

ORDER 2009-04

**AN ORDER OF THE INDIANA GAMING COMMISSION
CONCERNING THE VOLUNTARY EXCLUSION PROGRAM
CASE NO. VEP-09-04**

On or about August 28, 2007, John Doe #04 submitted an application to the Indiana Gaming Commission ("Commission") to participate in the Voluntary Exclusion Program for a minimum of one year. Pursuant to 68 IAC 6-3-2(d), if a patron does not request removal from the program after the expiration of the program term, he or she remains validly in the program. Pursuant to 68 IAC 6-3-2(g), a participant in the program agrees that if he or she violates the terms of the program and enters the gaming area of a facility under the jurisdiction of the Commission agrees to forfeit any jackpot or thing of value won as a result of a wager made at any facility under the jurisdiction of the Commission. Forfeited winnings are to be withheld by the riverboat licensee and remitted to the Commission, which shall collect such funds as a fine levied against the individual for violating the terms of the program.

On or about December 19, 2008, John Doe #04 was discovered to be present at Ameristar Casino ("Ameristar"). At that time, John Doe #04 had \$77.00 in his possession. Ameristar withheld the winnings as required by Commission regulations and seeks Commission approval for remittance, less applicable taxes on the winnings, as a fine levied against John Doe #04.

The Commission, after having reviewed this matter:


APPROVES

the remittance of the winnings in the amount of \$77.00, less applicable taxes, as a fine levied against John Doe #04.

Pursuant to IC 4-21.5-3-5, this ORDER becomes effective 15 days following receipt of the Order of the Indiana Gaming Commission.

IT IS SO ORDERED THIS THE 19TH DAY OF MARCH, 2009.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Thomas Swihart, Secretary