



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

**DECISION OF THE
LOUISIANA GAMING CONTROL BOARD**

**IN RE: SABRINA DEIONN HOLT D/B/A SAB'S PLACE
NO. 5100113581**

This is an appeal by Sabrina Deionn Holt D/B/A Sab's Place from the decision of the Hearing Officer of the Louisiana Gaming Control Board, rendered on September 27, 2004, denying its original application for a video gaming license.

Based on the facts and for the reasons assigned by the Hearing Officer which we hereby attach to this decision and adopt as our own, we conclude that the decision of the Hearing Officer should be affirmed.

ORDER

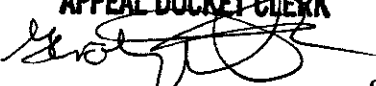
This matter having been considered by the Louisiana Gaming Control Board in open meeting of November 16, 2004:

IT IS ORDERED THAT the Hearing Officer's decision is **AFFIRMED**.

THUS DONE AND SIGNED on this the 22nd day of November, 2004.

LOUISIANA GAMING CONTROL BOARD


H. CHARLES GAUDIN, CHAIRMAN

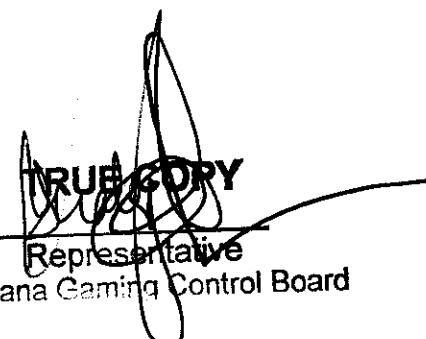
LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED BY:
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 23rd DAY
OF November 2004
APPEAL DOCKET CLERK


**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**ADMINISTRATIVE HEARING
JULY 29, 2004**

**HEARING OFFICER
JOSEPH E. ANZALONE, JR.**

**IN RE: SAB'S PLACE
#5100113581**

TRUE COPY

Representative
Louisiana Gaming Control Board

**IN RE: SAB'S PLACE
#5100113581**

APPEARANCES:

**For the State of Louisiana:
Mr. Michael J. Daniels
Assistant Attorney General
1885 N. 3rd Street
Livingston Bldg. 5th Floor
Baton Rouge, LA 70802**

**For Sab's Place:
Ms. Sabrina D. Holt
114 Polaris Street
Morgan City, LA 70580
In Proper Person**

STATEMENT OF THE CASE:

The Louisiana State Police, Video Gaming Division ("Division") recommends the denial of the original application for a Type 1 video gaming license submitted by Sabrina D. Holt d/b/a Sab's Place. The application was submitted as a sole proprietorship. However, the Division background investigation alleges a close business relationship with A&D Louviere, Inc., a corporation whose members exercise significant influence over the establishment and who also possess criminal histories that render them unsuitable.

STATE'S EVIDENCE AND CONTENTIONS:

The State has offered, filed, and introduced into evidence an exhibit file marked S-1 (in globo) and containing the following documents:

VOLUME I

- Exhibit 1 Video Gaming Application for Sabrina D. Holt d/b/a Sab's Place**
- Exhibit 2 Personal History Questionnaire for Sabrina D. Holt**

- Exhibit 3** Personal Financial Questionnaire for Sabrina D. Holt
- Exhibit 4** Affidavit by Sabrina D. Holt Re: Tax Returns
- Exhibit 5** Interview of Deborah Louviere
- Exhibit 6** Interview of Sabrina D. Holt
- Exhibit 7** Requested Documents, 12/19/03 for business operation
- Exhibit 8** Assignment of Lease to Sabrina Deionn Holt, 11/21/02
- Exhibit 9** Commercial Net Lease to Alfred Louviere and Deborah Louviere 11/21/02
- Exhibit 10** Sab's Place Monthly Expenditures, April 2003
- Exhibit 11** Sab's Place Monthly Expenditures, May 2003
- Exhibit 12** Sab's Place Monthly Expenditures, June 2003
- Exhibit 13** Sab's Place Monthly Expenditures, July 2003
- Exhibit 14** Sab's Place Monthly Expenditures, August 2003 and September 2003
- Exhibit 15** Sab's Place Monthly Expenditures, October 2003
- Exhibit 16** Sab's Place Monthly Expenditures, November 2003
- Exhibit 17** Sab's Place Monthly Expenditures, December 2003

