

ORDER 2008-18

**AN ORDER REGARDING THE APPEAL OF VOLUNTARY EXCLUSION
REMITTANCE OF JOHN DOE #27 (VEP 07-27)**

On November 8, 2007, in Order 2007-98, the Indiana Gaming Commission (“Commission”) approved “the remittance of the jackpot in the amount of \$4,250.00... as a fine against John Doe #27” for the reason that John Doe #27 was a participant in the Voluntary Exclusion Program at the time he/she had \$4,250.00 in chips on his/her person while at the Blue Chip Casino in Michigan City, Indiana.

On November 19, 2007, John Doe #27 filed with the Commission an appeal of Order 2007-98. On February 28, 2008, Commission staff held a hearing on the appeal. On March 13, 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 #27’s appeal is the fact that he/she was “a voluntarily excluded person” on the date of the seizure of his/her winnings. Judge Comer recommends that the Commission deny John Doe #27’s appeal.

After reviewing the foregoing, the Commission hereby:

Affirms

AFFIRMS, MODIFIES, DISSOLVES, or REMANDS

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 31st DAY OF MARCH, 2008.

THE INDIANA GAMING COMMISSION:



William W. Barrett, Chair



Tom Swihart, Secretary