

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

In the Matter of:)		
)		
Juanita's, Inc.)	Case No.:	N/A
t/a Juanita's Restaurant)	License No:	ABRA-091432
)	Order No:	2019-903
Holder of a)		
Retailer's Class CT License)		
)		
at premises)		
3521 14th Street, N.W.)		
Washington, D.C. 20010)		

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member
Rafi Aliya Crockett, Member

ALSO PRESENT: Juanita's, Inc., t/a Juanita's Restaurant, Petitioner

Jeff Jackson, Designated Representative, on behalf of the Petitioner

Gladys Nunes, Transfer Applicant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

**ORDER DENYING PETITION TO WITHDRAW EXECUTED TRANSFER CONSENT
FORM**

The Alcoholic Beverage Control Board (Board) received a transfer application with a signed and executed transfer consent form from the above mentioned Petitioner. The Petitioner seeks to prevent the transfer by withdrawing consent and challenging the validity of the lease and consent form. Nevertheless, the Board is not the appropriate forum to address these types of claims. Instead, the Petitioner must seek redress in the courts. Indeed, Title 25 of the D.C. Official Code contains no statutory language permitting a licensee to withdraw from an executed transfer consent form once executed. As a result, the Board finds no legal basis to permit the Petitioner to withdraw its consent. Consequently, the Board will presume that all documents

supporting the transfer application are credible and valid and will proceed normally with the review of the transfer application.

ORDER

For these reasons, on this 4th day of December 2019, the Petitioner's motion to withdraw the transfer consent form is **DENIED**. The ABRA shall deliver a copy of this Order to the Parties.

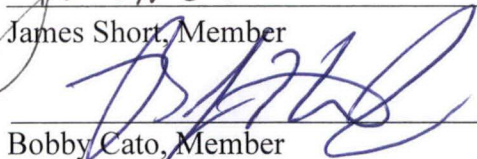
District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson

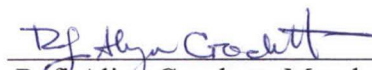


James Short, Member



Bobby Cato, Member

Rema Wahabzadah, Member



Rafi Aliya Crockett, 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. 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 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).