

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2012-0151
TOMMY IANNAGGI, :
CASINO GAMING EMPLOYEE LICENSE :
APPLICANT :
 :
 Respondent. :

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On October 4, 2012, Respondent Tommy Iannaggi filed a Casino Gaming Employee License Application (“Application”) with the Ohio Casino Control Commission (“Commission”). (Hr’g Ex. F.) Thereafter, the Commission conducted a suitability investigation of Iannaggi 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 November 9, 2012. (See Hr’g Ex. A.) Iannaggi received the Notice, sent via certified mail, on November 10, 2012. (Hr’g Ex. B.) Pursuant to R.C. 119.07 and 3772.04, Iannaggi had the right to a hearing if requested within 30 days of the Notice’s mailing. Iannaggi so requested and the Commission scheduled a hearing for November 20, 2012; and upon its own motion, the Commission continued the hearing until November 27, 2012. (Hr’g Ex. C.) Iannaggi appeared at the hearing without counsel. Accordingly, the Commission held the hearing as scheduled before Hearing Examiner Thomas Montgomery (“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. 23-25), which he submitted on December 31, 2012. Therein, the Examiner found and concluded that Iannaggi: 1) submitted an Application that contained false information; 2) failed to provide all of the information required by the Commission’s Application, in violation of R.C. 3772.10(C)(5), R.C. 3772.131(D), and Ohio Adm. Code 3772-8-02(A); 3) has been convicted of, or pleaded guilty or no contest to, one or more disqualifying offenses, in violation of R.C. 3772.07; and 4) failed to prove his suitability for licensure by clear and convincing evidence, as required by R.C. 3772.10(B) and (C)(7). (R&R 6-7.) As a result of these findings and conclusions, the Examiner recommended that the Commission deny Iannaggi’s Application. (Id. at 7.)

On January 3, 2013, the Commission sent Iannaggi, via certified mail, a copy of the R&R. (App. #1; App. #2.) Iannaggi received the R&R on January 5, 2013, (App. #2), giving him until February 4, 2013, to file objections, see R.C. 3772.04(A)(2) and 1.14. He did so through counsel (who first entered an appearance with the Commission on January 25, 2013, (App. #3) on January 23, 2013, and the Commission considered his filing before rendering this decision.

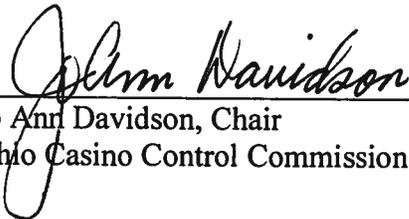
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on February 13, 2013, for final adjudication.

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) Iannaggi's Application is **DENIED**;
- 2) Iannaggi is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Iannaggi 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 Iannaggi, 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.