

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

**In the Matter of:**

R & J 24 Liquors, Inc.  
t/a Town Square Gourmet

Holder of a Retailer's Class A License

at premises  
4418 MacArthur Blvd., N.W.  
Washington, D.C. 20007

License No. ABRA-078664

Case No. 12-251-00107

Order No. 2013-105

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

**ORDER DENYING RESPONDENT'S MOTION FOR RECONSIDERATION**

On April 15, 2013, Richard Kim, on behalf of R & J 24 Liquors, Inc., t/a Town Square Gourmet (Respondent), submitted a Motion for Reconsideration, requesting that the Board reconsider the penalty imposed in Case No. 12-251-00107, Board Order No. 2013-076, dated March 27, 2013. The Respondent argues in his Motion that the Board imposed penalty is on the high end of the penalty range, and thus the fine and the suspension is too harsh for a first offense of a Sale to Minor violation.

Board Order No. 2013-076, dated March 27, 2013, clearly stated that the Motion for Reconsideration must be filed within ten (10) days of service of the Order. The Respondent's request was filed on April 15, 2013, approximately 19 days after the deadline. Therefore, the Respondent's request for reconsideration was untimely filed.

Further, the ten (10) suspension days imposed by the Board in Board Order No. 2013-076 originally scheduled for April 22, 2013 through May 2, 2013 and held in abeyance pending the Board's consideration of the Motion, shall be reinstated and shall be served beginning on May 20, 2013 through May 29, 2013.

**R & J 24 Liquors, Inc.**  
**t/a Town Square Gourmet**  
**Case No. 12-251-00107**  
**License No. ABRA-078664**  
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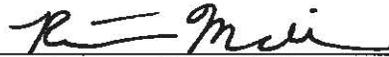
**ORDER**

Accordingly, it is this 24th day of April, 2013, **ORDERED** that:

1. The Motion for Reconsideration filed by the Respondent, R & J 24 Liquors, Inc., t/a Town Square Gourmet, be and is, hereby, **DENIED**;
2. The ten (10) suspension days originally scheduled for April 22, 2013 to May 2, 2013 shall now be served beginning on May 20, 2013 through May 29, 2013.
3. All other terms and conditions of Board Order No. 2013-076 shall remain in full force and effect; and
4. Copies of this Order shall be sent to the Respondent and the Government.

**R & J 24 Liquors, Inc.**  
**t/a Town Square Gourmet**  
**Case No. 12-251-00107**  
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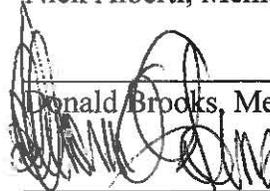
District of Columbia  
Alcoholic Beverage Control Board



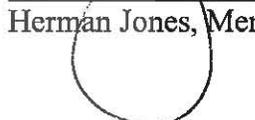
Ruthanne Miller, Chairperson



Nick Alberti, Member



Donald Brooks, Member



Herman Jones, Member

Pursuant to D.C. Official Code § 25-433, 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, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 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, 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).