- Exhibit 18 Commercial Insurance Application**
- Exhibit 19 St. Mary Parish Water and Sewer Records**
- Exhibit 20 Whitney Bank Loan Documents**

VOLUME II

- Exhibit 21 Personal History Questionnaire, Alfred Louviere**
- Exhibit 22 Personal History Questionnaire, Deborah Louviere**
- Exhibit 23 Requested Documents, Sabrina Holt
Re: Deborah Louviere's Arrests**
- Exhibit 24 Arrest Record, St. Mary Parish 3/27/79
Deborah Jean Burnham, Aggravated Assault/Illegal use
of a Weapon**
- Exhibit 25 16th JDC, St. Mary Parish 6/4/79 Aggravated Assault
Deborah Jean Burnham, Nolle Prosequied**
- Exhibit 26 16th JDC, St. Mary Parish 6/06/82, Telephone
Harassment Debra Jean Holt, dismissed charges**
- Exhibit 27 Circuit Court Lamar County, Mississippi, 6/7/88
Possession of a Controlled Substance, with Intent
To Deliver, Deborah J. Holt**
- Exhibit 28 Field Officer's Work Sheet, 6/3/88 Deborah J. Holt**
- Exhibit 29 Mississippi Department of Corrections, Petition for
Termination of Probation, 11/7/91 Deborah J. Holt**
- Exhibit 30 Circuit Court of Lamar County Mississippi, Petition to
Expunge Records, 01/06/03 Deborah Burnham**

Holt/AKA Deborah Louviere

- Exhibit 31** Parish of St. Mary, Franklin, Louisiana, 03/29/89
Report of Arrest, Booking Sheet Disturbing the peace
and simple assault, Deborah Jean Holt
- Exhibit 32** Morgan City, Louisiana, Dept. of Police 10/27/90
Booking Sheet, Disturbing the peace by fighting,
Deborah Jean Holt
- Exhibit 33** City Court of Morgan City charge against Deborah
Holt, Distributing the Peace by fighting, Nolle
Prosequied, 11/19/90
- Exhibit 34** Morgan City, Louisiana, Dept. of Police 11/01/91
Booking Sheet, Aggravated Assault, Deborah Jane
Louviere
- Exhibit 35** Police Department, Berwick Louisiana 02/16/96
Arrest Report, Simple Battery, Deborah Louviere
- Exhibit 36** City Court of Morgan City Ward 5, St. Mary Parish,
Louisiana Affidavit, Disturbing the peace by fighting,
Deborah Jane Louviere, 09/01/96
- Exhibit 37** Sixteenth JDC, St. Mary Parish, 10/10/96, Disturb
the Peace by Fighting 09/01/96, Deborah Jane
Louviere, Nolle Prosequied, 06/21/00
- Exhibit 38** Sixteenth JDC, St. Mary Parish, 12/04/99
Disturbing the peace intoxicated, resisting an officer,
Deborah Louviere;
- Exhibit 39** City Court of Morgan City, Louisiana 01/20/00,
Resisting a police officer, Deborah Louviere- pled
guilty, Disturbing the Peace, Nolle Prosequied

- Exhibit 40** St. Mary Parish Correctional Center, 05/24/00, Charge of Simple Battery, Debra Louviere,
- Exhibit 41** State of Louisiana, Parish of St. Mary, Simple Battery 06/07/00, Deborah Jane Louviere, Nolle Prosequied, 10/05/00
- Exhibit 42** St. Mary Parish Correctional Center Booking sheet, Telephone Call Harassment 11/05/00, Deborah Louviere
- Exhibit 43** Franklin Police Department, Booking Sheet Telephone Harassment 11/05/00, Deborah Jane Louviere
- Exhibit 44** Sixteenth JDC, St. Mary Parish, Louisiana Telephone Harassment 11/05/00, Deborah Jane Louviere
- Exhibit 45** Morgan City Police Department, General Case Report 03/09/01, 11/05/00, Deborah Jane Louviere, Second Degree Battery
- Exhibit 46** Sixteenth JDC Bill of Information 09/30/01, Aggravated Battery, Deborah Louviere, Nolle Prosequied 6/20/02
- Exhibit 47** St. Mary Parish Correctional Center Transfer sheet, 07/25/02 Assault-simple, Disturbing the peace by language, Deborah J. Louviere
- Exhibit 48** State of Louisiana, Department of Revenue, Office of Alcohol and Tobacco, Commissioner's Findings and Order 01/22/03 Re: A & D Louviere, Inc.
- Exhibit 49** Department of Public Safety and Corrections, Request for Documents, 08/18/03, Statement of Deborah Louviere Re: ATC Permit

