

ISSUED JANUARY 12, 1999

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

ANGEL ROSALES	)	AB-6912
dba El Seniorial)	
5761 Lankershim Boulevard	)	File: 40-103232
North Hollywood, California 91601,	)	Reg: 96038421
Appellant/Licensee,)	
	)	Administrative Law Judge
v.	)	at the Dept. Hearing:
	)	Rodolfo Echeverria
)	
DEPARTMENT OF ALCOHOLIC	)	Date and Place of the
BEVERAGE CONTROL,	)	Appeals Board Hearing:
Respondent.	)	January 6, 1999
	)	San Diego, CA
)	

Angel Rosales, doing business as El Seniorial (appellant), has appealed from a decision of the Department of Alcoholic Beverage Control¹ which revoked his license for various acts of drink solicitation and sales to obviously intoxicated patrons, being contrary to the universal and generic public welfare and morals

¹The decision of the Department, dated July 10, 1997, is set forth in the appendix.

provisions of the California Constitution, article XX, §22, arising from violations of Business and Professions Code §24200, subdivisions (a) and (b), in conjunction with §§25657, subdivision (b), and 25602, subdivision (a), of said code, Penal Code §647, subdivision (f), and Rule 143.

Appellant is the same licensee whose earlier appeal of a decision of the Department of Alcoholic Beverage Control, which ordered the license in question revoked, was rejected by this Board (see AB-6950 (Angel Rosales) on September 30, 1998), during the pendency of the present appeal.

The Board is further advised that, as of October 22, 1998, following notice to appellant of the Department of Alcoholic Beverage Control's intention to take appellant's license certificate, the premises in question were found to be out of business and locked.² Finally, the Board has been informally advised by appellant's counsel, Armando Chavira, that he is unaware of appellant's present whereabouts, and, in light of the intervening rejection by the Appeals Board of appellant's earlier appeal, did not intend to file a brief or make an appearance on appellant's behalf.

Based upon the foregoing, it is our opinion that the matters raised in the present appeal have become moot, and therefore, the appeal should be dismissed on that ground.

² The Board has been furnished a certified copy of a Certificate of Posting Notice of Suspension, in which the investigator states that the premises were "out of business and locked." This is consistent with the information received from appellant's counsel.

ORDER

The appeal is dismissed.³

RAY T. BLAIR, JR., CHAIRMAN
JOHN B. TSU, MEMBER
BEN DAVIDIAN, MEMBER
ALCOHOLIC BEVERAGE CONTROL
APPEALS BOARD

³ This final order is filed in accordance with Business and Professions Code §23088, and shall become effective 30 days following the date of the filing of this order as provided by §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 §23090 et seq.