THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD

In the Matter of:	)	
	)	
Addis Incorporated	)	Case No.: 23-PRO-00097
t/a King Convenience Store	)	License No.: ABRA-089932
	)	Order No.: 2024-065
Applicant to Renew a	)	
Retailer's Class B License	)	
	)	
at premises	)	
1535 U Street, S.E.	)	
Washington, D.C. 20020	)	
	)	

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

PARTIES: Addis Incorporated, t/a King Convenience Store, Applicant

Emanuel N. Mpras, Counsel, on behalf of the Applicant

Patrick O'Keefe, Counsel, on behalf of a Group of at Least Five or More Residents and Property Owners,

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ORDER DENYING MOTION FOR STAY

The Application filed by Addis Incorporated, t/a King Convenience Store (Applicant), to Renew a Retailer's Class B License, was protested by a Group of Five or More Residents and Property Owners (Protestant). The Applicant filed a motion to dismiss based on the use of electronic signatures, which was denied by the Board. The Applicant subsequently filed a motion for stay pending appeal. The Board denies the sparse motion devoid of legal citation and reasoning because it is conclusory as to the required considerations.

In weighing a motion to stay the proceedings pending appeal, the Board considers the following:

> whether the appellant is likely to succeed on the merits of the appeal; whether the appellant is in danger of suffering irreparable harm if the stay is denied; whether the opposing party is likely to suffer harm if the stay is granted or the balance of harms weighs in favor of a stay; and whether the public interest favors the granting of a stay.

Dist. of Columbia v. Towers, 250 A.3d 1048, 1053 (D.C. 2021).

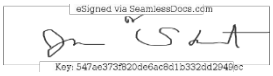
In this case, (1) the sparse motion fails to explain or highlight any obvious errors in the Board's legal analysis denying the motion to dismiss; thus, the motion fails to show a likelihood of success on the merits; (2) a successful appeal would result in the protest being set aside even if adjudicated and the appeal would not be meaningless as alleged by the Applicant; thus, the Applicant has failed to show irreparable harm; and (3) staying the proceedings may allow the Applicant to delay addressing a continuing nuisance or negative impact on the community; thus, the balance of equities and the public interest favor denying the stay.

ORDER

Therefore, the Board does hereby, this 14th day of February 2024, **DENY** the motion to stay filed by the Applicant. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

Donovan Anderson, Chairperson



James Short, Member

Silas Grant, Jr., Member

Pursuant to D.C. Official Code§ 25-433(d)(l), 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, 2000 14th Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II 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 thi1ty (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).