

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

In the Matter of:)

Capitol Market, LLC)
t/a Capitol Market)

Application for Substantial Change)
(Class Change))
to a Retailer's Class B License)

Case No. 16-PRO-00016
License No. ABRA-091021
Order No. 2016-222

at premises)
2501 North Capitol Street, N.E.)
Washington, D.C. 20002)

Capitol Market, LLC, t/a Capitol Market (Applicant)

Dianne Barnes, Commissioner, on behalf of Advisory Neighborhood Commission (ANC)
5E (Protestant)

Laura Jackson, President, Stronghold Civic Association (SCA) (Protestant)

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ORDER ON DISMISSAL OF APPLICATION

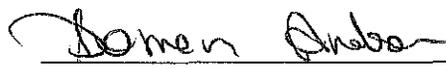
The Application filed by Capitol Market, LLC, t/a Capitol Market, for a Substantial Change to change its Class from a Retailer's Class B License to a Retailer's Class A License located at 2501 North Capitol Street, N.E., having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on April 4, 2016, and a Protest Status Hearing on April 27, 2016, in accordance with D.C. Official Code § 25-601 (2001).

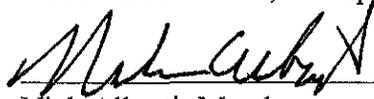
On April 27, 2016, the Board dismissed the Application, because the Applicant failed to appear at the Protest Status Hearing. The Applicant may file a Request for Reinstatement with the Board within ten (10) days from the date of this Order.

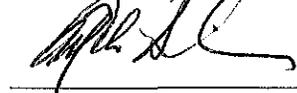
ORDER

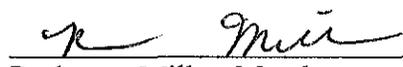
The Board does hereby, this 27th day of April, 2016, **DISMISS** the Application. Copies of this Order shall be sent to the Applicant, ANC 5E, and SCA.

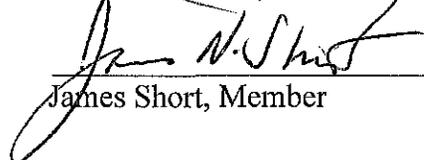
District of Columbia
Alcoholic Beverage Control Board


Donovan Anderson, Chairperson


Nick Alberti, Member


Mike Silverstein, Member


Ruthanne Miller, Member


James Short, 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).