

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

In The Matter of:

HYE CHU CORPORATION
d/b/a PACIFIC MARKET & DELI
16618 PACIFIC AVE S
SPANAWAY, WA 98387

LICENSEE

UBI: 603 122 259
TOBACCO VIOLATION NO. 1R4021A

OAH DOCKET NO. 10-2014-LCB-00034
LCB NO. T-601

FINAL ORDER OF THE BOARD

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

1. The Board issued a Complaint dated August 5, 2014 alleging that on or about January 21, 2014, the above-named retail Licensee, or an employee(s) thereof was in possession of unstamped cigarettes, in violation of RCW 82.24.050 and WAC 314-34-030, and is subject to the penalties in WAC 314-34-015;
2. The Licensee timely submitted a request for an administrative hearing.
3. A Prehearing Conference was scheduled for 1:00 p.m. on October 20, 2014 before Administrative Law Judge Joshua Sundt with the Office of Administrative Hearings;
4. The Education and Enforcement Division of the Board was represented by Assistant Attorney General Justin Kjolseth who appeared as scheduled. The Licensee Hye Chu Corporation failed to appear as scheduled, and failed to make a timely request for a continuance;
5. On October 20, 2014 Administrative Law Judge Joshua Sundt entered his Initial Order of Dismissal, ordering that the Licensee was in default and dismissing the appeal;
6. No motion to vacate the default order was received;
7. No petition for review was received.

FINAL ORDER OF THE BOARD
PACIFIC MARKET & DELI
UBI: 603 122 259
T-601

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Washington State Liquor Control Board
3000 Pacific Ave, S.E.
P.O. Box 43076
Olympia, WA 98504-3076
Phone: 360-664-1602

8. The entire record in this proceeding was presented to the Board for final decision. The Board's records indicate that the licensee discontinued business at this location in July 2014. The license expiration date is July 28, 2014. 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 Initial Order of Dismissal is adopted as the Final Order of the Board. IT IS HEREBY FURTHER ORDERED that the Complaint filed in this case is sustained. While the penalty would normally be a 30-day suspension of the tobacco license, because the licensee is not in business, and the license has expired, the Board directs that the license will not be renewed. This information will be placed in the records for the licensee and for the business trade name, as well as the owners of the business, for consideration in the event a new license application is received.

DATED at Olympia, Washington this 13 day of January, 2015.

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

January 15, 2015

Hye Chu Corporation
d/b/a Pacific Market & Deli
16618 Pacific Ave S
Spanaway, WA 98387-8572

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

RE: FINAL ORDER OF THE BOARD

Licensee: Hye Chu Corporation

Trade Name: Pacific Market & Deli

Location: 16618 Pacific Ave S, Spanaway, WA 98387-8572

License No. (UBI): 603 122 259

LCB Hearing No. T-601

OAH No. 10-2014-LCB-00034

Tobacco Violation No. 1R4021A

Dear Parties:

Please find the enclosed Declaration of Service by Mail and a copy of the Final Order of the Board 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: Tacoma and Olympia Enforcement and Education Divisions, WSLCB
Lisa Red, Tobacco Violations Coordinator, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

HYE CHU CORPORATION
d/b/a PACIFIC MARKET & DELI
16618 PACIFIC AVE S
SPANAWAY, WA 98387-8572

LICENSEE

UBI NO. 603 122 259
TVN NO. 1R4021A

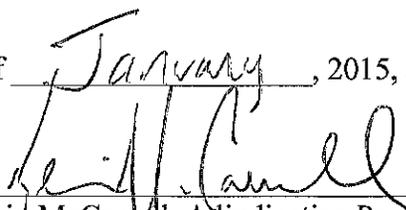
LCB NO. T-601
OAH NO. 10-2014-LCB-00034

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 email for WSLCB employees; by Campus Mail for the Office of Attorney General, on the date below to:

HYE CHU CORPORATION d/b/a PACIFIC MARKET & DELI 16618 PACIFIC AVE S SPANAWAY, WA 98387-8572	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100 GCE DIVISION JUSTIN KJOLSETH, AAG
HYE CHU CORPORATION d/b/a PACIFIC MARKET & DELI 1309 155 TH ST CT E TACOMA, WA 98445-5902	

DATED this 15th day of January, 2015, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator