

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 : Case No. 2017-LIC-035
Antoine Gurley, :
CASINO GAMING EMPLOYEE APPLICANT :
 :
Applicant. :

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE

On March 16, 2017, Antoine Gurley filed with the Ohio Casino Control Commission (“Commission”) a renewal application for a Casino Gaming Employee License. Thereafter, the Commission conducted a suitability investigation of Gurley to determine his eligibility for such a license.

During a suitability investigation of Gurley, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated June 15, 2017. (State’s Ex. 2 at AG2-3.) The Notice was sent via certified mail, but was returned to the Commission marked “undeliverable as addressed” on August 11, 2016. (State’s Ex. 2 at AG4-5). Therefore, the Commission hand delivered the Notice, dated July 20, 2017, to Gurley, on July 22, 2017. (State’s Ex. 2 at AG6-8).

Pursuant to R.C. 119.07 and 3772.04, Gurley had the right to a hearing if requested within 30 days of the personal service. Gurley so requested, (State’s Ex. 2 at AG9.) and the Commission scheduled a hearing for August 7, 2017; and upon its own motion, the Commission continued the hearing until September 21, 2017. (State’s Ex. 2 at AG10-15.) Gurley appeared at the hearing without counsel, and the Commission held the hearing as scheduled before Hearing Examiner Marc E. Myers (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner closed the record. (Tr. 39.) The Examiner prepared a Report and Recommendation (“R&R”), which he submitted on November 1, 2017. Therein, the Examiner found that Gurley: (1) submitted an application to the Commission that contained false information, in violation of R.C. 3772.10, R.C. 3772.131, and Ohio Adm. Code 3772-8-02. (R&R at 7.) As a result of these findings, the Examiner recommended that the Commission deny Gurley’s renewal application for a Casino Gaming Employee License. (*Id.*)

On November 2, 2017, the Commission sent Gurley, via certified mail, a copy of the R&R, and Gurley received the R&R on November 7, 2017. (App. 1; App. 2.) Therefore, Gurley had until December 7, 2017 to file objections. *See* R.C. 3772.04(A)(2). Gurley did so on December 4, 2017, (App. 3) 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 January 17, 2018, 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) Gurley's application is **DENIED**;
- 2) Gurley is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Gurley 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 Gurley, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.



Jo Ann Davidson, Vice-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 Franklin County 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.