

**STATE OF OHIO  
CASINO CONTROL COMMISSION**

*In re:*

**JUSTICE TURNER,  
CASINO GAMING EMPLOYEE LICENSE  
APPLICANT**

Applicant.

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Case No. 2015-LIC-017

**ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION**

On July 17, 2015, Justice Turner filed with the Ohio Casino Control Commission (“Commission”) an application for a casino gaming employee license. Thereafter, the Commission conducted a suitability investigation of Turner 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 3772.10(C)(1); and (7) otherwise is suitable for licensure, R.C. 3772.10(B) and (C)(7).

During a suitability investigation of Turner, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated October 28, 2015. (Exhibit A.) Turner received the Notice, sent via certified mail, on November 3, 2015. (Exhibit B.) Pursuant to R.C. 119.07 and 3772.04, Turner 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 December 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) Turner 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 failed to disclose in Question 8 of the Application that:

**A) November 30, 2010 – Reckless Operation Conviction**

- i) On September 19, 2010, he was charged with and arrested for violating R.C. 4511.19(A)(1)(a) – Operating vehicle under the influence of alcohol or drugs – OVI, a first-degree misdemeanor, and R.C. 4301.62 – Possession of an open container, a minor misdemeanor, as defined in R.C. 4301.99, in Cambridge, Ohio;
- ii) On November 30, 2010, he pled guilty or no contest to an amended count of R.C. 4511.20 – Reckless operation, a fourth-degree misdemeanor, in the Cambridge Municipal Court; and
- iii) As a result of the court’s finding of guilt, on November 30, 2010, he was sentenced to:
  - a) A \$250.00 fine, plus court costs;
  - b) Confinement for 5 days with 5 days suspended; and
  - c) Unsupervised probation for a term of 12 months;

**B) August 24, 2012 – Possession of Controlled Substances Charge**

On August 24, 2012, a complaint against him was issued and he was charged with violating R.C. 2925.11(C)(3) – Possession of controlled substances, a minor misdemeanor, in the Franklin County Municipal Court;

**C) April 29, 2015 – Possession of Marihuana and Controlled Substance Use Narcotic Convictions**

- i) On March 13, 2015, he was arrested for an “Ecstasy – Possession” offense and a “Marihuana – Possession” offense, in violation of M.C.L. 333.7101-333.7545, in Blissfield, Michigan;
- ii) On April 10, 2015, a complaint was issued against him, and he was charged with violating M.C.L. 333.7403(2)(b)(i) – Possession of methamphetamine and M.C.L. 333.7403(2)(d) – Controlled substance possession of marihuana, in the State of Michigan 2A District Court;

- iii) On April 29, 2015, he pled guilty or no contest to M.C.L. 333.7403(2)(d) – Possession of marihuana and M.C.L. 333.7404(2)(b) – Controlled substance use narcotic, in the State of Michigan 2A District Court; and
- iv) As a result of the Court’s finding of guilt, on June 19, 2015, he was sentenced to:
  - a) A \$250.00 fine, plus court costs in the amount of \$1,775.00;
  - b) Completion of a marihuana education program and substance abuse evaluation with continued counseling;
  - c) Abstain from alcohol and/or drugs;
  - d) Participation in regular/random alcohol and/or drug testing and/or searches and seizures;
  - e) Confinement for 4 days at the Lenawee County Jail;
  - f) Probation for a term of 24 months, to end on June 19, 2017;
  - g) Refrain from living in any residence where alcohol is on the premises; and
  - h) Suspension of driver’s license for 30 days, with an additional 150 days restricted use following suspension expiration; and

**D) June 12, 2015 – Trespass, Public Intoxication, and Possession of Marihuana Convictions**

- i) On June 9, 2015, he was charged with and arrested for violating R.C. 2911.21(A)(1) – Criminal trespass, a fourth-degree misdemeanor, R.C. 2917.11(B)(2) – Disorderly conduct, a minor misdemeanor, and R.C. 2925.11(A) – Possession of controlled substances, a minor misdemeanor, in Richland County, Ohio;
- ii) On June 12, 2015, he pled guilty or no contest to R.C. 2911.21 – Trespassing, a fourth-degree misdemeanor, R.C. 2917.11 – Public intoxication, a minor misdemeanor, and R.C. 2925.11 – Possession of marihuana, a minor misdemeanor, in the Shelby Municipal Court; and

iii) As a result of the Court's finding of guilt, on June 12, 2015, he was sentenced to:

- a) Fines in the amount of \$350.00, plus court costs in the amount of \$292.00;
- b) Criminal costs in the amount of \$192.00;
- c) Confinement for 10 days with 10 days suspended;
- d) Probation for a term of two years, plus a \$100.00 probation fee; and
- e) Suspension of driver's license for a term of 180 days,

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

2) Based on his failure to disclose, submission of an application containing false information, and the underlying conduct described above, Turner 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), (7), and Ohio Adm. Code 3772-8-05(A). In addition, he failed to establish his suitability for licensure, as required by R.C. 3772.10(B), (C)(5), (7), and Ohio Adm. Code 3772-8-05(A), because:

**A) November 4, 2010 – Open Container Conviction**

- i) On October 31, 2010, a complaint was filed against him and he was charged with violating Columbus Ordinance 2325.62(B)(4) – Open Container, in Columbus, Ohio;
- ii) On November 4, 2010, he pled guilty or no contest to violating Columbus Ordinance 2325.62(B)(4) – Open Container, in the Franklin County Municipal Court; and
- iii) As a result of the court's finding of guilt, on November 4, 2010, he was sentenced to a \$35.00 fine, plus court costs in the amount of \$82.00;

**B) January 25, 2013 – Physical Control Conviction**

- i) On August 24, 2012, he was charged with and arrested for violating R.C. 4511.19(A)(1)(a) – Operating vehicle under the influence of alcohol or drugs – OVI, a first-degree misdemeanor, in Columbus, Ohio;
- ii) On January 25, 2013, he pled guilty or no contest to an amended charge of R.C. 4511.194(B) – Physical Control, a first-degree misdemeanor, in the Franklin County Municipal Court; and
- iii) As a result of the court’s finding of guilt, on January 25, 2013, he was sentenced to:
  - a) A \$375.00 fine, plus court costs;
  - b) Suspension of driver’s license for 180 days;
  - c) Confinement for 180 days with 179 days suspended and credit for 1 day served; and
  - d) Probation for a term of 2 years.

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

- 1) Turner’s Application is **DENIED**.
- 2) Turner is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 3) Turner 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 Turner, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

**IT IS SO ORDERED.**

  
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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.