

1 KAMALA D. HARRIS
Attorney General of California
2 SARA J. DRAKE
Senior Assistant Attorney General
3 PARAS H. MODHA
Deputy Attorney General
4 State Bar No. 205761
1300 I Street, Suite 125
5 P.O. Box 944255
Sacramento, CA 94244-2550
6 Telephone: (916) 324-5341
7 Fax: (916) 327-2319
E-mail: Paras.Modha@doj.ca.gov
Attorneys for Complainant

8
9 **BEFORE THE**
10 **CALIFORNIA GAMBLING CONTROL COMMISSION**
11 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

BGC No.: BGC-HQ2015-00006AC

15 MOACYR VADAS AKA "RIVER"
16 

DEFAULT DECISION AND ORDER

(Gov. Code, § 11520)

17 Key Employee License No. : GEKE-001667

18 Respondent.
19

20 **FINDINGS OF FACT**

21 1. On or about February 11, 2016, Wayne J. Quint, Jr. (Complainant), solely in his
22 official capacity as the Chief of the California Department of Justice, Bureau of Gambling Control
23 (Bureau), in accordance with Business and Professions Code, section 19930, subdivision (b), filed
24 with the California Gambling Control Commission (Commission) the above-referenced
25 Accusation (Accusation)¹ against Moacyr Vadas (Respondent). The Accusation sets forth the

26 ¹ Also served and filed with the Accusation were a Statement to Respondent (Gov. Code, §
27 11505, subd. (b)), a Request for Discovery (Gov. Code, § 11507.6), copies of Government Code
28 sections 11507.5, 11507.6 and 11507.7, and two copies of the Notice of Defense form (Gov. Code,
§§ 11505 & 11506) for Respondent's use. Hereinafter, "Accusation" includes reference to the

(continued...)

1 factual and legal bases for the revocation of Key Employee License, number GEKE-001667,
2 which the Commission initially issued to Respondent on July 12, 2012.²

3 2. On or about February 11, 2016, the Accusation was served by certified mail on
4 Respondent at his address of record.³

5 3. To date, Respondent has failed to file a Notice of Defense to the Accusation or make
6 any type of oral or written request for a hearing to appeal or challenge the revocation of his Key
7 Employee License.

8 **LEGAL AUTHORITY FOR TAKING A DEFAULT**

9 4. Government Code section 11503 provides in pertinent part:

10 A hearing to determine whether a right, authority, license, or
11 privilege should be revoked . . . shall be initiated by filing an
12 accusation.

13 5. Government Code section 11506, subdivisions (a) and (c), provide in pertinent part:

14 (a) Within 15 days after service of the Accusation the
15 respondent may file with the agency a notice of defense . . .

16 * * *

17 (c) The respondent shall be entitled to a hearing on the merits *if*
18 *the respondent files a notice of defense*, and shall be deemed a
19 *specific denial of all parts of the accusation not expressly admitted.*
20 *Failure to file a notice of defense shall constitute a waiver of*
respondent's right to a hearing, but the agency in its discretion may
21 nevertheless grant a hearing.

(Italics added.)

22
23
24 _____
(...continued)

25 Accusation and all the above-listed documents.

26 ² A copy of the Accusation and the Certificate of Service by Certified Mail, Return
Receipt Requested, are attached as Attachment A and incorporated herein by reference.

27 ³ Respondent is required to keep the Bureau informed of any change to his address of
28 record. (Cal. Code. Regs., tit. 4, § 12004.)

1 section 12568, subdivisions (a)(4), and/or (c)(3), in that, on or between April 1, 2015 through May
2 12, 2015,⁵and for an unknown period of time prior thereto, while employed as a key employee at
3 the Bankers Casino, Respondent dishonestly, fraudulently or deceptively appropriated
4 approximately \$271.00 from that gambling establishment.

5 C. Respondent's key employee license is subject to revocation pursuant to Business
6 and Professions Code sections 19854 and 19857, and California Code of Regulations, title 4,
7 section 12568, subdivisions (a)(6) and/or (c)(3), in that, Respondent dishonestly, fraudulently or
8 deceptively appropriated approximately \$271.00 from Bankers Casino.

9
10 ///

11
12 ///

13
14 ///

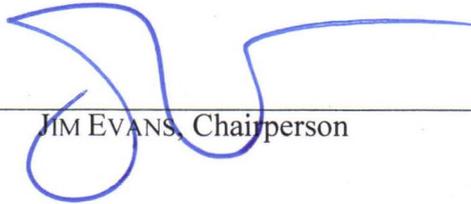
15
16
17
18
19
20
21
22
23
24
25
26 _____
27 ⁵ Respondent's employment at the Bankers Casino was terminated on or about July 1,
28 2015. The exact dates on which Respondent misappropriated some of the money from that
gambling establishment while employed thereat are presently unknown.

ORDER

Based upon the foregoing Findings of Fact and Determination of Issues, IT IS ORDERED that Respondent Moacyr Vadas's Key Employee License, number GEKE-001667, is hereby REVOKED.

Pursuant to government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that this Default Decision and Order be vacated and stating the grounds relied on within seven (7) days after service of this Default Decision and Order on Respondent. The Commission in its discretion may then vacate this Default Decision and Order and grant a hearing on a showing of good cause, as defined in the statute.

Dated: 7/7/16



JIM EVANS, Chairperson

Dated: 7/7/2016



TIFFANY E. CONKLIN, Commissioner

Dated: 7/7/2016



LAUREN HAMMOND, Commissioner

Dated: 7/7/16



TRANG TO, Commissioner

Dated: 7/7/16



ROGER DUNSTAN, Commissioner