



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: DOUBLE DD'S INC.
D/B/A DOUBLE DD'S
NO. VP2600110554

This is an appeal by Double DD's, Inc. d/b/a Double DD's from the decision of the Hearing Officer denying the renewal of its video gaming license due to the statutory disqualification of Mrs. Ronna Wood, the 100% owner of Double DD's.

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

ORDER

This matter having been considered by the Louisiana Gaming Control Board in open meeting of January 15, 2002:

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

THUS DONE AND SIGNED on this the 16th day of January 2002.

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 17th DAY
OF January, 2002

APPEAL DOCKET CLERK


**STATE OF LOUISIANA
GAMING CONTROL BOARD**

**ADMINISTRATIVE HEARING
OCTOBER 25, 2001**

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

**IN RE:DOUBLE DD'S INC. D/B/A
DOUBLE DD'S
NO. 2600110554**

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NO. 2600110554**

APPEARANCES:

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

For Double DD's:
Ms. Ronna Wood
2303 North Causeway Blvd.
Metairie, LA 70001

Absent

STATEMENT OF THE CASE:

The Louisiana State Police, Video Gaming Division ("Division") seeks to deny the renewal of the Type 1 video gaming license held by Double DD's, Inc. d/b/a Double DD's alleging the owner, Ronna Wood, and her spouse, Dexter L. Wood, are unsuitable because of their criminal history which, among other charges, contains a conviction for theft.

A Notice of Hearing Date advising of an October 25, 2001, administrative hearing, sent via certified mail to the owner's last known address, on September 13, 2001, was returned marked 'unclaimed'. At the request of this office the Division executed personal service on the licensee on October 11, 2001, notifying her of the October 25, 2001, hearing date.

Ms. Wood did not attend the administrative hearing on October 25, 2001. This Court ruled that her absence was due to personal preference and allowed the Assistant Attorney General to proceed.

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. Receipt of Personal Service executed by Trooper Robert Hodges dated October 11, 2001;
2. Certified Court Document from the 24th Judicial District Court, Parish of Jefferson; dated January 8, 2001, reflecting a plea of guilty to Theft/Goods under \$100.00, by Ronna Wood;
3. Certified Court Document from the 24th Judicial District Court, Parish of Jefferson; dated November 30, 1999, reflecting a plea of guilty to Schedule 1 Possession Of A CDC: Marijuana by

Dexter Wood; Certified Mail Receipt No. 7000 1690 0005
7009 8185 with no signature or date received cited;

4. No exhibit submitted;
5. 2000-2001 Renewal Application for Double DD's.

Division agent, Administrative Sergeant Bryson Williams testified that the background investigation on Double DD's renewal application was conducted by Trooper Anthony Scott, and that Tpr. Scott is currently on military leave. Sgt. Williams reviewed the investigation in Tpr. Scott's absence.

Sgt. Williams testified that on the 2000/2001 Renewal Application submitted on behalf of Double DD's (See State's Exhibit 5) Mrs. Ronna Wood is listed as 100% owner of the establishment with Mr. Dexter Wood is listed as her spouse.

After considering State's Exhibit 2, Sgt. Williams testified that the Division's investigation revealed that on January 8, 2001, Mrs. Wood pled guilty to a charge of theft under one hundred dollars pursuant to La. R.S. 14:67(10) in the 24th Judicial District Court, Parish of Jefferson. The Certified Court Minutes reflect that Mrs. Wood received a sentence of six (6) months in parish prison, the sentence was suspended and she was placed on supervised probation for one year, and inactive probation for one year.

After considering State's Exhibit 3, Sgt. Williams further testified that Mr. Wood pled guilty to a Schedule I possession of a controlled and dangerous substance; to wit, marijuana, on November 30, 1999, in the 24th Judicial District Court, Parish of Jefferson. Certified Court Minutes reflect that Mr. Wood received a sentence of five years, which sentence was suspended and Mr. Wood was placed on active probation for three years.

LICENSEE'S EVIDENCE AND CONTENTIONS:

None submitted.

FINDINGS OF FACT:

This Court finds that on January 8, 2001, Mrs. Ronna Wood pled guilty to theft of less than \$100.00. Additionally, on November 30, Mr. Dexter Wood pled guilty to Schedule I possession of a Controlled and Dangerous Substance: marijuana and received a suspended sentence and three years probation.

APPLICABLE LAW:

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

(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 have elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole for any of the following:

1. Any offense punishable by imprisonment of more than one year;
2. Theft or any crime of false statements or declarations;

La. R.S. 14:67:10, Theft, provides in pertinent part:

A. Theft of goods is the misappropriation or taking of anything of value which is held for sale by a merchant, either without the consent of the merchant to the misappropriation or taking, by means of fraudulent conduct, practices, or representations. An intent to deprive the merchant permanently of whatever may be the subject of the misappropriation or taking is essential.....

REASONS FOR DECISION:

The possession of a video gaming license is a privilege, it is not a guaranteed right and the privilege is granted only to those who possess certain qualifications. Among those qualifications is an absence of certain criminal activities for at least ten years prior to the date of application.

In this case Mrs. and Mr. Wood disclosed their criminal activity on their 2000/2001 renewal application, neither party exhibited any desire to deceive the Division. Unfortunately, both Mrs. Wood has been convicted of theft and Mr. Wood has been convicted of a crime punishable by more than one year imprisonment. The conviction of theft, of whatever grade, demands that the licensee be declared disqualified.

For the above stated reasons the 2000/2001 renewal application submitted for a Type 1 video gaming license for Double DD's Inc. d/b/a Double DD's be denied.

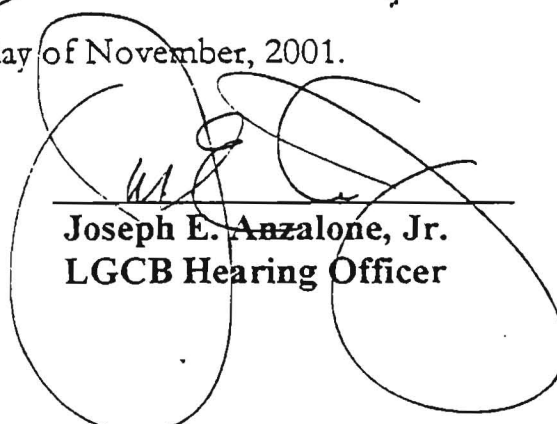
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#2600110554

JUDGMENT

After a review of the pleadings, evidence and argument of counsel, and for the above stated reasons:

IT IS ORDERED, ADJUDGED AND DECREED that Double DD's Inc. d/b/a Double DD's is hereby denied a renewal of its Type 1 video gaming license.

Baton Rouge, Louisiana, this 15 day of November, 2001.


Joseph E. Anzalone, Jr.
LGCB Hearing Officer

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 15th DAY
OF November 2001
Alta Hays
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Rowna Wood
Kendra Duay, Esq.
Sabrina Ballard

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 11/15/01
Alta Hays
BY: CLERK