

BEFORE THE WASHINGTON STATE LIQUOR CONTROL BOARD

In The Matter of:

LANCE MAYER

8209 273RD AVE EAST
BUCKLEY, WA 98321

INDIVIDUAL

TOBACCO VIOLATION NO. 7H4101A

OAH DOCKET NO. 2014-LCB-0060
LCB NO. T-603

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 June 13, 2014 alleging that on or about April 11, 2014, the above-named Individual sold, gave, or permitted to be sold or given, tobacco to a person under the age of eighteen (18), contrary to RCW 26.28.080;
2. The Individual timely submitted a request for an administrative hearing;
3. A Pre-Hearing Conference was scheduled for 1:00 p.m. on September 2, 2014 before Administrative Law Judge Terry A. Schuh with the Office of Administrative Hearings;
4. The Education and Enforcement Division of the Board was represented by Assistant Attorney General Susie F. Giles-Klein who appeared as scheduled. The Individual/Respondent Lance Mayer failed to appear as scheduled, and failed to make a timely request for a continuance;
5. On September 9, 2014 Administrative Law Judge Terry A. Schuh entered his Initial Order of Default Dismissing Individual / Permit Holder's Appeal for Failure to Appear;
6. No motion to vacate the default order was received;
7. No petition for review was received.
8. 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

FINAL ORDER OF THE BOARD
LANCE MAYER
T-603

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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

THEREFORE; IT IS HEREBY ORDERED that the Administrative Law Judge's Initial Order of Default is adopted as the Final Order of the Board.

IT IS HEREBY FURTHER ORDERED that the Complaint filed in this case is sustained and the above-named Individual shall pay the monetary penalty of fifty dollars (\$50.00) within 30 days of this order. Failure to comply with the terms of this order will subject the Individual to further disciplinary action.

Payment in reference to this order should be sent to:

Washington State Liquor Control Board
P. O. Box 43085
Olympia, WA 98504-3085

DATED at Olympia, Washington this 9 day of December, 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

December 10, 2014

Lance Mayer
8209 273rd Ave E
Buckley, WA 98321-9711

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

RE: FINAL ORDER OF THE BOARD

Individual: Lance Mayer

LCB Hearing No. T-603

OAH No. 2014-LCB-0060

Tobacco Violation No. 7H4101A

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

The applicable monetary penalty is due by January 9, 2015. The address for payments is WSLCB, P.O. Box 43085, Olympia, WA 98504-3085. Please label the check with your License Number and Tobacco Violation Notice Number listed above

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

Sincerely,

Kevin McCarroll

Adjudicative Proceedings Coordinator

Enclosures (2)

cc: Tacoma Enforcement and Education Division, WSLCB
Jamie Marshall, Tobacco Violations Coordinator, WSLCB

WASHINGTON STATE LIQUOR CONTROL BOARD

IN THE MATTER OF:

LANCE MAYER
8209 273RD AVE E
BUCKLEY, WA 98321-9711

INDIVIDUAL

TVN NO. 7H4101A

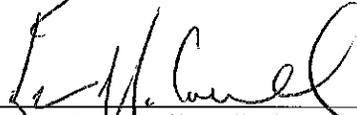
LCB NO. T-603
OAH NO. 2014-LCB-0060

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:

LANCE MAYER 8209 273 RD AVE E BUCKLEY, WA 98321-9711	OFFICE OF THE ATTORNEY GENERAL MAIL STOP 40100 GCE DIVISION SUSIE GILES-KLEIN, AAG
LANCE MAYER c/o LEON'S DELI EXPRESS 27909 HIGHWAY 410 E BUCKLEY WA 98321-9212	

DATED this 10th day of December, 2014, at Olympia, Washington.


Kevin McCarroll, Adjudicative Proceedings Coordinator