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BEFORE THE  
CALIFORNIA GAMBLING CONTROL COMMISSION

CGCC Case No. CGCC-2017-0828-10A

In the Matter of the Application for Approval  
of Third-Party Proposition Player Services  
License for:

**DEFAULT DECISION AND ORDER**

SWEENEY JAHRIN WILLIAMS

Applicant.

Hearing Date: September 21, 2018  
Time: 1:30 p.m.

1. This matter was scheduled for hearing before the California Gambling Control Commission (Commission) pursuant to Business and Professions Code sections 19870 and 19871 and Title 4, California Code of Regulations (CCR) section 12060, in Sacramento, California, on September 21, 2018.

2. The Bureau of Gambling Control (Bureau) was represented by Deputy Attorney General Paras Modha with the Indian and Gaming Law Section, Department of Justice Attorney General's Office.

3. Sweeney Jahrin Williams (Applicant) failed to appear and was not represented at the hearing.

4. During the administrative hearing, Presiding Officer Kate Patterson took official notice of the following:

- a) Notice of Hearing and Prehearing Conference with enclosures including Applicant's Application and the Bureau Report, dated November 9, 2017, served by certified mail, return receipt requested;
- b) Notice of Continuance, dated April 2, 2018;
- c) Notice of Continuance, dated January 31, 2018;
- d) Conclusion of Prehearing Conference letter dated January 29, 2018; and
- e) Statement of Reasons filed January 4, 2018.

5. During the administrative hearing, Presiding Officer Kate Patterson accepted into

1 evidence the following exhibits offered by the Bureau:

- 2 a) Copies of Statement to Respondent, Statement of Reasons, Letter dated  
3 November 9, 2017 re Notice of Hearing and Prehearing Conference,  
4 without enclosures; Business and Professions Code Sections 19870 and  
5 19871; California Code of Regulations, title 4, section 12060; and  
6 Declaration of Service by Certified Mail, Bates Nos. 0001-0025;
- 7 b) Notice of Defense letter dated September 13, 2017, Bates No. 0026-0027;
- 8 c) Gambling Control Commission letter dated August 31, 2017 re Referral of  
9 Application for Third-Party Proposition Player Services License to an  
10 Evidentiary Hearing, Bates Nos. 0028-0029;
- 11 d) Gambling Control Commission Meeting - Licensing Division  
12 Memorandum dated August 28, 2017 re Application for Initial Third-Party  
13 Proposition Player Services License, Bates Nos. 0030-0031;
- 14 e) Gambling Control Commission letter dated August 16, 2017 re Notice of  
15 Scheduled Commission Meeting, Bates No. 0032;
- 16 f) Bureau of Gambling Control Third-Party Player Background Investigation  
17 Report – Level II, dated July 20, 2017, Bates Nos. 0033-0039;
- 18 g) Court Documents from Los Angeles County Superior Court received May  
19 3, 2017, Bates Nos. 0040-0046;
- 20 h) Application for Third Party Proposition Player Services License dated  
21 August 4, 2016, Bates Nos. 0047-0063;
- 22 i) Bureau of Gambling Control Appointment of Designated Agent dated  
23 August 4, 2016, Bates No. 0064;
- 24 j) Employment Application to Blackstone Gaming signed July 31, 2014,  
25 Bates Nos. 0065-0069;
- 26 k) Employment Application to Knighted Ventures signed June 29, 2016,  
27 Bates Nos. 0070-0072;

1) DOJ Fingerprint Submission on August 9, 2016, Bates Nos. 0073-0075.

6. The matter was submitted on September 21, 2018.

**FINDINGS OF FACT**

7. On or about September 19, 2016, the Bureau received an Application for Third Party Proposition Player Services License for Supervisor, Player or Other Employee from Applicant.

8. On or about June 18, 2017, the Bureau issued its Third-Party Player Background Investigation Report in which it concluded that Applicant was qualified for licensure. The Bureau recommended that the Commission approve Applicant's application.

