

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

In the Matter of:)	
)	
Fernando Postigo)	
t/a Sol Mexican Grill)	
)	
Applicant for a New)	Case No. 13-PRO-00109
Retailer's Class CT License)	License No. ABRA-092192
)	Order No. 2013-383
at premises)	
1251 H Street, N.E.)	
Washington, D.C. 20002)	

Fernando Postigo, t/a Sol Mexican Grill (Applicant)

Lisa Greene, President, Linden Neighborhood Association, Inc.

BEFORE: Ruthanne Miller, Chairperson
Nick Alberti, Member
Donald Brooks, Member
Herman Jones, Member
Mike Silverstein, Member

**ORDER DENYING LINDEN NEIGHBORHOOD ASSOCIATION'S
MOTION FOR RECONSIDERATION**

The Application filed by Fernando Postigo, t/a Sol Mexican Grill, for a new Retailer's Class CT License, having been protested, came before the Alcoholic Beverage Control Board (Board) for a Roll Call Hearing on August 5, 2013, in accordance with D.C. Official Code § 25-601 (2001).

On August 5, 2013, the Board dismissed the Protest of Linden Neighborhood Association because Linden Neighborhood Association did not give the Applicant at least seven days advanced notice of the Linden Neighborhood Association meeting, pursuant to D.C. Official Code § 25-601(3)(B). *See* Board Order No. 2013-365.

On August 5, 2013, Lisa Greene, on behalf of Linden Neighborhood Association, submitted a Motion for Reconsideration requesting that its Protest be reinstated and reconsidered as a proper Protest. Ms. Greene indicated that Linden Neighborhood Association had no knowledge of the standing requirement under D.C. Official Code § 25-601(3)(B).

Fernando Postigo
t/a Sol Mexican Grill
Case No. 13-PRO-00109
License No. ABRA-092192
Page 2

The appropriateness requirement set out in the D.C. Official Code § 25-601(3)(B) is a requirement to have standing as a protestant. Therefore, the Board finds that Linden Neighborhood Association's explanation regarding the lack of knowledge of this standing requirement does not constitute good cause under which the Board can grant reinstatement pursuant to 23 DCMR § 1602.3.

ORDER

The Board does hereby, this 11th day of September, 2013, **DENY** the reinstatement of Linden Neighborhood Association as protestant of the Application filed by Fernando Postigo, t/a Sol Mexican Grill, for a new Retailer's Class CT License.

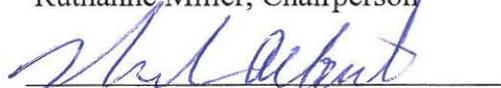
Copies of this Order shall be sent to the Applicant and Lisa Greene, President, Linden Neighborhood Association, Inc.

Fernando Postigo
t/a Sol Mexican Grill
Case No. 13-PRO-00109
License No. ABRA-092192
Page 3

District of Columbia
Alcoholic Beverage Control Board



Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member



Mike Silverstein, Member

Pursuant to D.C. Official Code § 25-433, any Party adversely affected by this Order may file a Motion for Reconsideration within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14th Street, N.W., Suite 400S, Washington, D.C. 20009.