



1 P-R-O-C-E-E-D-I-N-G-S

2 11:28 a.m.

3 CHAIRPERSON ANDERSON: The next case  
4 on our calendar is Case number 24-ULC-00053,  
5 Nomad Smoke Shop/MLK Nomad Corporation. This is  
6 an unlicensed cannabis retailer at 2026 Martin  
7 Luther King Jr. Avenue, Southeast.

8 So let me have the parties identify  
9 themself for this case. So, Ms. Mietus, can you  
10 please spell and state your name for the record?

11 MS. MIETUS: Yes, of course. Good  
12 morning. Assistant Attorney General Sophia  
13 Mietus, S-O-P-H-I-A, M-I-E-T-U-S, for the  
14 District.

15 CHAIRPERSON ANDERSON: Good morning,  
16 ma'am.

17 MS. MIETUS: Good morning.

18 CHAIRPERSON ANDERSON: Ms. Brown, can  
19 you please identify yourself for the record?

20 MS. BROWN: Assistant Attorney General  
21 Shani Brown here on behalf of the District.  
22 That's spelled S-H-A-N-I, B-R-O-W-N.

23 CHAIRPERSON ANDERSON: Good morning.  
24 And Mr. Wilson, can you identify yourself for the  
25 record, please, sir?

1 MR. WILSON: Certainly, Mr. Chairman.  
2 Albert Wilson, A-L-B-E-R-T, W-I-L-S-O-N. I  
3 represent MLK Nomad Corporation and its  
4 principle, Anise Amri, who is present here today  
5 and waiting to be let in.

6 CHAIRPERSON ANDERSON: All right. So  
7 let me have, can we, Ms. Amri, can you please  
8 turn your camera on, ma'am, if you have a camera?

9 MR. AMRI: Mr. Chairman --

10 CHAIRPERSON ANDERSON: I apologize --  
11 (Simultaneous speaking)

12 CHAIRPERSON ANDERSON: No, I'm just  
13 saying, that's one of the reasons why I always  
14 ask people to turn their cameras on, so I can see  
15 who I'm talking to. So, I apologize, sir.

16 MR. AMRI: Not a problem. Not a  
17 problem.

18 CHAIRPERSON ANDERSON: So spell and  
19 state your name for the record, sir.

20 MR. AMRI: Okay. First name is A-N-I-  
21 S-E, last name is A-M-R-I.

22 CHAIRPERSON ANDERSON: Good morning,  
23 Mr. Amri and

24 MR. AMRI: Good morning, sir.

25 CHAIRPERSON ANDERSON: If you have a

1 camera please turn your camera on, sir. I would  
2 like to, I like to see the parties. If all  
3 possible, yes, sir. Good. I can see you now.

4 All right. Ms. Mietus, are there any  
5 preliminary matters in this case?

6 MS. MIETUS: The landlord's attorney  
7 is here as well, if he could introduce himself?

8 CHAIRPERSON ANDERSON: Who is the  
9 landlord's attorney?

10 MS. MIETUS: Mr. Henry Gallagher.

11 CHAIRPERSON ANDERSON: Mr. Gallagher,  
12 can you please turn your camera on, sir? And  
13 please spell and state your name for the record.  
14 Mr. Gallagher? Mr. Orellana, do you have any  
15 idea what is going on with Mr. Gallagher, please?

16 MR. ORELLANA: Yes. I'm sending him  
17 a request to unmute. I'll check it out.

18 CHAIRPERSON ANDERSON: Thank you.

19 MR. GALLAGHER: Hello.

20 CHAIRPERSON ANDERSON: Mr. Gallagher,  
21 can you please spell and state your name for the  
22 record, please? And if you have a camera, turn  
23 your camera on, sir, please.

24 MR. GALLAGHER: Henry Gallagher, H-E-  
25 N-R-Y, Gallagher, G-A-L-L-A-G-H-E-R. I'm here

1 more as an observer, representing the landlord.

2 CHAIRPERSON ANDERSON: But, sir, when  
3 these matters are brought forth both the landlord  
4 and the legal operator are served. So I'm just  
5 curious when you're saying that you're just as,  
6 you're an observer.

7 Because the landlord is a party to  
8 this litigation, because I am positive that when  
9 they, the action was served, it was also served  
10 on the landlord also.