**Exhibit 50 Department of Public Safety and Corrections, Request
for Documents, 08/18/03, Sabrina Holt
Statement of Alfred Louviere Re: ATC Permit**

Ms. Holt testified she is the sole proprietor of Sab's Place, but that she has a very close business relationship with her mother and stepfather. A&D Louviere, Inc. A&D Louviere, Inc. are guarantors of Ms. Holt's business loan, Ms. Holt testified she was unable to obtain the business loan without guarantors.

Division agent, Tpr. Louis Bouquet, testified he conducted a background investigation on Sab's place. The original application was filed May 28, 2003, as a sole proprietorship. Ms. Holt did not disclose any management employees or other persons having significant influence over the establishment.

The background investigation revealed that Ms. Holt subleases the establishment's physical location from A&D Louviere, Inc. On the personal history questionnaire, Ms. Holt stated her mother, Ms. Deborah Louviere, was convicted of possession of a controlled substance in 1987 in Lamar County, Mississippi.

Ms. Holt began her employment at Sab's Place in April, 2003. Prior to that she was employed at a McDonald's restaurant from 1996 to 1999, and unemployed from 1999 to April, 2003. Ms. Holt did not disclose any employment at an establishment that served alcohol, nor did she list any employment experience at a bar or restaurant.

On the application, Ms. Holt listed Ms. Deborah Louviere as the registered owner of the vehicle she is currently driving. Additional documentation submitted revealed Ms. Holt allowed her fiancé, Mr. Justin Bernado to claim her as a dependent on his 2002 federal and state tax returns. Ms. Holt submitted an affidavit confirming this information and further stating she was not employed in the years 2000 and 2001. Mr. Bernado also submitted an affidavit confirming the information on his

2002 federal and state tax returns. Ms. Holt and Mr. Bernado maintain a joint checking account.

The personal financial questionnaire stated Ms. Holt purchased Sab's Place from her mother and step-father for the sum of \$1500.00. The establishment has a market value of \$2500.00. Ms. Holt borrowed the purchase funds from her mother.

Tpr. Bouquet also interviewed Ms. Deborah Louviere on January 29, 2004. Present at the interview were Louisiana State Representative Smith, and Division Auditors Janice Adolph and Alice Jones. Ms. Louviere stated she was the previous owner of Sab's Place which she operated under the name of 'Vista Lounge'. Ms. Louviere stated the establishment's alcohol permit was revoked when her husband falsified information on the ATC permit application when he failed to disclose his criminal history.

Ms. Louviere further stated after the revocation of the ATC permit, Vista Lounge no longer operated as a establishment. Mr. and Mrs. Louviere made arrangements for Ms. Holt to sublease the locations for Sab's Place. In the sublease agreement the Louviere's guarantee the monthly payment in the event Ms. Holt is unable to do so.

Ms. Louviere stated she gave Ms. Holt fifty cases of beer, and a sizeable amount of hard liquor to begin her business at Sab's Place. Initially, Ms. Louviere worked at the bar one day a week, and assisted Ms. Holt with daily business activities beginning in August of 2003. Mr. Louviere worked in the establishment three or four days a week. Mr. and Ms. Louviere did not receive payment for their work at Sab's place. Additionally, Ms. Louviere stated she prepared all documents in response to questions regarding personal finances.

Sab's Place has one other employee, Ms. Shawn Smith, she was interviewed and hired by Ms. Louviere. Ms. Louviere also stated income taxes were being deducted from Ms. Smith's payroll checks. Ms. Holt and Ms. Louviere both stated that Ms. Louviere is responsible for all bookkeeping for Sab's Place. All utilities for Sab's Place are in Ms.

Louviere's name, other accounts for the business are listed as belonging to A & D Louviere, Inc. Some of the establishment's accounts were paid in cash, other accounts received checks from Ms. Louviere's account and Ms. Holt would reimburse Ms. Louviere at a later date. Liability insurance for the business is issued in the name of A & D Louviere d/b/a Vista Lounge, and Ms. Louviere pays the monthly premium. Ms. Louviere placed all orders with liquor distributors, and made personal loans to Ms. Holt when necessary. When asked to explain why the establishment had no checking account in the name of Sab's Place, Ms. Louviere stated it was less complicated to pay bills with cash.

The Division investigation revealed that Ms. Holt does not have a personal checking account, nor does any account exist for Sab's Place. All merchandise accounts for the business are listed as A & D Louviere, Inc. and most bills are paid with cash. Ms. Louviere submitted an affidavit regarding her criminal history.

Regarding his interview of Ms. Holt, Tpr. Bouquet testified Ms. Holt informed him she received start up funds, and all alcoholic beverages to begin the business from her mother, Ms. Louviere. Ms. Louviere's certificate of deposit at Whitney Bank was used as collateral for a \$2500.00 loan. Ms. Holt further stated subsequent to her mother and stepfather losing their ATC license for Vista Lounge, the family decided she should sublease the property and open a new establishment. Additionally, Ms. Holt stated the Louviere's take care of all utility payments and all bookkeeping for Sab's Place. Ms. Holt admitted she was not at all familiar with purchase invoices, and that Ms. Louviere was responsible for copying and submitting all invoices requested by the Division. Ms. Holt was not familiar with federal and state withholding for employees, that Ms. Louviere handled all paperwork and maintained books and that Mr. and Ms. Louviere were at the establishment daily to help with everything.

Ms. Holt was unable to provide the Division with cancelled checks for Sab's place, alleging that all business transactions with outside vendors are done in cash. There are no checking accounts or bank signature cards for Sab's Place. From May 2003 to November 2003, Mr. and Ms. Louviere

were the only employees of Sab's place, they received no salary and no payroll records exist for this period of time.

The lease agreement between Sabrina Holt and A & D Louviere, Inc. states Ms. Holt leases the physical location from A & D Louviere, Inc. for the amount of \$800.00 per month. Alfred and Deborah Louviere are the personal guarantors of this lease (State's Ex. 8). The commercial lease between A & D Louviere and Baileys states the property is leased for the amount of \$800.00 per month (State's Ex. 9).

Tpr. Bouquet testified all utility bills for Sab's Place were registered as accounts for A & D Louviere, Inc. Business receipts indicate everything was paid in cash, including St. Mary Parish sales and use taxes. Insurance policies for the establishment indicate Ms. Deborah Louviere is the contact person for the company, insurance is issued to A & D Louviere, Inc. with premiums paid through the personal checking accounts of Alfred and Deborah Louviere.

Mr. Alfred Louviere is the 100% owner of A&D Louviere, Inc. He is married to Ms. Deborah Louviere. The Division found no evidence of a separate property agreement between the Louviers.

On the personal history questionnaire, Ms. Louviere stated she had been arrested six times. A Division investigation revealed Ms. Louviere has been arrested fourteen times, eight of which she failed to disclose to the Division.

Mr. and Ms. Louviere previously applied for a video gaming license for an establishment known as 'Coyote Girls'. During the investigation process, the Louviere's withdrew their application, but not before the Division requested additional information regarding their criminal histories.

When questioned about her failure to disclose her entire criminal history, Ms. Louviere explained she did not believe she needed to disclose any criminal activity occurring more than ten years previously.

After reviewing the criminal history, Tpr. Bouquet concluded that the Louviere's attempted to intentionally deceive the Division by omitting arrests.

Further, he found that Ms. Louviere was not completely honest about the expungement of her criminal record, and never submitted a judgment of expungement to the division.

Tpr. Bouquet also investigated the revocation of the ATC permit for Vista Lounge. He found the permit was issued in the name of A & D Louviere, and Mr. Louviere allegedly falsified the application and failed to provide information regarding his wife's felony charges. Ms. Louviere provided an affidavit dated December 27, 2002, regarding her felony arrest, but Mr. Louviere denied any knowledge of criminal activity.

Based on the results of the background investigation, the Division has concluded that Mr. and Ms. Louviere exercise significant influence over the licensee, and that both are unsuitable.

