



State of Louisiana

Gaming Control Board

KATHLEEN BABINEAUX BLANCO
GOVERNOR

H. CHARLES GAUDIN
CHAIRMAN

ANNE LACOUR NEEB
EXECUTIVE DIRECTOR

IN RE: DWIGHT E. HINTON D/B/A C-WAY MARINA NO. VP2600104579

ORDER

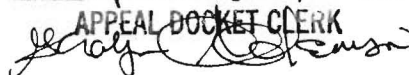
This matter was considered by the Louisiana Gaming Control Board at its meeting of September 13, 2005. The Hearing Officer's order dated August 17, 2005, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Administrative Action," Permit No. VP2600104579, by and between Dwight E. Hinton d/b/a C-Way Marina, and the State of Louisiana, Department of Public Safety and Corrections, Office of State Police, which is attached hereto and incorporated herein, is **APPROVED.**

THUS DONE AND SIGNED on this the 13 day of September, 2005.

LOUISIANA GAMING CONTROL BOARD

BY:


H. CHARLES GAUDIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 15th DAY
OF September, 2005
APPEAL DOCKET CLERK


RECEIVED

STATE OF LOUISIANA

AUG 17 2005

LOUISIANA GAMING CONTROL BOARD

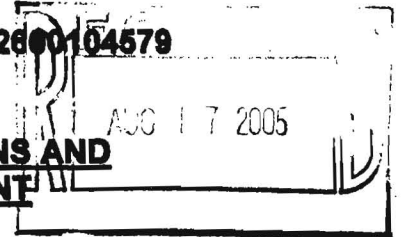
LGCB

ADMINISTRATIVE HEARING OFFICE

ADMINISTRATIVE HEARING OFFICE

**IN RE: DWIGHT E. HINTON
d/b/a C-WAY MARINA**

VGL# 2600104579



**JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT**

ON THE JOINT MOTION OF:

The State of Louisiana, Department of Public Safety and Corrections, Office of State Police (hereinafter "Division"), and DWIGHT E. HINTON d/b/a C-WAY MARINA, license No. 2600104579 (hereinafter "Licensee"), who respectfully represent the following:

WHEREAS:

1. The Licensee submitted documents to the Division that were improperly notarized. The Licensee admits to forwarding signed documents to the device owner, Master Video Poker, via an employee/representative of the device owner, for notarization. The Licensee admits that Dwight E. Hinton did not sign the documents in the presence of a notary and the documents were not notarized in the presence of Dwight E. Hinton.
2. The Licensee is barred by LAC 42:XI.2405(A)(15) from making or assisting in making false statements, including the submission of improperly notarized documents to the Division.
3. The Licensee submitted improperly notarized documents signed by Dwight E. Hinton, sole proprietor of the Licensee, to the Division which included but was not limited to the following documents:

Request to Release Information Form, dated April 20, 1999; Registry VERIFICATION Form dated June 14, 2002; Annual Licensee Form, dated May 9, 2003;

4. The attached affidavit of Dwight E. Hinton supports these stipulations and is incorporated into this agreement by reference.

TRUE COPY
[Signature]
Representative
Louisiana Gaming Control Board

5. This matter has been scheduled for hearing on August 17, 2005 at 9:00 a.m. before the Honorable William H. Brown.


NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the Licensee hereby propose the following settlement, that:

1. The Licensee submitted improperly notarized documents to the Division in violation of LAC 42:XI.2405(A)(15);
2. In lieu of administrative action against the license, the Licensee shall pay a \$1000.00 civil penalty;
3. The Division hereby agrees to accept the Licensee's payment of the above stated penalty in full and final settlement of this Notice of Recommendation of Administrative Action;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and Dwight E. Hinton d/b/a C-Way Marina pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty with fifteen (15) days of approval by the Board shall result in the suspension of the license until such time as the penalty is paid in full; and,

8. The Division and the Licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.


Respectfully submitted,

DWIGHT E. HINTON
d/b/a C-WAY MARINA

BY: 
Mr. Donald O. Cotton, #24352
Counsel for Licensee
PO Box 2055
Natchitoches, La 71457
Telephone (318) 352-2055
Facsimile (318) 352-1643

Respectfully submitted,

CHARLES C. FOTI, JR.
ATTORNEY GENERAL

BY: 
O. Young Bonner, #24969
Assistant Attorney General
365 Canal St., Suite 2730
New Orleans, LA 70130
Telephone: (504) 599-1149
Facsimile: (504) 599-1163

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: DWIGHT E. HINTON
d/b/a C-WAY MARINA

VGL # 2600104579

ORDER

Considering the foregoing Joint Motion for Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

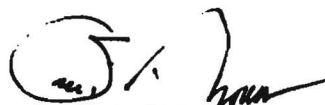
1. The Licensee acknowledges that it submitted improperly notarized documents to the Division in violation of LAC 42:XI.2405(A)(15);
2. The Licensee shall pay a \$1000.00 civil penalty;
3. Payment of the above penalty shall be submitted to the state within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. The failure to submit the above penalty within fifteen (15) days of approval of this settlement by the Board shall result in the Type 1 Video Gaming License of the Licensee being suspended until such time as penalty is paid in full.

THUS DONE AND SIGNED this 17th day of August, 2005

in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 17th DAY
OF August 2005
BY Jill Domingue
CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Donald Cotton
Young Pennel
Sgt. Robert Rodriguez



WILLIAM H. BROWN
Hearing Officer

A TRUE COPY ATTEST
LOUISIANA GAMING CONTROL BOARD
HEARING OFFICE
BATON ROUGE, LA 8/17/05

Jill Domingue
BY: CLERK

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the state and Parish aforesaid, personally came and appeared:

DWIGHT E. HINTON

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that he is the sole proprietor of C-Way Marina, VGL # 2800104579;

that he previously entered into a video poker agreement with Master Video Poker ("MVP");

that MVP sent video gaming documents to Affiant for execution, particularly the Request to Release Information Form, dated April 20, 1999; Registry/VERIFICATION Form, dated June 14, 2002, and Annual Licensee Form dated May 9, 2003;

that pursuant to the instructions of MVP, Affiant executed the Documents which were then picked up by a representative of MVP;

that the documents were improperly notarized documents in that Affiant did not sign the Documents in the presence of a notary and the Documents were not notarized in Affiant's presence;

that Affiant does not know the name of the individual who picked up the Documents;

that all of the statements, responses, disclosures and representations provided in the documents submitted to the Division bearing Affiant's signature, are true and correct to the best of Affiant's knowledge, information and belief, and represent a complete and accurate account of the requested information;

that the above information is true and correct to the best of Affiant's knowledge and belief.

THUS DONE AND PASSED in LAFFITE, Louisiana, on this 15th day of August, 2005.

Dwight E. Hinton
DWIGHT E. HINTON, affiant

Donald Cotton
Notary
Donald Cotton 57424332
(Print name and notary number)

STATE OF LOUISIANA

PARISH OF JEFFERSON

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the state and Parish aforesaid, personally came and appeared:

BETTY A. HINTON

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

that she is the spouse of Dwight E. Hinton, sole proprietor of C-Way Marina, VGL # 2600104579;

that all of the statements, responses, disclosures and representations provided in the documents submitted to the Division bearing Affiant's signature, are true and correct to the best of Affiant's knowledge, information and belief, and represent a complete and accurate account of the requested information.

THUS DONE AND PASSED in LAFITE, Louisiana, on this 15th day of August, 2005.

Betty A. Hinton
BETTY A. HINTON, affiant

Ronald O Cotton
Notary

Ronald O Cotton BRN 24352
(Print name and notary number)