

MISSOURI GAMING COMMISSION  
COMMISSION RESOLUTION NO. 26-001

RICHARD L. GASTON  
January 29, 2026

WHEREAS, Richard L. Gaston ("Gaston"), requested a hearing to contest the proposed disciplinary action initiated against him on May 14, 2025<sup>1</sup>, by the Commission's issuance of a Preliminary Order for Disciplinary Action, DC-25-045; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Commission has reviewed the Final Order and hereby issues to Gaston a revocation of his occupational license in the above-referenced case in the matter of DC-25-045; and

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

  
Jan Zimmerman  
Chairman  
Missouri Gaming Commission

---

<sup>1</sup> The cover letter for the Preliminary Order of Disciplinary Action and the Hearing Officer's Findings of Fact and Conclusions of Law reference this date as April 16, 2024. The Preliminary Order, however, was issued on May 14, 2025.

BEFORE THE MISSOURI GAMING COMMISSION

IN RE:           RICHARD L. GASTON

                  Case No. 25-045

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATION

On July 7, 2025, a hearing was held on the request for a hearing received by the Missouri Gaming Commission (“MGC”) from licensee, Richard L. Gaston (“Gaston”). Gaston appeared in person. Missouri Gaming Commission Deputy General Counsel Thomas Venneman appeared on behalf of the MGC. Evidence was adduced and taken under advisement.

On or about April 16, 2024, the MGC notified Gaston of its intention to discipline Gaston’s Level II Occupational License No. MGC335098 as the result of an assault that occurred on the gaming floor in which Gaston was alleged to be the initial aggressor. The MGC proposed revocation of Gaston’s license.

FINDINGS OF FACT

On December 22, 2024, the licensee was involved in a disturbance on the gaming floor of the Ameristar Casino in St. Charles, Missouri. Based on the video surveillance of the disturbance and the statements of Destiny Martin, a cocktail waitress who witnessed the disturbance, it is clear that Gaston was the primary, physical aggressor. Martin, who wrote her statement soon after the disturbance, stated that while she was speaking to the customer on the machine next to the machine Gaston was working on, that Gaston “stood up, smacked a beer and said “You can fuck with someone else but not me.” Martins went on to state “the customer stood up confused to ask what was wrong.” Martin then stated Gaston “then proceeds to shove the customer. The video surveillance of the event corroborates Martin’s statement in that it shows an individual identified as Gaston abruptly standing up while simultaneously causing a beer container to fly across the isle. The video also shows a customer falling into a chair as the result of what appears to be a push by Gaston

Gaston testified that he had spent “over a half hour dealing with this angry customer.” After describing a lengthy lead up to the disturbance Gaston testified “And then [the waitress] turns around and comes back, you can see on the video when he starts yelling at her to get over here. And I lost my cool, I said – I said, you’re wasting my time, man. I said, I don’t have any more time for you on this shift. And then we both got up, I smacked the empty beer can, it was actually an aluminum bottle. And he was about to reach for me, and I just instinctively reached out and grabbed him by his shirt right here, okay.”

A second customer, Walter Petty, wrote out a statement in which he claimed “As I sat at my machine I notice the Gentleman to my right discussing something about the machine as I turned back to my machine cups and liquid hit me in the face and body. I looked where it came from the (Attendant) he was standing up arguing with one gentleman and pushed him and turned and push the other guy.”

## CONCLUSIONS OF LAW

11 CSR 45-10.030 states, in pertinent part, as follows:

“(2) At no time, under any circumstances, shall any licensee or employees of the licensee fail to immediately prevent or suppress any violent quarrel, disorder, brawl, fight, or other improper or unlawful conduct of any person upon the licensed premises[.]”

The plain and ordinary meaning of the words used in this regulation such as “violent quarrel” “disorder” or “other improper conduct of any person upon the licensed premises” surely describes what happened in this case. As such, Gaston failed to immediately prevent or suppress what occurred in this case. In his own words, Gaston lost his cool. Consequently, it is the hearing officer’s opinion that Gaston’s license is subject to discipline.

## RECOMMENDATION

The hearing officer recommends the MGC discipline Gaston’s license as the result of his violation of 11 CSR 45-10-030, which as a licensee he is responsible for being aware of. As it relates to the discipline recommendation of revocation, the hearing officer recommends the MGC consider the following evidence, which may be seen as mitigating factors, in reviewing whether revocation is appropriate in this case:

This incident occurred shortly before Christmas which is a time when people can feel an unordinary amount of stress. Gaston testified that he had been dealing with an angry customer for a half hour prior to the disturbance. He testified the customer was being belligerent, bullying, and bothering him while he was doing his job. He testified that while dealing with the customer he received three other service calls. One of the service calls was from his supervisor who asked him to hurry up with what he was doing so he could move on to another call. Gaston testified that of the three service technicians who normally work together on the gaming floor, one was not at work that day and the other was not answering his radio. Gaston testified that he had received no training in how to deal with someone who is intoxicated on the casino floor.

Gaston is now working at the Horseshoe Casino. Gaston testified that he feels he has developed skills since the disturbance in dealing with problematic customers. He testified that he now immediately involves his supervisor in situations like what occurred in this case. In order to exit the situation to involve the supervisor, he will “make it sound like they’re going to get a payout or something. I’ll say, you know, I’m going to get a supervisor just in case we need to pay you out for something, whether I know that they’re not going to get a payout anyway.” Gaston testified that he has been licensed and that he has been doing the same job now for almost eight (8) years, and that despite this incident, his license has never been cited for discipline.

Dated: August 26, 2025

/s/ Thomas B. Snider

Thomas B. Snider Mo Bar No. 49971

Hearing Officer