



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: SHAMILAN K. SMITH
NO. P040026801

ORDER

This matter was considered by the Louisiana Gaming Control Board at its meeting of August 17, 2004. The Hearing Officer's order dated July 22, 2004, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," Permit No. P040026801, by and between Shamilan K. Smith, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED**.

THUS DONE AND SIGNED on this the 17 day of August, 2004.

LOUISIANA GAMING CONTROL BOARD

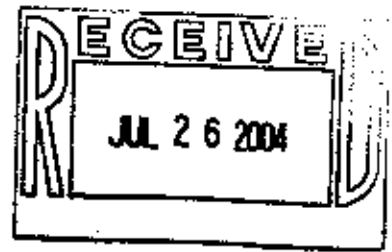
BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 18 DAY
OF August 2004

APPEAL DOCKET 

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE



IN RE: SHAMILAN K. SMITH

CASE NO. PO40026801

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. the State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), represented by the undersigned Assistant Attorney General, and
2. Shamilan K. Smith, permit number PO40026801 (hereinafter "permittee"),

who respectfully represent the following:

WHEREAS:

1. On or about December 10, 2003, the Division received notice from the Louisiana Department of Revenue that the permittee was not current in the filing and/or payment of taxes;
2. On January 10, 2004, the Division gave the permittee written notification of the above tax delinquency, and provided the permittee with thirty (30) days to submit the appropriate tax clearance;
3. When the permittee failed to submit the state tax clearance within the allotted time, the Division caused to be issued a Notice of Recommendation of Suspension to the permittee on or about April 8, 2004; and
4. This matter has been scheduled for hearing on July 22, 2004 at 9:30 a.m. before the Honorable J.E. Anzalone, Jr.,

NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the permittee hereby propose the following settlement, that:


1. The permittee acknowledges that she was in violation of La. R.S. 27:28(F), in that she did not remain current in the filing/payment of taxes with the Louisiana Department of Revenue for a portion of the existence of her permit;

TRUE COPY
[Signature]
Representative
Louisiana Gaming Control Board

2. The permittee has since become current in the filing/payment of her taxes with the Louisiana Department of Revenue (see attached exhibit 1);
3. In lieu of administrative action against the permittee's non-key employee permit, the permittee shall pay a \$250.00 civil penalty;
4. The Division hereby agrees to accept the permittee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Suspension;
5. The Division reserves the right to take into consideration these violations in connection with any future violation;
6. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
7. This settlement constitutes the entire agreement between the Division and Shamilan K. Smith pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
8. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Board within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the non-key employee permit of the permittee being suspended until such time as the above civil penalty is paid in full; and
9. The Division and the permittee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.


Respectfully submitted,

SHAMILAN K. SMITH
PO40026801


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