THE DISTRICT OF COLUMBIA ALCOHOLIC BEVERAGE CONTROL BOARD

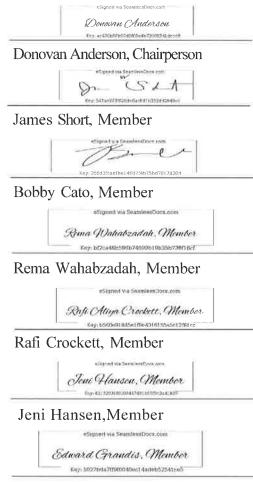
In the Matter of:))		
EZRA S, Inc. t/a Dix Market)	Case No.: License No.: Order No.:	20-PRO-00032 ABRA-116408 2020-247
Applicant for a New Retailer's Class A License		Oldel No	2020-247
at premises 6221 Dix Street, N.E Washington, D.C. 20			
BEFORE:	Donovan Anderson, Chairperson James Short, Member Bobby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



Edward S. Grandis, Member

Pursuant to D.C. Official Code§ 25-433(d)(l), 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 thilty (30) days of the date of service of this Order, with the District of Columbia Coult 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).