

STATE OF INDIANA
BEFORE THE INDIANA ALCOHOL AND TOBACCO COMMISSION

IN THE MATTER OF)
THE PERMIT OF:)
)
Mary Kay Lamparski) Permit No. BR1764975
)

PROPOSED FINDINGS OF FACT
AND
CONCLUSIONS OF LAW

I.
BACKGROUND OF THE CASE

The Applicant, Mary Kay Lamparski, BR1764975, (“Applicant”) is the Applicant for an Alcohol and Tobacco Commission (“ATC”) employee permit.¹ The Applicant filed her application on April 14, 2019. Upon review of Applicant’s record with the Indiana Bureau of Motor Vehicles, ATC staff determined that Applicant had three unrelated convictions for operating while intoxicated as defined by IC 7.1-1-3-13.5. The dates of the convictions are as follows:

1. Conviction under cause number 29D061409CM007606 on February 11, 2015;
2. Conviction under cause number 49G071501CM001842 on June 3, 2015; and
3. Conviction under cause number 29D041502CM001836 on October 5, 2015.

Applicant appealed the denial of her permit and the matter was set for a hearing on November 18, 2019.

III.
EVIDENCE BEFORE THE ATC

¹ Permit expired in 2017 and Applicant is requesting reinstatement.

1. The following individuals testified before the ATC in favor of the Applicant in this cause:

- a. Mary Kay Lamparski, applicant.

IV.

FINDINGS OF FACT

1. The Applicant, Mary Kay Lamparski, is the Applicant for an Alcohol and Tobacco Commission employee permit. (ATC File.)
2. The Applicant had three unrelated convictions for operating while intoxicated as defined by IC 7.1-1-3-13.5 (conviction) in the past ten years. (ATC File.)
3. Any Finding of Fact may be considered a Conclusion of Law if the context so warrants.

V.

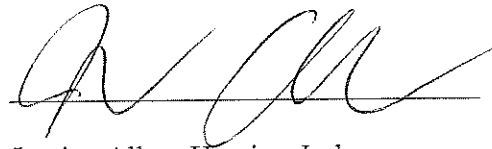
CONCLUSIONS OF LAW

1. At the time of the application, Applicant was prohibited from holding an employee permit under IC 7.1-3-18-9(h) because Applicant had three unrelated convictions for operating while intoxicated.
2. Applicant will be eligible for an employee permit on February 11, 2025.
3. Pursuant to IC 7.1-3-19-12, twenty dollars (\$20) of the permit fee shall be returned to the Applicant. Twenty-five dollars (\$25) of the permit fee shall be disposed of pursuant to Title 7.1, Article 4 of the Indiana Code.
4. Any conclusion of law may be considered a finding of fact if the context so warrants.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the denial of the application for BR1764975 is in compliance with the law. The eligibility date for

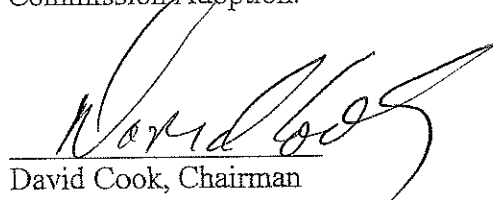
Applicant is February 11, 2025. Twenty dollars (\$20) of the permit fee shall be returned to the applicant.

DATED: 11/26/19



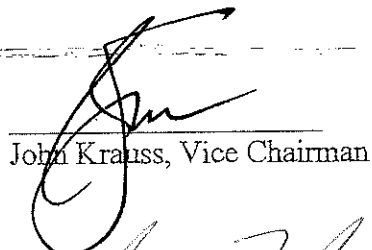
Jessica Allen, Hearing Judge

Commission Adoption:



David Cook, Chairman

Date: 1-7-20



John Krauss, Vice Chairman



Marjorie Maginn, Commissioner



Dale Grubb, Commissioner