

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

**STEPHEN MERRIWEATHER,
CASINO GAMING EMPLOYEE LICENSE
APPLICANT**

Applicant.

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Case No. 2013-030
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ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On or about January 24, 2013, Applicant Stephen Merriweather, filed with the Ohio Casino Control Commission (“Commission”) an application for a casino gaming employee license. Thereafter, the Commission conducted a suitability investigation of Merriweather to determine his eligibility for such a license.

A casino gaming employee license applicant is eligible for licensure upon meeting the following criteria: (1) being at least 21 years of age, R.C. 3772.131(C); (2) filing a true and complete Casino Gaming Employee License Application, R.C. 3772.131(D) and Ohio Adm. Code 3772-8-02(A); (3) submission of two sets of the applicant’s fingerprints and a photograph, R.C. 3772.131(E); (4) payment of the nonrefundable application fee of \$250.00, R.C. 3772.131(E) and Ohio Adm. Code 3772-8-03(A), and all fees necessary to cover the cost of the background investigation in excess of the application fee, Ohio Adm. Code 3772-8-03(B); (5) reimbursement of the costs for the background check, including the criminal records check, R.C. 3772.07 and 3772.131(E); (6) not having been convicted of or pled guilty or no contest to a disqualifying offense, R.C. 3772.07; and (7) otherwise is suitable for licensure, R.C. 3772.10(B) and (C)(7).

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. (Exhibit A.) Merriweather received the Notice, sent via certified mail, on or about April 22, 2013. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Merriweather had the right to a hearing if requested within 30 days of the Notice’s mailing. Merriweather failed to do so. Accordingly, no hearing was held and the matter was brought before the Commission on June 19, 2013 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** as follows:

- 1) The results of the criminal records check obtained by the Commission pursuant to R.C. 3772.07 and the results of the Commission’s licensing investigation revealed that Merriweather failed to notify the Commission of “nonsupport of dependents,” two fifth degree felony counts and one first degree misdemeanor count of “nonsupport of dependents”

on or about September 18, 2006 which resulted in a conviction of and/or pleas of guilty or no contest to a first degree misdemeanor "nonsupport of dependents" violation on or about November 30, 2006 in Butler County Court of Common Pleas, in violation of R.C. 3772.10(C)(2); and

- 2) In addition to the findings outlined above, which resulted from the criminal records check obtained by the Commission pursuant to R.C. 3772.07 and the Commission's licensing investigation, Merriweather failed to establish, by clear and convincing evidence, his suitability for licensure as a casino gaming employee, as required by R.C. 3772.10(B) and (C)(7), to wit: Merriweather
 - a) Received an eviction judgment on or about September 3, 1993 on behalf of Frank Jimmar in the Hamilton County Municipal Court; and/or
 - b) Was convicted of and/or pled guilty or no contest to an "operate motor vehicle without license" violation on or about August 22, 1994 in the Hamilton County Municipal Court; and/or
 - c) Was convicted of and/or pled guilty or no contest to "possession of drugs" and "possession of illegal drug paraphernalia" violations on or about November 19, 1998 in the Hamilton County Municipal Court; and/or
 - d) Was arrested for and/or charged with a "no license on person" violation on or about October 2, 1998 which resulted in a conviction of and/or plea of guilty or no contest to a "no valid license on person" violation on or about March 16, 1999 in the Hamilton County Municipal Court; and/or
 - e) Received a financial lien or judgment against him on or about February 24, 1999 wherein judgment for money was entered against him on behalf of Madeline Roussell in the amount of approximately \$200 in the Hamilton County Municipal Court; and/or
 - f) Was arrested for and/or charged with "no license on person" and "reckless operation of motor vehicle" violations on or about November 4, 1998 which resulted in a conviction of and/or plea of guilty or no contest to a "no valid license on person" violation on or about March 16, 1999 in the Hamilton County Municipal Court; and/or
 - g) Was arrested for and/or charged with a "no license on person" violation on or about December 30, 1998 which resulted in a conviction of and/or plea of guilty or no contest to a "no valid license on person" violation on or about March 16, 1999 in the Hamilton County Municipal Court; and/or
 - h) Was arrested for and/or charged with a "no valid license on person" violation on or about June 26, 1999 which resulted in a conviction of and/or plea of guilty or no contest to a "no valid license on person" violation on or about January 4, 2000 in the Hamilton County Municipal Court; and/or

- i) Was arrested for and/or charged with a “no valid license on person” violation on or about October 2, 1999 which resulted in a conviction of and/or plea of guilty or no contest to a “no valid license on person” violation on or about January 4, 2000 in the Hamilton County Municipal Court; and/or
- j) Was convicted of and/or pled guilty or no contest to a “operate motor vehicle without license” violation on or about February 24, 2000 in the Hamilton County Municipal Court; and/or
- k) Was convicted of and/or pled guilty or no contest to a “no valid license on person” violation on or about June 6, 2002 in the Hamilton County Municipal Court; and/or
- l) Was convicted of and/or pled guilty or no contest to “minor misdemeanor drug abuse” and “carrying a concealed weapon” violations on or about June 28, 2002 in the Hamilton County Municipal Court; and/or
- m) Was convicted of and/or pled guilty or no contest to a “possession of drugs” violation on or about November 25, 2002 in the Hamilton County Municipal Court; and/or
- n) Was convicted of and/or pled guilty or no contest to a “driving under FRA suspension” violation on or about November 2, 2005 in the Hamilton County Municipal Court; and/or
- o) Was arrested for and/or charged with “reckless operation of motor vehicle,” “driving under OVI suspension,” and “operating a vehicle under the influence of alcohol or drugs” violations on or about September 25, 2006 which resulted in a conviction of and/or plea of guilty or no contest to a “reckless operation of motor vehicle” violation on or about July 11, 2007 in the Hamilton County Municipal Court; and/or
- p) Was convicted of and/or pled guilty or no contest to a “possession of drugs” violation on or about September 13, 2007 in the Hamilton County Municipal Court; and/or
- q) Was convicted of and/or pled guilty or no contest to a “possession of drugs” violation on or about January 30, 2008 in the Hamilton County Municipal Court; and/or
- r) Was arrested for and/or charged with “driving under suspension on or about July 23, 2007 which resulted in a conviction of and/or guilty plea to a “fail to display driver’s license” violation on or about March 31, 2008 in the Hamilton County Municipal Court; and/or
- s) Was arrested for and/or charged with “driving under suspension on or about August 8, 2007 which resulted in a conviction of and/or guilty plea to a “fail

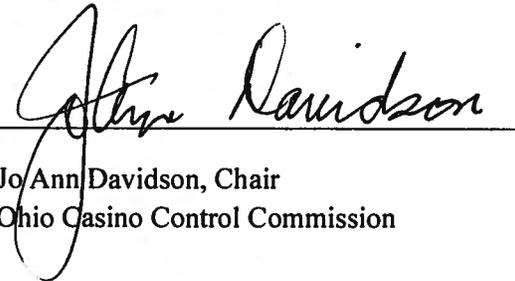
to display driver's license" violation on or about March 31, 2008 in the Hamilton County Municipal Court; and/or

- t) Received an eviction judgment against him on or about December 31, 2007 on behalf of Randall Allen in the Hamilton County Municipal Court; and/or
- u) Was convicted of and/or pled guilty or no contest to a "fail to display driver's license" violation on or about June 18, 2009 in the Hamilton County Municipal Court.

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

- 1) Merriweather's Application is **DENIED**;
- 2) Merriweather is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Merriweather 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
- 4) A certified copy of this Order shall be served upon Merriweather, 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

Applicant 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 Applicant 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.