

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

In the Matter of:)
)
ChoDaeBak, Inc.)
t/a Mart Liquors)
)
Applicant for Renewal of a)
Retailer’s Class A License)
)
at premises)
2931 Martin Luther King Jr. Avenue, SE)
Washington, D.C. 20032)
)

Case No.: 21-PRO-00031
License No.: ABRA-108836
Order No.: 2021-447

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

ALSO PRESENT: ChoDaeBak, Inc., t/a Mart Liquors, Applicant

Stephen J. O’Brien, Counsel, on behalf of the Applicant

Salim Adofo, Chairperson, Advisory Neighborhood Commission (ANC) 8C, Protestant

Joyce Doyle, Designated Representative, on behalf of a Group of Five or More Individuals (Joyce Doyle Group), Protestant

ORDER GRANTING CONTINUANCE

ChoDaeBak, Inc., t/a Mart Liquors, (Applicant) has filed a motion to continue the Protest Hearing, scheduled for August 12, 2021, which is opposed by the Joyce Doyle Group and Advisory Neighborhood Commission (ANC) 8C. The Board grants the request in the interest of justice because a recent shooting in the area has potentially increased the “complexity” of the matter; the request is not “dilatory or contrived”; and the Applicant has not engaged in a pattern of seeking unreasonable delays. *Pinkney v. United States*, 851 A.2d 479, 491 (D.C. 2004). As noted in *Pinkney*, “insistence upon expeditiousness in the face of a justifiable request for delay can render the right to defend with counsel an empty formality.” *Id.* For these reasons, the Board finds good cause for the continuance and approves the request pursuant to D.C. Official Code § 25-441.

ORDER

Therefore, the Board, on this 4th day of August 2021, hereby **GRANTS** the motion for continuance. The Protest Hearing shall be scheduled for Thursday, October 28, 2021 at 10:00 a.m. Copies of this Order shall be sent to the Parties.

District of Columbia
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com
Donovan Anderson
Key: ac420b96c9d5809e4b730093d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com
Bobby Cato
Key: 256d3fca1f6e146d7f4b75bd7917d20d

Bobby Cato, Member

eSigned via SeamlessDocs.com
Rafi Aliya Crockett, Member
Key: b560e91845e1f9e4016155e5c12f81cc

Rafi Crockett, Member

eSigned via SeamlessDocs.com
Jeni Hansen, Member
Key: 82172091c509447491b59f9c2a4189f

Jeni Hansen, Member

eSigned via SeamlessDocs.com
Edward Grandis, Member
Key: 5027bda7f9f040ec14adeb52541ce5

Edward S. Grandis, Member

I dissent from the position taken by the majority of the Board.

eSigned via SeamlessDocs.com
James Short
Key: 547ac373820d66ac81b332ad2049cc

James Short, 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).