

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

1637 R Street, LLC
t/a Someplace Else Bar & Grill

Holder of a Retailer's
Class CR License

at premises
1637 R Street, N.W.
Washington, D.C. 20009

License No.: ABRA-098935
Order No.: 2016-690

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Mafara Hobson, Member
Jake Perry, Member

ORDER TO CEASE AND DESIST

This notice constitutes a Cease and Desist Order (Order) issued by the Alcoholic Beverage Control Board (Board) pursuant to D.C. Official Code § 25-829. This Order applies to 1637 R Street, LLC, t/a Someplace Else Bar & Grill (Respondent), holder of a Retailer's CR License No. ABRA- 098935, located at premises 1637 R Street, N.W. Washington, D.C. 20009.

The Respondent filed a timely License Renewal Application (Application) with the Alcoholic Beverage Regulation Administration (ABRA). *Licensing File, License Renewal Application*. Advisory Neighborhood Commission (ANC) 2B submitted a Protest Letter with the Board on or about May 22, 2016. *Protest File, ANC 2B's Protest Letter*. The Parties appeared before for a Roll Call Hearing on June 13, 2016, and a Protest Status Hearing on September 14, 2016, in accordance with D.C. Official Code § 25-601 (2001).

The Board scheduled the Protest Hearing (Hearing) for October 26, 2016. The Respondent failed to appear at the Hearing and the Board dismissed the application. *See*

in the Matter of 1637 R Street, LLC, t/a Someplace Else Bar & Grill, Board Order No. 2016-600 (D.C.A.B.C.B. October 26, 2016).

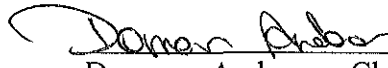
On November 4, 2016, the Applicant submitted a Request for Reinstatement of the License Renewal Application, which the Board denied. *See In the Matter of 1637 R Street, LLC, t/a Someplace Else Bar & Grill*, Case No. 16-PRO-00059, Board Order No. 2016-659 (D.C.A.B.C.B. November 16, 2016). The Respondent was informed that it had 10 days from the date of the Order to submit a second renewal application in accordance with 23 DCMR § 1606.2.

A review of the Board's official records by ABRA reveal that the Respondent failed to submit a second renewal application within 10 days of the Order, or by November 27, 2016. The Respondent is unlawfully operating or attempting to operate with an expired license in violation of Title 25 of the D.C. Official Code. The Respondent's license has **EXPIRED** and it will remain expired until the Respondent pays the required renewal fee and the daily fine of \$50.00 imposed by the Board for the late payment.

Pursuant to D.C. Official Code § 25-829, the Respondent is therefore **ORDERED** by the Board on this 7th day of December, 2016, to **STOP selling, serving, or permitting the consumption of alcoholic beverages at the Respondent's establishment** until payment of the renewal fee and any associated fines are received by ABRA. The Respondent may not allow the sale, service, or consumption of alcoholic beverages on the licensed premises until the License is reinstated by the Board.

A copy of this Order is being forwarded to the Metropolitan Police Department and D.C. licensed Wholesalers to ensure compliance. Failure to comply with this Order will subject Respondent to the maximum civil penalties provided by the law.

District of Columbia
Alcoholic Beverage Control Board



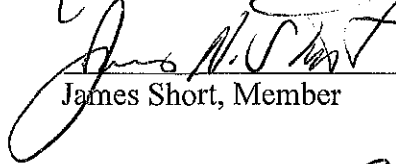
Donovan Anderson, Chairperson



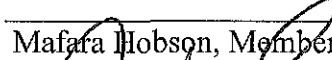
Nick Alberti, Member



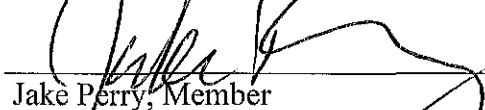
Mike Silverstein, Member



James Short, Member



Mafara Hobson, Member



Jake Perry, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879-1010). However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).