



*State of Louisiana*  
*Gaming Control Board*

*BOBBY JINDAL*  
*GOVERNOR*

*RONNIE JONES*  
*CHAIRMAN*

**DECISION OF THE  
LOUISIANA GAMING CONTROL BOARD**

**IN RE: ROLLING BONES, INC. D/B/A  
SPEAKEASY SPORTS BAR & GRILL  
LICENSE NO. 2605213848**

This matter is before the Louisiana Gaming Control Board on appeal by Rolling Bones, Inc. d/b/a Speakeasy Sports Bar & Grill (“Speakeasy”), License No. 2605213848, from the Hearing Officer’s order dated September 22, 2014, sustaining the Louisiana Gaming Control Board’s immediate emergency suspension of the video poker gaming license of Speakeasy.

By letter signed September 9, 2014, Speakeasy’s video poker gaming license was suspended based upon the allegations in the Kenner Police Department’s arrest report concerning the actions of Richard Ryan, owner, on June 19, 2014.

Mr. Ryan was charged with Aggravated Assault with a Firearm. On the night of the incident, Kenner Police found that Mr. Ryan appeared heavily intoxicated. Video footage showed Mr. Ryan waving a loaded handgun in the licensed establishment and pointing it at the victim.

Waving a loaded handgun and pointing it at an individual in the licensed establishment was found to pose a threat to the public health, safety and welfare.

A hearing on these matters before the Louisiana Gaming Control Board's Hearing Officer was held on September 22, 2014. The licensee was present. The Division and the licensee presented evidence. The Hearing Officer sustained the emergency suspension. It is from this order that the licensee appeals.

Speakeasy also filed a Petition for Judicial Review and Request for Stay of Temporary Suspension in the Nineteenth Judicial Court. A hearing was held on November 10, 2014, at which the judge granted an injunction of the suspension pending a final decision from the Board on this appeal.

#### LEGAL ANALYSIS

The public policy of the state concerning gaming is that "all persons, locations, practices, associations, and activities related to the operation of licensed and qualified gaming establishments ... shall be strictly regulated." La. R.S. 27:2(A). A license is a "pure and absolute revocable privilege and not a right, property or otherwise, under the constitution of the United States or of the state of Louisiana. La. R.S. 27:2(B).

Louisiana Revised States 49:961(C) provides:

No revocation, suspension, annulment, or withdrawal of any license is lawful unless, prior to the institution of agency proceedings, the agency gives notice by mail to the licensee of facts or conduct which warrant the intended action, and the licensee is given an opportunity to show compliance with all lawful requirements for the retention of the license. **If the agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined.** (Emphasis added.)

The Board found that the public health, safety and welfare required the emergency suspension of the license as specifically indicated in the notice signed September 9, 2014, by the Board Chairman. The Hearing Officer, after considering evidence presented by both parties, sustained the finding of the Board that the public health, safety, and welfare required the suspension.

There can be no question that the brandishing of a loaded handgun in a licensed establishment by an owner or manager of the business constitutes a threat to the public health, safety, and welfare.

The licensee argues that Mr. Ryan sold his ownership interest therefore the threat no longer exists. As evidence of the transfer, Speakeasy introduced an Act of Sale wherein Mr. Ryan sold his 50% ownership interest to Joy Pullman for \$50.00. There is no evidence that Mr. Ryan has severed all ties to the licensed establishment. If the sale is a sham and an attempt to deceive this regulatory body, suitability of the other 50% owner is called into question. Mr. Ryan's presence at and participation in the business must be investigated before it can be determined that there is no longer a threat to the public health, safety, and welfare.

Considering the record and current circumstances of the licensee, we find that the public health, safety and welfare require the suspension of Speakeasy's video gaming license. This matter is forwarded to the Hearing Office to expediently hold a hearing on the recommendation of revocation.

# ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of November 20, 2014:

**IT IS ORDERED THAT** the Hearing Officer's decision is **AFFIRMED** and a hearing on the recommendation of revocation be scheduled to occur within 30 days.

**THUS DONE AND SIGNED** on this the *20<sup>th</sup>* day of *November, 2014*.

**LOUISIANA GAMING CONTROL BOARD**

**BY:**



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**RONNIE JONES, CHAIRMAN**