

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

In the Matter of:	)	
	)	
Half Smoke, LLC	)	Case No.: 20-CIT-00554
t/a Half Smoke	)	License No: ABRA-100855
	)	Order No: 2021-129
Holder of a	)	
Retailer's Class CR License	)	
	)	
at premises	)	
651 Florida Avenue, N.W.	)	
Washington, D.C. 20001	)	

**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:** Half Smoke, LLC, t/a Half Smoke, Respondent

John Liu, Assistant Attorney General  
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel  
Alcoholic Beverage Regulation Administration

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**ORDER APPROVING OIC**

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The above-mentioned parties filed an offer-in-compromise (OIC) that was reviewed by the Alcoholic Beverage Control Board on March 10, 2021. The OIC resolves the enforcement action described in the above-mentioned case. The Board approved the OIC at the hearing.

**ORDER**

Therefore, on this 10th day of March 2021, the Board **APPROVES** the OIC presented by the parties. The terms of the OIC are as follows:

1. The Respondent shall receive a **WARNING** for the alleged violation of D.C. Official Code § 25-810 (Charge I).

The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via Seamt@Docs.com  
*Donovan Anderson*  
Key: 36427805654938848c7394081d4e18

Donovan Anderson, Chairperson

eSigned via Seamt@Docs.com  
*James Short*  
Key: 547cc373323ac6ac8c1b332d2249e2

James Short, Member

eSigned via Seamt@Docs.com  
*Bobby Cato*  
Key: 256d9fca17be146b7f4b75b17817d2cd

Bobby Cato, Member

eSigned via Seamt@Docs.com  
*Rafi Aliya Crockett, Member*  
Key: b09065184de17ba401613ba5c12081e2

Rafi Crockett, Member

eSigned via Seamt@Docs.com  
*Jeni Hansen, Member*  
Key: 82c7230c0c344743cbb0f9ca4185f

Jeni Hansen, Member

eSigned via Seamt@Docs.com  
*Edward Grandis, Member*  
Key: 5027bda789f0470ec14adsh52541ce5

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**



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<p>IN THE MATTER OF:</p> <p>HALF SMOKE, LLC t/a HALF SMOKE,</p> <p style="text-align:center">Respondent.</p>	<p>Case No. 20-CIT-00554 License No. 100855 Retailer Class CR</p>
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**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, this case will conclude and under 23 DCMR § 1611.6, the OIC shall constitute a waiver of appeal and judicial review. 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 not set.

The respondent has been advised that there is no obligation to accept the OIC. Respondent has been advised, through service of the Notice of Status Hearing and Show Cause Hearing that at a Show Cause Hearing, 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: Failure to Comply with Mayor's Order and Board's Emergency Rulemaking.

Statutory Authority: 23 DCMR § 810.

(1) Fine: N/A.

(2) Suspension: N/A.

(3) Other term: Warning.

Dated: March 8, 2021.

Respectfully submitted,

KARL A. RACINE  
Attorney General for the District of Columbia

TONI MICHELLE JACKSON  
Deputy Attorney General  
Public Interest Division

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

/s/ John Lui  
JOHN LUI [1021222]  
Assistant Attorney General  
Suite 10100  
400 Sixth Street, N.W.  
Washington, D.C. 20001  
Phone: (202) 724-6526  
Desktop Fax: (202) 730-1474  
E-mail: John.Lui@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/ Richard J. Branco  
Respondent

3/9/21  
DATE

/s/ AMccain  
Attorney for Respondent

3/9/21  
DATE

**CERTIFICATE OF SERVICE**

I certify that on March 8, 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:

Richard Bianco, Esq.  
Bianco Law Offices, PLLC  
1402 Meridian Place, N.W.  
Washington, D.C. 20010  
rich@lawrjb.com

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

/s/ John Lui  
JOHN LUI  
Assistant Attorney General