

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 :
 Franklin Skelton & : Case Nos. 2020-SLIC-189 & -190
 T Bird Bar and Grill, :
 Skill-Based Amusement Machine :
 License Applicants. :

APRIL 21, 2021 FINAL ORDER
DENYING SKILL-BASED AMUSEMENT MACHINE LICENSE APPLICATIONS

Franklin Skelton filed a Skill-Based Amusement Machine Key Employee License Application and a Type-C Skill-Based Amusement Machine Location License Application for T Bird Bar and Grill (“T Bird”), (“Applications”) with the Ohio Casino Control Commission (“Commission”), after which the agency conducted suitability investigations to determine their eligibility for licensure. As a result of the investigations, the Commission discovered sufficient derogatory information to warrant issuance of separate Notices of Opportunity for Hearing (“Notices”).

Upon proper service of the Notices, Skelton and T Bird each had the right to a hearing if timely requested. They so requested, and the Commission held a joint hearing before Hearing Examiner Margaret A. Brewer (“Examiner”). Skelton and T Bird appeared at the hearing, represented by counsel, and the Commission held the hearing scheduled before the Examiner.

After presentation and submission of the evidence, the Examiner closed the hearing record and prepared a Report and Recommendation (“R&R”) for Commission consideration. Review of the R&R finds that the Examiner urges denial of the Applications. A copy of the R&R was duly served upon Skelton and T Bird, giving them an opportunity to file objections, *see* R.C. 3772.04(A)(2), which they did not.

The matter is now before the Commission for final adjudication.

WHEREFORE, the Commission **ADOPTS** the Examiner’s R&R without modification.

WHEREFORE, the Commission **ORDERS** as follows with respect to Skelton and T Bird:

- 1) Their Applications are **DENIED**.
- 2) They are **PROHIBITED** from reapplying for licensure for three years from entry of this Order, pursuant to Ohio Adm.Code 3772-50-03.
- 3) This constitutes a **FINAL DETERMINATION** for purposes of Ohio Adm.Code 3772-50-09(C), thereby rendering any associated Skill-Based Amusement Machine Registration ineffective.

- 4) They are **PROHIBITED** from starting or continuing to operate in any capacity or manner that requires a license under Ohio Adm.Code Chapter 3772-50.
- 5) A certified copy of this Order will be served upon them, via certified mail, return receipt requested, and their counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.


June E. Taylor, Chair
Ohio Casino Control Commission

NOTICE OF APPEAL RIGHTS

Each Party is hereby notified that pursuant to R.C. 119.12, the 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 Franklin County Court of Common Pleas in accordance with R.C. 119.12. In filing the Notice of Appeal with the Commission or Court, the filing 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 the Commission Order.