

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

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| In the Matter of: |) | |
| |) | |
| M St. Enterprises, Inc. |) | |
| t/a Churreria Madrid Restaurant |) | |
| |) | Case No. 12-AUD-00005 |
| Holder of a Retailer's Class CR License |) | License No. ABRA-060806 |
| |) | Order No. 2012-369 |
| at premises |) | |
| 2505 Champlain Street, N.W. |) | |
| Washington, D.C. 20009 |) | |
| |) | |
| Respondent |) | |
| <hr/> |) | |

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

ORDER LIFTING SUSPENSION OF LICENSE

On April 28, 2012, the Alcoholic Beverage Regulation Administration (ABRA) served a Notice of Status Hearing and Show Cause Hearing (Notice), dated April 18, 2012, on M St. Enterprises, Inc., t/a Churreria Madrid Restaurant (Respondent) located at 2505 Champlain Street, N.W., Washington, D.C. The Notice charged the Respondent for failing to file a quarterly report for the quarter running from July 2011 to September 2011.

The Alcoholic Beverage Control Board (Board) held a Show Cause Status Hearing on May 23, 2012, and a Show Cause Hearing on July 11, 2012. The Respondent did not attend either hearing, although the Respondent was properly served with the Notice on April 28, 2012.

At the conclusion of the Show Cause Hearing, the Board held a closed meeting under §405(b)(13) of the Open Meetings Act and issued Order No. 2012-346, dated September 12, 2012, in which the Board ordered the Respondent to pay a fine of \$6,000.00. Additionally, the Board suspended the Respondent's license indefinitely until two conditions were met: 1) submission of all delinquent quarterly reports to ABRA, which included all of the quarterly reports for 2011, and the third quarter of 2012, and 2) the conduct of an audit by ABRA's Compliance Analyst of the Respondent's books and records. See Board Order No. 2012-346.

Based upon the Respondent's payment of a fine of \$6,000.00, on September 20, 2012, the submission by the Respondent of its outstanding quarterly reports, and the completion of an audit by ABRA's Compliance Analyst, the Board is satisfied that the Respondent has met the conditions of Board Order No. 2012-346, to warrant the lifting of the suspension of the license.

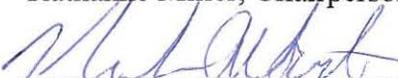
ORDER

As a result of the resolution and disposition of the charges against the Respondent, the Board does hereby, this 28th day of September, 2012, **ORDER** that the suspension of the Respondent's Retailer's Class CR license, held by M St. Enterprises, Inc., t/a Churreria Madrid Restaurant is **LIFTED** effective September 28, 2012;

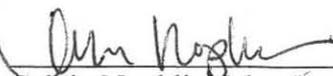
A Copy of this Order shall be sent to the Respondent and to the Government.

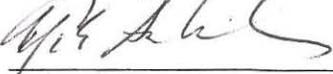
District of Columbia
Alcoholic Beverage Control Board


Ruthanne Miller, Chairperson


Nick Alberti, Member

Donald Brooks, Member


Calvin Nophlin, Member


Mike Silverstein, Member

Herman Jones, 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.

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, 500 Indiana Avenue, N.W., Washington, D.C. 20001.

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).