11 And so unless I don't -- But just as  
12 an FYI. So if I, sir, if you have a camera I'd  
13 prefer if you could turn your camera on.

14 But let's move on, back to the  
15 Government. So from the Government's perspective  
16 are there any preliminary matters in this case?

17 MS. MIETUS: There are no preliminary  
18 matters.

19 CHAIRPERSON ANDERSON: Mr. Wilson, do  
20 you have any preliminary matters you need to  
21 bring to the attention of the Board?

22 MR. WILSON: I have no preliminary  
23 matters, Mr. Chairman. We haven't had the  
24 occasion to appear before this Board. We're just  
25 here hoping to obtain a stay or a suspension of

1 the order closing the business.

2 CHAIRPERSON ANDERSON: And, Mr.  
3 Gallagher, on behalf of the landlord can you, do  
4 you have an representation you wish to make, sir?

5 MR. GALLAGHER: No, sir.

6 CHAIRPERSON ANDERSON: All right.  
7 This is a show cause, this matter basically takes  
8 the format as a show cause hearing. And so  
9 therefore the Government has the burden. So the  
10 Government will go first, and will call  
11 witnesses.

12 And so maybe, Ms. Mietus, you can  
13 provide me a synopsis of why are we here, and why  
14 we're here, and what is it that the Government  
15 wishes at the end of, to occur at the end of this  
16 hearing.

17 And I need some clarification.  
18 Because Mr. Gallagher says that he's here on  
19 behalf of the landlord, and he's just an  
20 observer. But isn't the landlord a party to this  
21 litigation? Go ahead, ma'am.

22 MS. MIETUS: Yes. Mr. Gallagher is  
23 here representing the landlord. I believe he  
24 doesn't wish to make any representations on the  
25 record, other than to state his appearance on

1 their behalf.

2 MR. GALLAGHER: That's correct.

3 CHAIRPERSON ANDERSON: All right. So  
4 noted. All right. All right. Go ahead, ma'am.

5 MS. MIETUS: Thank you.

6 CHAIRPERSON ANDERSON: Do you wish to  
7 make an opening statement?

8 MS. MIETUS: Yes, I do. Members of  
9 the Board, despite a warning from ABCA and a  
10 cease and desist order from this Board Nomad  
11 Smoke Shop did not stop selling cannabis.

12 The District is here today to prove  
13 that the establishment failed to comply with the  
14 Board's cease and desist order by substantial  
15 evidence.

16 This requires such relevant evidence  
17 as a reasonable mind might accept as adequate to  
18 support a conclusion. We will meet that burden  
19 through the testimony of ABCA Supervisory  
20 Investigator, Jason Peru, and two Metropolitan  
21 Police Department officers that assisted ABCA,  
22 Officer Mohd Hossain and Investigator Yesis  
23 Ferrufino-Lopez.

24 The will together tell you about not  
25 one, but two unlicensed cannabis sales made by

1 Nomad Smoke Shop. You will hear that on August  
2 13th, 2024 Investigator Peru inspected Nomad  
3 Smoke Shop and saw cannabis and cannabis products  
4 on display for sale.

5 Investigator Peru issued a warning  
6 letter to Mr. Jordan William Payne, who presented  
7 himself as the owner of the establishment,  
8 advising Nomad Smoke Shop to cease the illegal  
9 sale of cannabis.

10 But Nomad Smoke Shop did not stop  
11 selling cannabis.

12 On October 8th the establishment sold  
13 a bag of cannabis flower to undercover District  
14 employees. That cannabis tested positive for  
15 both THC and amphetamine.

16 When this Board was informed about  
17 Nomad Smoke Shop's conduct you issued a cease and  
18 desist order directing Nomad Smoke Shop to stop  
19 the unlicensed sale of cannabis.

20 Investigator Peru will tell you that  
21 he served Mr. Payne, and owner of Nomad Smoke  
22 Shop, this order the next day. But Nomad Smoke  
23 Shop did not stop selling cannabis.

24 On December 10th, 2024 the  
25 establishment sold two bags of cannabis flower to



1 an undercover MPD officer. Because of the  
2 ongoing unlicensed sale of cannabis this Board  
3 summarily closed Nomad Smoke Shop for violating  
4 its cease and desist order in violation of DC  
5 Code Section 7-1761.08 (g) (2) (e).

