

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND

Eagle Park Independent Club, Appellant, v. The City of Providence Board of Licenses, Appellee.	: : : : : : : : : : : :	DBR No.: 14LQ033
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ORDER OF DISMISSAL

On or about June 5, 2014, the Providence Board of Licenses (“Board”) imposed a \$2,000 administrative penalty on the liquor license of Eagle Park Independent Club (“Appellant”). Pursuant to R.I. Gen. Laws § 3-5-1 *et seq.*, the Appellant appealed the Board’s decision on the administrative penalty to the Director of the Department of Business Regulation (“Department”). On or about June 18, 2014, the undersigned was appointed the hearing officer by the Director of the Department. By order dated June 24, 2014, the Department denied the Appellant’s motion to stay the Board’s sanction. Subsequently this matter was scheduled for hearing but was continued as the parties indicated that they might settle the matter. During this period, the undersigned inquired whether the matter had settled. On December 7, 2015, the undersigned contacted the parties and indicated that as she had not heard from the parties, she assumed that the matter had settled. The undersigned further indicated that if she did not hear from the parties by December 21, 2015, she would assume the matter had settled and would recommend dismissal. The parties did not contact the

undersigned by December 21, 2015. To date, the parties have not contacted the undersigned.

Therefore, based on the forgoing, the Appellant's appeal is dismissed.

As recommended by:

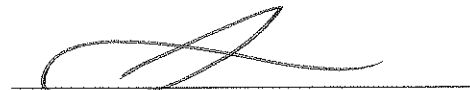
Date: 1/21/16



Catherine R. Warren
Hearing Officer

I have read the Hearing Officer's recommendation and I hereby ADOPT/REJECT the recommendation of the Hearing Officer in the above-entitled Order of Dismissal.

Date: 1/22/16



Macky McCleary
Director

Entered as an Administrative Order No.: 16-05 this 25th day of January, 2016.

NOTICE OF APPELLATE RIGHTS

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this 25th day of January, 2016 that a copy of the within Order and Notice of Appellate Rights was sent by first class mail, postage prepaid to John J. DeSimone, Esquire, DeSimone Law Offices, 735 Smith Street, Providence, RI 02908 and Mario Martone, Esquire, City of Providence Law Department, 444 Westminster Street, Suite 220, Providence, RI 02903 and by hand delivery to Maria D'Allesandro, Deputy Director, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Bldg. 68-69, Cranston, RI 02920.

