

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

In the Matter of:)		
)		
M & M Beer & Wine, Inc.)	Case No.:	15-CMP-00751
t/a M & M Market)	License No:	78461
)	Order No:	2016-434
Holder of a)		
Retailer's Class B License)		
)		
at premises)		
3544 East Capitol Street, N.E.)		
Washington, D.C. 20019)		

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

ALSO PRESENT: M & M Beer & Wine, Inc., t/a M & M Market, Respondent

Amanuel Mebrahtu, on behalf of the Respondent

Fernando Rivero, Assistant Attorney General
Office of the Attorney General for the District of Columbia

Martha Jenkins, General Counsel
Alcoholic Beverage Regulation Administration

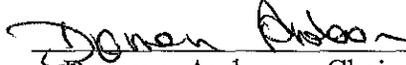
**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER**

INTRODUCTION

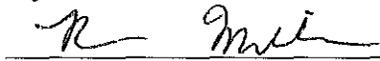
The Alcoholic Beverage Control Board (Board), on this 13th day of July 2016, issues M & M Beer & Wine, Inc., t/a M & M Market, (hereinafter "Respondent" or "M & M Market") a **WARNING** for violating D.C. Official Code § 25-741(a) by illegally providing a go-cup to an investigator with the purchase of an alcoholic beverage. 23 DCMR § 800 (West Supp. 2016); *Transcript*, May 18, 2016 at 53 (indicating that the Board has the discretion to issue a warning for violations of § 25-741). The Respondent is advised that future violations of this provision or

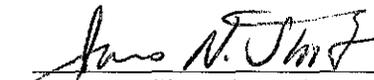
another secondary tier offense may result in the imposition of a fine ranging from \$1,000 or \$2,000; therefore, it is imperative that the Respondent come into compliance with the law. The ABRA shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board


Donovan Anderson, Chairperson


Mike Silverstein, Member


Ruthanne Miller, Member


James Short, Member

I dissent from the position taken by the majority of the Board.


Nick Alberti, 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, 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, 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 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).