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10 **BEFORE THE**
11 **CALIFORNIA GAMBLING CONTROL COMMISSION**
12

13 **In the Matter of the Statement of Issues**
14 **Against:**

15 **Ronald M. Roberts,**
16 **Respondent.**

Case No. CGCC # _____

STATEMENT OF ISSUES

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18 MATHEW J. CAMPOY, Complainant herein, alleges as follows:

19 **PARTIES**

20 1. Complainant Mathew J. Campoy brings this Statement of Issues solely in his official
21 capacity as Acting Chief of the Bureau of Gambling Control of the California Department of
22 Justice. At all times relevant hereto the Bureau of Gambling Control was constituted and
23 designated the Division of Gambling Control ("Division"), in which was vested the authority of
24 the Department of Justice to act as hereinafter set forth. At all times relevant hereto the Chief of
25 the Bureau of Gambling Control was constituted and designated the Director of the Division of
26 Gambling Control ("Director"), in whom was vested the authority to act as herein set forth.
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1 2. On or about June 26, 2006, the Division received an Application for an Initial Regular
2 Work Permit/Temporary Work Permit submitted by Respondent Ronald M. Roberts
3 ("Respondent"), dated June 12, 2006, to work at the Napa Valley Casino as a poker dealer.

4 **APPLICATION STATUS**

5 3: On or about July 17, 2006, the California Gambling Control Commission
6 ("Commission") mailed to Chris Ray of the Napa Valley Casino a letter informing the Napa
7 Valley Casino that the Commission had denied Respondent's application for a temporary work
8 permit and that review of Respondent's application for a regular work permit was continuing.

9 4. On or about August 8, 2006, the Division issued a Work Permit Employee Background
10 Investigation Report containing the recommendation that Respondent's application be denied on
11 the ground that within 10 years of the application, Respondent had been convicted on March 5,
12 1999, of violating Montana Statute 45-6-316, issuing a bad check, a misdemeanor and crime of
13 dishonesty. On or about August 11, 2006, the Division mailed Respondent notification that the
14 Division intended to recommend to the Commission that Respondent's application be denied,
15 and advised Respondent of his right to have a pre-denial meeting with the Director pursuant to
16 Business and Professions Code section 19868, subdivision (b)(1). Respondent declined to have a
17 pre-denial meeting with the Director.

18 5. On or about August 23, 2006, the Division mailed Respondent a letter informing him
19 that the Division had recommended to the Commission that Respondent's application be denied.
20 This letter included a summary of the Director's final report and recommendation pursuant to
21 Business and Professions Code section 19868, subdivision (b)(2).

22 6. On or about October 25, 2006, the Commission mailed Respondent a letter advising
23 him that the Commission was recommending denial of his application for a work permit at its
24 November 16, 2006, public meeting, and advising Respondent of the reasons for its
25 recommendation, and advising Respondent of his right to a hearing on the matter and of the
26 procedure by which Respondent could request a hearing.

27 7. On or about November 8, 2006, Respondent timely mailed the Commission a letter
28 requesting a hearing on this matter.

1 **JURISDICTION**

2 8. This Statement of Issues is brought before the Commission pursuant to the authority
3 detailed in the following paragraphs 9 through 17.

4 9. Business and Professions Code section 19810, in relevant part, states:

5 There is within the Department of Justice, the Division of
6 Gambling Control^u as provided in Section 15001 of the
7 Government Code. . . .

8 10. Business and Professions Code section 19826, in relevant part, states:

9 The division shall have all of the following responsibilities:

10 (a) To investigate the qualifications of applicants before any
11 license, permit, or other approval is issued, and to investigate any
12 request to the commission for any approval that may be required
13 pursuant to this chapter. The division may recommend denial or
14 the limitation, conditioning, or restriction of any license, permit or
15 other approval.

16 11. Business and Professions Code section 19811, in relevant part, states:

17 (a) There is in state government the California Gambling
18 Control Commission, consisting of five members appointed by the
19 Governor, subject to confirmation by the Senate. . . .

20 (b) Jurisdiction, including jurisdiction over operation and
21 concentration, and supervision over gambling establishments in
22 this state and over all persons or things having to do with the
23 operation of gambling establishments is vested in the commission.