Counsel for the Division contends that Ms. Louviere exercises significant influence by supplying all alcohol for the establishment, acting a guarantor for business loans, participating in the daily operation of the business, and acting a bookkeeper for the establishment. The fact that no accounts for the business exist in Ms. Holt's name, and Ms. Holt has no personal financial records further indicate the influence of Ms. Louviere.

Counsel for the Division also stated Ms. Louviere should be found unsuitable because of her extensive criminal history, and Mr. Louviere should be found unsuitable because of his criminal history (State's Ex. 21) and the revocation of the ATC permit for failing to disclose material facts.

There was no cross-examination of Tpr. Bouquet.

LICENSEE'S EVIDENCE AND CONTENTIONS:

Ms. Sabrina Holt testified that all utilities for the establishment were in the name of A & D Louviere to avoid the unnecessary costs of having

to pay connection deposits in the name of Sab's Place. She brings the monthly bills to her mother, Deborah Louviere, who attends to the payment. Deborah Louviere places orders for the business and interviews prospective employees.

FINDINGS OF FACT:

Alfred Louviere and Deborah Louviere are personal guarantors of the lease. Deborah Louviere is a co-signatory on the loan. A & D Louviere, Inc. (Alfred Louviere and Deborah Louviere) is a guarantor of the lease and Alfred Louviere and Deborah Louviere are personal guarantors of the lease. The utilities are in the name of A & D Louviere, Inc. Deborah Louviere is, in the opinion of this writer, the manager without a title.

APPLICABLE LAW:

La. R.S. 27:310 (A)(1):

A. No person may be eligible to apply or be granted a license under the provisions of this chapter if he has been convicted in any jurisdiction of any of the following offenses within ten years prior to the date of the application or less than ten years has elapsed between the date of application and the successful completion of service of any sentence, deferred adjudication, or period of probation or parole for any of the following:

(1) Any offense punishable by imprisonment for more than one year.

La. R.S. 27:310(B)(1)(a)(b)(c):

(B)(1) No person shall be granted a license under the provisions of this Chapter unless the applicant has demonstrated to the division that he is suitable for licensing. For purposes of this Chapter, suitability means the applicant or licensee is:

(a) A person of good character, honesty and integrity.

- (b) A person whose prior activities, arrest or criminal record, if any, reputation, habits, and associations do not pose a threat to the public interest of this state or to the effective regulation of video draw poker, and do not create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and operations in the activities authorized by this Chapter and financial arrangements incidental thereto;
- (c) Likely to conduct business as authorized by this Chapter in complete compliance with the provisions of this Chapter.

La. R.S. 27:310(B)(2) provides:

An applicant who is not disqualified from making application or licensure as a result of Subsection A of this Section shall still be required to demonstrate to the division that he otherwise meets the remaining requirements of suitability particularly those contained in Subparagraphs (1)(a)(b) and (c) of this Subsection. Evidence of or relating to an arrest, summons, charge, or indictment of an applicant, or the dismissal thereof, shall be considered by the division even if the arrest, summons, charge, or indictment results in an acquittal, deferred adjudication, probation, parole or pardon.

La. R.S. 27:310(D) provides:

Every person who has or controls directly or indirectly more than a five percent ownership income, or profit interest in an entity which has or applies for a license in accordance with the provisions of this Chapter, or who received more than five percent revenue interest in the form of a commission, finder's fee, loan repayment, or any other business expense related to the gaming operation, or who has the ability, in the opinion of the division, to exercise a significant influence over the activities of a licensee authorized or to be authorized by this Chapter, shall meet all suitability requirements and qualifications for licensees. For the purposes of this Chapter, all gaming related associations, outstanding loans, promissory notes, or other financial indebtedness of an applicant or licensee must be revealed to the division for the purposes of determining significant influence and suitability.

REASONS FOR DECISION:

The Louisiana State Police, Video Gaming Division's recommends that Sabrina Deionn Holt d/b/a Sab's Place be denied a Type 1 Video Poker License.

The Division contends that Alfred Louviere and Deborah Louviere are in a position to exercise significant influence over the licensee and, as such, are required to meet all suitability requirements and qualifications demanded of the applicant pursuant to the provisions of LSA-R.S. 27:28 H(1) which reads in part as follows:

"Any person who has.....the ability, in the opinion of the board, to exercise a significant influence over a licensee, the casino gaming operator, permittee, or other person required to be found suitable pursuant to the provisions of this Title, shall meet all suitability requirements and qualifications pursuant to the provisions of this Title."

