

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

**JESSE DAVIS, JR.,
CASINO GAMING EMPLOYEE LICENSE
APPLICANT**

Applicant.

:
:
Case No. 2015-LIC-005
:
:
:
:
:
:

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On December 4, 2014, Jesse Davis, Jr., filed with the Ohio Casino Control Commission (“Commission”) an application for a casino gaming employee license. Thereafter, the Commission conducted a suitability investigation of Davis 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 (“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 a suitability investigation of Davis, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated July 15, 2015. (Exhibit A.) Davis received the Notice, sent via certified mail, on July 25, 2015. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Davis had the right to a hearing if requested within 30 days of the Notice’s mailing. He failed to do so. Accordingly, no hearing was held and the matter was brought before the Commission on September 16, 2015, 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** and **CONCLUDES** as follows:

1. The results of the Commission’s licensing investigation revealed that Davis submitted a casino gaming employee license application (“Application”) that contained false information and failed to set forth all of the information required by the Commission, to wit, he:

A) Failed to disclose in Question 16 of the Application that:

- 1) A complaint was filed against him on behalf of Asset Acceptance, LLC, in the amount of \$1,414.70, on September 20, 2005, in the Cleveland Municipal Court, which resulted in a judgment in favor of Asset Acceptance, LLC, in the amount of \$1,414.70, plus accrued interest at 6% and court costs, on January 30, 2006;
- 2) A complaint was filed against him on behalf of P&L Development Company, LTD., in the amount of \$5,350.00, on or August 11, 2009, in the Cleveland Heights Municipal Court, which resulted in a judgment in favor of P&L Development Company, LTD., in the amount of \$5,350.00, plus accrued interest at 4%, on January 27, 2010;
- 3) A forcible entry and detainer was filed against him on behalf of JKN Investments Inc., in the amount of \$2,170.00, on September 3, 2013, in the Garfield Heights Municipal Court, which resulted in a judgment in favor of JKN Investments Inc., in the amount of \$2,170.00, on September 19, 2013;
- 4) A motion for issuance of writ of restitution and revision of judgment was filed against him on behalf of JKN Investments Inc. to reflect additional rent owed in the amount of \$1,900.00, for a total judgment amount of \$4,070.00, on October 15, 2013, in the Garfield Heights Municipal Court, which resulted in a judgment in favor of JKN Investments Inc., in the amount of \$4,070.00, plus accrued interest at 3%, on November 18, 2013,

in violation of R.C. 3772.10(C)(2), (5) and (F), R.C. 3772.131(D), and Ohio Adm. Code 3772-8-02(A).

2. Based on the above allegations, which resulted from the Commission's licensing investigation, Davis has 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), (C)(5), and (7) and Ohio Adm. Code 3772-8-05(A). In addition, Davis has failed to establish, by clear and convincing evidence, his suitability for licensure because:

A) August 2006/July 2007 – Cuyahoga County, Ohio

- 1) On August 3, 2006, Davis was charged with five counts of R.C. 2907.05(A)(1) – Gross Sexual Imposition, felonies of the fourth degree; seven counts of R.C. 2907.02(A)(2) – Rape, felonies of the first degree; seven counts of R.C. 2905.01(A)(2) and/or (4) – Kidnapping with R.C. 2941.147 Sexual Motivation Specification, felonies of the first degree; seven counts of R.C. 2907.04(A) – Unlawful Sexual Conduct with a Minor, felonies of the fourth degree; two counts of R.C. 2923.02/2907.02(A)(2) – Attempted Rape, felonies of the first degree;

two counts of R.C. 2923.02/2907.04(A) – Attempted Unlawful Sexual Conduct with a Minor, felonies of the fourth degree, involving a minor, in the Cuyahoga County Court of Common Pleas;

- 2) On July 10, 2007, he was convicted of, or pled guilty or no contest to, two amended counts of R.C. 2919.22 – Endangering Children, misdemeanors of the first degree, in the Cuyahoga County Court of Common Pleas; and
- 3) On July 10, 2007, the Court sentenced him to, among other things:
 - i. Confinement in the Cuyahoga County Jail for a term of six months for each count, concurrently, with execution of sentence suspended;
 - ii. Probation for a term of 30 months;
 - iii. To abstain from working or volunteering to work with children, for life;
 - iv. To abstain from fostering anymore children, for life;
 - v. To abstain from contact with children, for life; and
 - vi. A supervision fee in the amount of \$200.00, plus court costs;

B) March 2010 – Bedford County, Ohio

A financial lien or judgment was obtained against him on April 5, 2010, wherein judgment of money was entered against him on behalf of Nasser Rashidnia, in the amount of \$2,880.00, plus accrued interest at 4%, in the Bedford Municipal Court;

C) August 2013 – Bedford County, Ohio

A financial lien or judgment was obtained against him on March 27, 2013, wherein judgment of money was entered against him on behalf of Richard J. Wolf, in the amount of \$7,580.00, plus accrued interest at 3%, in the Bedford Municipal Court;

D) May 2013 – Medina County, Ohio

A financial lien or judgment was obtained against him on May 1, 2013, wherein judgment or money was entered against him on behalf of Eagle Loan Company of Ohio, Inc., in the amount of \$1,491.99, plus accrued interest at 25%, in the Medina Municipal Court, and his wages, earnings, or other income were subject to garnishment, attachment, charging order, voluntary wage execution, or the like;

E) May 2013 – Bedford County, Ohio

A financial lien or judgment was obtained against him on June 20, 2013, wherein judgment of money was entered against him on behalf of Kamco Financial, in the amount of \$240.94, plus accrued interest at 3%, in the Bedford Municipal Court;

F) October 2013 – Hamilton County, Ohio

A financial lien or judgment was obtained against him on October 10, 2013, wherein judgment of money was entered against him on behalf Conni Overstreet, in the amount of \$2,993.55, in the Cleveland Municipal Court, and his wages, earnings, or other income were subject to garnishment, attachment, charging order, voluntary wage execution, or the like; and

G) Bankruptcy/Insolvency

In the last ten years he has filed a petition for bankruptcy and insolvency and has been adjudicated bankrupt or insolvent.

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

- 1) Davis's Application is **DENIED**.
- 2) Davis is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Davis is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for 3 years from the date the Order is served upon him, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04.
- 4) A certified copy of the Order shall be served upon Davis, 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

The 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 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 the Commission Order.