

**STATE OF OHIO  
CASINO CONTROL COMMISSION**

*In re:* :  
 : Case No. 2012-0010  
**LEKIA MITCHELL,** :  
**CASINO GAMING EMPLOYEE LICENSE** :  
**APPLICANT** :  
 :  
 Respondent. :

**ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION**

On February 27, 2012, Respondent Lekia Mitchell filed an application for a casino gaming employee license with the Ohio Casino Control Commission (“Commission”). (Hr’g Ex. G.) Thereafter, the Commission conducted a suitability investigation of Mitchell to determine her 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. B.) Mitchell received the Notice, sent via certified mail, on April 26, 2012. (Hr’g Ex. C.) Pursuant to R.C. 119.07 and 3772.04, Mitchell had the right to a hearing if requested within 30 days of the Notice’s mailing. Mitchell so requested and the Commission scheduled a hearing for May 10, 2012; and upon its own motion, the Commission continued the hearing until May 29, 2012. (Hr’g Ex. D.) Upon Mitchell’s request, and without objection from the Commission, the hearing was continued until August 7, 2012.

Through a letter, dated May 8, 2012, the Commission provided Mitchell with supplemental information regarding the allegations contained in the Notice. (Hr’g Ex. F.) Mitchell appeared at the hearing without counsel. Accordingly, the Commission held the hearing as scheduled before Hearing Examiner Andrew Cooke (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner closed the record to prepare a Report and Recommendation (“R&R”), which he submitted on September 18, 2012. Therein, the Examiner found that Mitchell: 1) has been convicted of, or pleaded guilty or no contest to, one or more offenses having an element of moral turpitude, constituting a disqualifying offense under R.C. 3772.07(D); and 2) failed to prove her suitability for licensure by clear and convincing evidence, as required by 3772.10(B). (R&R p. 5.) As a result of these findings, the Examiner recommended that the Commission deny Mitchell’s Application. (Id. 6.)

On September 20, 2012, the Commission sent Mitchell, via certified mail, a copy of the R&R. (App. #1; App. #2.) Mitchell received the R&R on September 24, 2012 (App. #2), giving her until October 24, 2012, to file objections, see R.C. 3772.04(A)(2) ; Mitchell did not do so, however.

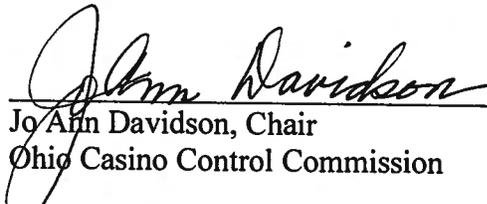
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on November 14, 2012, for final adjudication.

**WHEREFORE**, in consideration of the foregoing and upon a quorum and majority vote of the members, the Commission **ADOPTS** the Examiner's R&R.

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

- 1) Mitchell's Application is **DENIED**;
- 2) Mitchell is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Mitchell is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from the date this Order is served upon her, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04; and
- 4) A certified copy of this Order shall be served upon Mitchell, via certified mail, return receipt requested, and her 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.