

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

In the Matter of:)	
)	
Spo-dee-o-dee, LLC)	
t/a The Showtime)	
)	
Applicant for a New)	Case No. 12-PRO-00040
Retailer's Class CT License)	License No. ABRA-089186
)	Order No. 2012-290
at premises)	
113 Rhode Island Avenue, N.E.)	
Washington, D.C. 20002)	

Spo-dee-o-dee, LLC, t/a The Showtime (Applicant)

Dr. Paul L. Collins, abutting property owner

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Calvin Nophlin, Member
Mike Silverstein, Member

ORDER GRANTING PAUL COLLINS'S REQUEST FOR REINSTATEMENT

The Application filed by Spo-dee-o-dee, LLC, t/a The Showtime, for a new Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on May 29, 2012, in accordance with D.C. Official Code § 25-601 (2001).

On May 29, 2012, pursuant to Title 23 of the District of Columbia Municipal Regulations (23 DCMR) § 1602.3 (2004), the Board dismissed the Protest of Dr. Paul L. Collins, abutting property owner, because his protest was untimely filed.

The protest petition deadline was May 14, 2012, and Dr. Collins's protest was time-stamped by the Alcoholic Beverage Regulation Administration (ABRA) on May 15, 2012.

On June 6, 2012, Dr. Collins filed a request for reinstatement with the Board, indicating the following reasons to be reinstated:

1. On May 11, 2012, Dr. Collins's protest letter was mailed.
2. On May 17, 2013, Dr. Collins received a letter from ABRA stating that his protest was timely filed.
3. On May 25, 2012, Dr. Collins received an email, from the Board's agent, stating that his protest might have been untimely filed.
4. On May 29, 2012, at the Roll Call Hearing, upon presentation of the ABRA letter indicating that Mr. Collins's protest was timely filed, he was informed that a faxed or emailed copy would have been acceptable, but the ABRA letter was insufficient to state that the protest was timely filed.

Upon consideration of this request to reinstate Dr. Collins, the Board finds that Dr. Collins's protest letter was timely filed, despite the time-stamp indicating a later date, and there is good cause to reinstate Dr. Collins as a Protestant pursuant to 23 D.C.M.R. 1602.3.

ORDER

For these reasons, the Board does hereby, this 27th day of June, 2012, **REINSTATE** Dr. Paul L. Collins as Protestant of the Application filed by Spo-dee-o-dee, LLC, t/a The Showtime, for a new Retailer's Class CT License. Copies of this Order shall be sent to the Applicant and Dr. Collins.

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District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



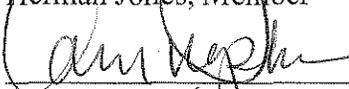
Nick Alberti, Member



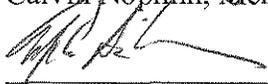
Donald Brooks, Member



Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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.