

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2014-LIC-018
DARRELL CUMBOW, :
CASINO GAMING EMPLOYEE LICENSEE :
 :
 Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On July 30, 2012, Darrell Cumbow filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. The Commission conducted a suitability investigation of Cumbow to determine his eligibility for such a license. Having found Cumbow suitable for licensure, the Commission issued a Casino Gaming Employee License to Cumbow on September 5, 2012.

During an administrative investigation of Cumbow, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Revoke, Suspend, Limit, Condition, Restrict, Penalize, and/or Fine and Opportunity for Hearing (“Notice”), dated April 23, 2014. (Exhibit A.) Cumbow received the Notice, sent via certified mail, on or about April 28, 2014. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Cumbow had the right to a hearing if requested within 30 days of the Notice’s mailing. Cumbow failed to do so. Accordingly, no hearing was held and the matter was brought before the Commission on June 18, 2014, for final adjudication. R.C. 119.07 and 3772.04(A).

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

- 1) Based on the results of the Commission’s administrative investigation, Cumbow failed to notify the Commission that:
 - A) On June 14, 2013, he was arrested in Licking County, Ohio, for and charged in the Licking County Municipal Court with violating, among other things:
 - i) R.C. 4511.19(A)(1)(a) – OVI/2nd Offense; and
 - ii) R.C. 4511.19(A)(2) – OVI/Refusal,both of which are first-degree misdemeanors, respectively;
 - B) On December 3, 2013, he pled guilty or no contest to R.C. 4511.19(A)(1)(a) – OVI/2nd Offense and R.C. 4511.19(A)(2) –

OVI/Refusal violations, both of which are first-degree misdemeanors, in the Licking County Municipal Court; and

- C) As a result of the Court's finding of guilt, he received the following sentence on December 3, 2013:
- i) A two-year driver's license suspension, equivalent to 730 days;
 - ii) A \$600.00 fine plus court costs;
 - iii) Six points on his driving record;
 - iv) A probation term to end on December 3, 2015; and
 - v) 90 days of confinement with 60 days suspended, for a total of 30 days of confinement,

in violation of Ohio Adm. Code 3772-8-04(A)(5), (8), and/or (B).

- 2) Based on the results of the Commission's administrative investigation, Cumbow is no longer suitable to maintain and/or otherwise eligible to hold a license issued under R.C. Chapter 3772, as required by 3772.10(B), (C)(7), and/or (D)(1). In addition, Cumbow is no longer suitable for licensure as a Casino Gaming Employee in this state, as required by R.C. 3772.10(C), (C)(7), and (D)(1), to wit:

- A) On September 24, 2010, he was arrested in Franklin County, Ohio, for and charged in the Franklin County Municipal Court with violating New Albany City Ordinance 333.01(a)(1)(A) – OVI, a first degree misdemeanor;
- B) On April 12, 2011, he pled guilty or no contest to an amended charge of New Albany City Ordinance 333.02 – Operation in willful or wanton disregard of safety, a first-degree misdemeanor, in the Franklin County Municipal Court; and
- C) As a result of the Court's finding of guilt, he received the following sentence on April 12, 2011:
 - i) A \$375.00 fine plus court costs;
 - ii) Three days of confinement with three days suspended; and
 - iii) Four points on his driving record;

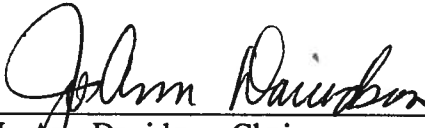
- D) On April 29, 2012, he was arrested in Fairfield County, Ohio for and charged in the Fairfield County Municipal Court with violating R.C. 4511.19(A)(2) – OVI Refusal, a first-degree misdemeanor;
- E) On August 27, 2012, he pled guilty or no contest to R.C. 4511.19(A)(2) – OVI Refusal, a first-degree misdemeanor, in the Fairfield County Municipal Court;
- F) As a result of the Court’s finding of guilt, he received the following sentence on August 26, 2012:
- i) A \$425.00 fine plus court costs;
 - ii) A 180-day driver’s license suspension;
 - iii) 140 days confinement with 137 days suspended, for a total of three days of confinement;
 - iv) A two-year term of non-reporting probation;
 - v) Completion of an alcohol/drug assessment within 90 days and to follow all recommendations; and
 - vi) Total abstinence/no consumption of alcohol or ingestion of illegal substance, including opiates;
- G) On June 14, 2013, he was arrested in Licking County, Ohio, for and charged in the Licking County Municipal Court with violating, among other things:
- i) R.C. 4511.19(A)(1)(a) – OVI/2nd Offense; and/or
 - ii) R.C. 4511.19(A)(2) – OVI/Refusal
- both of which are first-degree misdemeanors, respectively;
- H) On December 3, 2013, he pled guilty, or no contest to R.C. 4511.19(A)(1)(a) – OVI/2nd Offense and R.C. 4511(A)(2) – OVI/Refusal violations, both of which are first-degree misdemeanors, in the Licking County Municipal Court; and
- I) As a result of the Court’s finding of guilt, he received the following sentence on December 3, 2013, to:

- i) A two-year driver's license suspension, equivalent to 730 days;
- ii) A \$600.00 fine plus court costs;
- iii) Six points on his driving record;
- iv) A probation term to end on December 3, 2015; and
- v) 90 days of confinement with 60 days suspended, for a total of 30 days of confinement.

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

- 1) Cumbow's Casino Gaming Employee License is **REVOKED**.
- 2) Cumbow shall immediately **SURRENDER** his license credential to the Commission.
- 3) Cumbow is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 4) Cumbow is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from the date this Order is served upon him, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04.
- 5) A certified copy of this Order shall be served upon Cumbow, 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

The Party 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 the Party 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.