

MISSOURI GAMING COMMISSION
COMMISSION RESOLUTION NO. 14-038

BRITTNEY BRIDGETT
June 25, 2014

WHEREAS, Brittney Bridgett ("Bridgett"), residing at 3707 Neona Avenue, St. Louis, Missouri, was found to be unsuitable for a Level II Occupational License on November 4, 2013; and

WHEREAS, pursuant to 11 CSR 45-13.050, O'Flynn has requested a hearing to contest the commission's finding of unsuitability for a Level II Occupational License; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Commission has reviewed the Order and the record of the hearing and hereby approves and adopts the attached Findings of Fact, Conclusions of Law and Final Order in the matter of Bridgett's request for a Level II Occupational License and by so doing, denies Bridgett a Level II Occupational License.

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

BEFORE THE MISSOURI GAMING COMMISSION

In Re:)
)
BRITTNEY BRIDGETT) Case No. DC 13-706
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)

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 November 4, 2013, submitted by Ms. Brittney Bridgett (hereinafter referred to as "Applicant"). Said request for hearing was in response to the Commission's Disposition of Occupational Gaming License Application dated November 4, 2013. The designated Hearing Officer, Mr. Chas. H. Steib, conducted a hearing on April 9, 2014, where the Commission's attorney, Ms. Carolyn H. Kerr, appeared to present evidence and arguments of law. However, though properly notified of the Hearing date and time, Applicant appeared not.

FINDINGS OF FACT

1. On October 24, 2013, Applicant filed with the Commission a Level II Occupational License Application Personal Disclosure Form 2 (Exhibit 4).
2. In completing said Exhibit 4, Applicant failed to disclose an arrest dated June 12, 2013, for *Disturbing The Peace* in the City of St. Louis, State of Missouri.
3. On November 4, 2013, Applicant was notified that her Application was denied pursuant to Paragraph 2 above and her opportunity to file for a Hearing to prove her suitability for licensure (Exhibit 1).
4. On November 6, 2013, the Commission received from Applicant a request for review and reconsideration of her Application denial (Exhibit 2).
5. Applicant was notified that a Hearing on her request for reconsideration would be held April 9, 2014, 9:30 a.m.
6. At 9:30 a.m., April 9, 2014, the Hearing Officer was present, Attorney for the Commission was present as well as David Leitman, Investigator, and Debi Grueneberg, Office Manager. However, Applicant failed to appear. A call of the hall was conducted and Applicant was not found nor had any communication been received from Applicant regarding the Hearing.
7. A record was made including the admission of Commission Exhibit 1; Exhibit 2; Exhibit 3 (Commission License Denial Checklist); and Exhibit 4 into said record.

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's failure to appear and the Record made, including clear and convincing evidence, Applicant, in absentia, lead to only one conclusion: Applicant's Application was properly denied.

FINAL ORDER

WHEREFORE, IT IS ORDERED AND ADJUDGED that Applicant did not meet her burden of proof to show clearly and convincingly that her Application should not be denied. The Disposition of Denial of Applicant's License Application is affirmed.

Dated: May 28, 2014

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