'S CERTIFICATION

The undersigned has just and reasonable grounds to believe, and does believe, that the person named herein has committed the offense set forth, contrary to law.

SIGNATURE Signature of Arresting Officer Badge #

AUTHORIZED AND APPROVED PURSUANT TO: CODE 40-13-1 - D.D.S. REG. 375-3-4-.01  ARRESTED  COPY **COURT COPY**

DATE COURT ACTION AND OTHER ORDERS

The within complaint has been examined and there is probable cause for filing the same. Leave is hereby granted to file the complaint. Complaint filed

Bail fixed at \$ or cash deposit of \$

Signature of person taking bail Signature of person giving bail

Fine in the amount of \$ received as required by court schedule.

Signature of Clerk

Continuance to Reason

Continuance to Reason

Warrant issued Warrant Served

Waives Trial by Jury

ON ARRAIGNMENT, THE DEFENDANT PLEADS

APPEARANCE, PLEA OF GUILTY AND WAIVER

I, have been advised that I am being charged with

and that the maximum punishment that I can receive is

mos. imprisonment and/or a \$ fine.

I have been advised of my rights to be represented by counsel and have counsel appointed to represent me if I am indigent; plead not guilty and be tried by a jury or a judge; confront the witnesses against me; and, not give incriminating evidence against myself. I hereby waive these rights; state that I have not been induced by any threat or promise to enter this plea and do freely and voluntarily enter my plea of Guilty.

This day of

Accused

I, have advised the above-named accused as indicated above of his/her rights, the nature of the case against him/her and the possible consequences of the plea as entered. I am satisfied that there is a factual basis for the guilty plea which the accused has entered and that it was entered freely and voluntarily with understanding of the nature of the charge and the consequences of the plea.

JUDGE

DISPOSITION AND SENTENCE

Court City

Defendant Pleads:  (3) Guilty  Not Guilty  (4) Nolo Cont'd

Trial:  Jury  Court Adjudicated  (1) Guilty  Not Guilty

Other Action:  (2) Bond Forfeiture  Nolle Prossed  No Bill  No Record

Sentence: Amount Fine/Forfeiture \$

Days (Months) in Jail Traffic School Days (Months) probation

Community Service Hrs/Days Other Order

Appeal Bond of \$ filed (for)

Appeal to Court

As provided by law, I hereby certify that the information on this ticket is a true abstract of the record of this court or bureau in this case.

DISPOSITION DATE

Signature of Judge or Clerk