

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF THE HEARING OF:

SONYA K. BUCKNER

8345 HOLLY LANE
MAPLE FALLS, WA 98266

PERMIT HOLDER

PERMIT NO. 120 356 865

LCB NO. 22,868

OAH NO. 2009-LCB-0008

~~[PROPOSED]~~

FINAL ORDER OF THE BOARD

The above-titled matter having come before the Board, the Board finds:

1. That a telephonic prehearing conference was held on June 23, 2009, on the following violation:

On or about July 19, 2008, the above named MAST permit holder, sold, allowed, and/or permitted an apparently intoxicated person(s) to consume liquor and/or possess liquor on the licensed premises, contrary to RCW 66.44.200 and/or WAC 314-16-150.

2. That the Licensee failed to appear for the telephonic prehearing conference and Enforcement moved for a default;

3. That on October 19, 2009, Administrative Law Judge Christy Gerhart Cufley entered an Order of Default; and no motion to vacate the default has been filed; and

4. That the Board having considered the file materials maintained in this matter, including:

a) AVN No. 3N8201B;

b) Case Report for No. 3N8201B, and attachments thereto;

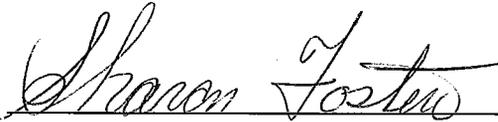
- c) Complaint filed in LCB No 22,894; and
- d) Findings of Fact, Conclusion of Law and Initial Order on Default, OAH Docket No. 2009-LCB-0008, dated October 19, 2009;

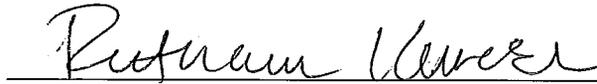
and the Board having adopted in their entirety the Order of Default, OAH Docket No. 2009-LCB-0008, dated October 19, 2009; NOW, THEREFORE;

IT IS HEREBY FURTHER ORDERED that the Complaint filed in Liquor Control Board Case No. 22,894 is sustained, and a one hundred dollar (\$100) monetary penalty is assessed against Sonya L. Buckner.

DATED this 8 day of December, 2009.

WASHINGTON STATE LIQUOR CONTROL BOARD





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,

Attention: 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 Mary Tennyson, Assistant Attorney General, 1125 Washington Street SE, PO 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).



Washington State
Liquor Control Board

December 11, 2009

Sonya K. Buckner
8345 Holly Lane
Maple Falls, WA 98266

Brian Considine, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

**RE: FINAL ORDER OF THE BOARD
ADMINISTRATIVE VIOLATION NOTICE NO. 3N8201B
MAST Permit Holder: Sonya K. Buckner
MAST Permit Number: 120 356 865
LCB HEARING NO. 22,868
OAH No. 2009-LCB-0008**

Dear Parties:

Enclosed please find a Declaration of Service by Mail and a copy of the Final Order in the above referenced matter.

The applicable monetary penalty option is due by 5:00 pm on January 11, 2010. Please send your payment to the Washington State Liquor Control Board, PO Box 43085, Olympia, WA 98504-3085 and label the check with your Permit and Administrative Violation Notice numbers listed above.

If you have any questions, please contact me at (360) 664-1602.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin McCarroll', written over a white background.

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Bellingham Enforcement and Education Division, WSLCB

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WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

SONYA K. BUCKNER
8345 HOLLY LANE
MAPLE FALLS, WA 98266-7028

INDIVIDUAL

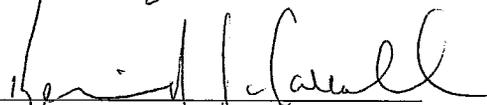
MAST PERMIT NO. 120 356 865

LCB NOS. 22,868

DECLARATION OF SERVICE BY
MAIL

I declare under penalty of perjury under the laws of the state of Washington that on December 11, 2009, I served a true and correct copy of the FINAL ORDER OF THE BOARD in the above-referenced matter, by placing a copy of said documents in the U.S. mail, postage prepaid, to all parties or their counsel of record.

DATED this 11th day of December, 2009, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator

SONYA K. BUCKNER
8345 HOLLY LANE
MAPLE FALLS, WA 98266-7028

BRIAN CONSIDINE, ASSISTANT
ATTORNEY GENERAL, GCE DIVISION
OFFICE OF THE ATTORNEY GENERAL
1125 WASHINGTON STREET SE
PO BOX 40100
OLYMPIA, WA 98504-0100