



State of Louisiana
Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

**DECISION OF THE
LOUISIANA GAMING CONTROL BOARD**

**IN RE: MIYON N. WILSON
NO. P040041953**

RULING ON APPLICATION FOR REHEARING

The matter before the Louisiana Gaming Control Board ("Board") is a request for rehearing of the revocation of Miyon N. Wilson's non-key gaming employee permit, No. P040041953.

A "Notice of Recommendation of Revocation" of Ms. Wilson's permit was sent by certified mail to the permittee. It was received on November 13, 2003, as evidenced by the signed return receipt. The recommendation was based on the alleged failure of Ms. Wilson to file state tax returns and pay state taxes owed. The permittee was notified that she had 10 days to request an administrative hearing regarding the recommendation and informed that failure to request a hearing would result in the revocation of her permit without further proceedings.

The permittee did not request a hearing. As a result, on December 9, 2003, the Board issued a "Notice of Revocation." The notice was received by the permittee on December 16, 2003, as evidenced by the signed return receipt of the certified mailing. Ms. Wilson timely requested a rehearing of the revocation.

Ms. Wilson contends that the Louisiana Department of Revenue has cleared her of any taxes owed and that she has tax clearances. She thought the matter was resolved by the payment and clearance.

LEGAL ANALYSIS

Louisiana Revised Statutes 49:959 provides in pertinent part:

A. A decision or order in a case of adjudication shall be subject to rehearing, reopening, or reconsideration by the agency, within ten days from the date of its entry. The grounds for such action shall be either that:

- (1) The decision or order is clearly contrary to the law and the evidence;
- (2) The party has discovered since the hearing evidence important to the issues which he could not have with due diligence obtained before or during the hearing;
- (3) There is a showing that issues not previously considered ought to be examined in order properly to dispose of the matter; or
- (4) There is other good ground for further consideration of the issues and the evidence in the public interest.

"Adjudication" is defined as the agency process for the formulation of a decision or order.

La. R.S. 49:951(1).

Miyon N. Wilson has presented grounds for reconsideration. Therefore, this matter will be forwarded to the Louisiana Gaming Control Board Hearing Office for the scheduling of an administrative hearing on the "Notice of Recommendation of Revocation" before the Hearing Officer where evidence may be introduced and a determination can be made as to the appropriate action to be taken.

ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of January 20, 2004:

IT IS ORDERED THAT the request for rehearing is **GRANTED** and the matter is **FORWARDED** to the Louisiana Gaming Control Board Hearing Officer for action in accordance with this decision.

THUS DONE AND SIGNED on this the 20th day of January, 2004.

LOUISIANA GAMING CONTROL BOARD
BY: 
HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 20th DAY
OF January, 2004
APPEAL DOCKET CLERK
