

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

In the Matter of:

Green Island Heaven and Hell, Inc.
t/a The Green Island Cafe/Heaven & Hell

Application for Substantial Change
(Summer Garden)
to a Retailer's Class CT License

at premises
2327 18th Street, N.W.
Washington, D.C. 20009

Case No. 15-PRO-00102
License No. ABRA-074503
Order No. 2016-026

Green Island Heaven and Hell, Inc., t/a The Green Island Cafe/Heaven & Hell (Applicant)

Billy Simpson, Chairperson, Advisory Neighborhood Commission (ANC) 1C (Protestant)

Denis James, President, Kalorama Citizens Association (KCA) (Protestant)

Tracey Williams, on behalf of Group of Five or More Individuals (Protestant)

BEFORE: Donovan Anderson, Chairperson
Nick Alberti, Member
Mike Silverstein, Member
Ruthanne Miller, Member
James Short, Member

ORDER DENYING APPLICANT'S REQUEST FOR REINSTATEMENT

The Application filed by Green Island Heaven and Hell, Inc., t/a The Green Island Cafe/Heaven & Hell, , having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on November 23, 2015, in accordance with D.C. Official Code § 25-601 (2001).

On November 23, 2015, the Board dismissed the Application, because the Applicant failed to appear at the Roll Call Hearing. *See* Board Order No. 2015-576.

On December 14, 2015, Jonathan L. Farmer, Esq., on behalf of the Applicant, submitted a Request for Reinstatement indicating that the Applicant failed to attend the Roll Call Hearing due to traffic. The Applicant did not arrive until after the case was called and the hearing had concluded.

Based upon the above, the Board finds that the Applicant made no effort to notify the Board or its administrative personnel of his inability to attend the Roll Call Hearing on time. Therefore, the Board finds no good cause to reinstate the Applicant's Application, pursuant to 23 DCMR §1602.

ORDER

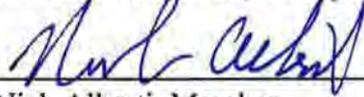
The Board does hereby, this 14th day of January, 2016, **DENY** the reinstatement of the Application filed by Green Island Heaven and Hell, Inc., t/a The Green Island Cafe/Heaven & Hell, for a Substantial Change to include a new Summer Garden to its Retailer's Class CT License.

Copies of this Order shall be sent to the Applicant, ANC 1C, KCA, and Tracey Williams, on behalf of Group of Five or More Individuals.

District of Columbia
Alcoholic Beverage Control Board



Donovan Anderson, Chairperson



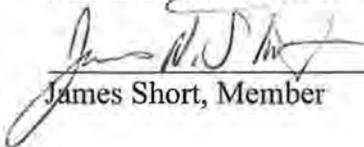
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, 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).