

**BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:

KINDRA MILLER  
609 N 9TH AVENUE SW  
TUMWATER, WA 98512

OAH NO. 2007-LCB-0018  
LCB NO. T-475

FINAL ORDER OF THE BOARD  
~~PROPOSED~~

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

1. That a telephonic hearing was held on July 10, 2007, on the following violation:

On or about February 15, 2007, the above-named employee of a licensee, sold and/or allowed to be sold tobacco products to a person under the age of eighteen (18), in violation of RCW 26.28.080.

2. That Kindra Miller failed to appear for the telephonic hearing and Enforcement moved for a default;

3. That on September 21, 2007, Administrative Law Judge Karena K. Kirkendoll entered an Order of Default; and that no motion to vacate the default has been filed; and

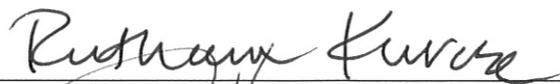
4. That the entire record in this proceeding was presented to the Board for final decision, and the Board having fully considered the record; NOW, THEREFORE,

IT IS HEREBY ORDERED that the Order of Default for Case Number T-475 is adopted.

IT IS HEREBY FURTHER ORDERED that the Complaint filed in Liquor Control Board Case No. T-475 is sustained and that a monetary penalty of fifty dollars (\$50) is assessed against Kindra Miller.

DATED this 10<sup>th</sup> day of October, 2007.

WASHINGTON STATE LIQUOR CONTROL BOARD


1 Reconsideration. Pursuant to RCW 34.05.470, you have ten (10) days from the mailing of this  
2 Order to file a petition for reconsideration stating the specific grounds on which relief is  
3 requested. No matter will be reconsidered unless it clearly appears from the petition for  
4 reconsideration that (a) there is material clerical error in the order or (b) there is specific material  
5 error of fact or law. A petition for reconsideration, together with any argument in support thereof,  
6 should be filed by mailing or delivering it directly to the Washington State Liquor Control Board,  
7 Attention: Kevin McCarroll, 3000 Pacific Avenue Southeast, PO Box 43076, Olympia, WA  
8 98504-3076, with a copy to all other parties of record and their representatives. Filing means  
9 actual receipt of the document at the Board's Office. RCW 34.05.010(6). A copy shall also be  
10 sent to Martha P. Lantz, Assistant Attorney General, 1125 Washington Street SE, PO Box 40110,  
11 Olympia, WA 98504-0110. A timely petition for reconsideration is deemed to be denied if,  
12 within twenty (20) days from the date the petition is filed, the agency does not (a) dispose of the  
13 petition or (b) serve the parties with a written notice specifying the date by which it will act on the  
14 petition. An order denying reconsideration is not subject to judicial review. RCW 34.05.470(5).  
15 The filing of a petition for reconsideration is not a prerequisite for filing a petition for judicial  
16 review.  
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18  
19 Stay of Effectiveness. The filing of a petition for reconsideration does not stay the  
20 effectiveness of this Order. The Board has determined not to consider a petition to stay the  
21 effectiveness of this Order. Any such request should be made in connection with a petition for  
22 judicial review under chapter 34.05 RCW and RCW 34.05.550.  
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24 Judicial Review. Proceedings for judicial review may be instituted by filing a petition in  
25 superior court according to the procedures specified in chapter 34.05 RCW, Part V, Judicial  
26 Review and Civil Enforcement. The petition for judicial review of this Order shall be filed with

1 the appropriate court and served on the Board, the Office of the Attorney General, and all parties  
2 within thirty days after service of the final order, as provided in RCW 34.05.542.

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

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Washington State  
**Liquor Control Board**

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October 10, 2007

KINDRA MILLER  
609 N 9<sup>TH</sup> AVENUE SW  
TUMWATER, WA 98512-6370

KATE REYNOLDS  
ASSISTANT ATTORNEY GENERAL  
1125 WASHINGTON STREET SE  
PO BOX 40100  
OLYMPIA, WA 98504-0100

***RE: FINAL ORDER OF THE BOARD***  
***Individual: Kindra Miller***  
***Tobacco Administrative Violation Notice No. 20360***  
***LCB Hearing No. T-475***

Dear Parties:

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

**Payment is due by November 9, 2007. Please forward payment to:**  
**Washington State Liquor Control Board**  
**Attn: Board Administration**  
**PO Box 43076**  
**Olympia, WA 98504-3076**

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

Sincerely,

Kevin McCarroll  
Adjudicative Proceedings Coordinator

Enclosures

cc: Olympia Enforcement and Education Division

PO Box 43076, 3000 Pacific Ave. SE, Olympia WA 98504-3076, (360) 664-1602  
[www.liq.wa.gov](http://www.liq.wa.gov)

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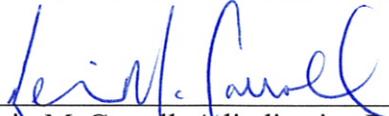
**WASHINGTON STATE LIQUOR CONTROL BOARD**

IN THE MATTER OF:  
  
KINDRA MILLER  
609 N 9<sup>TH</sup> AVENUE SW  
TUMWATER, WA 98512-6370  
  
INDIVIDUAL

LCB NO. T-475  
  
DECLARATION OF SERVICE BY  
MAIL

I declare under penalty of perjury under the laws of the state of Washington that on October 10, 2007, 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 10<sup>th</sup> day of October, 2007, at Olympia, Washington.

  
Kevin McCarroll, Adjudicative Proceedings Coordinator

KINDRA MILLER  
609 N 9<sup>TH</sup> AVENUE SW  
TUMWATER, WA 98512-6370

KATE REYNOLDS  
ASSISTANT ATTORNEY GENERAL  
1125 WASHINGTON STREET SE  
PO BOX 40100  
OLYMPIA, WA 98504-0100