24 12. Business and Professions Code section 19823 provides as follows:

25 (a) The responsibilities of the commission include, without
26 limitation, all of the following:

27 (1) Assuring that licenses, approvals, and permits are not
28 issued to, or held by, unqualified or disqualified persons, or by
persons whose operations are conducted in a manner that is
inimical to the public health, safety, or welfare.

(2) Assuring that there is no material involvement, directly
or indirectly, with a licensed gambling operation, or the ownership
or management thereof, by unqualified or disqualified persons, or

1. Effective August 24, 2007, Business and Professions code section 19810 was amended to change the designation of the former Division of Gambling Control to "Department of Justice," in which the former Division is now constituted as the Bureau of Gambling Control.

1 by persons whose operations are conducted in a manner that is
2 inimical to the public health, safety, or welfare.

3 (b) For the purposes of this section, "unqualified person"
4 means a person who is found to be unqualified pursuant to the
5 criteria set forth in Section 19857, and "disqualified person" means
6 a person who is found to be disqualified pursuant to the criteria set
7 forth in Section 19859.

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10 13. Business and Professions Code section 19824 provides as follows:

11 The commission shall have all powers necessary and proper to
12 enable it fully and effectually to carry out the policies and purposes
13 of this chapter, including, without limitation, the power to do all of
14 the following:

15 (a) Require any person to apply for a license, permit,
16 registration, or approval as specified in this chapter, or regulations
17 adopted pursuant to this chapter.

18 (b) For any cause deemed reasonable by the commission,
19 deny any application for a license, permit, or approval provided for
20 in this chapter or regulations adopted pursuant to this chapter,
21 limit, condition, or restrict any license, permit, or approval, or
22 impose any fine upon any person licensed or approved.

23 (c) Approve or disapprove transactions, events, and
24 processes as provided in this chapter.

25 (d) Take actions deemed to be reasonable to ensure that no
26 ineligible, unqualified, disqualified, or unsuitable persons are
27 associated with controlled gambling activities.

28 * * *

(h) Issue subpoenas to compel attendance of witnesses and
production of documents and other material things at a meeting or
hearing of the commission or its committees, including advisory
committees.

14. Business and Professions Code section 19825 states:

The commission may require that any matter that the
commission is authorized or required to consider in a hearing or
meeting of an adjudicative nature regarding the denial, suspension,
or revocation of a license, permit, or a finding of suitability, be
heard and determined in accordance with Chapter 5 (commencing
with Section 11500) of Part 1 of Division 3 of Title 2 of the
Government Code.

1 involving dishonesty or moral turpitude within the 10-year period immediately preceding the
2 submission of the application, in that on March 5, 1999, in a proceeding entitled *The State of*
3 *Montana, Plaintiff v. Roberts, Ron*, County of Gallatin Case No. 50389, Respondent entered a
4 guilty plea, and was thereupon convicted of violating Montana Statute 45-06-0316, issuing a bad
5 check, a misdemeanor.

6 **SECOND CAUSE FOR DENIAL OF APPLICATION**

7 **(Character, Honesty, Integrity)**

8 19. Complainant hereby incorporates the allegations contained in paragraph 18, above, as
9 though set forth herein at length.

10 20. Respondent's application is subject to denial pursuant to Business and Professions
11 Code section 19857 based on Respondent's conviction of violation of Montana Statute 45-06-
12 0316, in that, by reason of said conviction, Respondent is not person of good character, honesty
13 and integrity as required by Business and Professions Code section 19857, subdivision (a).

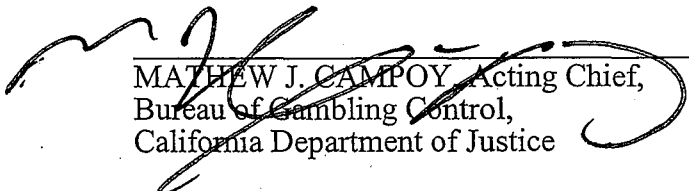
14 **PRAYER**

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Commission issue a decision:

17 1. Denying the application of Ronald M. Roberts for a poker dealer's license pursuant to
18 Business and Professions Code section 19859, subdivision (d) and/or pursuant to Business and
19 Professions Code section 19857, subdivision (a).

20 2. Taking such and further action as is deemed necessary and proper.

21 Dated: January 16, 2008

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23 
24 MATHEW J. CAMPOY, Acting Chief,
Bureau of Gambling Control,
California Department of Justice

25 Complainant
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