

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

In the Matter of:)	
)	
EZRA S, Inc.)	Case No.: 20-PRO-00032
t/a Dix Market)	License No.: ABRA-116408
)	Order No.: 2020-247
Applicant for a New)	
Retailer's Class A License)	
)	
at premises)	
6221 Dix Street, N.E.)	
Washington, D.C. 20019)	

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

ALSO PRESENT: EZRA S, Inc., t/a Dix Market, Applicant

Gina L. Bulett, Secretary, Northeast Boundary Civic Association,
Petitioner

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING MOTION FOR RECONSIDERATION

The Northeast Boundary Civic Association (NBCA) attempted to protest the application for a new license filed by EZRA S, Inc., t/a Dix Market, (Applicant). The NBCA's petition was not received by the protest petition deadline of June 1, 2020, which is required pursuant to D.C. Official Code § 25-602(a). Therefore, the untimely filed petition, which was received on June 11, 2020, was dismissed by staff. The NBCA subsequently filed for reconsideration. The NBCA noted that its filing was delayed due to the COVID 19 crisis.

Nevertheless, the law creates no exception for late filed protests due to the already large period of time available for parties to file protests. Moreover, the Applicant has a statutory right to receive notice of all objections within the protest period.

Therefore, on this 8th day of July 2020, the Alcoholic Beverage Control Board (Board) **DENIES** the NBCA's Motion for Reconsideration. A copy of this Order shall be provided to the parties.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: a153c4d2b0542f80a4b73009344d7c18

Donovan Anderson, Chairperson

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James Short
Key: 547ad323f203d5a6e8f103326329480c

James Short, Member

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Bobby Cato
Key: 258d33ca0fba146d174b75bd7917d204

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rema Wahabzadah, Member
Key: bf2ca49b580b74090b19b35b728f16cf

Rema Wahabzadah, Member

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Rafi Atiya Crockett, Member
Key: b56de01845e1f8e4d16155a5e12981cc

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 821720a8000447401b459c9a4183f

Jeni Hansen, Member

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Edward S. Grandis, Member
Key: 5027b8a7f09f0040ec14adeb52541ee5

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 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 StTeet, 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).