6 MPD then executed a search warrant  
7 that recovered more than 30 pounds of bagged  
8 cannabis, over 2,000 THC gummies and edibles, and  
9 thousands of grams of THC wax, liquid, and resin,  
10 among other controlled substances.

11 By the end of this hearing you will  
12 see that Nomad Smoke Shop sold cannabis products  
13 in blatant disregard of not only a warning, but a  
14 cease and desist order from this Board.

15 It is because of this that at the end  
16 of today's hearing I will ask you to find in  
17 favor of the District and uphold the closure of  
18 this establishment.

19 CHAIRPERSON ANDERSON: Thank you. Mr.  
20 Wilson, do you wish to make an opening statement?  
21 Or when you present your case you will make an  
22 opening? Your option, sir.

23 MR. WILSON: I'm just going to briefly  
24 state, Mr. Chairman, that as far as the case as I  
25 know it, given the short period of time that I've

1 come to understand the facts in this case.

2 I represent Mr. Amri, Members of the  
3 Board. And there are I understand three owners  
4 of this business. And Mr. Amri had no knowledge  
5 or involvement in the alleged activity.

6 The person so charged with engaging in  
7 this activity had an ownership interest in the  
8 property. But I believe going forward he will no  
9 longer have such an ownership interest.

10 I think that he is subject to criminal  
11 prosecution. And his matter is separate.

12 But I just want to focus the Board  
13 back on the issue at hand, is that Mr. Amri is an  
14 owner of the business, and he has no involvement  
15 in this activity, right. He's going to tell you  
16 about that. In fact, he's sort of the  
17 quintessential silent partner who's not there  
18 very often.

19 And it is my understanding, Members of  
20 the Board, that this illegal conduct occurred not  
21 in the establishment where Nomad is actually  
22 located, but upstairs in the, sort of a bedroom  
23 area.

24 And I would submit to you that nothing  
25 that you'll hear today will show that Mr. Amri

1 was in any way involved in this illegal activity.

2 And I would submit to you further that  
3 it's wholly unfair to closet the business,  
4 allowing the inventory to remain there, and  
5 deprive Mr. Amri of the ability to make a living,  
6 and to continue the business based upon the  
7 conduct and the actions of his business partner,  
8 which again he was in no way involved in, and he  
9 was unaware of.

10 So what I ask you to do is to grant us  
11 a stay or a suspension of the order closing the  
12 business. Or to vacate the order in its entirety  
13 and allow Mr. Amri to re-engage in the business.

14 We respectfully will provide any type  
15 of assistance, documentation, oversight that this  
16 Board deems appropriate and necessary.

17 But please note that I think, and I  
18 submit to you that it is wholly unfair to deprive  
19 Mr. Amri of the right to make a living for the  
20 mistakes and the sins of his business partner,  
21 where he had no involvement.

22 So whatever you hear today there will  
23 be no testimony regarding Mr. Amri. He's  
24 innocent. He's a business partner. I would  
25 submit to you that he has no negative history, no

1 criminal history.

2 We didn't have time today to bring  
3 that documentation down. But the point is that  
4 if you looked up Nomad as it relates to Mr. Amri  
5 you're not going to find any violations.

6 He's run the business for a number of  
7 years. I believe he, and he'll correct me if I'm  
8 wrong. But I believe that he ran the business  
9 for a number of years, but then allowed a  
10 business partner to come on. And then Mr. Amri  
11 stepped away.

12 And so the business partner, the  
13 gentleman who engaged in this illegal conduct was  
14 at the business, you know, on a day to day basis  
15 running the business. Mr. Amri was not.

16 And so, I hope we don't hold Mr. Amri  
17 liable for the conduct and the unlawful activity  
18 of his business partners.

19 Please allow him to re-enter the  
20 premises, to restart the business so that he can  
21 make a living for himself and his family, and  
22 for, to provide lawful products to the members of  
23 the District of Columbia. Thank you.

24 CHAIRPERSON ANDERSON: I mean, if the  
25 parties want to discuss settlement, I mean, this

1 is a matter in the sense that if the facts are  
2 not being contested, and if the parties want us  
3 to take a break so you can discuss settlement of  
4 the case, I mean, the Board will give you that  
5 opportunity.

