

MISSOURI GAMING COMMISSION
COMMISSION RESOLUTION NO. 14-063

LONDALE SCHRODER
September 17, 2014

WHEREAS, Londale Schroder ("Schroder"), requested a hearing to contest the proposed disciplinary action initiated against him on February 26, 2014, by the Commission's issuance of a Disposition of Occupational Gaming License Application; and

WHEREAS, pursuant to 11 CSR 45-13.010, et. seq., an administrative hearing has been held on Schroder's request and the Hearing Officer has submitted the proposed Findings of Fact, Conclusions of Law and Final Order attached hereto (collectively the "Final Order") for approval by the Commission; and

NOW, THEREFORE, BE IT RESOLVED, that the Commission has reviewed the Final Order and hereby approves and adopts the attached Final Order in the matter of Case No. 14-162; and

BE IT FURTHER RESOLVED, that this shall be considered a final decision of the Missouri Gaming Commission.

BEFORE THE MISSOURI GAMING COMMISSION

In Re:)
)
LONDALE SCHRODER) Case No. DC 14-162
)
)

FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL ORDER

The above-captioned matter comes before the Missouri Gaming Commission (hereinafter referred to as "Commission") upon a request for hearing dated March 20, 2014, submitted by Londale Schroder (hereinafter referred to as "Applicant"). Said request for hearing was in response to the Commission's Disposition of Occupational Gaming License Application dated February 26, 2104. The designated Hearing Officer, Mr. Chas. H. Steib, conducted a hearing on July 8, 2014, where the Applicant and the Commission's attorney, Ms. Carolyn H. Kerr, appeared to present evidence and arguments of law.

FINDINGS OF FACT

1. On January 3, 2014, Applicant submitted an Occupational Gaming Application (Commission Exhibit AA) at the Mark Twain Casino in the State of Missouri.
2. Said Application was denied because Applicant pled guilty to a disqualifying misdemeanor (passing a bad check) on July 6, 2010 (Commission Exhibit 2).
3. On March 20, 2014, Applicant filed a Request for a Hearing on said denial (Commission Exhibit 2).
4. Applicant was properly notified of the date and time of a Hearing.
5. Commission Exhibit 1; Exhibit 2; Exhibit 3; and Exhibit 4 were admitted into evidence. However, Exhibit 4 was later withdrawn and Exhibit 4A submitted and admitted in Exhibit 4's stead.
6. Applicant was granted a temporary.

CONCLUSIONS OF LAW

1. "The Commission shall have the full jurisdiction over and shall supervise all gaming operations governed by Section 313.800 to 313.850." Section 313.805, MO. REV. STAT. 2000.
2. "The State has a legitimate concern in strictly regulating and monitoring riverboat gaming operations. As such, any doubt as to the legislative objective or intent as to the Commission's power to regulate riverboat gaming operations in this State must be resolved in favor of strict regulation." *Pen-Yan Investment, Inc. v. Boyd Kansas City, Inc.*, 952 S.W.2d 299, 307 (Mo. App. 1997).

DISCUSSION

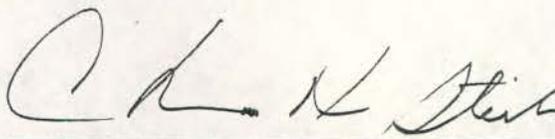
Applicant pled guilty to a misdemeanor (passing a bad check) on July 6, 2010, as per 11 CSR 45-4.260 (4), although said offense was disposed of by a suspended of sentence (SIS), said offense remains a disqualifying element for an Occupational Gaming License Application for a five (5) year period.

FINAL ORDER

WHEREFORE, IT IS ORDERED AND ADJUDGED that Applicant did not meet his burden of proof to show clearly and convincingly that he should receive an Occupational Gaming License. The Denial of Occupational Gaming License Application of the Commission dated February 26, 2014, is affirmed.

Dated:

August 28, 2014



Chas. H. Steib, Hearing Officer