

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

In the Matter of:)	
)	
Marleny's Restaurant, Inc.)	License No.: 077454
t/a Marleny's Restaurant)	Board Order No.: 2015-476
)	
Petition to Terminate a)	
Settlement Agreement)	
)	
at premises)	
3201 Mount Pleasant Street, N.W.)	
Washington, D.C. 20010)	

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

ORDER DENYING PETITION TO TERMINATE SETTLEMENT AGREEMENT

Marleny's Restaurant, Inc. (Petitioner) recently filed a Petition to Terminate its Settlement Agreement (Agreement) with the Alcoholic Beverage Control Board (Board) after the end of its renewal period. District of Columbia (D.C.) Official Code § 25-446 requires that these types of petitions only be considered during the licensee's official renewal period with the submission of a valid renewal application. While the Petitioner indicates that the Mount Pleasant Neighborhood Association no longer exists as an organization, the Board notes that this does not render the Agreement ineffective or invalid under § 25-446; therefore, the Board cannot terminate the Agreement as a matter of law.

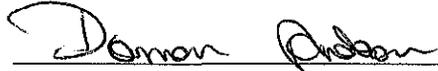
The Petitioner is advised that if it seeks to terminate the Agreement, it should file a proper petition to terminate the Agreement when it files for the renewal of its license.¹

ORDER

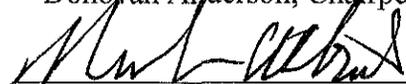
The Board, on this 4th day of November 2015, hereby **DENIES** the Petition. A copy of this Order shall be delivered to the Petitioner.

¹ The Board notes that the form and instructions related to this type of petition may be found at this website: <http://abra.dc.gov/node/911882>.

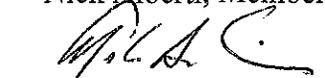
District of Columbia
Alcoholic Beverage Control Board



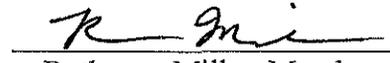
Donoyan Anderson, Chairperson



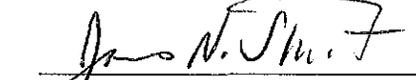
Nick Alberti, Member



Mike Silverstein, Member



Ruthanne Miller, 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, N.W., 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, 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).