

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

In the Matter of:)
)
Darnell Perkins & Associates, LLC)
t/a Darnell's)
)
Petition to)
Terminate Settlement Agreement)
for a Retailer's Class CT License)
)
at premises)
944 Florida Avenue, N.W.)
Washington, D.C. 20002)
)

License No.: ABRA-095113
Order No.: 2016-605

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member

**ORDER DENYING PETITION TO TERMINATE
SETTLEMENT AGREEMENT**

The official records of the Alcoholic Beverage Control Board (Board) reflect that Darnell Perkins & Associates, LLC, t/a Darnell's (Petitioner), entered into a Settlement Agreement with Advisory Neighborhood Commission (ANC) 1B, on February 11, 2015, and it was approved by the Board on March 11, 2015. The Petitioner now seeks to terminate its Settlement Agreement under D.C. Official Code § 25-446(d).

D.C. Official Code § 25-446(d)(2) provides that "The Board may accept an application to amend or terminate a settlement agreement by fewer than all parties in the following circumstances: (A) During the license's renewal period; and (B) After 4 years from the date of the Board's decision initially approving the settlement agreement."

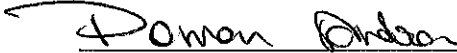
The Board finds that the Petitioner failed to file its Petition to Terminate the Settlement Agreement by September 30, 2016, the deadline for renewal of all Retailer's Class CT licenses.

Therefore, based upon the above, the Board denies the Petition to Terminate the Settlement Agreement because the Petitioner failed to file a timely Petition to Terminate Settlement Agreement.


ORDER

The Board does hereby, this 2nd day of November, 2016, **DENY** the Petition to Terminate Settlement Agreement submitted by Darnell Perkins & Associates, LLC, t/a Darnell's. Copies of this Order shall be sent to the Petitioner.

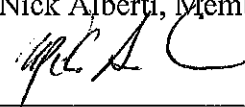
District of Columbia
Alcoholic Beverage Control Board



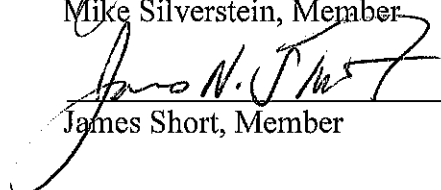
Donoyan Anderson, Chairperson



Nick Alberti, Member



Mike Silverstein, Member



James Short, 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).