

Respondent's license based upon the written request of the Chief of Police, Cathy L. Lanier, dated December 30, 2011, which included a determination in accordance with § 25-827(a), that the establishment presented an imminent danger to the health and safety of residents and visitors in the District of Columbia.

On January 4, 2012, the Respondent requested a Summary Suspension Hearing under § 25-826(c), which occurred on January 13, 2012. At the conclusion of the hearing, the Board voted 5-1 to allow the Respondent to reopen if it follows the conditions outlined in its Order lifting the suspension. See Mimi & D, LLC, t/a Mood, Board Order No. 2012-38 (D.C.A.B.C.B. Jan. 18, 2012).

Subsequently, in a letter dated February 10, 2012, the Respondent requested that the Board amend the conditions placed on its license.

We deny this request, because we are convinced that the conditions we mandated in our Order are necessary to ensure the health, safety, and welfare of the Respondent's patrons and the surrounding community.

ORDER

Therefore, the Board, on this 28th day of March 2012, hereby **DENIES** the Motion for Reconsideration submitted by the Respondent. The Alcoholic Beverage Regulation Administration shall deliver copies of this Order to the Government and the Respondent.

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson

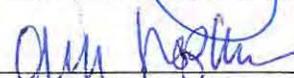
Nick Alberti, Member



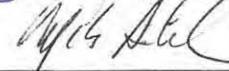
Donald Brooks, Member



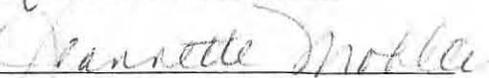
Herman Jones, Member



Calvin Nophlin, Member



Mike Silverstein, Member



Jeannette Mobley, Member

Pursuant to 23 DCMR § 1719.1 (April 2004), 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 (April 2004) 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).