

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

**IN THE MATTER OF  
THE PERMIT OF:**

**Kevin Patrick McAdams**

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**Applicant No. BR1984820**

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

**I.  
BACKGROUND OF THE CASE**

The Applicant, Kevin McAdams, Applicant Number BR1984820 (“Applicant”) is the Applicant for renewal of an Alcohol and Tobacco Commission (“ATC”) employee permit. The Applicant filed his renewal, upon review of Applicant’s record with the Indiana Bureau of Motor Vehicles, ATC staff determined that Applicant had two (2) unrelated convictions for operating while intoxicated as defined by IC 7.1-1-3-13.5. The date of the convictions are as follows: (1) Conviction from Hamilton Superior Court 6, under cause number 29006-2112-F6-007652, decided 04/11/23, Operating a Vehicle While Intoxicated; (2) Conviction from Hamilton Superior Court 4, under cause number 29004-1704-CM-002958, decided June 28, 2018, Operating a Vehicle While Intoxicated. Applicant appealed the denial of the renewal of his alcohol permit and the matter was set for a hearing on July 24, 2023.

**II.**  
**EVIDENCE BEFORE THE ATC**

A. The following individual testified before the ATC un favor of the Applicant in  
this cause:

1. Kevin Patrick McAdams, Applicant.

**III.**  
**FINDINGS OF FACT**

1. The Applicant, Kevin Patrick McAdams, is the Applicant for renewal of an Alcohol and Tobacco Commission employee permit. (ATC File.)

2. The Applicant had two (2) convictions for operating while intoxicated as defined by IC 7.1-1-3-13.5 (conviction) in the past ten years, conviction filed dates being April 11, 2023 and is serving probation until April 11, 2024, and June 28, 2018.

Applicant is not eligible for an alcohol permit until the end of the sentence for the second conviction, including probation, plus two (2) years, which will be April 11, 2026. (ATC File.)

3. Applicant was seeking a hardship alcohol server/bartender permit, which is not a permit type under Indiana law.

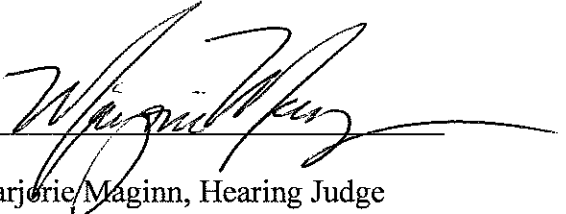
4. Any Finding of Fact may be considered a Conclusion of Law if the context so warrants.

**IV.**  
**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 (2) convictions for operating while intoxicated for which he is still on probation.
2. Applicant will be eligible for an employee permit on April 11, 2026
3. Twenty-five dollars (\$25) of the application fee shall be refunded according to IC 7.1-3-19-12.
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 BR1852836 is in compliance with the law. The eligibility date for Applicant is April 11, 2026, and twenty-five dollars (\$25) of the application fee shall be returned to the applicant.

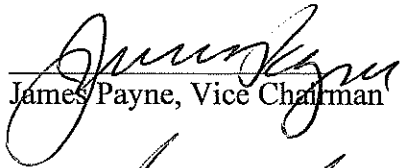
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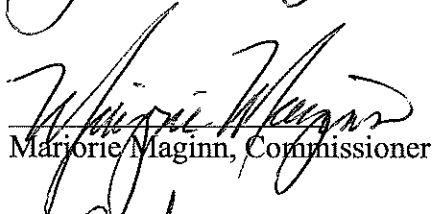
  
Marjorie Maginn, Hearing Judge


Commission Adoption:

  
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Jessica Allen, Chair

Date: 9/19/23

  
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James Payne, Vice Chairman

  
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Marjorie Maginn, Commissioner

  
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Dale Grubb, Commissioner