6 Or we'll just move forward with the  
7 hearing. So the parties can let me know what  
8 their, what is it that they want to do.

9 MR. WILSON: I would prefer to speak  
10 with the District if we could, Mr. Chairman.

11 CHAIRPERSON ANDERSON: All right.  
12 It's 11:42 a.m. We could, I could, let me see  
13 what's on the calendar. I can move on with the  
14 agenda items for the morning. And the parties  
15 can allow the Board to, so we can do some agenda  
16 items.

17 And I can recall this case once the  
18 parties have informed me that they are ready to  
19 recall the case. Is that what the parties want  
20 to do? Ms. Mietus, and if I'm butchering your  
21 name I apologize, ma'am.

22 MS. MIETUS: It's all right. Yes.  
23 The District will engage in settlement  
24 discussions at this time.

25 CHAIRPERSON ANDERSON: All right. So

1 what we'll, I'll pause the case. And so the  
2 parties can have a conversation. So you can log  
3 off or you can mute your lines.

4 So I'll say you can, the parties can  
5 mute their lines. And I'm just going to move on  
6 with, I have some agenda items to discuss. I  
7 will let the Board move on with the agenda.

8 And then through the chat, or you can  
9 contact Legal and let Legal know when you're  
10 ready to come back on the record. Either that  
11 you have a settlement or that we're going to have  
12 a hearing.

13 MR. WILSON: And, Mr. Chairman, before  
14 you go, just to be clear how do I contact the  
15 District after we take this pause here?

16 CHAIRPERSON ANDERSON: I'm sorry. You  
17 guys, can you --

18 MS. MIETUS: Mr. Wilson, I will  
19 contact you. We will have a Teams virtual  
20 meeting.

21 MR. WILSON: I thank you.

22 MS. MIETUS: I'll send that to you  
23 right now.

24 MR. WILSON: Perfect. Thank you.

25 CHAIRPERSON ANDERSON: All right. All

1 right. Thank you. So the Board, so I'll pause  
2 this hearing. I'm sorry. Hold on. Hold on one  
3 minute please. Let me see what our Legal Office  
4 is sharing with me.

5 Okay. All right. So when, the  
6 parties, when we come back then the parties can  
7 tell me where we are moving forward with this  
8 case. Okay? All right.

9 So I will pause this case for the  
10 parties to speak. And we will, the Board will  
11 move on with its, the rest of its morning  
12 calendar and agenda. Okay? All right.

13 MS. MIETUS: Thank you.

14 (Whereupon, the above-entitled matter  
15 went off the record at 11:44 a.m. and resumed at  
16 12:49 p.m.)

17 CHAIRPERSON ANDERSON: Mr. Orellana,  
18 can you elevate the parties in the previous case?  
19 let me look for the number so I can recall the  
20 case.

21 MR. ORELLANA: Sure thing.

22 CHAIRPERSON ANDERSON: All right. All  
23 right. I'm recalling Case number 24-UPC-00053,  
24 Nomad Smoke Shop. We had taken a break to see if  
25 the parties were able to settle this case.

1                   Are the parties, Ms., I'm sorry,  
2                   where, Ms. Mietus, were the parties able to --  
3                   Are you, do you have any progress to let us know  
4                   where we are on this case?

5                   MS. MIETUS: Yes, Chairperson  
6                   Anderson. The parties were not able to settle.  
7                   And the District is prepared to proceed with this  
8                   hearing now.

9                   CHAIRPERSON ANDERSON: Mr. Wilson?

10                  MR. WILSON: Yes. Yes, Mr. Chairman.  
11                  We spend a good amount of time trying to settle  
12                  the case, only to find out at the 11th hour that  
13                  there was no interest in settlement.

14                  Given that, and given the amount of  
15                  time that we spent trying to settle the case, our  
16                  position is we request a short continuance of  
17                  this matter, to allow the parties to either  
18                  engage in further negotiations or to compel  
19                  additional witnesses if necessary.

20                  CHAIRPERSON ANDERSON: Would the  
21                  Government object to a short continuance, to  
22                  maybe on the 23rd, next week, Thursday?

