

**STATE OF OHIO
CASINO CONTROL COMMISSION**

In re:

Case No. 2012-0150

**VICTOR BASSEY,
CASINO GAMING EMPLOYEE LICENSE
APPLICANT**

Respondent.

ORDER DENYING CASINO GAMING EMPLOYEE LICENSE APPLICATION

On June 29, 2012, Respondent Victor Bassey filed a Casino Gaming Employee License Application (“Application”) with the Ohio Casino Control Commission (“Commission”). (Hr’g Ex. G.) Thereafter, the Commission conducted a suitability investigation of Bassey to determine his eligibility for such a license.

During the suitability investigation, the Commission discovered sufficient derogatory information to warrant issuance of a Notice of Intent to Deny and Opportunity for Hearing (“Notice”), dated November 9, 2012. (See Hr’g Ex. B.) Bassey received the Notice, sent via certified mail, on November 10, 2012. (Hr’g Ex. C.) Pursuant to R.C. 119.07 and 3772.04, Bassey had the right to a hearing if requested within 30 days of the Notice’s mailing. Bassey, through counsel, so requested on December 5, 2012, (Hr’g Ex. D), and the Commission scheduled a hearing for December 20, 2012; and upon its own motion, the Commission continued the hearing until December 27, 2012, (Hr’g Ex. E). Bassey appeared at the hearing with counsel. Accordingly, the Commission held the hearing as scheduled before Hearing Examiner John Williams (“Examiner”).

After presentation and submission of the evidence at the hearing, the Examiner closed the record to prepare a Report and Recommendation (“R&R”), (Tr. 131), which he submitted on January 23, 2013.¹ Therein, the Examiner found and concluded that Bassey: **1)** submitted an Application that contained false information, in violation of R.C. 3772.10(C)(2) and (F); **2)** failed to provide all of the information required by the Commission’s Application, in violation of R.C. 3772.10(C)(5), R.C. 3772.131(D), and Ohio Adm. Code 3772-8-02; and **3)** failed to prove his suitability for licensure by clear and convincing evidence, as required by R.C. 3772.10(B) and (C)(7), (R&R at 19-22). As a result of these findings and conclusions, the Examiner recommended that the Commission deny Bassey’s Application. (Id. at 23.)

On January 24, 2013, the Commission sent Bassey, via certified mail, a copy of the R&R. (App. #1 ; App. #2.) Bassey received the R&R on January 25, 2013, (App. #2), giving him until February 25, 2013, to file objections, see R.C. 3772.04(A)(2) and 1.14. He did so through counsel

¹ On January 3, 2013, Bassey filed a Request to Supplement Closing Argument that included a supplemental memorandum of law. The Examiner, sua sponte, denied Bassey’s request because neither Bassey nor the Commission requested “supplemental briefing during the hearing, and also because the primary issue addressed in the Request had been discussed by counsel during the closing argument portion of the hearing.” (R&R at 6.) Notwithstanding this denial, the Examiner ordered that the Request and his denial thereof be maintained as part of the record. (Id. at 7.)

on February 22, 2013 (App. #3), and the Commission considered his filing before rendering this decision.

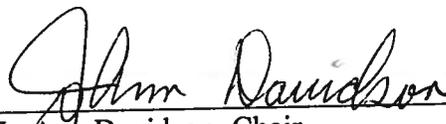
In accordance with R.C. 119.07 and 3772.04, the matter was submitted to the Commission on March 20, 2013, for final adjudication.

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) Bassey's Application is **DENIED**;
- 2) Bassey is **PROHIBITED** from working or otherwise serving in any capacity that requires a license under R.C. Chapter 3772;
- 3) Bassey 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 Bassey, via certified mail, return receipt requested, and his counsel of record, if any, via ordinary mail.

IT IS SO ORDERED.



Jo Ann Davidson, Chair
Ohio Casino Control Commission

NOTICE OF APPEAL RIGHTS

Respondent is hereby notified that pursuant to R.C. 119.12, this Commission Order may be appealed by filing a Notice of Appeal with the Commission setting forth the Order that Respondent 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 appropriate 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.