BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: RONALD P. HELL d/b/a SHORTHORN TAVERN 3 NORTH MAIN STREET OMAK, WA 98841 LICENSEE LICENSE NO. 351222 AVN NO. 4I2348A	LCB NO. 24,726 OAH NO. 2013-LCB-0051 AMENDED FINAL ORDER OF THE BOARD

The above-captioned matter coming on regularly before the Board, and it appearing that:

1. The Liquor Control Board issued a complaint dated July 5, 2013, alleging that on or about December 13, 2012 the above-named Licensee, or employee(s) thereof, served and/or sold liquor to an apparently intoxicated person on the licensed premises, and/or allowed an apparently intoxicated person(s) to consume liquor on the licensed premises, contrary to RCW 66.44.200 and WAC 314-16-150.
2. The Licensee made a timely request for a hearing.
3. An administrative hearing was held on January 3, 2014 before Administrative Law Judge Mark H. Kim with the Office of Administrative Hearings in Vancouver, Washington.
4. At the hearing, the Education and Enforcement Division of the Board was represented by Assistant Attorney General Isaac Williamson. Ronald P. Hell d/b/a Shorthorn Tavern appeared by and through his representative, Ted Reinbold, Attorney at Law.
5. At the hearing, Mr. Reinbold withdrew the appeal on behalf of the Licensee.

6. On January 8, 2014, Administrative Law Judge Mark H. Kim entered his Order of Dismissal of Appeal Based on Withdrawal and Notice of Case Closure.
7. 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 the Administrative Complaint in this matter is AFFIRMED.

IT IS HEREBY FURTHER ORDERED that the liquor license privileges granted to Ronald P. Hell d/b/a Shorthorn Tavern, located at 3 North Main Street in Omak, Washington, License No. 351222, are hereby suspended for a term of seven (7) days. The suspension will take place from 10:00 a.m. on Thursday, March 20, 2014 until 10:00 a.m. on Thursday, March 27, 2014. Failure to comply with the terms of this order will result in further disciplinary action.

DATED at Olympia, Washington this 13 day of February, 2014.

WASHINGTON STATE LIQUOR CONTROL BOARD

Sharon Foster

Ruthann Kurose

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. 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 Mary M. Tennyson, Senior 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. The applicant stipulated to withdraw its request for an administrative hearing. Because there was no hearing held, no judicial review is available for this case.

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

February 13, 2014

Ted Reibold,
Attorney for Licensee
PO Box 751
Okanogan, WA 98840-0751

Ronald P. Hell, Licensee
d/b/a Shorthorn Tavern
PO Box 865
Omak, WA 98841-0865

Isaac B. Williamson, AAG
GCE Division, Office of Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100

RE: ***AMENDED FINAL ORDER OF THE BOARD***
LICENSEE: Ronald P. Hell
TRADE NAME: Shorthorn Tavern
LOCATION: 3 N Main St, Omak, WA 98841
LICENSE NO. 351222
LCB HEARING NO. 24,726
OAH NO. 2013-LCB-0051
AVN NO. 412348A
UBI: 602 213 071 001 0001

Dear Parties:

Please find the enclosed Amended Final Order of the Board and Declaration of Service by Mail in the above-referenced matter. The Judicial Review section of the appeal rights language has been modified based on the Licensee's hearing withdrawal. If you have any questions, please contact me at (360) 664–1602.

Sincerely,

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)
cc: Spokane and Wenatchee Enforcement and Education Divisions, WSLCB
Jamie Marshall, WSLCB Enforcement

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF: RONALD P. HELL d/b/a SHORTHORN TAVERN 3 NORTH MAIN STREET OMAK, WA 98841 LICENSEE LICENSE NO. 351222 AVN NO. 412348A	LCB NO. 24,726 OAH NO. 2013-LCB-0051 DECLARATION OF SERVICE BY MAIL

I certify that I caused a copy of the AMENDED FINAL ORDER OF THE BOARD in the above-referenced matter to be served on all parties or their counsel of record by US Mail Postage Prepaid via Consolidated Mail Service for applicants and licensees, by campus mail for state offices, on the date below to:

TED REIBOLD, ATTORNEY FOR LICENSEE PO BOX 751 OKANOGAN, WA 98840-0751	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100, GCE DIVISION ISAAC WILLIAMSON, ASSISTANT ATTORNEY GENERAL
RONALD P. HELL, LICENSEE d/b/a SHORTHORN TAVERN PO BOX 865 OMAK, WA 98841-0865	

DATED this 13th day of February, 2014, at Olympia, Washington.

Kevin McCarroll, Adjudicative Proceedings Coordinator

Washington State Liquor Control Board
3000 Pacific Avenue SE
PO Box 43076
Olympia, WA 98504-3076
(360) 664-1602