9. On or about August 28, 2017, the Commission considered Applicant's application and elected to refer it to an evidentiary hearing pursuant to Title 4, CCR section 12054, subdivision (a), subsection (2). Commission staff mailed an evidentiary hearing referral letter via certified mail to Applicant's address of record which included a blank Notice of Defense form with instructions to return it to the Commission within 15 days of receipt or else the Commission may issue a default decision.

10. Commission staff received a signed Notice of Defense form from Applicant on September 22, 2017, requesting an evidentiary hearing, signed September 13, 2017. (Exhibit A)

11. Commission staff mailed a Notice of the Hearing sent certified mail on November 9, 2017 to Applicant's address of record which included Exhibit A and the date of the hearing. This hearing was ultimately continued with notice sent on January 31, 2018, and then again on April 2, 2018 where the hearing was finally scheduled to occur on Friday, September 21, 2018 at 1:30 p.m.

12. On January 3, 2018, the Bureau submitted a Statement of Reasons wherein in changed its recommendation from approval contained in the June 18, 2017 report to recommending denial.

13. On January 26, 2018, Presiding Officer Kate Patterson conducted a pre-hearing conference with Deputy Attorney General Paras Modha in attendance. Applicant was present on

1 his own behalf without representation. On January 29, 2018, a letter confirming this conference  
2 was mailed out to the parties.

3 14. At the September 21, 2018 hearing, Applicant was not present, and submitted no  
4 evidence on behalf of his application.

5 **DETERMINATION OF ISSUES**

6 15. An application to receive a license constitutes a request for a determination of the  
7 applicant's general character, integrity, and ability to participate in, engage in, or be associated  
8 with, controlled gambling. (Bus. & Prof. Code § 19856, subd. (b).)

9 16. In addition, the burden of proving Applicant's qualifications to receive any license  
10 from the Commission is on the applicant. (Bus. & Prof. Code § 19856, subd. (a).)

11 17. At an evidentiary hearing pursuant to Business and Professions Code sections  
12 19870 and 19871 and Title 4, CCR section 12060 the burden of proof rests with the applicant to  
13 demonstrate why a license or other approval should be issued. (Cal. Code Regs., tit. 4, § 12060,  
14 subd. (i).)

15 18. Title 4, CCR section 12052, subdivision (c), provides in pertinent part:

16 (c) An applicant for any license, permit, finding of suitability,  
17 renewal, or other approval shall be given notice of the meeting at which the  
18 application is scheduled to be heard. Notice shall be given pursuant to  
Section 12006.

19 \* \* \*

20 (2) If the application is to be scheduled at an evidentiary  
21 hearing, pursuant to subsections (a) or (b) of Section 12060, the notice  
of hearing shall inform the applicant of the following:

22 \* \* \*

23 (F) The waiver of an evidentiary hearing, or failure of  
24 the applicant to submit a Notice of Defense, or failure of an  
applicant to appear at an evidentiary hearing, may result in:

25 1. A default decision being issued by the  
26 Commission based upon the Bureau report, any  
27 supplemental reports by the Bureau and any other  
documents or testimony already provided or which might  
be provided to the Commission . . . .

28 19. The Commission took official notice of the items identified under paragraph 4, and

1 received into evidence Bureau Exhibits 1-12 identified under paragraph 5 which were provided to  
2 it in this matter pursuant to Business and Professions Code section 19870, subdivision (a) and  
3 Title 4, CCR section 12052, subdivision (c)(2)(F)(1).

4 20. The Commission has jurisdiction to adjudicate this case by default.

5 21. The Commission may deny Applicant's application based upon the Bureau report,  
6 any supplemental reports by the Bureau and any other documents or testimony already provided  
7 to it, pursuant to CCR section 12052, subdivision (c)(2)(F)(1), and Business and Professions  
8 Code sections 19857 and 19859.

