

ORDER 2008-131

**AN ORDER REGARDING THE APPEAL OF VOLUNTARY EXCLUSION
REMITTANCE OF JOHN DOE #32 (VEP 08-32)**

On May 28, 2008, in Order 2008-56, the Indiana Gaming Commission (“Commission”) approved “the remittance of the jackpot in the amount of \$64,800.00... as a fine against John Doe #32” for the reason that John Doe #32 was a participant in the Voluntary Exclusion Program at the time he/she won a \$64,800 jackpot while in the gaming area of Belterra Casino in Switzerland County, Indiana.

On July 7, 2008, John Doe #32 filed with the Commission an appeal of Order 2008-56. On October 22, 2008, Commission staff held a hearing on the appeal. On November 3, 2008, Administrative Law Judge Mary Lee Comer issued her Findings of Fact, Conclusions of Law, and Recommendation in this matter. She stated, *inter alia*, that the dispositive factor in John Doe #32’s appeal is the fact that he/she was “a voluntarily excluded person on May 19, 2008”, the date of the seizure of his/her jackpot. Judge Comer recommends that the Commission deny John Doe #32’s appeal.

COMMISSION ACTION

After reviewing the foregoing, the Commission hereby:

AFFIRMS

the confidential Findings of Fact, Conclusions of Law, and Recommendation of Administrative Law Judge Mary Lee Comer in this matter. 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 13th DAY OF NOVEMBER, 2008.

THE INDIANA GAMING COMMISSION:



William Barrett, Chair

ATTEST:



Thomas Swihart, Secretary