

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
: Case No. 2018-LIC-005
Brandon Rogers, :
CASINO GAMING EMPLOYEE LICENSEE :
: Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On April 25, 2016, Brandon Rogers filed with the Ohio Casino Control Commission (“Commission”) an application to renew his Casino Gaming Employee License (“License”). Thereafter, the Commission conducted a suitability investigation of Rogers to determine his eligibility for a License. Having found him suitable for licensure, Rogers’s License was renewed by the Commission, effective July 22, 2016.

During an administrative investigation of Rogers, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated March 29, 2018. The Notice was sent via certified mail, but was returned to the Commission marked “unclaimed,” on April 19, 2018. The Notice was re-sent, via ordinary mail with certificate of mailing, on May 3, 2018. The Notice was not returned to the Commission for failure of delivery.

Pursuant to R.C. 119.07 and 3772.04, Rogers had the right to a hearing if requested within 30 days of the Notice’s mailing. Rogers so requested, and the Commission scheduled a hearing for June 14, 2018; and upon its own motion, the Commission continued the hearing until July 26, 2018. The Commission then, upon discovery of additional derogatory information, amended the Notice and issued it to Rogers on July 6, 2018, maintaining the original hearing date. Rogers failed to appear at the hearing, 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 hearing record. The Examiner prepared a Report and Recommendation (“R&R”), which he submitted on September 6, 2018. Therein, the Examiner recommended that the Commission revoke Rogers’s License.

On September 6, 2018, the Commission sent Rogers, via certified mail, a copy of the R&R, which he received on September 26, 2018. Therefore, Rogers had until October 26, 2018, to file objections. *See* R.C. 3772.04(A)(2). Rogers did not do so.

In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on November 14, 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) Rogers's License is **REVOKED**;
- 2) Rogers shall immediately **SURRENDER** his license credential to the Commission
- 3) Rogers is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 4) Rogers 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
- 5) A certified copy of this Order shall be served upon Rogers, 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.