

ORDER 2008-57

**AN ORDER DENYING THE APPLICATION FOR
OCCUPATIONAL LICENSE OF MICHAEL STALLWORTH
MS-DEN-08-02**

The Commission has considered the following factors:

On or about March 14, 2007, Michael Stallworth was issued a level 2 temporary occupational license to work as a Slot Technician at Majestic Star Casino.

On February 20, 2008, Mr. Stallworth entered into a Plea Agreement in Cause Number 45G01-0610-FA-00060, in Lake County Superior Court. By this agreement, Mr. Stallworth was convicted of a violation of Indiana Code 35-48-4-7, Possession of a Controlled Substance within One Thousand (1000) Feet of a Public Park, a Class C Felony.

On March 31, 2008, Mr. Stallworth submitted notice of his conviction to Commission staff.

On April 2, 2008, Mr. Stallworth submitted a felony waiver application. Under Indiana Code 4-33-8-11(e), an individual convicted of a felony involving a controlled substance may not obtain a felony waiver until at least ten (10) years have elapsed since the discharge of his sentence.

On April 21, 2008, Executive Director Yelton issued a Notice to Mr. Stallworth that his temporary license was being revoked and that his felony waiver application could not, by statute, result in a waiver until the expiration of the specified ten-year period. This Notice also informed Mr. Stallworth that unless he withdrew his application for licensure, the denial of his license would come before the Commission at this meeting.

Mr. Stallworth has not withdrawn his application for permanent licensure.

Based on the foregoing, the Commission hereby DENIES the Application for Permanent Occupational License of Michael Stallworth.

IT IS SO ORDERED THIS THE 28th DAY OF MAY, 2008.

THE INDIANA GAMING COMMISSION:



William Barrett, Chair

ATTEST:



Thomas Swihart, Secretary