

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2014-LIC-014
JIMICA PHELPS, :
CASINO GAMING EMPLOYEE LICENSEE :
 :
 :
 Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On January 25, 2013, Jimica Phelps filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. Consequently, the Commission conducted a suitability investigation of Phelps to determine her eligibility for such a license. Having found Phelps suitable for licensure, the Commission issued a Casino Gaming Employee License to her on January 31, 2013.

During an administrative investigation of Phelps, 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 March 7, 2014. (Exhibit A.) Phelps received the Notice, sent via certified mail, on March 10, 2014. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Phelps had the right to a hearing if requested within 30 days of the Notice’s mailing. Phelps failed to do so. Accordingly, no hearing was held and the matter was brought before the Commission on May 22, 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, Phelps failed to notify the Commission that:
 - A) On June 25, 2013 or June 26, 2013, she was arrested in Hamilton County, Ohio, for and charged in the Hamilton County Municipal Court with three violations of R.C. 2919.22(A) – Endangering Children, each of which is a first-degree misdemeanor, respectively;
 - B) On September 24, 2013, she pled guilty or no contest to two violations of R.C. 2917.11 – Disorderly Conduct, fourth-degree misdemeanors, in the Hamilton County Municipal Court; and
 - C) As a result of the Court’s finding of guilt, she received the following sentence on September 24, 2013:

- i. 60 days of confinement with 60 days suspended;
- ii. Two years of Community Control; and
- iii. Compliance with a "241-kids" case plan,

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, Phelps is no longer suitable for licensure as a Casino Gaming Employee in this state, as required by R.C. 3772.10(B), (C)(5) and/or (7), and (D)(1), to wit:

- A) On June 25, 2013 or June 26, 2013, she was arrested in Hamilton County, Ohio, for and charged in the Hamilton County Municipal Court with three violations of R.C. 2919.22(A) – Endangering Children, each of which is a first-degree misdemeanor, respectively;
- B) On September 24, 2013, she pled guilty or no contest to two violations of R.C. 2917.11 – Disorderly Conduct, fourth-degree misdemeanors, in the Hamilton County Municipal Court; and
- C) As a result of the Court's finding of guilt, she received the following sentence on September 24, 2013:
 - i. 60 days of confinement with 60 days suspended;
 - ii. Two years of Community Control; and
 - iii. Compliance with a "241-kids" case plan.

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

- 1) Phelps' Casino Gaming Employee License is **REVOKED**;
- 2) Phelps shall immediately **SURRENDER** her license credential to the Commission;
- 3) Phelps is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;

- 4) Phelps 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;
- iv. A certified copy of this Order shall be served upon Phelps, 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

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.