



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

DECISION OF THE
LOUISIANA GAMING CONTROL BOARD

IN RE: ADRIENNE STANLEY
NO. P040023985

This is an appeal by Adrienne Stanley from the decision of Joseph E. Anzalone, Jr., Hearing Officer for the Louisiana Gaming Control Board, rendered on June 20, 2002, upholding the denial of renewal of her non-key gaming employee permit by the Louisiana State Police, Casino Gaming Division.

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 August 20, 2002:

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

THUS DONE AND SIGNED this the 20th day of August, 2002.

LOUISIANA GAMING CONTROL BOARD

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED COPY HAS BEEN MAILED OR SERVED ON ALL PARTIES THIS 21st DAY OF August, 2002

BY:


HILLARY J. CRAIN, CHAIRMAN

APPEAL DOCKET CLERK



**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**ADMINISTRATIVE HEARING
MAY 2, 2002**

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

**IN RE: ADRIENNE STANLEY
#P040023985**

TRUE COPY

Representative

Louisiana Gaming Control Board

IN RE: ADRIENNE STANLEY
#P040023985

APPEARANCES:

For the State of Louisiana:
Ms. Shana Broussard
Assistant Attorney General
339 Florida Street
Suite 500
Baton Rouge, LA 70801

For Adrienne Stanley:
Ms. Adrienne Stanley
873 Rene Drive
Haughton, LA 70137
In Proper Person

STATEMENT OF THE CASE:

The Louisiana State Police, Casino Gaming Division seeks to deny Ms. Adrienne Stanley a renewal of her non-key gaming employee permit. The basis for such denial is Ms. Stanley was arrested on July 12, 2001, and currently faces charges of aggravated battery which render her unsuitable to hold a non-key gaming employee permit.

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 exhibits:

1. Notice of Hearing Date dated March 14, 2002, advising of an administrative hearing scheduled for April 9, 2002;
2. Notice of Denial of Renewal Application dated February 27, 2002;
3. Arrest report from Bossier City Police Department dated July 12, 2001, reflecting an outstanding warrant for Ms. Stanley's arrest for aggravated battery;
4. Arrest report from Bossier City Police Department reflecting Ms. Stanley's arrest for aggravated battery on July 3, 2001;
5. Warrant for the arrest of Adrienne Stanley dated July 3, 2001;

Administrative Sergeant Michael Harrell testified that the Notice of Denial of Renewal dated February 27, 2002, was issued under his signature, and that the reason for denial was Ms. Stanley's pending criminal charges. Sgt. Harrell further testified that Ms. Stanley was arrested for aggravated battery and that a Bill of Information had been issued regarding the criminal charges. Ms. Stanley is currently enrolled in a pre-

trial diversion program, and will complete the program on April 15, 2003, the criminal charges will remain pending until the program is successfully completed.

LICENSEE'S EVIDENCE AND CONTENTIONS:

The licensee offered, filed, and introduced into the record the following documents:

1. Correspondence dated April 15, 2002, from the Bossier Parish District Attorney's Office stating that Ms. Stanley has successfully completed 11 weeks of anger management classes and is discharged from the program;
2. Diversion and District Attorney's Probation Agreement filed dated April 15, 2002;
3. Petition of Divorce for Adrienne Harvill Stanely and Corey L. Stanley filed February 13, 2002;

Ms. Stanley testified that she has entered a diversion program and is required to attend anger management classes. At this time Ms. Stanley also testified she has obtained a divorce and has restraining orders against her former spouse.

FINDINGS OF FACT:

This court finds that Ms. Adrienne Stanley was arrested and charged with aggravated battery on July 3, 2001. At this time Ms. Stanley has entered a pre-trial diversion program which will not be completed until April 15, 2003. Criminal charges will remain pending until successful completion of the diversion program.

APPLICABLE LAW:

La.R.S.27:28(B) provides in pertinent part:

(B) The division shall not award a license or permit to any person who is disqualified on the basis of any of the following criteria:

- (2) The applicant has current prosecution of or pending charges for an offense of a Crime of Violence defined in R.S. 14:2(13).

La.R.S. 14:2(13)(g) provides in pertinent part:

(13) "Crime of violence means an offense that has, as an element the use, attempted use, or threatened use of physical force against the person or property of another, and that, but its very nature, involves a substantial risk that physical force against the person or property of

another may be used in the course of committing the offense or an offense that involves the possession or use of a dangerous weapon. The following enumerated offense and attempts to commit any of them are included as "crimes of violence."

(e) Aggravated battery

REASONS FOR DECISION:

Ms. Stanley no longer meets suitability requirements and because of the pending criminal charges she is statutorily disqualified and ineligible for renewal of her non-key gaming employee permit. When Ms. Stanley completes the pre-trial divierson program, the criminal charges will be dismissed . Justice demands that this judgment be rendered without prejudice.

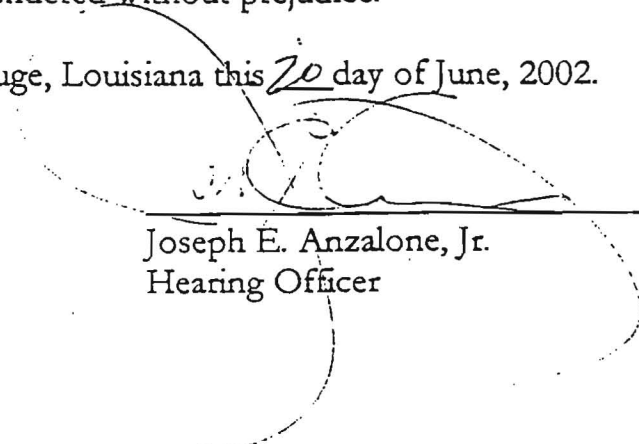
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JUDGMENT

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Adrienne Stanley be DENIED a renewal of her non-key gaming employee permit.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this judgment be rendered without prejudice.

Baton Rouge, Louisiana this 20 day of June, 2002.



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 20th DAY
OF June 2002
Shana Broussard
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Adrienne Stanley
Shana Broussard, Esq.
Lt. George Dean

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 6/20/02
Alata Hays
BY: CLERK