

DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT
441 4th Street, N.W.
Washington, D.C. 20001

Appeal of John Stokes

BZA Appeal 18991

**RESPONDENT'S MOTION TO ACCEPT JUNE 22 FILINGS BY RESPONDENT AND
INTERVENOR AS TIMELY FILED**

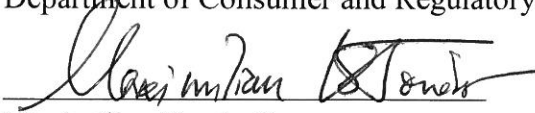
Respondent, the District of Columbia Department of Consumer and Regulatory Affairs ("DCRA"), mistakenly understood that the deadline for filing its Response to Appellant's Amended Pre-Hearing Statement was June 22, 2015, instead of the June 16, 2015 deadline established by the Board. DCRA's error was unintentional and resulted from the confusion over changing dates while the different filing deadlines for the parties were scheduled at the May 15, 2015 hearing.

DCRA apologizes for its mistake and respectfully requests that the Board accept the June 22 filings of DCRA and the Intervenor as timely filed. As regards the effect of the filing on Appellant's subsequent reply deadline, DCRA willingly consents to the waiver of that requirement, especially as Appellant is not normally required to submit a reply in a Board Appeal. DCRA believes its unintentional error did not injure Appellant, who retains the right to provide the arguments and evidence that it might have chosen to include in its reply.

Therefore, DCRA respectfully requests that the Board grant this motion to accept the June 22, 2015 filing of its amended Pre-Hearing Statement, as well as that of the Permit Holder, as timely filed.

Respectfully submitted,
CHARLES THOMAS
Acting General Counsel
Department of Consumer and Regulatory Affairs

Date: June 26, 2015


Maximilian Tondro*

Assistant General Counsel, Office of General Counsel
Department of Consumer and Regulatory Affairs
1100 4th Street, S.W., Suite 5266
Washington, D.C. 20024

Board of Zoning Adjustment
District of Columbia
CASE NO.18991
EXHIBIT NO.53

(202) 442-8403 (office) / (202) 442-9477 (fax)

maximilian.tondro@dc.gov

Attorney for Department of Consumer and Regulatory Affairs

* Admitted to practice in Maryland. Practicing in the District of Columbia pursuant to D.C. Court of Appeals Rule 49(c)(4).

CERTIFICATE OF SERVICE

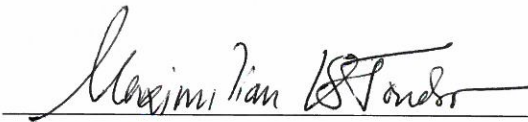
I hereby certify that on this 26th day of June 2015, a copy of the foregoing Pre-Hearing Statement was served via electronic mail to:

John Stokes
1519 Varnum Street, N.W.
Washington, D.C. 20039
stokesdc@hotmail.com
Appellant

Taalib-Din A. Uqdah, Secretary
Advisory Neighborhood Commission, ANC-4C
801 Shepherd Street, N.W.
Washington, D.C. 20011
4C@anc.dc.gov

Marty P. Sullivan
Sullivan & Barros, LLP
1990 M Street, N.W., Suite 200
Washington, D.C. 20036
msullivan@sullivanbarros.com
Attorney for Permit Holder

Elisa M. Irwin, Single Member Advisory Neighborhood
Commission, ANC-4C03
1500 Varnum Street, N.W.
Washington, D.C. 20011
4c03@anc.dc.gov



Maximilian Tondro