

2014. Therein, the Examiner found and concluded that the Commission demonstrated by a preponderance of the evidence that:

- 1) Holmes failed to notify the Commission that:
 - a. On July 16, 2013, he was charged with violating one count of R.C. 2903.11(A) – Assault, a first-degree misdemeanor, in the Defiance Municipal Court;
 - b. On October 31, 2013, he pled guilty to violating one count of R.C. 2917.11 – Disorderly Conduct, a fourth-degree misdemeanor, in the Defiance Municipal Court;
 - c. On October 31, 2013, he was sentenced to a \$250.00 fine with \$150.00 suspended, totaling \$100.00, plus court costs; 30 days of confinement with 30 days suspended; and no contact for three years with the prosecuting witness; and
 - d. His home address had changed,in violation of Ohio Adm. Code 3772-8-04(A)(2), (5), (8), and (B); and
- 2) Holmes is not suitable to maintain a Casino Gaming Employee License, pursuant to R.C. 3772.10(B), (C)(7), and (D)(1). (R&R 11.)

As a result, the Examiner recommended that the Commission revoke Holmes' Casino Gaming Employee License. (*Id.*)

On October 15, 2014, the Commission sent Holmes, via certified mail, a copy of the R&R. (App. #2; App. #3.) Holmes received the R&R on October 20, 2014, (App. #4), giving him until November 19, 2014, to file objections with the Commission, *see* R.C. 3772.04(A)(2). Holmes did so on November 17, 2014, and the Commission considered his filing before rendering this decision.

In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on December 17, 2014, 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) Holmes' Casino Gaming Employee License is **REVOKED**;
- 2) Holmes shall immediately **SURRENDER** his license credential to the Commission;

- 3) Holmes is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 4) Holmes 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; and
- 5) A certified copy of this Order shall be served upon Holmes, 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 for 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 of the date of the mailing of this Commission Order.