

seized to fulfill a Writ of Fieri Facias, which ordered the seizure of ABRA License No. 083919 held by Inner Circle 1223, LLC, t/a Dirty Bar Inn/Dirty Bar (Respondent), located at 1223 Connecticut Avenue, N.W. *Process Receipt and Return*, at 1. Subsequently, on January 8, 2019, the USMS turned over the Respondent's license to ABRA for safekeeping. *Id.*; see also *Eric Wallace v. Dirty Bar, Michael Romeo Group LLC*, Case No. 000784 B (Sup. Ct. D.C. Nov. 22, 2018).

ORDER

In light of these facts, under the authority granted by D.C. Official Code § 25-829, the Board, on this 23rd day of January 2019, hereby orders the Respondent, Inner Circle 1223, LLC, to **CEASE AND DESIST** selling, serving, distributing, or permitting the consumption of alcohol at its formerly licensed premises.

IT IS FURTHER ORDERED that ABRA License No. 083919 shall be deemed discontinued pursuant to D.C. Official Code § 25-791 and shall remain in safekeeping unless an appropriate application is filed by the new license holder and approved by the Board or the former license holder submits a court order reversing the seizure of the license.

IT IS FURTHER ORDERED, pursuant to D.C. Official Code § 25-801(e), that ABRA refer this matter to the Office of the Attorney General for the District of Columbia (OAG) for prosecution. The Board further requests that OAG seek the enforcement of this Order in the Superior Court of the District of Columbia under D.C. Official Code §§ 25-829(f) (cease and desist orders) and 25-805 (nuisance) should it be deemed necessary.

Please be **ADVISED** that a copy of this Order is being forwarded to the Metropolitan Police Department to ensure compliance. The Respondent is reminded that the continued sale, service, or consumption of alcohol at the premises violates D.C. Official Code §§ 25-102 and 25-830(i), and constitutes a nuisance pursuant to D.C. Official Code § 25-805. If it is found that the establishment is continuing to sell, serve, or permit the consumption of alcoholic beverages without approval from the Board, all of the persons engaging in such activity may be subject to both civil and criminal penalties.

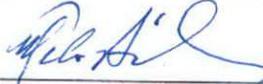
ABRA shall serve notice by certified mail or personal delivery on the parties.

District of Columbia
Alcoholic Beverage Control Board

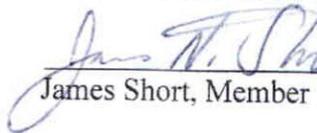


Donovan Anderson, Chairperson

Nick Alberti, Member

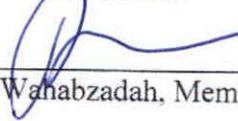


Mike Silverstein, Member



James Short, Member

Bobby Cato, Member



Rema Wahabzadah, Member

You have the right to request a hearing before the Board conducted in accordance with subchapter I of Chapter 5 of Title 2. Pursuant to D.C. Official Code § 25-829(b)(1), you may submit a written request to the Board for a hearing within fifteen (15) days of service of this Order. Additionally, you also have the option of submitting a written request to the Board for an expedited hearing pursuant to D.C. Official Code § 25-829(c)(1) within ten (10) days of service of this Order. Please note that if you fail to request a hearing, this Order shall be deemed final. D.C. Official Code § 25-829(d).

If you request a hearing, you may appear personally at the hearing, and you and the establishment, may be represented by legal counsel. You have the right to produce witnesses and evidence on your behalf and to cross-examine witnesses. You may examine evidence produced, and have subpoenas issued on your behalf to require the production of witnesses and evidence.

All hearings are conducted in the English language. If you, any corporate officer, or any witnesses to be called are deaf, have a hearing impediment, or cannot readily understand or communicate the spoken English language, an application may be made to the Board for the appointment of a qualified interpreter.

Your failure to appear at the time and place set for the hearing, if requested, either in person or through counsel, or both, will not preclude the Board from proceeding in this matter. Should you have any questions, contact ABRA Adjudication Specialist Danette Walker at 202-442-4418.

Finally, 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 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).