

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

In the Matter of:)	
)	
2335, LLC)	Case No.: 22-PRO-00150
t/a Power Night Club)	License No.: ABRA-104228
)	Order No.: 2022-959
Application to Renew a)	
Retailer's Class CT License)	
)	
at premises)	
2335 Bladensburg Road, N.E.)	
Washington, D.C. 20018)	

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

ALSO PRESENT: 2335, LLC, t/a Power Night Club, Applicant

Sidon Yohannes, Counsel, on behalf of the Applicant

Denesha W. Miller, Protestant

Gilbert Smitha and Cindy Smith, Protestant

Kaitlyn Malin and Nicholas Malin, Protestant

Maurice Hendrix, Protestant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DISMISSING PROTESTS

2335, LLC, t/a Power Night Club, (Applicant) filed an Application to Renew its Retailer's Class CT License. Protest letters were received from Denesha W. Miller, Gilbert Smith, Cindy Smith, Kaitlyn Malin, Nicholas Malin and Maurice Hendrix. Nevertheless, the

Protestants failed to demonstrate appropriate standing as abutting property owners under D.C. Official Code § 25-601(a)(1) or any other criteria that allows an individual to protest the renewal of an alcohol license. For this reason, all protests against the Applicant are invalid and dismissed as a matter of law.

The Board further notes that all complaints contained in the letters have been forwarded to the agency's Enforcement Division for review.

ORDER

Therefore, the Board, on this 14th day of December 2022, hereby **DISMISSES** the protests of Denesha W. Miller, Gilbert Smith, Cynthia Smith, Kaitlyn Malin, Nicholas Malin and Maurice Hendrix. Because all Protestants have been dismissed, the Application shall be treated as uncontested. A copy of this Order shall be provided to the parties.

District of Columbia
Alcoholic Beverage Control Board

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Donovan Anderson
Key: ac43cb9b59d5f0e4c730693d1dccc8

Donovan Anderson, Chairperson

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James Short
Key: 547ea373f820d6ac8d1b332d2949ec

James Short, Member

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Bobby Cato
Key: 286d3cad7be146d7f4b75bd7917d20d

Bobby Cato, Member

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Rafi Atiya Crockett, Member
Key: b5f6e91845e19e4016155e5c12f81cc

Rafi Crockett, Member

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Jeni Hansen, Member
Key: 82172931c550844749f1b56f9c2a41899

Jeni Hansen, Member

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Edward Grandis, Member
Key: 5027bda7f9f0040ec14adeb52541ce5

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, 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. 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 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).