

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

In the Matter of:)	
)	
Scribone, LLC)	Case No.: 19-PRO-00071
t/a Surfside)	License No: ABRA-113253
)	Order No: 2019-548
)	
Application to Renew a)	
Retailer's Class CR License)	
)	
at premises)	
4200 Wisconsin Avenue, N.W.)	
Washington, D.C. 20016)	

BEFORE: Donovan Anderson, Chairperson
Mike Silverstein, Member
James Short, Member
Bobby Cato, Member
Rema Wahabzadah, Member

ALSO PRESENT: Scribone, LLC, t/a Surfside, Applicant

Sidon Yohannes, Counsel, on behalf of the Applicant

Jonathan McHugh, Vice Chair, Advisory Neighborhood Commission
(ANC) 3E, Protestant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING REINSTATEMENT

In Board Order No. 2019-508, the Alcoholic Beverage Control Board dismissed the protest filed by Advisory Neighborhood Commission (ANC) 3E against Scribone, LLC, t/a Surfside, (Applicant) for failing to appear at the required Roll Call Hearing. Subsequently, the ANC filed a motion for reconsideration and reinstatement. The ANC indicates that it missed the hearing due to a scheduling error on its part. In opposition, the Applicant argues that this does not constitute good cause in accordance with 23 DCMR § 1603.4. In light of the ANC's proffered reason for missing the hearing, the Board must agree with the position stated by the Applicant.


ORDER

Therefore, the Board, on this 10th day of July, hereby **DENIES** the motion for reinstatement and reconsideration. The ABRA shall deliver a copy of this order to the parties.

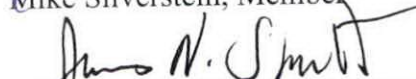
District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



Mike Silverstein, Member



James Short, Member



Bobby Cato, Member

Rema Wahabzadah, 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. 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 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).