It is to be noted that the law does not require the actual exercise of the influence, only that there exists a basis upon which the influence could be exercised.

Alfred Louviere is the step-father of Sabrina Deionn Holt and 100% owner of the stock in A & D Louviere, Inc. This corporation is guarantor of the building and property lease of the applicant establishment. Because of this business connection the Division alleges the corporation has the ability to exercise a significant influence over the licensee. Further, Mr. Louviere is in a position to exert substantial influence because he donated a quantity of beer and whiskey which Ms. Holt used to begin her business.

On February 28, 2003, A & D Louviere assigned all its rights, title and interest in that certain lot or building known as Vista Liquor Store and Lounge to Sabrina Deionn Holt. The assignment contains the provision that Alfred and Deborah Louviere acknowledge that for value received, they do unconditionally guarantee the full performance and observance of all the covenants, conditions and agreements therein to be performed by the said Sabrina Deionn Holt.

This writer views the donation and guarantee probable bases for the exercise of influence and therefore, these guarantors must meet the suitability requirements demanded of the applicant.

The Division's allegation that Alfred Louviere is unsuitable is based on his history which includes the following:

1. The revocation of an ATC permit in the name of Coyote Lounge for making false statements on his application by failing to disclose that Mrs. Deborah Louviere, his spouse, had been convicted of a felony
2. An arrest and charge in 1976 of Driving While Intoxicated and Failure to obey a stop sign by the Morgan City Police.
3. An arrest and charge in 1979 of Disturbing the Peace and Resisting an Officer.
4. An arrest and charge in 1979 of Driving While Intoxicated (second offense).

Mr. Louviere's arrest record does not impress this writer as establishing a basis for declaring the applicant unsuitable. The revocation of the ATC permit was made a part of the present application. This writer cannot find authority to declare Mr. Louviere unsuitable at the present because he once had a Class AG B & L Permit revoked or because of his failure to disclose his wife's criminal history which included a conviction in Mississippi in 1991 of Possession of a Controlled Dangerous Substance. That failure is deemed cured by inclusion in the present application.

Mr. Louviere disclosed the fact that Mrs. Deborah Louviere, his spouse, had, in 1991 in Mississippi, been convicted of Possession of a Controlled Dangerous Substance. The consideration of any previous failure to disclose Mrs. Louviere's criminal history is obviated by the disclosure in the present questionnaire.

Because of the personal guarantee of the applicant's performance of the terms of the lease in question and the declaration in the Personal History Questionnaire associated with this application, Mr. Louviere is considered by this court to be in a position to exercise significant influence over the licensee.

Yet, this court cannot find a basis to rule him unsuitable.

Mrs. Louviere's admission of influence further supports the Division's demand that she meet suitability standards.

This influence is further illustrated by the above referred to lease guarantee, donation of beer and whiskey, and the following:

1. Mrs. Louviere has co-signed a note and guaranteed a loan to provide start up capital made by Ms. Holt at a local bank
2. The applicant establishment's utilities are in the name of A & D Louviere, Inc. and paid for by Mrs. Louviere out of her personal account.
3. Mrs. Louviere assists in the management of the establishment by placing orders with various vendors; interviews potential employees; assists in running the establishment, and occasionally loans money to Ms. Holt for the operation of the establishment.
4. Mrs. Louviere is allowed to review all bills and has taken the responsibility for the payment of the same

These facts can lead only to the conclusion that Mrs. Louviere not only has the ability to influence the business affairs of Sab's but has involved herself in the operation of the business to the point that impresses the writer as being the general manager.

