

**BEFORE THE ALCOHOLIC BEVERAGE CONTROL APPEALS BOARD  
OF THE STATE OF CALIFORNIA**

**AB-9070**

File: 20-308519 Reg: 08068842

SABER ABDELLEH-AZIZ SHEHADEH, dba Tru Valu Market  
1001-03 E Street, Sacramento, CA 95814,  
Appellant/Licensee

v.

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL,  
Respondent

Administrative Law Judge at the Dept. Hearing: Nicholas R. Loehr

Appeals Board Hearing: April 7, 2011  
San Francisco, CA

**ISSUED APRIL 28, 2011**

Saber Abdelleh-Aziz Shehadeh, doing business as Tru Valu Market (appellant), appeals from a decision of the Department of Alcoholic Beverage Control<sup>1</sup> which revoked his license for having purchased distilled spirits, believing them to be stolen; for having paid cash in return for debits on EBT (food stamp) cards; and for being the subject of a plea of nolo contendere to a public offense involving moral turpitude: violations of Penal Code sections 664 and 496, subdivision (a); Welfare and Institutions Code section 10980, subdivision (g); and Business and Professions Code section 24200, subdivision (d).

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<sup>1</sup>The decision of the Department, dated October 5, 2009, is set forth in the appendix.

Appearances on appeal include appellant Saber Abdelleh-Aziz Shehadeh, appearing through his counsel, Richard D. Warren, and the Department of Alcoholic Beverage Control, appearing through its counsel, Kelly Vent.

#### FACTS AND PROCEDURAL HISTORY

Appellant's off-sale beer and wine license was issued on June 8, 1995. On May 28, 2008, the Department instituted an accusation against appellant charging violations of Penal Code sections 664 and 496, subdivision (a) (Counts 1, 2, 3, 4, 7 and 10) (purchase or sale of distilled spirits and/or tobacco products, believing them to have been stolen); violations of Welfare and Institutions Code section 10980, subdivision (g) (Counts 5, 6, 8, 9 and 11) (paying cash in return for debits on EBT (food stamp) cards); and violations of Business and Professions Code section 24200, subdivision (d) (Counts 12 and 13) (pleas of nolo contendere to public offenses involving moral turpitude).

At the administrative hearing held on August 11, 2009, documentary evidence was received and testimony concerning the violation charged was presented by the licensee, Saber Abdelleh-Aziz Shehadeh, as well as three individuals who live near the licensed premises: Shelley Ann Watson, Terrence John Rock and Reed William Price.

Subsequent to the hearing, the Department issued its decision which determined that appellant's license should be revoked for the commission of crimes of moral turpitude.

Appellant thereafter filed a timely appeal.

## DISCUSSION

Written notice of the opportunity to file briefs in support of appellant's position was given on December 23, 2010. Appellant has not filed a brief. We have reviewed the notice of appeal and have found it lacks sufficient information for this Board to determine the basis for appellant's appeal.

The Appeals Board is not required to make an independent search of the record for error not pointed out by appellant. It was appellant's duty to show the Board that the error existed. Without such assistance by appellant, the Appeals Board may deem the general contentions waived or abandoned. (*Horowitz v. Noble* (1978) 79 Cal.App.3d 120, 139 [144 Cal.Rptr. 710]; *Sutter v. Gamel* (1962) 210 Cal.App.2d 529, 531 [26 Cal.Rptr. 880, 881].)

## ORDER

The decision of the Department is affirmed.<sup>2</sup>

FRED ARMENDARIZ, CHAIRMAN  
TINA FRANK, MEMBER  
MICHAEL A. PROSIO, MEMBER  
ALCOHOLIC BEVERAGE CONTROL  
APPEALS BOARD

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<sup>2</sup>This final order is filed in accordance with Business and Professions Code section 23088, and shall become effective 30 days following the date of the filing of this order as provided by section 23090.7 of said code.

Any party, before this final order becomes effective, may apply to the appropriate court of appeal, or the California Supreme Court, for a writ of review of this final order in accordance with Business and Professions Code section 23090 et seq.