

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:)	
)	
Rodney Marshall)	Case No.: 24-ULC-00023
t/a In the Cut)	License No.: N/A
)	Order No.: 2024-612
Cease and Desist)	
)	
at premises)	
1460 Park Road, N.W.)	
Washington, D.C. 20010)	

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Silas Grant, Jr., Member

PARTIES: Rodney Marshall, on behalf of Rodney Marhsall, t/a In the Cut,
Respondent

Andrew J. Lavin, Counsel, on behalf of Horizon 2012, LLC, Landlord
Respondent

ORDER MODIFYING BOARD ORDER NO. 2024-598

In Board Order No. 2024-598, the Alcoholic Beverage and Cannabis Board (Board) reviewed compelling evidence that the above-mentioned Respondents, engaged in a violation of Chapter 16B of Title 7 of the D.C. Official Code or permitted such illegal activity to occur. These persons and entities were ordered to cease the illegal purchase, sale, exchange, delivery, or any other form of commercial transaction involving cannabis immediately.

The Respondent Landlord filed a pleading requesting a modification of the Order based on its efforts to remedy and abate the violations, which the Board grants.

ORDER

Therefore, the Board, on this 4th day of September 2024, hereby **AFFIRMS** Board Order No. 2024-598 and maintains the Order in full force and effect.

IT IS FURTHER ORDERED that the Board shall refrain from enforcing Board Order No. 2024-598 against the Respondent Landlord and shall hold the order in abeyance for a period

of 60 days from the date of this Order. The landlord is further ordered to update the Board on its efforts to resolve the illegal cannabis activity through landlord-tenant court, and any other remedy the landlord seeks to take within 60 days from the date of this Order. The Board notes that such a request shall include appropriate documentation, including court filings and court orders, if available. The Board will further accept a request for an extension of the stay of enforcement upon a showing that the landlord continues to make good faith efforts to end the illegal cannabis activity. The Board notes that this specific part of the Order only applies to the landlord, and no other party.

The Board further **ADVISES** that due to the failure of the other parties to request a hearing, they have waived the right to challenge the issuance of the Cease-and-Desist Order, which shall be deemed final regarding these parties and subject to enforcement.

A copy of this Order shall be provided to the parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via Seams@Docu.com
Donovan Anderson
Key: ac430b9659d5f0e4b730060d1dccc8

Donovan Anderson, Chairperson

eSigned via Seams@Docu.com
James Short
Key: 547ac373f820de0ac8d1b3325d2049ec

James Short, Member



Silas Grant, Jr., Member

Pursuant to 22-C DCMR § 9723, 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 and Cannabis 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. 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. However, the timely filing of a Motion for Reconsideration 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).