The Division does not contend that the application should be affected because Ms. Louviere failed to disclose any of her criminal arrest record. It, does, however, contend that Deborah Louviere should be declared unsuitable because of her extensive arrest record and criminal history listed as follows:

1. March 27, 1979, an arrest and charge of Aggravated Assault and Illegal Discharge of a Firearm by the St. Mary Parish Sheriff's office (charge Nolle Prossed);
2. June 17, 1982, an arrest and charge of Telephone Harassment by the St. Mary Parish Sheriff's office (charges dropped);
3. The Division alleges an arrest on April 23, 1984, by the Morgan City Police Department and charge of Assault With a Dangerous Weapon (there is no evidence in the file to support such allegation)
4. October 7, 1987, an arrest and charge of Possession of Cocaine With Intent to Distribute by the Purvis, Mississippi Sheriff's Office (Conviction on June 3, 1988, of a reduced charge of Simple Possession of a Dangerous Substance, resulting in a sentence of three years suspended and five years active probation successfully completed. It is to be noted the conviction has been expunged.)
5. March 29, 1989, an arrest and charge of Simple Assault and Disturbing the Peace by the St. Mary Parish Sheriff's Office. (no disposition)
6. October 27, 1990, an arrest and charge of Disturbing the Peace by Fighting by the Morgan City Police Department (charges Nolle Prossed)
7. December 1, 1991, an arrest and charge of Aggravated Assault by the Morgan City Police Department (charges Nolle Prossed)
8. February 16, 1996, an arrest and charge of Simple Battery by the Berwick City Police Department (Acquitted)

9. September 1, 1996, an arrest and charge of Disturbing the Peace by Fighting by the Morgan City Police Department (charge Nolle Prossed)
10. December 4, 1999, an arrest and charge of Disturbing the Peace by Intoxication and Resisting an Officer by the Morgan City Police Department (charge of Disturbing the Peace Nolle Prossed; convicted of Charge of Resisting an Officer)
11. May 21, 2000, an arrest and charge of Simple Battery by the St. Mary Parish Sheriff's Office (charge Nolle Prossed)
12. November 5, 2000, an arrest and charge of Telephone Harassment by the Morgan City Police Department (charge Nolle Prossed)
13. October 8, 2001, an arrest and charge of Aggravated Second Degree Battery by the Morgan City Police Department (charge Nolle Prossed)
14. July 25, 2002, an arrest and charges Simple Assault and two counts of Disturbing the Peace by Loud and Abusive Language (disposition of charge not in evidence)

The record is void of any condition that would result in a statutory disqualification. Among these are no convictions for any offense punishable by more than one year; theft or attempted theft; fraud or attempted fraud; gambling offenses; or crimes of violence. Nor can any evidence of pending charges of the above be found in the record.

The provisions clearly provide that any applicant, although not disqualified by such as listed in the previous paragraph, must demonstrate to the Board that he otherwise meets the remaining requirements for suitability. In connection with this proviso, evidence of or relating to, an arrest, summons, charge, or indictment of an applicant, or the dismissal thereof, may be considered by the board or division even if the arrest, summons, charge or indictment results in acquittal, deferred adjudication, probation, parole or pardon.

The provision demands consideration of an arrest record. Reasonableness dictates that if a record is void of arrests, it must be considered in favor of the applicant. If, however, the record is replete with arrests, charges, and even though there be favorable dispositions of some of the charges and none amount to a statutory disqualification, it must be considered to the applicant's detriment.

In the instant case the arrest record of Mrs. Deborah Louviere is of paramount importance because she has been found by this writer to be in a position to and has exercised influence in the business known as Sab's. That arrest record consists of fourteen arrests, one of which led to a conviction. The completion of the sentence involved in that conviction, because of the passage of more than ten years, cannot be considered by the court to be a statutory disqualification but is considered to a factor in determining suitability.

Of the three parties required to meet suitability standards, Mrs. Deborah Louviere, because of her criminal record, is the sole person failing to meet these standards. Because she is considered to be unsuitable, I feel the application should be denied.

**IN RE: SAB'S PLACE
#5100113581**

JUDGMENT


After a review of the pleadings and the evidence, consideration of the argument of counsel and for reasons assigned

IT IS HEREBY ORDRED, ADJUDGED, AND DECREED that the original application for a Type 1 video gaming license submitted by Sabrina D. Holt d/b/a Sab's Place be **DENIED**.

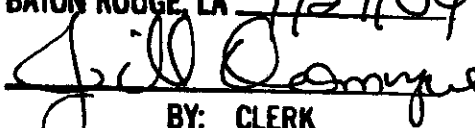
Baton Rouge, Louisiana, this 27 day of September, 2004.



**Joseph E. Anzalone, Jr.
Hearing Officer**

**LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 27th DAY
OF September, 192004

DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE**

cc: Sabrina Holt
Mike Daniels
Sabrina Ballard

**A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 9/27/04

BY: CLERK**