

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

In the Matter of:

Red & Black, LLC
t/a 12 Twelve DC/Kyss Kyss

Holder of a
Retailer's Class CT License

at premises
1210 H Street, NE
Washington, D.C. 20002

Case No.: 18-CIT-00622
License No.: ABRA-072734
Order No.: 2019-131

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

ORDER ON PRAECIPE OF DISMISSAL

On March 8, 2019, the District of Columbia (Government) filed a Praecipe of Dismissal seeking dismissal of the charge listed in the Notice to Show Cause Hearing filed against Red & Black, LLC, t/a 12 Twelve DC/Kyss Kyss (Respondent), in Case No. 18-CIT-00622. *See* ABRA Show Cause File No. 18-CIT-00622.

The Government seeks to dismiss the charge because the Government is unable to meet its burden in this case due to the unavailability of a key witness.

For these reasons, on this 13th day of March, 2019, the Board hereby **ACKNOWLEDGES** receipt of the Government's Praecipe of Dismissal and **DISMISSES** Case No. 18-CIT-00622 against the Respondent. A copy of this Order shall be sent to the Respondent and the Government.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Nick Alberti, Member



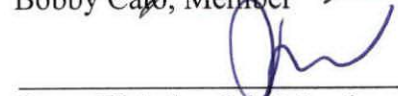
Mike Silverstein, Member



James Short, Member



Bobby Cato, Member



Rema Wahabzadah, 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).