

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

In the Matter of:)	
)	
Desperados Pizza, LLC)	Case No.: 21-CIT-00057
t/a Desperados Pizza)	License No: ABRA-084731
)	Order No: 2021-419
Holder of a)	
Retailer's Class CT License)	
)	
at premises)	
1324 U Street, N.W.)	
Washington, D.C. 20009)	

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rafi Aliya Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ALSO PRESENT: Desperados Pizza, LLC, t/a Desperados Pizza, Respondent

Stephen Ortiz, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER APPROVING OIC

The above-mentioned parties appeared before the Alcoholic Beverage Control Board on July 21, 2021. At the hearing, the parties proposed an offer-in-compromise (OIC) to resolve the enforcement action described in Case No. 21-CIT-00057. The Board approved the OIC at the hearing.

ORDER

Therefore, on this 21st day of July 2021, the Board **APPROVES** the OIC presented by the parties. The terms of the OIC are as follows:

1. The Respondent shall pay a fine of \$5,00 for the violation described by Charge I (D.C. Code § 25-701 and 23 DCMR § 707.1).

IT IS FURTHER ORDERED that the Respondent must pay all fines imposed by the Board within sixty (60) days from the date of this Order, or its license shall be immediately suspended until all amounts owed are paid.

IT IS FURTHER ORDERED, in accordance with 23 DCMR § 800.1, the violation found by the Board in this Order shall be deemed a secondary tier offense.

The 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: ac430b9b59d5f0e4b730069d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
James Short
Key: 547ae373f820de6ac8d1b332d2049ec

James Short, Member

eSigned via SeamlessDocs.com
Bobby Cato
Key: 258d3fca0fbc148d7f4b75bd7917d20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e01845e1f9e4016155e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172931c509447401b569c3a4189f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

Edward S. Grandis, Member

Pursuant to 23 DCMR § 1719.1, 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, Reeves Center, 2000 14th Street, N.W., 400S, Washington, D.C. 20009. Also, pursuant to section 11 of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, District of Columbia 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR § 1719.1 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).

Finally, in the case of a summary suspension, “A person aggrieved by a final summary action may file an appeal in accordance with the procedures set forth in subchapter I of Chapter 5 of Title 2.” D.C. Code § 25-826(d).

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



IN THE MATTER OF: DESPERADOS PIZZA, LLC t/a DESPERADOS PIZZA, Respondent.	Case No. 21-CIT-00057 License No. 084731 Retailer Class CT
--	--

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, appeal and judicial review are waived under 23 DCMR § 1611.6, the scheduled Show Cause Hearing will be vacated and this case will conclude. 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 August 4, 2021.

The respondent has been advised that there is no obligation to accept the OIC. Respondent has been advised, through service of the Notices of Status Hearing and Show Cause Hearing that at a Show Cause Hearings, 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: No ABC Manager or Owner on Duty.

Statutory Authority: D.C. Code § 25-701 and 23 DCMR § 707.1.

- (1) Fine: \$500 to be paid within 60 days or the license shall be suspended until this fine is paid.
- (2) Suspension: N/A.
- (3) Other term: N/A.

Dated: July 9, 2021.

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

FERNANDO AMARILLAS
Acting Deputy Attorney General
Public Interest Division


/s/ Fernando Rivero
FERNANDO RIVERO [478765]
Assistant Chief, Civil Enforcement Section

/s/ Stephen A. Ortiz
STEPHEN A. ORTIZ [1721407]
Assistant Attorney General
Suite 10100
400 Sixth Street, N.W.
Washington, D.C. 20001
(202) 442-9867
(202) 741-0574 (fax)
Stephen.Ortiz@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
Koray Bozkurt

July 9, 2021
DATE

CERTIFICATE OF SERVICE

I certify that on July 9, 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:

Koray Buzkurt, Managing Member
Desperados Pizza, LLC t/a Desperados Pizza
1342 U Street, N.W.
Washington, D.C. 20009
Korboz84@hotmail.com
Respondent

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

/s/ Stephen A. Ortiz
Stephen A. Ortiz
Assistant Attorney General