

ORDER 2010-153

**AN ORDER AFFIRMING KYLE PHARMS'S
PLACEMENT ON THE EXCLUSION LIST**

On May 28, 2009, the Executive Director took action pursuant to IC 4-33-4-7(a) to exclude Kyle D. Pharms from all gambling facilities in Indiana as a result of Mr. Pharms's theft of three TITOs worth approximately \$1700 from another patron while at the Blue Chip Casino in Michigan City, Indiana.

On May 28, 2009, Kyle Pharms filed with the Commission a request for review of the Executive Director's decision. On May 10, 2010, Commission Staff filed a Motion for Default Judgment as a result of Pharms failure to attend the May 7, 2010 telephonic Pre-Trial Conference. On May 14, 2010, Pharms filed a written notice requesting a hearing on the Commission's Motion for Default Judgment. On June 11, 2010, Pharms failed to attend the hearing of the Commission's Motion for Default Judgment. On June 23, 2010, the ALJ granted the Commission's Motion for Default Judgment and issued Findings of Fact and Conclusions of Law.

COMMISSION ACTION

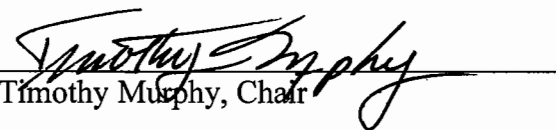
After reviewing the foregoing, and in accordance with IC 4-21.5-3-29, the Commission hereby:

AFFIRMS


the Administrative Law Judge's Order. 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 16th DAY OF SEPTEMBER, 2010.

THE INDIANA GAMING COMMISSION:


Timothy Murphy, Chair

ATTEST:


Marc Fine, Secretary