

In the Matter of:)	
)	
)	
Southeast Restaurant Group, LLC)	Case No.: 20-CIT-00521
t/a DCity Smokehouse)	License No.: ABRA-098368
)	Order No.: 2021-499
Holder of a)	
Retailer's Class CT License)	
)	
at premises)	
203 Florida Avenue, NW)	
Washington, D.C. 20001)	
)	

ALSO PRESENT: Southeast Restaurant Group, LLC, t/a DCity Smokehouse, Respondent

James P. Jordan, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

The above mentioned parties have petitioned the Alcoholic Beverage Control Board (Board) to approve an offer-in-compromise (OIC) to settle one or more violations of Title 25 of the D.C. Official Code (Title 25) and Title 23 of the D.C. Municipal Regulations (Title 23) in accordance with D.C. Official Code § 2-509(a).

ORDER

Therefore, on this 15th day of September 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 SeamlessDocs.com

Donovan Anderson

Key: ac43cb06c09d5f6e4b790693d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com

James Short

Key: 547ae373720de6ac8c1c322d249e7

James Short, Member

eSigned via SeamlessDocs.com

Bobby Cato

Key: 3a8a3fca87be149d7f4b75bc79170209

Bobby Cato, Member

eSigned via SeamlessDocs.com

Rafi Aliya Crockett, Member

Key: 5550a1f48e1f5e401615b65c12f81c7

Rafi Crockett, Member

eSigned via SeamlessDocs.com

Jeni Hansen, Member

Key: 82172031f55044749c155f6c3a41b07

Jeni Hansen, Member

eSigned via SeamlessDocs.com

Edward Grandis, Member

Key: 5027bda7ff9f0040e14ad8b525410e5

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:	
SOUTHEAST RESTAURANT GROUP, LLC, t/a DCITY SMOKEHOUSE	Case No. 20-CIT-00521 License No. 98368 Retailer Class CT
Respondent.	

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 September 15, 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: Violation of the Board's Public Health Emergency Rules.

Statutory Authority: 23 DCMR § 810.2; D.C. Code § 25-823(a)(1).

(1) Fine: \$1,000 to be paid within 120 days or the license will be suspended until the fine is paid.

(2) Suspension: N/A.

(3) Other term: N/A.

Dated: September 10, 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/ Melvin Hines, Jr
Respondent
Melvin Hines

9/3/2021
DATE

CERTIFICATE OF SERVICE

I certify that on September 10, 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:

Melvin Hines, Owner
Southeast Restaurant Group, LLC t/a DCity Smokehouse
203 Florida Avenue, N.W.
Washington, D.C. 20001
mh@thechappellegroup.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