

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Suspension of the )  
License to Conduct Gambling Activities of: ) NO. CR 2009-00100  
)  
Shaun Claiborne, ) **FINDINGS, CONCLUSIONS,**  
Wenatchee, Washington, ) **DECISION, AND FINAL**  
) **ORDER IN DEFAULT**  
Licensee. )

THE MATTER of the suspension of the license to conduct gambling activities of Shaun Claiborne having come before the Commission on April 9, 2009, the State being represented by Jerry Ackerman, Senior Counsel, Office of the Attorney General, the Commission makes the following Findings of Fact, Conclusions of Law, and issues the following Decision and Order:

**FINDINGS OF FACT**

I.

The Washington State Gambling Commission issued Shaun Claiborne the following license: Number 68-16934, Authorizing Class "B" Card Room Employee Activity. The license, which expires on April 16, 2009, was issued subject to the licensee's compliance with state gambling laws and regulations.

II.

On February 18, 2009, Assistant Director David Trujillo issued administrative charges to the licensee, by certified and regular mail. The licensee did not respond to the charges. By not responding to the charges, Shaun Claiborne waived his right to a hearing on such charges and pursuant to RCW 34.05.440, this final order may be entered in default.

III.

On December 14, 2008, the licensee allowed a minor to gamble at the Buzz Inn Casino, in Wenatchee, violating WAC 230-06-010. The licensee was issued a Notice of Violation and Settlement<sup>1</sup> (NOVAS) for allowing a minor to gamble. The licensee failed to pay the NOVAS.

Therefore, grounds exist to suspend Mr. Claiborne's license under RCW 9.46.075(1) and WAC 230-03-085(1).

**RCW 9.46.075(1) Denying, suspending, or revoking a license**

The Commission may suspend or revoke any license issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46

<sup>1</sup> The Notice of Violation and Settlement (NOVAS) identifies the violation and gives the recipient the opportunity to pay a fine to settle the matter.

RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

**WAC 230-03-085(1) Denying, suspending, or revoking a license**

We may suspend or revoke any license when the licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization: (1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

**WAC 230-06-010 Age restriction for players**

No person must allow anyone under the age of eighteen to participate in gambling activities except: (1) To play in licensed bingo games when accompanied by an adult member of his or her immediate family or a guardian, who is at least eighteen years old; or (2) To play bingo at agricultural fairs or school carnivals; or (3) To play amusement games; or (4) To sell raffle tickets for a charitable or nonprofit organization.

IV.

**CONCLUSIONS OF LAW**

The circumstances specified in the Findings of Facts in section III above constitute grounds for the suspension of Shaun Claiborne's license to conduct gambling activities under the authority of RCW 9.46.075 and WAC 230-03-085.

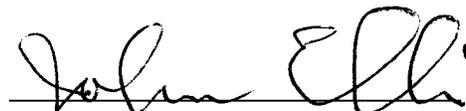
**DECISION AND ORDER**

The Washington State Gambling Commission HEREBY ORDERS: Shaun Claiborne's license to conduct card room employee activities is **SUSPENDED FOR 30 DAYS**.

DATED this 9 day of April, 2009.

  
PEGGY ANN BIERBAUM, Chair

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KEVEN ROJECKI, Vice Chair

  
JOHN ELLIS

  
MIKE AMOS

**NOTICE:** RCW 34.05.440(3) provides that within seven (7) days after service of a default order the party against whom it was entered may file a written motion requesting that the order be vacated and stating the grounds relied upon.

Motions must be mailed to:  
Washington State Gambling Commission  
Communications & Legal Division  
PO Box 42400  
Olympia, Washington 98504-2400

Or delivered in person or via private courier:  
Washington State Gambling Commission  
Communications and Legal Division  
4565 7<sup>th</sup> Avenue SE  
Lacey, Washington 98503