

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

In the Matter of:)	
)	
Desta Ethiopian Restaurant, LLC)	
t/a Desta Ethiopian Restaurant)	
)	
Applicant for a New)	Case No. 15-PRO-00089
Retailer's Class CR License)	License No. ABRA-098818
)	Order No. 2015-473
at premises)	
6128 Georgia Avenue, N.W.)	
Washington, D.C. 20012)	

Desta Ethiopian Restaurant, LLC, t/a Desta Ethiopian Restaurant (Applicant)

Stephen Whatley, Chairperson, Advisory Neighborhood Commission (ANC) 4A

Karrye Braxton and Patience Singleton, on behalf of A Group of Five or More Individuals (Five Individuals) (Protestant)

Regchenal Johnson, on behalf of A Group of Five or More Individuals (Fifteen Individuals) (Protestant)

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member
Hector Rodriguez, Member
James Short, Member

ORDER DENYING REINSTATEMENT

The Application filed by Desta Ethiopian Restaurant, LLC, t/a Desta Ethiopian Restaurant, for a new Retailer's Class CR License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on September 28, 2015, in accordance with D.C. Official Code § 25-601 (2001). On September 28, 2015, the Board dismissed the Protest of ANC 4A, because ANC 4A failed to appear at the Roll Call Hearing. ANC 4A filed a Request for Reinstatement after receiving notice of its dismissal.

ANC 4A indicated that its representative failed to attend the hearing because its representative had to attend an emergency financial meeting with her employer. The

Board notes that this does not constitute good cause for failing to appear pursuant to 23 DCMR § 1602.3 (West Supp. 2015), or excuse the failure to, at the very least, communicate with the agency before the hearing that ANC 4A could not attend.

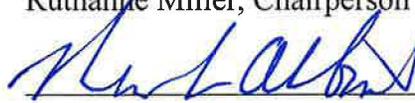
ORDER

Therefore, the Board does hereby, this 28th day of October, 2015, **DENY** the motion for reinstatement filed by ANC 4A. Copies of this Order shall be delivered to the parties.

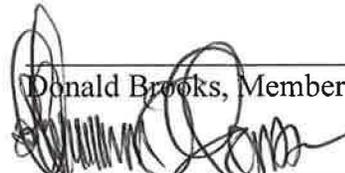
District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



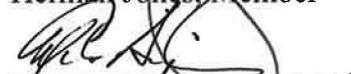
Nick Alberti, Member



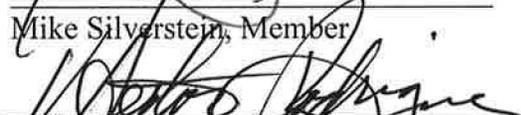
Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member



Hector Rodriguez, 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).