

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

In the Matter of:)	
)	
1218 Wisconsin Inc.)	Case No.: 18-251-00170
t/a El Centro D.F.)	License No.: ABRA-604
)	Order No.: 2019-451
Holder of a)	
Retailer's Class CR License)	
)	
at premises)	
1218 Wisconsin Avenue, N.W.)	
Washington, D.C. 20007)	

BEFORE: Donovan Anderson, Chairperson
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

ALSO PRESENT: 1218 Wisconsin Inc., t/a El Centro D.F., Respondent

Andrew Kline, Counsel, on behalf of the Respondent

Amy Schmidt, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DISMISSING SHOW CAUSE

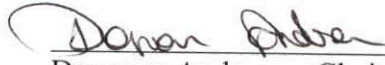
1218 Wisconsin Inc., t/a El Centro D.F., (El Centro), located at 1218 Wisconsin Avenue, N.W., was charged with two violations of D.C. Official Code § 25-823(a)(6), which requires a licensee to comply with the terms of its security plan. Specifically, El Centro is alleged to have failed to follow the terms of its security plan and not having provided security footage requested by an ABRA investigator. *Notice of Status Hearing and Show Cause*, Case No. 18-251-00170, 1-2 (Jan. 16, 2019). The Board notes that, in general, the requirement to provide and maintain security footage only applies to an establishment subject to a security plan, settlement agreement, or Board order that requires security cameras. D.C. Code § 25-402(d)(4)(A).

In this case, the charges are based on a security plan attached to a different El Centro restaurant located on 14th Street, N.W. *Transcript (Tr.)*, March 20, 2019 at 22; *Case Report No.* 18-251-00170, at Exhibit No. 12. Moreover, the Government did not establish that a security plan exists or has been required for the El Centro restaurant located on Wisconsin Avenue, N.W. As a result, the present charges cannot be sustained.

ORDER

Therefore, the Board, on this 5th day of June 2019, hereby **DISMISSES** Case No. 18-251-00170. The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Mike Silverstein, Member



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, 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, Reeves Center, 2000 14th Street, NW, 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, 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 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).