

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2016-LIC-009
DARMISHA ALPHABET, :
CASINO GAMING EMPLOYEE LICENSEE :
 :
 :
 Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On December 5, 2013, Darmisha Alphabet filed with the Ohio Casino Control Commission (“Commission”) an application for a Casino Gaming Employee License. Thereafter, the Commission conducted a suitability investigation of Alphabet to determine her eligibility for such a license. Having found Alphabet suitable for licensure, the Commission issued a Casino Gaming Employee License to Alphabet on January 13, 2014.

During an administrative investigation of Alphabet, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated April 12, 2016. (Exhibit A.) The Notice was sent via certified mail, return receipt requested, but was returned to the Commission marked “Unclaimed” on May 18, 2016. (Exhibit B.) The Commission re-sent the Notice on May 18, 2016, via ordinary mail with a certificate of mailing. (Exhibit C.) The Notice was not returned to the Commission for failure of delivery.

Pursuant to R.C. 119.07 and 3772.04, Alphabet had the right to a hearing if requested within 30 days of the Notice’s mailing. Alphabet failed to do so. Accordingly, no hearing was held, and the matter was brought before the Commission on July 13, 2016, 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) Alphabet was convicted of or pled guilty or no contest to one or more “disqualifying offenses,” as defined by R.C. 3772.07 and in contravention of R.C. 3772.10(D)(1), to wit, she was convicted of or pled guilty or no contest to one amended count of “attempt to commit an offense,” in violation of R.C. 2923.02, a first-degree misdemeanor, and based upon an underlying “unauthorized use of vehicle” theft offense, as defined in R.C. 2913.01(K)(1) and (4), and in violation of R.C. 2913.03(A), on April 21, 2015, in the Cleveland Municipal Court.
- 2) Based on her disqualifying offense conviction described above, Alphabet is no longer suitable to maintain or otherwise eligible to hold a license issued under R.C. Chapter 3772, as required by R.C. 3772.07 and/or R.C. 3772.10(D)(1), (7) and (D)(1). In addition, she is no longer suitable for licensure as a Casino Gaming Employee in this state, as required by R.C. 3772.10(D)(1), because:

- A) On March 31, 2015 she was arrested for and charged with one count of “unauthorized use of vehicle,” in violation of R.C. 2913.03(A), a first-degree misdemeanor, in around Cuyahoga County, Ohio;
 - B) On March 31, 2015, a complaint was filed against her for one count of “unauthorized use of vehicle,” in violation of R.C. 2913.03(A), a first-degree misdemeanor, in the Cleveland Municipal Court;
 - C) On April 21, 2015, she was convicted of or pled guilty or no contest to one amended count of “attempt to commit an offense,” in violation of R.C. 2923.02, a first-degree misdemeanor, and based upon an underlying “unauthorized use of vehicle” theft offense, as defined in R.C. 2913.01(K)(1) and (4), and in violation of R.C. 2913.03(A), in the Cleveland Municipal Court; and
 - D) As a result of the Court’s finding of guilt, on April 21, 2015, she was sentenced to:
 - i.) A fine in the amount of \$750.00 with \$550.00 suspended for a total of \$200.00, plus court costs; and
 - ii.) Confinement for 90 days, with 88 days suspended and credit for 2 days received.
- 3) Alphabet failed to notify the Commission of her March 31, 2015 arrest, charge and complaint filed against her, her April 21, 2015 “attempt to commit an offense” conviction, and her April 21, 2015 sentence, in violation of Ohio Adm. Code 3772-8-04(A)(5), (8) and/or (B).

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

- 1) Alphabet’s Casino Gaming Employee License is **REVOKED**.
- 2) Alphabet shall immediately **SURRENDER** her license credential to the Commission.
- 3) Alphabet is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772.
- 4) Alphabet is **PROHIBITED** from reapplying for licensure under R.C. Chapter 3772 for three years from the date this Order is served upon her, absent a waiver granted by the Commission commensurate with Ohio Adm. Code 3772-1-04.
- 5) A certified copy of this Order shall be served upon Alphabet, via certified mail, return receipt requested, and her counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.



June Taylor, Vice-Chair
Ohio Casino Control Commission

NOTICE OF APPEAL RIGHTS

The Party 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 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 this Commission Order.