

In the Matter of:

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

ORDER

Therefore, on this 3rd day of November 2021, the Board **APPROVES** the OIC appended to this Order. The terms of the OIC are as follows:

1. The Respondent admits to a violation of the statutes or regulations listed in the OIC attached to this Order.
2. The Respondent shall follow and abide by the terms and conditions of the attached OIC in accordance with D.C. Official Code §§ 2-509(a), 25-447(f), and 25-823(a)(6).
3. The Respondent waives all rights to notice or appearance before the Board.
4. The Respondent waives the right to a hearing, call witnesses, present evidence, and otherwise contest the charges as provided in Title 25 and Title 23.
5. The Respondent waives the right to judicial review or appeal of this Order. The Respondent further agrees not to collaterally attack the disposition imposed by this Order.
6. The parties agree that the attached OIC constitutes the entire agreement of the parties.

The Show Cause hearing in this matter is cancelled. ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamtreesDocs.com
Donovan Anderson
Key: 433608184616417300001842228

Donovan Anderson, Chairperson

eSigned via SeamtreesDocs.com
James Short
Key: 14766370077066666113326624800

James Short, Member

eSigned via SeamtreesDocs.com
Bobby Cato
Key: 2580810407416807145750079179520

Bobby Cato, Member

eSigned via SeamtreesDocs.com
Rafi Aliya Crockett, Member
Key: 1560261184161964016150561208100

Rafi Crockett, Member

eSigned via SeamtreesDocs.com
Jeni Hansen, Member
Key: 8007255171126447491650862148100

Jeni Hansen, Member

eSigned via SeamtreesDocs.com
Edward Grandis, Member
Key: 502710da788600409e142ndb52541ce5

Edward S. Grandis, 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 II 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).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**



IN THE MATTER OF:

YOHANNES K. WOLDEMCHAEL t/a
CAPITOL FINE WINE AND SPIRITS

Respondent.

Case No. 21-CMP-00016
License No. 82981
Retailer Class A

OFFER IN COMPROMISE FOR BOARD APPROVAL

The District of Columbia, jointly with the licensee (respondent) submits this Offer in Compromise (OIC) to the Alcoholic Beverage Control Board (Board), as authorized by 23 DCMR § 1611.5, for approval by the Board.

The Parties understand that if the Board approves the OIC, this case will conclude, the scheduled Show Cause Hearing will be vacated and under 23 DCMR § 1611.6, the OIC shall constitute a waiver of appeal and judicial review. Respondent will be obligated to abide by the terms of the OIC shown below. If the Board does not approve the OIC, the matter will be continued to the scheduled Show Cause Hearing, currently set for October 27, 2021.

The respondent has been advised that there is no obligation to accept the OIC. Respondent has been advised, through service of the Notice of Status Hearing and Show Cause Hearing that at a Show Cause Hearing, respondent may: be represented by legal counsel, have subpoenas issued to require the production of witnesses and evidence, produce witnesses and evidence, cross-examine witnesses, and apply to the Board for a qualified interpreter.

The OIC terms are as follows:

Charge I: Operation without a Board Approved ABC Manager.

Statutory Authority: D.C. Code § 25-701.

(1) Fine: \$2,000 to be paid within 60 days or the license will be suspended until the fine is paid.

(2) Suspension: N/A.

(3) Other term: N/A

Dated: October 27, 2021. Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

CHAD COPELAND
Deputy Attorney General
Civil Litigation Division

/s/ Kimberly M. Johnson
KIMBERLY M. JOHNSON [435163]
Chief, Civil Enforcement Section

/s/ James P. Jordan
JAMES P. JORDAN [1736688]
Assistant Attorney General
Suite 10100
400 Sixth Street, N.W.
Washington, D.C. 20001
(202) 805-7658
James.Jordan1@dc.gov

Attorneys for the District of Columbia

CONSENT OF RESPONDENT

By this Offer in Compromise, I agree to accept and perform its terms. I acknowledge the validity of the OIC and waive a hearing to which I would have a right under D.C. Code § 25-826. I also recognize that I am waiving any right to appeal an adverse ruling of the Board that might have followed any such hearing. By this settlement, I waive all such rights. I sign this OIC without reservation, and I fully understand its meaning and my rights.

/s/

Respondent

Yohannes Woldemichael

10/26/21
DATE

CERTIFICATE OF SERVICE

I certify that on October 27, 2021, the foregoing Offer in Compromise for Board Approval was served by electronic mail or by U.S. mail, first-class postage pre-paid, to:

Yohannes Woldemichael, Owner
Yohannes K. Woldemichael t/a Capitol Fine Wine and Spirits
415 H Street, N.E.
Washington, D.C. 20002
Yohannesk13@gmail.com
Respondent

Martha Jenkins
General Counsel, ABRA
2000 14th Street, N.W., Suite 400 South
Washington, D.C. 20009
Martha.Jenkins@dc.gov

/s/ James P. Jordan
James P. Jordan
Assistant Attorney General