

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

Case No. 2012-0002

**DONALD ADAMS,
CASINO GAMING EMPLOYEE LICENSE
APPLICANT**

Respondent.

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On February 14, 2012, Respondent Donald Adams filed an application for a casino gaming employee license with the Ohio Casino Control Commission (“Commission”). (Hr’g Ex. F.) Thereafter, the Commission conducted a suitability investigation of Adams to determine his eligibility for such a license.

During the suitability investigation, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Deny and Opportunity for Hearing (“Notice”), dated April 20, 2012. (See Hr’g Ex. A.) Adams received the Notice, sent via certified mail, on April 25, 2012. (Hr’g Ex. B.) Pursuant to R.C. 119.07 and 3772.04, Adams had the right to a hearing if requested within 30 days of the Notice’s mailing. Adams so requested and the Commission scheduled a hearing for May 4, 2012; and upon its own motion, the Commission continued the hearing until May 22, 2012. (Hr’g Ex. C.)

Through a letter, dated May 8, 2012, the Commission provided Adams with supplemental information regarding the allegations contained in the Notice. (Hr’g Ex. D.) In response (and in lieu of appearing at the hearing), Adams submitted a Letter of Contention, dated May 11, 2012, wherein he stated his positions on the matter. (Hr’g Ex. G.) Accordingly, the Commission held the hearing as scheduled, without Adams in attendance, before Hearing Examiner John Gonzales (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner closed the record to prepare a Report and Recommendation (“R&R”), (Tr. 12), which he submitted on June 19, 2012. Therein, the Examiner found that Adams: 1) submitted a Casino Gaming Employee License Application (“Application”) that contained false information, in violation of R.C. 3772.10(C)(2), (R&R ¶¶ 14-16); and 2) failed to prove his suitability for licensure by clear and convincing evidence, as required by 3772.10(B), (id. ¶¶ 13, 18.) As a result of these findings, the Examiner recommended that the Commission deny Adams’s Application. (Id. ¶ 19.)

On June 21, 2012, the Commission sent Adams, via certified mail, a copy of the R&R. (App. #1; App. #2.) Adams received the R&R on June 25, 2012, (App. #2), giving him until July 25, 2012, to file objections, see R.C. 3772.04(A)(2); Adams did not do so, however.

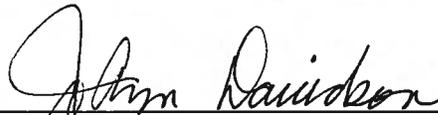
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on August 15, 2012, for final adjudication.

WHEREFORE, in consideration of the foregoing and upon a quorum and majority vote of the members, the Commission **ADOPTS** the Examiner's R&R without modification.

WHEREFORE, in consideration of the foregoing and upon a quorum and majority vote of the members, the Commission **ORDERS** as follows:

- 1) Adams's Application is **DENIED**;
- 2) Adams is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772; and
- 3) A certified copy of this Order shall be served upon Adams, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.



Jo Ann Davidson, Chair
Ohio Casino Control Commission

NOTICE OF APPEAL RIGHTS

Respondent is hereby notified that pursuant to R.C. 119.12, this Commission Order may be appealed by filing a Notice of Appeal with the Commission setting forth the Order that Respondent is appealing from and stating that the Commission's Order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The Notice of Appeal may also include, but is not required to include, the specific grounds for the appeal. The Notice of Appeal must also be filed with the appropriate court of common pleas in accordance with R.C. 119.12. In filing the Notice of Appeal with the Commission or court, the notice that is filed may be either the original Notice of Appeal or a copy thereof. The Notice of Appeal must be filed within 15 days after the date of mailing of this Commission Order.