# District of Columbia
# Court of Appeals

July 8, 2004

*Nos. 03-AA-1109: Kathleen B. Beckwithv. District of Columbia Board of Zoning Adjustment, and JackBenson, et al.*

D.C. Board of Zoning Adjustment
Jerrily R. Kress, Director
District Building
441 4th Street, NW, Suite 210
Washington, DC 20001

Dear Ms. Kress:

Pursuant to Rule 41(a) of this Court, the decision in the above-entitled case is attached.

Please acknowledge receipt of the decision by signing the copy of this letter and returning it to this office as soon as possible.

Garland Pinkston, Jr.
Clerk

I hereby acknowledge receipt of the original of this letter with attachments.

Jerrily Kress
Signed

July 13, 2004
Date

BZA
Case No. 16921-A
Exhibit No. 51

Board of Zoning Adjustment
District of Columbia
CASE NO.16921
EXHIBIT NO.51

# District of Columbia Court of Appeals

FILED
JUN 16 2004
DISTRICT OF COLUMBIA
COURT OF APPEALS

**No. 03-AA-1109**

KATHLEEN B. BECKWITH,

Petitioner,

**BZA16921-A**

v.

DISTRICT OF COLUMBIA,

Respondent,

and

JACK BENSON, *et al.*,

Intervenors.

**ORDER**

On consideration of petitioner's motion to dismiss this petition for review, wherein petitioner indicates that the District of Columbia Board of Zoning Adjustment has issued a Modification Order which satisfies petitioner's concerns, and on further consideration of this court's order of April 26, 2004 which stayed this appeal, it is

ORDERED that the stay entered by this court on April 24, 2004, is hereby vacated. It is

FURTHER ORDERED petitioner's motion to dismiss is granted, and this petition for review is hereby dismissed. *See* D.C. App. R. 13 (b).

BY THE COURT:

ANNICE M. WAGNER
Chief Judge

A true Copy
Test:
GARLAND PINKSTON JR.
Clerk of the District of Columbia Court
of Appeals
DEPUTY CLERK

Copies to:

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Deputy Attorney General for D.C.

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