9 22. The Commission may further also deny Applicant's application based upon  
10 Applicant's failure to prove to the Commission Applicant is qualified to receive either a license,  
11 as required by Business and Professions Code section 19856(a) and Title 4, CCR section 12060,  
12 subdivision (i).

13 23. Therefore, as the Applicant submitted a Notice of Defense, but then did not attend  
14 the hearing, and did not submit any information or evidence in favor of granting Applicant's  
15 Application, Applicant did not meet Applicant's burden of demonstrating why a license should be  
16 issued pursuant to Business and Professions Code section 19856(a) and Title 4, CCR section  
17 12060(i). The Commission further finds that pursuant to California Code of Regulations, Title 4,  
18 section 12052, subdivision (c)(2)(F)(1), Applicant's Application is subject to denial.

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NOTICE OF APPLICANT’S APPEAL RIGHTS

Applicant has the following appeal rights available under state law:

Title 4, CCR section 12064, subsection (a) and (b) provide, in part:

(a) After the Commission issues a decision following a GCA hearing conducted pursuant to Section 12060, an applicant denied a license, permit, registration, or finding of suitability, or whose license, permit, registration, or finding of suitability has had conditions, restrictions, or limitations imposed upon it, may request reconsideration by the Commission within 30 calendar days of service of the decision, or before the effective date specified in the decision, whichever is later.

(b) A request for reconsideration shall be made in writing to the Commission, copied to the Bureau, and shall state the reasons for the request, which must be based upon either:

- (1) Newly discovered evidence or legal authorities that could not reasonably have been presented before the Commission’s issuance of the decision or at the hearing on the matter; or,
- (2) Other good cause which the Commission may decide, in its sole discretion, merits reconsideration.

Business and Professions Code section 19870, subdivision (e) provides:

A decision of the commission denying a license or approval, or imposing any condition or restriction on the grant of a license or approval may be reviewed by petition pursuant to Section 1085 of the Code of Civil Procedure. Section 1094.5 of the Code of Civil Procedure shall not apply to any judicial proceeding described in the foregoing sentence, and the court may grant the petition only if the court finds that the action of the commission was arbitrary and capricious, or that the action exceeded the commission's jurisdiction.

Title 4, CCR section 12066, subsection (c) provides:

A decision of the Commission denying an application or imposing conditions on a license shall be subject to judicial review as provided in Business and Professions Code section 19870, subdivision (e). Neither the right to petition for judicial review nor the time for filing the petition shall be affected by failure to seek reconsideration.

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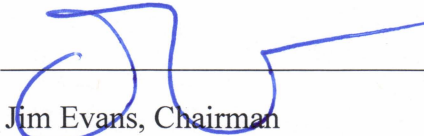
**ORDER**

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3 1. SWEENEY JAHRIN WILLIAMS' application for Third-Party Proposition Player  
4 Services License is DENIED.

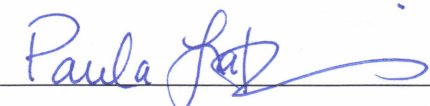
5 2. SWEENEY JAHRIN WILLIAMS may not apply to the Commission or the  
6 Bureau for any type of license, registration or work permit for one (1) year after the effective date  
7 of this Order.

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9 This Order is effective on November 3, 2018.

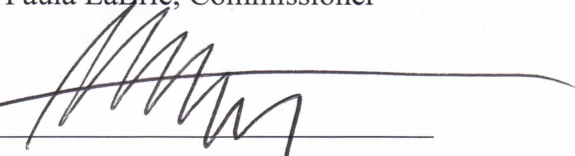
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12 Dated: 10/4/18

Signature:   
Jim Evans, Chairman


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15 Dated: 10/4/18

Signature:   
Paula LaBrie, Commissioner

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18 Dated: 10/4/18

Signature:   
Gareth Lacy, Commissioner

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21 Dated: 10/4/18

Signature:   
Trang To, Commissioner