

ISSUED OCTOBER 3, 1997

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

| | | |
|-------------------------|---|------------------------------|
| FLOYD CARL WILTZ |) | AB-6915 |
| dba Expose Theater |) | |
| 2845 Cordoba Court |) | File: 42-283240 |
| Ceres, CA 95307, |) | Reg: 95033808 |
| Appellant/Licensee, |) | |
| |) | |
| v. |) | Automatic Revocation of |
| |) | License Pursuant to Business |
| DEPARTMENT OF ALCOHOLIC |) | and Professions Code §24048 |
| BEVERAGE CONTROL, |) | |
| Respondent. |) | |
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ORDER

Floyd Carl Wiltz, doing business as Expose Theater (appellant), filed this appeal from the automatic revocation, pursuant to Business and Professions Code §24048, of his on-sale beer and wine public premises license.

In another appeal by appellant, AB-6732, this Board granted the motion of the Department to dismiss the appeal as moot, having determined that appellant's license had been revoked automatically under the terms of Business and Professions Code §24048; that the automatic revocation was not an appealable

decision of the Department; that the revocation was effective on July 3, 1997; that appellant's attempted appeal of that revocation (which is the instant appeal) did not stay the effective date of the revocation; and that the automatic revocation made that appeal (AB-6732) moot.

On the basis of our determinations with regard to the motion to dismiss in AB-6732, we find that the present appeal is moot, and the appeal is dismissed.¹

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

¹This 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 decision as provided by §23090.7 of said code.

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