

**THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE AND CANNABIS BOARD**

In the Matter of:)	
)	
)	
Smoke & Tingz 2, Inc.)	Case No.: 24-PRO-00085
t/a Smoke & Tingz 2 Inc.)	License No.: 128451
)	Order No.: 2024-633
Applicant for a)	
Medical Cannabis Retailer License)	
)	
at premises)	
25 Florida Avenue, N.W.)	
Washington, D.C. 20001)	

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

PARTIES: Smoke & Tingz 2, Inc., t/a Smoke & Tingz 2 Inc., Applicant

Karla M. Lewis, Chairperson, Advisory Neighborhood Commission 5E,
Petitioner

ORDER DENYING MOTION FOR REINSTATEMENT

Smoke & Tingz 2, Inc., t/a Smoke & Tingz 2 Inc., has applied for a Medical Cannabis Retailer License. The Application was dismissed in Board Order No. 2024-602 based on the failure of the Applicant to appear at a required Roll Call Hearing on August 28, 2024. Subsequently, the Applicant filed a motion for reinstatement arguing that the Application should be reinstated because she was absent due to a family emergency. ANC 5E opposes the motion on the grounds that the Applicant failed to describe the nature of the emergency; failed to explain why notice of the absence before the hearing could not be provided; and failed to provide any additional proof that an emergency occurred. The Board notes that it will decide on a case-by-case basis what constitutes an emergency sufficient to satisfy the good cause standard, as in some cases, it may be sufficient to accept the Applicant’s proffer that an emergency occurred without burdening the parties to provide documentation that may or may not exist depending on the nature of the emergency. Nevertheless, in this case, the Board agrees with the ANC that the Applicant has provided insufficient information to merit reinstatement in accordance with 22-C DCMR § 5432.5, which the Applicant could have, had it replied to the ANC’s objections.

ORDER

Therefore, the Board, on this 11th day of September 2024, hereby **DENIES** the motion for reinstatement. The ABCA shall deliver a copy of this order to the Parties.

District of Columbia
Alcoholic Beverage and Cannabis Board

eSigned via SeamllessDocs.com
Donovan Anderson
Key: ac430b9659d5f0e4b730060d1dccc8

Donovan Anderson, Chairperson

eSigned via SeamllessDocs.com
James Short
Key: 547ac373f820de0ac8d1b3325d2049ec

James Short, Member



Silas Grant, Jr., Member

Pursuant to 22-C DCMR § 9723, 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, 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. 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. However, the timely filing of a Motion for Reconsideration 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).