

BEFORE THE
CALIFORNIA GAMBLING CONTROL COMMISSION

In the Matter of the Accusation Against:
WIL YOUSIF SAKO (GEKE-001769),

Respondent.

OAH Case No. [unassigned]
BGC Case No. BGC-HQ2020-00001AL
DEFAULT DECISION AND ORDER
(Gov. Code, § 11520)

FINDINGS OF FACT

1. On or about July 6, 2020, Stephanie Shimazu (Complainant), solely in her official capacity as the Director of the California Department of Justice, Bureau of Gambling Control (Bureau), caused an accusation to be served and filed in BGC Case No. HQ2020-0001AL (Accusation)¹ against Wil Yousif Sako (Respondent) before the California Gambling Control Commission (Commission). The Accusation set forth the bases for disciplining and revoking Respondent’s key employee license, number GEKE-001769 (Respondent’s License).² The Accusation was filed with the Commission on July 7, 2020.

2. On July 10, 2020, the Accusation was delivered to Respondent’s address, per the United States Postal Service delivery confirmation website. A copy of the Certificate of Service was filed with the Commission by the Bureau and incorporated herein by reference.³ A copy of the delivery confirmation was filed with the Commission by the Bureau and incorporated

¹ Also served and filed with the Accusation were a Statement to Respondent (Gov. Code, § 11505, subd. (b)), a Request for Discovery (Gov. Code, § 11507.6), copies of Government Code 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 and refers to the Accusation pleading and the documents served and filed with it.

² A copy of the Accusation is incorporated by reference and is available here: http://www.cgcc.ca.gov/documents/adminactions/pending_hearings/GEKE-001769_accusation.pdf

³ Respondent was served by certified mail at his address on file with the Bureau.

1 herein by reference.

2 3. To date, Respondent has failed to file a Notice of Defense to the Accusation or
3 made any type of oral or written request for a hearing to appeal or challenge the proposed denial
4 of his application.

5 4. On February 11, 2022, using the Department of Justice’s FILEeXCHANGE
6 program, Bureau’s counsel submitted an index and documents (bates numbered “Sako 001 – Sako
7 112”), as well as video (files A-M) and audio files (collectively, Bureau’s Exhibits), for the
8 Gambling Control Commission’s consideration of a Default Decision and Order in this matter.

9 JURISDICTION

10 5. Government Code section 11503 provides in pertinent part:

11 A hearing to determine whether a right, authority, license, or
12 privilege should be revoked, suspended, limited, or conditioned shall
13 be initiated by filing an accusation

14 6. Government Code section 11506, subdivision (c), provides in pertinent part:

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

22 7. Government Code section 11520, subdivision (a) provides:

23 If the respondent either fails to file a notice of defense or to
24 appear at the hearing, the agency may take action based upon
25 respondent’s express admissions or upon other evidence and
26 affidavits may be used as evidence without any notice to
27 respondent; and where the burden of proof is on the respondent to
28 establish that respondent is entitled to the agency action sought,
the agency may take action without taking evidence.

DETERMINATION OF ISSUES

8. Based on the foregoing findings of fact, Respondent’s License is subject to
discipline, including revocation.

1 9. Service of the Accusation was proper and in accordance with the law.

2 10. As a result of Respondent’s failure to file a Notice of Defense to the Accusation,
3 or make any type of oral or written request for a hearing, the Commission has jurisdiction to
4 adjudicate this case by default and to order the revocation of Respondent’s License.

5 11. The Commission is authorized to revoke Respondent’s License based upon the
6 legal and factual allegations set forth in the Accusation, the Bureau’s Exhibits, and Respondent’s
7 failure to rebut those allegations. Respondent is disqualified from licensure pursuant to Business
8 and Professions Code sections 19857. His license should be revoked for violations of Business
9 and Professions Code section 19984. Specifically, in 2018, while working and on duty as a key
10 employee at the Lucky Lady Card Room (Card Room), Respondent played one or more
11 controlled games using the Card Room’s gambling chips. Respondent thus had an interest in
12 funds wagered, lost, or won in controlled games carried on and offered for play at the Card
13 Room. This action violated Business and Professions Code section 19984, subdivision (a).
14 Respondent also took chips from the Card Room’s cage without authority or documentation and
15 used those chips to gamble for his benefit. Finally, Respondent had a duty as a key employee to
16 report these incidents and he reported none of them.

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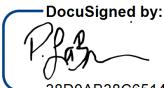
ORDER

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1. Based upon the foregoing Findings of Fact and Determination of Issues, it is ordered that Respondent Wil Yousif Sako’s Key Employee License, number GEKE-001769, is hereby revoked.
2. 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.
3. No costs are to be awarded.
4. Each side to pay its own attorneys’ fees.

This Order is effective on August 8, 2022.

Dated: 7/7/2022

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 Paula LaBrie, Chair


Dated: 7/7/2022

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 Cathleen Galgiani, Commissioner

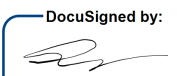
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 Eric Heins, Commissioner

Dated: 7/7/2022

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 William Liu, Commissioner

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 Edward Yee, Commissioner