

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2013-031
DARNELL MAIDEN, JR., :
CASINO GAMING EMPLOYEE LICENSE :
APPLICANT :
 :
 Respondent. :

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On or about January 9, 2013, Respondent Darnell Maiden, Jr. filed a Casino Gaming Employee License Application (“Application”) with the Ohio Casino Control Commission (“Commission”). (Hr’g Ex. A.) Thereafter, the Commission conducted a suitability investigation of Maiden, Jr. to determine his eligibility for such a license.

During the suitability investigation, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Deny and Opportunity for Hearing (“Notice”), dated April 19, 2013. (See Hr’g Ex. B.) Maiden, Jr. received the Notice, sent via certified mail, on or about April 22, 2013. (Hr’g Ex. C-D.) Pursuant to O.R.C. 119.07 and 3772.04, Maiden, Jr. had the right to a hearing if requested within 30 days of the Notice’s mailing. Maiden, Jr. so requested and the Commission scheduled a hearing for May 23, 2013; and upon its own motion, the Commission continued the hearing until May 30, 2013. (Hr’g Ex. F.) Maiden, Jr. appeared at the hearing without counsel. Accordingly, the Commission held the hearing as scheduled before Hearing Examiner Andrew Cooke (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner agreed to close the record. (Tr. 45.) The Examiner prepared a Report and Recommendation (“R&R”), which he submitted on July 2, 2013. Therein, the Examiner found that Maiden, Jr.: 1) submitted an Application to the Commission that contained false information and failed to set forth all of the information required by the Commission, in violation of O.R.C. 3772.10(C) and (F), 3772.131, and O.A.C. 377-8-02 (R&R 5-6); and 2) failed to establish by clear and convincing evidence his suitability for licensure as a Casino Gaming Employee, as required by O.R.C. 3772.10(B) and 3772.10(C)(7). (*Id.* at 7.) As a result of these findings, the Examiner recommended that the Commission deny Maiden, Jr.’s Application. (*Id.*)

On July 3, 2013, the Commission sent Maiden, Jr., via certified mail, a copy of the R&R. (App. #1; App. #2.) Maiden, Jr. received the R&R on July 12, 2013, (App. #2), giving him until August 12, 2013, to file objections, *see* O.R.C. 3772.04(A)(2). Maiden, Jr. did not file any objections with the Commission.

In accordance with O.R.C. 119.07 and 3772.04, the matter was submitted to the Commission on August 21, 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) Maiden, Jr.'s Application is **DENIED**;
- 2) Maiden, Jr. is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under O.R.C. Chapter 3772;
- 3) Maiden, Jr. is **PROHIBITED** from reapplying for licensure under O.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
- 4) A certified copy of this Order shall be served upon Maiden, Jr., 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 O.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 O.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.