

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re: :
 :
 : Case No. 2018-LIC-003
David Eyestone, :
CASINO GAMING EMPLOYEE LICENSEE :
 :
 :
 Licensee. :

ORDER REVOKING CASINO GAMING EMPLOYEE LICENSE

On September 10, 2015, David Eyestone 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 Eyestone to determine his eligibility for a License. Having found him suitable for licensure, Eyestone’s License was renewed by the Commission, effective December 27, 2015.

During an administrative investigation of Eyestone, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Opportunity for Hearing (“Notice”), dated February 15, 2018. (State’s Ex. 2 at CCC2-5.) Pursuant to R.C. 119.07 and 3772.04, Eyestone had the right to a hearing if requested within 30 days of the Notice’s mailing. Eyestone so requested, (*Id.* at 6-7.) and the Commission scheduled a hearing for March 15, 2018; and upon its own motion, the Commission continued the hearing until May 3, 2018. (*Id.* at CCC8-13.) Eyestone, through counsel, requested, and Hearing Examiner Marc E. Myers (“Examiner”) granted, a continuance of the hearing. (*Id.* at 14-16.) The hearing was continued until May 10, 2018. (*Id.* at 17-20). Eyestone appeared at the hearing, represented by counsel, and the Commission held the hearing scheduled before the Examiner.

After presentation and submission of the evidence at the hearing, the Examiner closed the hearing record (Tr. 105), except to allow the Commission and Eyestone to submit simultaneous briefs addressing legal issues raised at the Hearing. (Tr. 101-05.) Those submissions were due June 11, 2018, and both briefs were submitted that day. The Examiner prepared a Report and Recommendation (“R&R”), which he submitted on June 23, 2018. Therein, the Examiner recommended that the Commission revoke Eyestone’s License. (R&R at 12.)

On July 25, 2018, the Commission sent Eyestone, via certified mail, a copy of the R&R, which he received on July 31, 2018. (App. 1; App. 2.) Therefore, Eyestone had until August 30, 2018, to file objections. *See* R.C. 3772.04(A)(2). Eyestone did not do so.

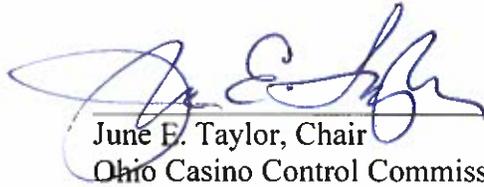
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on September 19, 2018, for final adjudication.

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) Eyestone's License is **REVOKED**;
- 2) Eyestone shall immediately **SURRENDER** his license credential to the Commission
- 2) Eyestone is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Eyestone 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 Eyestone, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.


June E. Taylor, 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.