

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

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<b>In the Matter of:</b>	)	
	)	
Sahara Market, LLC	)	Case Nos.: 24-PRO-00075
t/a Sahara Market	)	24-PRO-00076
	)	
Application for Retailer Class B and	)	License No.: ABRA-128673
Retailer Class CR License	)	License No.: ABRA-128674
	)	
	)	Order No.: 2024-620
at premises	)	
1901 Michigan Avenue, N.E.	)	
Washington, D.C. 20012	)	

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**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Silas Grant, Member

**PARTIES:** Sahara Market, LLC t/a Sahara Market, Applicant

Jeff Jackson, on behalf of Sahara Market, LLC t/a Sahara Market

Prita Piekara, Chairperson, Advisory Neighborhood Commission 5B, Protestant

Charlotte Blount Lewis, President, Queens Chapel Civic Association, Protestant

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**ORDER DENYING MOTION TO DISMISS**

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Sahara Market, LLC t/a Sahara Market, filed an application for a new Retailer’s Class B license (ABCA License No. 128673) and an application for a new Retailer’s Class CR license (ABCA License No. 128674). Both applications were protested by the Advisory Neighborhood Association (ANC) 5B and the Queens Chapel Civic Association (QCCA). The QCCA filed a motion to dismiss on the grounds that the Applicant failed to properly complete the designated representative form, and the claim that the Applicant cannot operate an off-premise and on-premise business at the same location, which was denied by the Board Order No. 2024-594.

The QCCA filed a second motion to dismiss, which the Board denies as the claims do not relate to the appropriateness factors, but are separate legal claims regarding qualifications (i.e., evidence of dishonesty), completeness of the applications and other matters that should have been raised in the initial protest letter pursuant to D.C. Official

Code § 25-602(a) (requiring protestants to raise the “grounds for the objection within the protest period.”). Furthermore, the filing of a second motion to dismiss is deemed a motion for reconsideration where it requests the same relief as the prior motion. Based on this filing, the second motion to dismiss and any future motions to dismiss by the QCCA shall be deemed waived and denied, as these new reasons should have been raised in the first motion to dismiss pursuant to 23 DCMR § 1719.3.

The Board further notes that the second motion is without merit as the application is sufficiently complete to be reviewed, publicly noticed, and approved, but the license will not be issued until all required documents are provided whether before or after the protest hearing. Moreover, if the applicant lacks the appropriate documents to merit the issuance of any endorsements, then the license may be issued without the requested endorsements.

### **ORDER**

For these reasons, the Board does hereby, this 11th day of September 2024, **DENIES** the motion to dismiss. Copies of this Order shall be sent to the Parties.

District of Columbia  
Alcoholic Beverage and Cannabis Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: ac43cb9b9d5f69e4b730603d1dccc8

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Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ae973f820e6ec8d1b3322d2048c

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James Short, Member



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Silas Grant, Jr., Member

Pursuant to 23 DCMR § 1719.1, 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 and Cannabis Administration, Reeves Center, 2000 14th Street, N.W., 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, District of Columbia 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, 500 Indiana Avenue, N.W., Washington, D.C. 20001. 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).

Finally, in the case of a summary suspension, “A person aggrieved by a final summary action may file an appeal in accordance with the procedures set forth in subchapter I of Chapter 5 of Title 2.” D.C. Code § 25-826(d).