

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

In the Matter of:)
)
Silkari East, Inc.) License Number: 87240
t/a M Café) Order Number: 2015-283
)
Holder of a)
Retailer’s Class CR License)
at premises)
3236 Prospect Street, N.W.)
Washington, D.C. 20007)
)

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Mike Silverstein, Member
James Short, Member

ALSO PRESENT: Silkari East, Inc., t/a M Café, Licensee

Iraklis Karabassis, on behalf of the Applicant

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

ORDER DENYING MOTION FOR RECONSIDERATION

Silkari East, Inc., t/a M Café (Petitioner), filed an Application for a Retailer’s Class CR License (Application) at 3236 Prospect Street, N.W., which was approved under 23 DCMR § 405. *In re Silkari East, Inc., t/a M Café*, ABRA License No. 87240, Board Order No. 2014-281, 1 (D.C.A.B.C.B. Jul. 9, 2014). On July 9, 2014, the Board rescinded its approval because “the [Petitioner] did not have a bona fide agreement to lease or otherwise occupy 3236 Prospect Street, N.W.” *Id.* at 2. The Petitioner subsequently appealed the order of the Board; however, the District of Columbia Court of Appeals summarily dismissed the claim. *Silkari East, Inc., t/a M Café v. D.C. Alcoholic Beverage Control Bd.*, No. 14-AA-862 (D.C. 2015) (issued May 19, 2015).

On May 20, 2015, the Licensee submitted a letter once again requesting that the Board reconsider its decision to rescind the license. *Letter from Iraklis Karabassis to Ruthanne Miller, Chairperson, Alcoholic Beverage Control Board* (May 11, 2015).

Based on the court order dismissing the appeal, the Board's Order rescinding the license remains in effect as the final order of the Board. As a result, there are no valid grounds that justify the revival of the license.

ORDER

Therefore, on this 3rd day of June 2015, the Board hereby affirms Board Order No. 2014-281 and **DENIES** the Motion for Reconsideration filed by the Petitioner. A copy of this Order shall be delivered to the Licensee.

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson

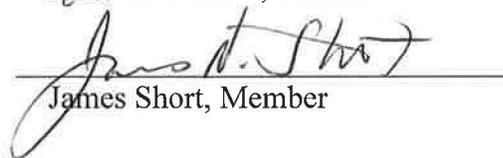
Nick Alberti, Member



Donald Brooks, Member



Mike Silverstein, Member



James Short, Member

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 (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).