

MISSOURI GAMING COMMISSION
COMMISSION RESOLUTION NO. 14-065

DEVA CASEY
September 17, 2014

WHEREAS, Deva Casey ("Casey"), requested a hearing to contest the proposed disciplinary action initiated against her on March 25, 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 Casey'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. 14-165; 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:

DEVA CASEY

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Case No. DC 14-165

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 April 14, 2014, submitted by Deva Casey (hereinafter referred to as "Applicant"). Said request for hearing was in response to the Commission's Disposition of Occupational Gaming License Application dated March 25, 2014. 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 5, 2014, Applicant submitted an Occupational Gaming Application (Commission Exhibit 3) at the Ameristar Casino in the State of Missouri.
2. Said Application was denied for failing to disclose an arrest/convection in the State of Nevada on October 7, 1998, for *Attempted Forgery*.
3. On April 14, 2014, Applicant filed a Request for a Hearing on said denial (Commission Exhibit 3).
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.
6. Applicant Exhibit A was submitted and admitted into evidence.
7. Applicant was initially granted a temporary license.

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 failed to disclose on her Occupational Gaming License Application an arrest for attempted forgery in the State of Missouri on October 7, 1998.

FINAL ORDER

WHEREFORE, IT IS ORDERED AND ADJUDGED that Applicant did not meet her burden of proof to show clearly and convincingly that she should receive an Occupational Gaming License. The Disposition of Occupational Gaming License Application of the Commission dated March 25, 2014, is affirmed.

Dated:

August 8, 2014

Chas. H. Steib
Chas. H. Steib, Hearing Officer