

# RAPID CITY POLICE DEPARTMENT

## MEMORANDUM

November 22, 2013

MEMO TO: Chief Steve Allender

FROM: Capt. James Johns

SUBJECT: Piesano's Pizza Liquor License

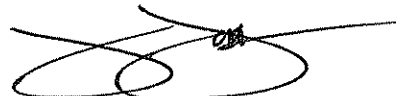
On November 14 2013, Compliance Officer Teresa Pullen completed an update on the renewal of a liquor license for Piesano's Pizza, 3618 Canyon Lake Drive. During this update it was discovered one of the corporate officers listed on the renewal application, Anthony Livermont, had a pending felony DUI. The record shows Anthony was arrested 07/29/13, and he is currently a participant in the 24/7 Program. He is scheduled for a hearing on this charge, December 2, 2013. (See attached criminal history)

I contacted Peggy Livermont who is listed as a corporate partner and manager of Piesano's Pizza. I explained that Anthony's association and listing as a corporate partner was likely to bring increased scrutiny to the license, and may subject the license to not being renewed. Peggy asked what her options were and I listed these three options:

1. She could do nothing, and hope the license renewal was allowed by the Council.
2. She could submit a letter, indicating that while Anthony was a corporate partner, he had nothing to do with running the business or at least the alcohol portion of the business.
3. She could remove him from the application, and not allow him to participate in the corporation.

Peggy then said, she could just submit a letter of resignation for Anthony, and then hire him back after the license was renewed. I told her that would not be a good thing to do as she was circumventing the spirit of the licensing with the City. Peggy told me she would contact her attorney and would be back in touch with my by Friday.

On 11/22/13 I received two faxed letters from Peggy Livermont. The first letter is a resignation letter for Anthony Livermont indicating he is no longer a director of Piesano's Pizza, effective today. The second letter is indicating Jessica D. Livermont-Jeans has been appointed as the new director. Jessica is listed on the original application for renewal, and her record was found to be satisfactory. This letter was cc'd to David Lust, Attorney as well. All documentation for this application is attached.



Capt. James Johns

Piesano's Pacchia INC  
3618 Canyon Lake DR Suite 121  
Rapid City SD 57702-3129

DATE: 11-22-2013

TO: Captain James Johns

FAX NUMBER: 355-3595

Subject: Additional Info

Comments: Please call 341-6941  
Let me know if I need any thing else

Thank you.

3 Pages including this page

FROM: Peggy A. Livermont  
PHONE NUMBER: (605) 341-6941  
FAX NUMBER: (605) 342-1260

Anthony J. Livermont  
14871 W. Hills View DR.  
Piedmont SD 57769-6002

November 22, 2013

Peggy A. Livermont, Owner  
Piesano's Pacchia INC  
3618 Canyon Lake DR Suite 121  
Rapid City SD 57702

Dear Ms. Livermont:

I, Anthony J, Livermont, tender my resignation as Director of Piesano's Pacchia S Corporation. My position as Director was to attend annual Meetings; I am not an owner or a partner in this corporation. This resignation is effective today, November 22, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Anthony J. Livermont".

Anthony J. Livermont

Cc: file

**Piesano's Pacchia INC  
3618 Canyon Lake DR Suite 121  
Rapid City AS 57702**

November 22, 2013

To Whom It May Concern:

I, Peggy A. Livermont, am the sole owner and proprietor of Piesano's Pacchia Inc. Piesano's Pacchia Inc is registered as an S Corporation. I am responsible for all financial transactions and the majority of all decisions regarding Piesano's Pacchia Inc. Minor daily decisions are made by the Manager.

I hereby appoint Jessica D. Livermont –Jeans as a Director for Piesano's Pacchia INC.

Sincerely,

A handwritten signature in cursive script that reads "Peggy A. Livermont". The signature is written in black ink and is positioned above the typed name and title.

**Peggy A. Livermont  
Owner and President**

Cc: file  
David Lust, Attorney  
Captain James Johns

# RAPID CITY POLICE DEPARTMENT

## MEMORANDUM

November 14, 2013

MEMO TO: Chief of Police Steve Allender

FROM: Compliance Officer Teresa Pullen

SUBJECT: Alcohol License Renewal: Retail (on-off sale) Wine  
**Piesano's Pacchia Inc.**  
**Piesano's Pacchia**  
**3618 Canyon Lake Dr. #121**  
**Rapid City, South Dakota 57702**

### Licensing Information:

Piesano's Pacchia Inc., dba Piesano's Pacchia, applied for Retail (on-off sale) Wine renewal for the business located at 3618 Canyon Lake Dr. # 121.

### Local Criminal History Check on Officers/Directors/Partners/Stockholders or Managers listed:

- Peggy Livermont Record Satisfactory
- Jessica Livermont Jeans Record Satisfactory
- Anthony Livermont See Criminal History Below

Criminal history on Anthony Livermont d.o.b. 5/11/1976 (*Mr. Livermont was on last year's application for alcohol license renewal*)

- 
- 9/25/95 Possession of alcohol by a minor – Judgment on plea of guilty
- 5/31/96 Possession of alcohol by a minor – Judgment on plea of guilty
- 2/19/98 DUI 1 – Judgment on plea of guilty
- 3/11/99 DUI 2 – Reduced to Careless Driving
- 12/08/08 Open container in a motor vehicle – Guilty by POA
- 4/13/09 DUI 1 / Open container in a motor vehicle – Court records in CJIS indicate the charge of DUI 1 was reduced to Reckless and that the Open Container in a motor vehicle was dismissed. This charge does not show up in DCI records.
- 7/25/09 DUI 1 – Judgment on plea of guilty
- 7/29/13 DUI 3 / Open alcoholic beverage container accessible in vehicle - Scheduled for hearing 12/2/13

### Alcohol Compliance Check:

- No alcohol compliance check conducted in 2013.

### Non-compliance Contacts:


- Nothing noted

Bar File Information:

- No changes in operations from the previous application.
- The existing alcohol license file will continue to be maintained in CID.

Recommendation:

- Information provided pending your approval for reissue.

  
Teresa Pullen  
License Compliance  
Criminal Investigation Division