

NOTICE OF APPEAL

Licensee: _____

d/b/a: _____

License No: _____

Case Number(s):

**BEFORE THE SECRETARY OF REVENUE
KANSAS DEPARTMENT OF REVENUE
915 SW HARRISON STREET, ROOM 230
TOPEKA, KANSAS 66612-1588
Telephone (785) 296-3041
Fax (785) 368-8392**

NOTICE OF APPEAL

Pursuant to K.S.A. 41-2609 and/or K.S.A. 41-321, as amended

COMES NOW the Licensee or its agent and appeals the Order of the Director of the Alcoholic Beverage Control dated _____ in the above-named case(s).

Grounds for the appeal include, but are not limited to (attach additional sheets if necessary):

NOTICE OF APPEAL

Respectfully submitted:

Licensee or authorized agent

Date submitted

METHOD OF SERVICE

_____ Certified Mail (Docking Building)

_____ Hand delivery (Mills Building)

_____ Facsimile (785) 368-8392

_____ Other (Specify)

NOTICE OF APPEAL

INSTRUCTIONS

Pursuant to K.S.A. 41-321, any applicant or licensee aggrieved by any order of the Director may appeal such order to the Secretary of Revenue by filing a Notice of Appeal.

Complete the form above and return it to the office of the Secretary of Revenue **within 15 days of service** of the Order you are appealing. If you received the Order being appealed via U.S. Postal Service, you may add three (3) additional days for mail service.

You must complete all sections of this form including a brief explanation of the reason (grounds) you are appealing the Order. Additional pages may be attached as needed.

If you mail the form to the Secretary of Revenue, 915 SW Harrison St, Room 230, Topeka, KS 66612-1588, the mail service **must be** completed using a form of trackable mail. Other acceptable filing options include hand delivering your Notice of Appeal to Secretary of Revenue, 109 SW 9th St, 4th Floor, Topeka, KS 66612 or by facsimile (785) 368-8392.

Additionally, please send a copy of this appeal to the ABC Legal department. Mailing address: ABC Legal, 915 S.W. Harrison, Room 214, Topeka, KS 66612
Hand delivery address: ABC Legal, 109 SW 9th St, Room 509, Topeka, KS 66612
Facsimile for ABC Legal: (785) 296-7185 or email a copy to KDOR_LAA@ks.gov.

The steps of this Appeal are as follows:

1. You File your Appeal.
2. You will receive a "Notice of Opportunity to Present Written Arguments."
 - a. This is your opportunity to explain to the Secretary of Revenue why you feel the Order should be modified or dismissed. Please provide complete details and any documentation you feel the Secretary needs in order to make an informed decision about this case. You will have thirty (30) days to submit this documentation.
 - b. The State is then allowed fifteen (15) days from receipt of your written arguments to respond.
3. Once both parties have presented their written documentation, a Final Order Following Review will be issued by the Secretary. If fines were ordered on the appealed Order, they will now be due within thirty (30) days of service of this order or the license can be suspended until 48 hours after the fines and any additional penalties are paid in full.
4. Should you wish to appeal the Final Order Following Review, you will need to file a Petition for Judicial Review in District Court within thirty (30) days of the issuance of the Final Order.

THIS PAGE DOES NOT NEED TO BE SUBMITTED WITH YOUR APPEAL; PLEASE KEEP IT FOR YOUR RECORDS.