

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

**EDWARD HOLLERAN, JR.,
CASINO GAMING EMPLOYEE LICENSEE**

Respondent.

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Case No. 2013-046
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**ORDER SUSPENDING CASINO GAMING EMPLOYEE LICENSE WITH
CONDITIONAL STAY**

In March 2012, Edward Holleran, Jr., filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. The Commission conducted a suitability investigation of Holleran to determine his eligibility for such a license. Having found Holleran suitable for licensure at the time, the Commission issued him a Casino Gaming Employee License (“License”) on April 18, 2012.

During a subsequent administrative investigation of Holleran, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Take Administrative Action and Opportunity for Hearing (“Notice”), dated June 24, 2013. (*See* Hr’g Ex. A.) Holleran received the Notice, sent via certified mail, on June 26, 2013. (Hr’g Ex. B.) Pursuant to R.C. 119.07 and 3772.04, Holleran had the right to a hearing if requested within 30 days of the Notice’s mailing. Holleran so requested on July 10, 2013, (Hr’g Ex. C); and the Commission scheduled a hearing for July 18, 2013, and upon its own motion, the Commission continued the hearing until August 6, 2013, (Hr’g Ex. D). Holleran appeared at the hearing with counsel. Accordingly, the Commission held the hearing as scheduled before Hearing Examiner J. Quinn Dorgan (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner closed the record to prepare a Report and Recommendation (“R&R”), (Tr. 64-65), which he submitted on September 18, 2013. Therein, the Examiner found that the Commission proved the allegations contained in the Notice and concluded that administrative action is justified. (R&R 6-10.) As a result, the Examiner recommended that the Commission impose an indefinite suspension upon Holleran’s License, lasting the remainder of his three-year licensure period, stayed on the conditions that 1) he does not violate any of the Commission’s rules and 2) he is not convicted of any offense that must be reported to the Commission. (*Id.* 15.)

On September 20, 2013, the Commission sent Holleran, via certified mail, a copy of the R&R. (App. #1; App. #2.) Holleran received the R&R on September 28, 2013, (App. #2), giving him until October 28, 2013, to file objections, see R.C. 3772.04(A)(2). Holleran did not do so, however.

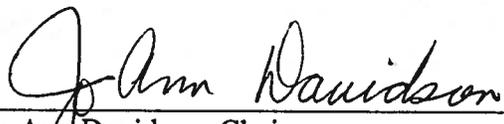
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on November 20, 2013, for final adjudication.

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) Holleran's License is **INDEFINITELY SUSPENDED**, lasting for the remainder of his statutory, three-year licensure period (i.e., April 18, 2015), **STAYED** on the conditions that he:
 - A) Does not violate any of the Commission's rules; and
 - B) Is not convicted of any offense that must be reported to the Commission.
- 2) Holleran's failure to comply with either or both of the conditions described in Paragraph 1 of this Order shall result in the automatic suspension of his License for the remainder of his statutory, three-year licensure period (i.e., April 18, 2015).
- 3) Nothing in this Order shall affect, negate, or otherwise absolve Holleran from his duty to update information in accordance with Ohio Adm. Code 3772-8-04.
- 4) Nothing in this Order shall restrict or limit the Commission's future exercise of authority and discretion with respect to imposing additional conditions or taking further action against Holleran under R.C. Chapter 3772 and the rules adopted thereunder.
- 5) A certified copy of this Order shall be served upon Holleran, 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 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.