

# LIQUOR LICENSE DISAPPROVAL FORM

## Police Department Liquor License Disapproval Recommendation

### Application Information

Business Name	MC MINI MART	District	4
Business Location	2720 West Indian School Road		
Applicant Names	Mark Dinkha	Series Type	10

The Police Department recommends disapproval of this liquor license application for the following reasons:

Mr. Mark Dinkha in accordance with Arizona Revised Statute 4-203.A is not capable, qualified and reliable to own and operate a Series 10 liquor license due to his criminal history, capability to obey State laws and failure to provide documentation related to his funding source.

According to Mr. Dinkha's previous state liquor application he responded "no" to question #14 "have you ever been cited, arrested, indicted, convicted or summoned into court for violation of any criminal law or ordinance, regardless of the disposition, even if dismissed or expunged within the past five years". Arizona Supreme court records revealed that Mr. Dinkha was arrested on 4/15/17 for Criminal Trespassing, Assault and Disorderly Conduct in the City of Scottsdale. Mr. Dinkha, on 6/2/17 pleaded guilty to the charge of Disorderly Conduct. In addition, Mr. Dinkha was cited on 3/19/19 by the City of Surprise for operating a vehicle without a hands-free device.

Only after being observed omitting this on his previous application and being directed to comply did Mr. Dinkha disclose his criminal history on his current application. It is of great concern since the violation involved the consumption of alcohol and an act of violence "fighting".

This license, if granted, would make him responsible for operating a liquor related business within the confines of the law. Mr. Dinkha also indicated on his state application that he has yet to take the required Title 4 liquor training, even though he has been in the process of applying for months.

In addition to Mr. Dinkha's criminal history, there is the concern whether he and his employees would operate the business in accordance with all State and City laws. On 5/8/19 Detective Gokool, Officer Zigler and Officer Carnahan visited the store to speak with Mr. Dinkha reference his new liquor application. At that time, they observed several sexual materials (magazines and CDs) displayed in the center of the front store shelf. There was no cover on the material and it was in full view from the candy isle.

In accordance with Arizona Revised Statute **13-3507. Public display of sexual materials; classification; definitions:**

- A. *It is unlawful for any person knowingly to place explicit material upon public display, or knowingly to fail to take prompt action to remove such a display from property in his possession or under his control after learning of its existence.*
- B. *A person who violates any provision of this section is guilty of a class 6 felony.*

Mr. Dinka was not present, but his brother Christopher Dinkha was operating the store and stated that he was the temporary manager in his brother's absence. Det. Gokool stated that

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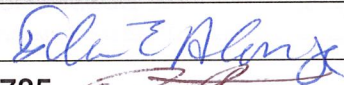
each time he has visited, the owner was not available, but that Christopher Dinkha has been there. The brother has not been disclosed as a manager on the application nor has he attended Title 4 training.

Det. Gokool told Christopher Dinkha that it was illegal to display the magazines in public and it was a class 6 felony offense. Christopher Dinkha then stated that he was unaware and moved the material just one shelf down. He was told again that the material was still visible to the public. It is the applicant, Mr. Dinkha's, responsibility that he and all his employees comply with all laws. Failure to do so would put the community at risk.

As it relates to Mr. Dinkha's financial disclosure he stated on his City of Phoenix Questionnaire that he paid \$47,000.00 for the business, including start-up fees. Mr. Dinkha stated on the questionnaire that the funding source was his parents. Mr. Dinkha was asked a second time to provide banks statements, tax statements and written documentation of the \$47,000.00 gift he received from his parents. Mr. Dinkha failed to provide any of the requested documentation, and therefore the possibility of hidden ownership may exist.

Due to the above listed facts it is the belief of the Phoenix Police Department that Mr. Mark Dinkha is not capable, qualified and reliable to own and operate a Series 10 liquor license.

This recommendation for disapproval is submitted by: Det. R. Gokool 7605

SIGNATURES	
Administrative Licensing Investigator	I. Alonge A4289 
Liquor Enforcement Detail Supervisor	Sgt. Mark Doty 5785 