


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

In the Matter of:)	
)	
Kono Gemechu)	
t/a Kearney's Grocery)	
)	License No.: ABRA-078591
Holder of a Retailer's)	Order No.: 2022-598
Class B License)	
)	
Mailing address)	
)	
)	

BEFORE: Donovan Anderson, Chairperson
James Short, Member
Rafi Crockett, Member
Jeni Hansen, Member
Edward S. Grandis, Member

ORDER DENYING MOTION FOR RECONSIDERATION

On December 5, 2018, the Alcoholic Beverage Control Board (Board) issued Board Order No. 2018-719, which cancelling ABRA License No. 078591, which was held by Kono Gemechu, t/a Kearney's Grocery (Petitioner). The Board cancelled the license because the Petitioner failed to pay the safekeeping fee for the license. On October 24, 2018, the ABRA's Licensing Division mailed a written notice notifying the Licensee that the safekeeping fee must be remitted within thirty (30) days of the date of the notice, or the license would be cancelled, pursuant to the District of Columbia Official Code § 25-791(c-1)(1). The Licensee failed to make the payment despite being notified by ABRA of the payment due date. *See* Board Order No. 2018-719.

On June 8, 2022, Kono Gemechu (Petitioner), sought reinstatement of the Retailer's Class B License No. ABRA-078591. D.C. Official Code § 25-433(d)(1) states that one may petition the Board for reconsideration of the Board's decision within ten (10) days after receiving the Board's final order. The Petitioner submitted his Request for Reinstatement to the Board on

June 8, 2022. This was more than three (3) years after receiving the Board's Order. Therefore, the Board denied the motion because it was untimely filed, as described in Board Order No. 2022-295, issued on June 29, 2022.

Subsequently, the Petitioner filed a motion for reconsideration but failed to provide an adequate legal reason describing how the decision was in error and did not otherwise provide an adequate explanation for the failure to provide a timely motion.

ORDER

For these reasons, the Board does hereby, this 10th day of August 2022, **DENY** the motion for reconsideration. A copy of this Order shall be sent to the Petitioner. The Petitioner is further **ADVISED** that all administrative remedies have been exhausted in this forum; therefore, additional motions will not be considered or responded to by the Board.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
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Donovan Anderson, Chairperson

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James Short
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James Short, Member

Bobby Cato, Member

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Rafi Aliya Crockett, Member
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Rafi Crockett, Member

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Jeni Hansen, Member
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Jeni Hansen, Member

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Edward Grandis, Member
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Edward S. Grandis, 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, 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 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 (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).