

**STATE OF INDIANA  
BEFORE THE INDIANA ALCOHOL AND TOBACCO COMMISSION**

**IN THE MATTER OF** )  
**THE PERMIT OF:** )  
 )  
**Leslie Cole** ) **Permit No. BR1767274**  
 )

**PROPOSED FINDINGS OF FACT**  
**AND**  
**CONCLUSIONS OF LAW**

**I.**  
**BACKGROUND OF THE CASE**

The Applicant, Leslie Cole, BR1767274, (“Applicant”) is the Applicant for an Alcohol and Tobacco Commission (“ATC”) employee permit.<sup>1</sup> The Applicant filed her application on February 11, 2020. Upon review of Applicant’s record with the Indiana Bureau of Motor Vehicles, ATC staff determined that Applicant had two 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 49F10-1007-CM-052028 on October 28, 2010;  
and
2. Conviction under cause number 29D05-1906-CM-004654 on October 28, 2019.

Applicant appealed the denial of her permit and the matter was set for a hearing on August 24, 2020.

**III.**  
**EVIDENCE BEFORE THE ATC**

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<sup>1</sup> Permit expired in 2014 and Applicant is requesting reinstatement.

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

a. Leslie Cole, applicant.

#### IV.

#### **FINDINGS OF FACT**

1. The Applicant, Leslie Cole, is the Applicant for an Alcohol and Tobacco Commission employee permit. (ATC File.)
2. The Applicant had two 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.

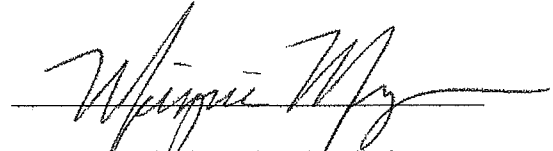
#### V.

#### **CONCLUSIONS OF LAW**

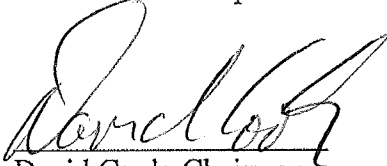
1. At the time of the application, Applicant was prohibited from holding an employee permit under IC 7.1-3-18-9(h) because Applicant had two unrelated convictions for operating while intoxicated.
2. Applicant will be eligible for an employee permit on October 28, 2020.
3. Application fee was previously refunded.
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 BR1767274 is in compliance with the law. The eligibility date for Applicant is October 28, 2020. Applicant may re-apply for an employee permit.

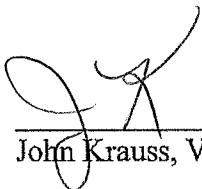
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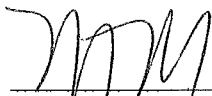
  
Marjorie Maginn, Hearing Judge

Commission Adoption:

  
David Cook, Chairman

Date: 12-1-20

  
John Krauss, Vice Chairman

  
Marjorie Maginn, Commissioner

  
Dale Grubb, Commissioner