

**ORDER 2020-89**  
**AN ORDER OF THE INDIANA GAMING COMMISSION**  
**REGARDING THE PETITION FOR REMOVAL FROM**  
**THE EXCLUSION LIST OF HERBERT McELROY**

On October 16, 2014 Executive Director Ernest Yelton took action pursuant to Ind. Code § 4-33-4-7 and 68 Ind. Admin. Code § 6-1-3 to exclude Herbert McElroy from gambling facilities in Indiana by including him on the Commission's Exclusion List. On or about June 18, 2020, the Commission received Mr. McElroy's petition for removal from the Exclusion List pursuant to 68 Ind. Admin. Code § 6-1-5.

A Commission staff attorney was appointed as review officer pursuant to 68 Ind. Admin. Code § 6-1-6. A hearing was held on July 27, 2020, with Mr. McElroy and the review officer participating. Mr. Opat submitted his Findings of Fact and Recommendation to the Commission in accordance with 68 Ind. Admin. Code § 6-1-12.

The review officer recommends granting Mr. McElroy's petition for removal from the Exclusion List.

**COMMISSION ACTION**

After reviewing the foregoing and the Findings of Fact and Recommendation, the Commission hereby ~~ADOPTS~~ **REJECTS** the Findings of Fact and Recommendation of the review officer granting Herbert McElroy's petition for removal from the Exclusion List.

**IT IS SO ORDERED THIS 23<sup>rd</sup> DAY OF NOVEMBER, 2020.**

**THE INDIANA GAMING COMMISSION:**



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Michael B. McMains, Chair

**ATTEST:**



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Jason Dudich, Secretary