23                  MR. WILSON: 23rd is great.

24                  CHAIRPERSON ANDERSON: Would the  
25                  Government object to, if, to continue this case



1 to next week?

2 MS. MIETUS: The Government does not  
3 consent to a continuance. But we understand that  
4 is a matter for the Board to decide.

5 CHAIRPERSON ANDERSON: It is 12:51  
6 p.m. The Board, I thought this case could be  
7 settled. The Board needs to take a lunch break.  
8 And we do have a long calendar this afternoon.

9 So I will, over the Government, well  
10 over, well, is the Government objecting? Or is  
11 it that the Government not take a position? Let  
12 me ask the question that way.

13 MS. MIETUS: The Government is  
14 objecting.

15 CHAIRPERSON ANDERSON: All right.  
16 Well, I will make a motion over the Government's  
17 objection to continue this hearing to Wednesday,  
18 January 23rd, and probably at 10:30 a.m. to  
19 continue this hearing. Is there a second?

20 MEMBER GRANT: Just for clarification  
21 --

22 (Simultaneous speaking)

23 CHAIRPERSON ANDERSON: I'm sorry,  
24 Thursday, Thursday. I apologize. So Thursday  
25 the 23rd, March, I'm sorry, February --

1 MR. AMRI: January, yes.

2 CHAIRPERSON ANDERSON: Maybe I, that's  
3 why I tell you I need a break. So February,  
4 January 23rd, Thursday, January 23rd at, hold on,  
5 let me, hold on --

6 MR. AMRI: 10:30 a.m.

7 CHAIRPERSON ANDERSON: Hold on a  
8 minute, please. Thursday, January 23rd at 10:30  
9 a.m. to resume this case. Is there --

10 OFFICER HOSSAIN: Hi. This is Officer  
11 Hossain from the 1st District. I do have a  
12 surgery scheduled for that day at 8:00 a.m. Just  
13 want you to know.

14 CHAIRPERSON ANDERSON: Ms. Mietus, how  
15 does this impact your case?

16 MS. MIETUS: We'll contact you. And  
17 we'll discuss this --

18 CHAIRPERSON ANDERSON: Okay.

19 MS. MIETUS: -- and reconvene.

20 OFFICER HOSSAIN: Okay.

21 MS. MIETUS: Okay?

22 OFFICER HOSSAIN: Yes.

23 CHAIRPERSON ANDERSON: All right. Is  
24 there a second?

25 MEMBER JONES: Mr. Jones. I second

1 the motion.

2 CHAIRPERSON ANDERSON: Mr. Jones has  
3 second the motion. We'll take a roll call vote.  
4 Mr. Grant.

5 MEMBER GRANT: Mr. Grant. I agree.

6 CHAIRPERSON ANDERSON: Ms. Quinn.

7 MEMBER QUINN: Ms. Quinn. I agree.

8 CHAIRPERSON ANDERSON: Mr. Meadows.

9 MEMBER MEADOWS: Mr. Meadows. I  
10 agree.

11 CHAIRPERSON ANDERSON: Mr. Jones.

12 MEMBER JONES: Mr. Jones. I agree.

13 CHAIRPERSON ANDERSON: And Mr.  
14 Anderson, I agree. The matter passed five zero.  
15 So the Board will reconvene this case Thursday,  
16 January 23rd at 10:30 a.m.

17 All right? Okay. Thank you. And if  
18 this matter can be settled, then it can be  
19 settled through an OIC. If not, then we'll see  
20 you next week, Thursday.

21 It is 12:54 p.m. So the Board will  
22 take a lunch recess. I will ask all Board  
23 Members to come back to report to Executive  
24 Session at 1:30 p.m.

25 So we will come back to the public

1 session at 1:45 p.m. I will ask all Board  
2 Members to return to Executive Session at 1:30  
3 p.m. All right. Have a great morning. And  
4 thank you for your appearance this morning. All  
5 right. Thank you.

6 MR. WILSON: Thank you.

7 CHAIRPERSON ANDERSON: Bye, bye.

8 (Whereupon, the above-entitled matter  
9 went off the record at 12:54 p.m.)  
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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Nomad Smoke Shop

Before: DC ABCA

Date: January 15, 2025

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate complete record of the proceedings.



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Court Reporter

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