

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

In The Matter Of the Hearing Of:

SMOKERS OUTLET, INC
SMOKERS OUTLET
926 W INDIANA AVE
SPOKANE, WA 99205-4508

LICENSEE

NO. T-473

FINAL ORDER OF THE BOARD
\$50 MONETARY PENALTY

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

1. That a formal hearing was held on April 26, 2007, on the following charge:

That on or about September 29, 2006, the Licensee or employee thereof sold tobacco products to a person under eighteen years of age in violation of RCW 26.28.080.

2. That on May 15, 2007, Administrative Law Judge Edward S. Steinmetz entered his

Findings of Fact, Conclusions of Law and Initial Order, and that no exceptions thereto have been filed; and

3. That the entire record in this proceeding having been reviewed by the Board, and the Board having fully considered said record and being fully advised in the premises; NOW THEREFORE,

IT IS HEREBY ORDERED 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, adopted as Findings of Fact, Conclusions of Law and Final Order of the Board, so that Smokers Outlet, 926 W Indiana Avenue, Spokane, WA 99205 shall be subject to a reduced monetary penalty of Fifty Dollars (\$50.00) due on or before July 23, 2007.

Payment should be sent to:

Washington State Liquor Control Board

PO Box 43076

Olympia, WA 98504-3076

Failure to comply with the terms of this Order will subject the Licensee to further disciplinary action.

DATED at Olympia, Washington this 21st day of June, 2007.

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, 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 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).