

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LEE A THORNTON
d/b/a MALO STORE
17510 HWY 21 N
MALO, WA 99150-9703

APPLICANT

LICENSE APPLICATION NO. 350606
UBI: 602 322 999 001 0001

LCB NO. L-25,096

FINAL ORDER OF THE BOARD

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

1. The Licensing Division of the Liquor Control Board issued a Statement of Intent to Deny Liquor License dated June 12, 2014 asserting that the Applicant did not meet the requirements of the definition of trade area because there was at least one location actively licensed at the time of application within twenty-miles of the applicant's location.

2. No request for a hearing was received from the Applicant.

3. 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 Statement of Intent to Deny Liquor License for case L-25,096 in this matter is REVERSED.

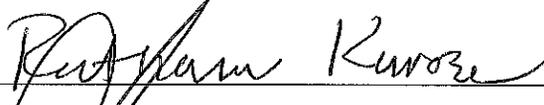
IT IS HEREBY FURTHER ORDERED that the liquor license application for the added privileges of Spirits Retailer for Lee E. Thornton d/b/a Malo Store is REMANDED back to the Licensing

Division to reconsider the application based on the fact that the liquor store in Republic which was in operation at the time of the application is apparently no longer in operation. This decision does not affect the Licensee's current grocery store liquor license for Beer/Wine Sales for Off-Premises.

DATED at Olympia, Washington this 15th day of OCTOBER, 2014.

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. 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. 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

October 2, 2014

Lee A. Thornton
d/b/a Malo Store
17510 Hwy 21 N
Malo, WA 99150-9703

Sharon Hendricks
Compliance & Policy Manager,
WSLCB
PO Box 43098
Olympia, WA 98504-3098

RE: FINAL ORDER OF THE BOARD
APPLICANT: Lee A. Thornton
TRADE NAME: Malo Store
LOCATION: 17510 Hwy 21 N, Malo, WA 99150-9703
LICENSE NO. 350606
LCB HEARING NO. L-25,096
UBI: 602 322 999 001 0001

Dear Parties:

Please find the enclosed Final Order of the Board and Declaration of Service by Mail in the above-referenced matter.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin McCarroll".

Kevin McCarroll
Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Linda Thompson, Licensing Supervisor, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LEE A. THORNTON
d/b/a MALO STORE
17510 HWY 21 N
MALO, WA 99150-9703

APPLICANT

LICENSE APPLICATION NO. 350606
UBI NO. 602 322 999 001 0001

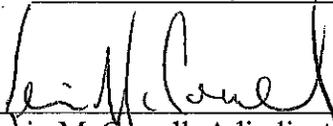
LCB NO. L-25,096

DECLARATION OF SERVICE BY
MAIL

I certify that I caused a copy of the 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:

LEE A. THORNTON d/b/a MALO STORE 17510 HWY 21 N MALO, WA 99150-9703	LIQUOR CONTROL BOARD MAIL STOP 43098, LICENSING DIVISION SHARON HENDRICKS, POLICY AND COMPLIANCE MANAGER
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DATED this 2nd day of October, 2014, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator