District of Columbia
Court of Appeals

MAR 10 2004

No. 03-AA-1274

AMERICAN TOWERS, INC.,

Petitioner,

v. **BZA16990**

DISTRICT OF COLUMBIA
BOARD OF ZONING,

Respondent.

BEFORE: Schwelb and Reid, Associate Judges, and Kern, Senior Judge.

JUDGMENT

On consideration of petitioner's motion for stay, the opposition and reply thereto, respondent's motion for summary affirmance, and the opposition and reply thereto, it is

ORDERED that respondent's motion for summary affirmance is granted. It is

FURTHER ORDERED AND ADJUDGED that the order on appeal is hereby affirmed. It is

FURTHER ORDERED that petitioner's motion for stay is denied as moot.

FOR THE COURT:

GARLAND PINKSTON, JR.
Clerk of the Court

Copies to:

Robert B. Cave, Esquire
Eric Von Salzen, Esquire
Jason C. Chipman, Esquire
555 Thirteenth Street, N.W.
Washington, D.C. 20004

Edward E. Schwab, Esquire
Deputy Corporation Counsel

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

jb

BZA
Case No. 16990
Exhibit No. 42

Board of Zoning Adjustment
District of Columbia
CASE NO. 16990
EXHIBIT NO. 42

District of Columbia
Court of Appeals

September 10, 2004

Nos. 03-AA-1274: American Towers, Inc. v. District of Columbia Board of Zoning.

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

9-14-04
Date