

ORDER 2009-88

**AN ORDER DENYING THE APPEAL OF VOLUNTARY EXCLUSION
REMITTANCE OF JOHN DOE #49 (VEP 08-49)**

On November 13, 2008, in Order 2008-115, the Indiana Gaming Commission ("Commission") approved remittance of \$1,440.00 against John Doe #49 for the reason that John Doe #49 was a participant in the Voluntary Exclusion Program at the time he/she won a \$1,440.00 jackpot while in the gaming area of Ameristar Casino in East Chicago, Lake County, Indiana.

On December 6, 2008, John Doe #49 filed with the Commission a request for hearing to review Order 2008-115. On or about February 9, 2009, Commission staff filed a Motion for Summary Judgment with Administrative Law Judge Mary Lee Comer for the reason that there were no factual issues in dispute and that the Administrative Law Judge could make a ruling based solely on those undisputed facts and applicable law. On March 25, 2009, Judge Comer held a hearing on staff's motion. On April 8, 2009, she issued her confidential Findings in this matter, which included a recommendation that the Commission summarily deny John Doe #49's petition for review of Order 2008-115.

COMMISSION ACTION

After reviewing the foregoing, the Commission hereby:

DENIES

John Doe #49's petition for review of Order 2008-115. Pursuant to IC 4-21.5-3-6, this Order will become effective fifteen (15) days after it is served.


IT IS SO ORDERED THIS THE 11th DAY OF JUNE, 2009.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Thomas Swihart, Secretary