

**STATE OF RHODE ISLAND
DEPARTMENT OF BUSINESS REGULATION
PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND**

**Montecristo Restaurant LLC
Appellant,**

v.

**City of Providence, Board of Licenses,
Appellee.**


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DBR No.: 24LQ001

FINAL ORDER OF DISMISSAL

This matter arose from an appeal and stay filed by Montecristo Restaurant LLC (“Appellant”) with the Department of Business Regulation (“Department”) pursuant to R.I. Gen. Laws § 3-7-21 regarding the decision taken on January 4, 2024 by the City of Providence, Board of Licenses (“Board”) to deny the renewal of Appellant’s Class BV liquor license. The Department issued an order on January 29, 2024 providing a conditional stay of the denial of the renewal and remanding the matter to the Board for a further hearing. On May 1, 2024, the undersigned was notified that the Board had taken no action on the remand. On September 13, 2024, the Appellant’s counsel indicated that this matter could be dismissed. On September 13, 2024, the undersigned notified the City that if she did not receive an objection by September 23, 2024, she would recommend dismissal. No objection was received by September 23, 2024. To date, there has been no communication by any of the parties that the matter should not be dismissed. Therefore, based on the foregoing, the Appellant’s appeal is dismissed.

Dated: 10/4/24

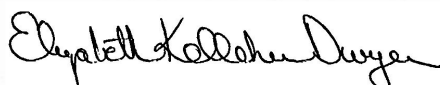

Catherine R. Warren
Hearing Officer

ORDER

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

 X ADOPT
 REJECT
 MODIFY

Dated: 10/04/2024


Elizabeth Kelleher Dwyer, Esquire
Director

NOTICE OF APPELLATE RIGHTS

THIS ORDER 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 7th day of October, 2024 that a copy of the within Final Order of Dismissal and Notice of Appellate Rights were sent by electronic delivery and first class mail, postage prepaid, to the following: Mario Martone, Esquire, City of Providence Law Department, 444 Westminster Street, Suite 220, Providence, R.I. 02903, Nicholas Hemond, Esquire, One Turks Head Place, Suite 1200, Providence, R.I. 02903, and Louis A. DeSimone, Jr., Esquire, 1554 Cranston Street, Cranston, R.I. 02920 and by electronic delivery to Pamela Toro, Esquire, Department of Business Regulation, Pastore Complex, 1511 Pontiac Avenue, Cranston, R.I. 02920.


Megan Mihara