

APPLICATION FOR SUPERSEDEAS

(SUBMIT IN ORIGINAL ONLY)

INSTRUCTIONS

1. This Application is to be filed with the Appeal when requesting a supersedeas. In no event shall this Application be filed later than 30 days after the mailing date of the Administrative Law Judge's Opinion and Adjudication. A "supersedeas" is a stay, or delay, of a penalty (payment of fine or imposition of a suspension or revocation) while an Appeal is pending.
2. Send to: Pennsylvania Liquor Control Board, ATTN: Office of Chief Counsel, Appeal Unit, Room 401, Capital and Boas Streets, Northwest Office Building, Harrisburg, PA 17124-0001.
3. Complete the following (as it appears on the ALJ's Opinion and Adjudication)

NAME OF LICENSEE		PLCB LICENSE NO.	CITATION NO.	
TRADE NAME (IF ANY)				
ADDRESS OF PREMISES	(STREET, RURAL ROUTE, P.O. BOX NO.)	(POST OFFICE)	(STATE)	(ZIP)
NAME OF MUNICIPALITY		COUNTY		

4. An Appeal to the Board will **not** operate as a supersedeas if the licensee has been cited and found to have committed one or more of the following violations: (Unless otherwise indicated, Sections designated are those contained in the Pennsylvania Liquor Code. The Liquor Code is set forth in Title 47 of Purdon's Statutes).

Section 493(1) (sales to minors or sales to any person visibly intoxicated).

Section 493(10) (lewd, immoral or improper entertainment).

Section 493(14) (permitting undesirable persons or minors to frequent).

Section 493(16) (furnishing or delivering liquor or malt or brewed beverages at unlawful hours).

Section 493(21) (right of inspection).

Section 611 (licensed premises found to be a public nuisance).

If the owner or operator of the license or any authorized agent of the owner or operator is convicted of any violation of:

Act of April 14, 1972, (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act" (See Title 35 of Purdon's Statutes);

Crimes Code, Section 5902 (prostitution or related offenses), or

Crimes Code, Section 6301 (corruption of minors) (See Title 18 of Pennsylvania Consolidated Statutes).

An Appeal shall **not** act as a supersedeas as to any penalty imposed for any one or more of the violations set forth above unless the Board determines otherwise upon sufficient cause shown.

(OVER)

5. I hereby apply for a supersedeas of the penalty(ies) imposed in the Opinion and Adjudication appealed to the Board. I submit as sufficient cause the following, which I am prepared to establish at any hearing which may be held in this matter: (List below each reason which would demonstrate to the Board that sufficient cause exists for the Board to grant your Application for Supersedeas. Attach additional sheets if necessary.) Your signature should be affixed where indicated below.

SIGNATURE OF LICENSEE OR AUTHORIZED OFFICER	DATE
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OFFICIAL USE ONLY

DATE	REVIEWED BY	RECOMMENDATION	HEARING DATE
BOARD ACTION DATE	CHAIRMAN	MEMBER	MEMBER