

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

In the Matter of:)	
)	
Suk In Hyun)	License No.: 74236
t/a DC Fish Carryout)	Case No.: 12-251-00086
)	Order No.: 2013-251
)	
)	
)	
Holder of a Retailer's Class B License)	
at premises)	
3475 14th Street, N.W.)	
Washington, D.C. 20010)	

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

ALSO PRESENT: Suk In Hyun, t/a DC Fish Carryout, Respondent

Louise Phillips, Assistant Attorney General,
on behalf of the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

The Alcoholic Beverage Control Board (Board) hereby revokes the Retailer's Class B License held by Suk In Hyun, t/a DC Fish Carryout (Respondent). The Show Cause Hearing in this matter occurred on May 8, 2013. Under D.C. Official Code § 25-822, the Board must revoke the license of any licensee that "has been convicted of a felony." D.C. Code § 25-822 (West Supp. 2013). The record in this matter shows that the Respondent pled guilty to the felony of Distribution of a Controlled Substance on November 1, 2012, in the District of Columbia Superior Court.¹ The court later sentenced the Respondent to twelve months of probation and

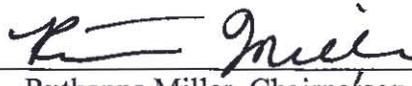
¹ See District of Columbia Courts, Court Cases Online, 2012 CF2 002046, 2 (last visited Feb. 6, 2013), <https://www.dccourts.gov/cco/maincase.jsf>.

required the Respondent to pay a \$100.00 fine under the Victims of Violent Crime Compensation Act of 1996 on April 4, 2013. *ABRA Show Cause File No. 12-251-00086*, Sentence of the Court (Apr. 4, 2013). Under these facts, we find that the Respondent's license merits revocation under § 25-822(3). Finally, we note that the Respondent does not dispute the charge brought by the Government in this matter. *Transcript*, May 8, 2013 at 14.

ORDER

Therefore, based on the foregoing findings of fact and conclusions of law, the Board, on this 29th day of May 2013, hereby **REVOKES** the license held by Suk In Hyun, t/a DC Fish Carryout, for violating D.C. Official Code § 25-822(3). The Alcoholic Beverage Regulation Administration shall deliver copies of this Order to the Respondent and the Government.

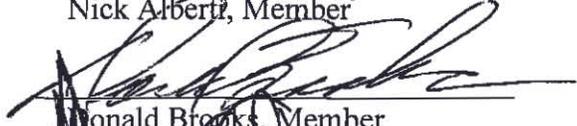
District of Columbia
Alcoholic Beverage Control Board



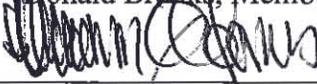
Ruthanne Miller, Chairperson



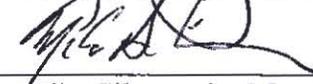
Nick Alberti, Member



Donald Brooks, Member



Herman Jones, 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, Reeves Center, 2000 14th Street, N.W., 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, District of Columbia 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 (April 2004) 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).