

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

In the Matter of:)	
)	
Jose A. Carcamo & Maria Carcamo)	License Number: 072654
t/a El Sauce Restaurant & Carry-out)	Case Number: 14-CMP-00699
)	Order Number: 2015-087
)	
Holder of a)	
Retailer's Class DC License)	
at premises)	
1227 11th Street, N.W.,)	
Washington, D.C. 20001)	

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

ALSO PRESENT: Jose A. Carcamo & Maria Carcamo, t/a El Sauce Restaurant & Carry-Out, Respondent

Jermaine Matthews, Designated Representative, on behalf of the Respondent

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER AFFIRMING BOARD ORDER NO. 2015-050

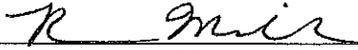
In Board Order No. 2015-050, the Alcoholic Beverage Control Board (Board) ordered Jose A. Carcamo & Maria Carcamo, t/a El Sauce Restaurant & Carry-Out, (hereinafter "Respondent" or "El Sauce") to cease and desist operations based, in part, on the owner's felony conviction. *In re Jose A. Carcamo & Maria Carcamo, t/a El Sauce Restaurant & Carry-out*, Case Number 14-CMP-00699, Board Order NO. 2015-050, 1 (D.C.A.B.C.B. Nov. 11, 2015). The Board further ordered the license to remain in suspension pending the resolution of a show cause hearing. *Id.*

On March 4, 2015, the Board held a hearing at the request of the Respondent in accordance with D.C. Official Code § 25-829. At the hearing, the Respondent requested the opportunity to transfer the license. Under D.C. Official Code § 25-822, a felony conviction by the license holders requires mandatory revocation of the license issued by this Board. D.C. Official Code § 25-822(3). No evidence was presented at the hearing that would lead the Board to conclude that Jose Carcamo has not been convicted of felony. Consequently, Mr. Carcamo has no right to hold or operate a license issued by this Board, or otherwise have another hold or operate the license on his behalf. Under these circumstances, there is no public policy reason for permitting the licensee or their designee to benefit from the sale or transfer of the license. Therefore, the Board finds no reason to depart from its prior Order, or otherwise reverse the Order pursuant to D.C. Official Code § 25-822(e).

ORDER

Therefore, on this 11th day of March 2015, the Board **AFFIRMS** Board Order No. 2015-050 and continues the suspension of ABRA License No. 072654 in accordance with the terms of that Order. ABRA shall deliver a copy of this Order to the Respondent.

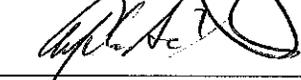
District of Columbia
Alcoholic Beverage Control Board

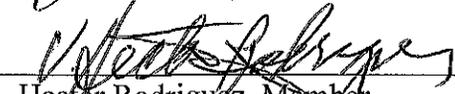

Ruthanne Miller, Chairperson

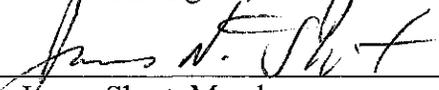

Nick Alberti, Member


Donald Brooks, Member


Herman Jones, Member


Mike Silverstein, Member


Hector Rodriguez, Member


James Short, Member

Pursuant to 23 DCMR § 1719.1, 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, Reeves Center, 2000 14th Street, NW, 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, 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 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).