

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF

RAMIRO RODNEY DE LEON  
DE LEON'S GAS AND GROCERIES  
1212 E MAIN ST  
OTHELLO, WA 99344-1558

LICENSEE

LICENSE NO. 071126

LCB NO. 22,829

OAH NO. 2008-LCB-0023

FINAL ORDER OF THE BOARD

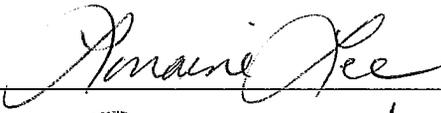
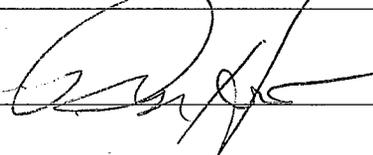
The above entitled matter coming on regularly before the Board, and it appearing:

1. An administrative hearing was held on October 9, 2008 at the licensee's timely request for a hearing in reference to the April 30, 2008 Complaint issued by the Liquor Control Board.
2. The Complaint alleged that on February 28, 2008 the Licensee or employee(s) thereof, gave, sold and/or supplied liquor to a person under the age of twenty-one (21), in violation of RCW 66.44.270 and WAC 314-11-020(1).
3. At the hearing the Education and Enforcement Division of the Board was represented by Assistant Attorney General Brian Considine and the Licensee represented himself.
4. On November 7, 2008 Administrative Law Judge Craig Davenport entered his Findings of Fact, Conclusions of Law and Initial Order in this matter which sustained the Complaint.
5. No exceptions were filed by the parties.

6. That the entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered said record and being fully advised in the premises; NOW THEREFORE; IT IS HEREBY ORDERED that that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Initial Order heretofore made and entered in this matter be, and the same hereby are, AFFIRMED and adopted as the Findings of Fact, Conclusions of Law and Final Order of the Board and that the liquor license privileges granted to Ramiro Rodney De Leon, d/b/a De Leon's Gas and Groceries at 1212 E Main Street in Othello, Washington, License Number 071126, are hereby suspended for a term of thirty days (30) days; effective from 5:00 p.m. on December 19, 2008, until 5:00 p.m. on January 18, 2009. Failure to comply with the terms of this order will result in further disciplinary action.

DATED at Olympia, Washington this 10<sup>th</sup> day of December, 2008.

WASHINGTON STATE LIQUOR CONTROL BOARD

  
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Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this Order to file a petition for reconsideration stating the specific grounds on which relief is requested. No matter will be reconsidered unless it clearly appears from the petition for reconsideration that (a) there is material clerical error in the order or (b) there is specific material error of fact or law. A petition for reconsideration, together with any argument in support thereof, should be filed by mailing or delivering it directly to the Washington State Liquor Control Board, Attn: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA 98504-

3076, with a copy to all other parties of record and their representatives. Filing means actual receipt of the document at the Board's office. RCW 34.05.010(6). A copy shall also be sent to Martha P. Lantz, Assistant Attorney General, 1125 Washington St. SE, P.O. Box 40110, Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if, within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the petition or (b) serve the parties with a written notice specifying the date by which it will act on the petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5). The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial review.

Stay of Effectiveness. The filing of a petition for reconsideration does not stay the effectiveness of this Order. The Board has determined not to consider a petition to stay the effectiveness of this Order. Any such request should be made in connection with a petition for judicial review under chapter 34.05 RCW and RCW 34.05.550.

Judicial Review. Proceedings for judicial review may be instituted by filing a petition in superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with the appropriate court and served on the Board, the Office of the Attorney General, and all parties within thirty days after service of the final order, as provided in RCW 34.05.542.

Service. This Order was served on you the day it was deposited in the United States mail. RCW 34.05.010(19).