

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

In the Matter of:)
)
Modmarket, LLC)
t/a Modern Market)
)
Applicant for Substantial Change)
(Sidewalk Café))
to a Retailer's Class CR License)
)
at premises)
1010 Vermont Avenue, NW)
Washington, D.C. 20005)
)

Case No.: 17-PRO-00089
License No.: ABRA-103722
Order No.: 2018-009

Modmarket, LLC, t/a Modern Market (Applicant)

John Fanning, Chairperson, Advisory Neighborhood Commission (ANC) 2F

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
James Short, Member
Donald Isaac, Sr., Member

ORDER ON DISMISSAL OF APPLICATION AND ANC 2F'S PROTEST


The Application filed by Modmarket, LLC, t/a Modern Market, for a Substantial Change to add a new sidewalk café to its Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on January 8, 2018.

On January 8, 2018, the Board dismissed the Application and the Protest of ANC 2F, because the Applicant and the ANC 2F failed to appear at the Roll Call Hearing. The Applicant and the ANC 2F may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.


ORDER

The Board does hereby, this 10th day of January, 2018, **DISMISS** the Application and the Protest of ANC 2F. Copies of this Order shall be sent to the Applicant and ANC 2F.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson




Nick Alberti, Member



Mike Silverstein, Member



James Short, Member



Donald Isaac, Sr., 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).