



STATE OF WASHINGTON  
GAMBLING COMMISSION

*"Protect the Public by Ensuring that Gambling is Legal and Honest"*

October 17, 2017

JAMES D. GARDNER  
1710 E 56<sup>TH</sup> STREET  
APT 3  
TACOMA, WA 98404

**RE: ADMINISTRATIVE ACTION; CR 2016-01835**

Dear Mr. Gardner:

Enclosed is an Order of Default entered by the Commission on October 12, 2017, revoking your license/certification to conduct gambling activities. This action occurred because you did not timely respond by requesting a hearing to the administrative charges filed on June 19, 2017 against your gambling license/certification.

You have the right to move to vacate this Order. If you do so, we must receive your request by the 10<sup>th</sup> day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

Washington State Gambling Commission  
Attention: Legal & Records Division  
P.O. Box 42400  
Olympia, WA 98504-2400

You also have the right to submit a Petition for Judicial Review. If you do this, you must submit it within 30 days of the date the Order was mailed. RCW 34.05.514 explains where you must file this petition and RCW 34.05.546 explains what information your Petition must include.

This is not meant to be a full explanation of all the statutes and regulations you would need to understand to move to vacate or Petition for Judicial Review. Please call me at (800) 345-2529, extension 3475, with any questions.

Sincerely,

Haylee P. Mills, Staff Attorney  
Legal & Records Division

Enclosure



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5 **STATE OF WASHINGTON**  
6 **GAMBLING COMMISSION**

7 In the Matter of:

NO. CR 2017-00646

8 JAMES D. GARDNER,  
9 License No. 69-37121,

FINAL ORDER OF THE  
GAMBLING COMMISSION

10 Licensee.

11 These matters having come before the Washington State Gambling Commission  
12 (Commission) on October 12, 2017 and the Commission makes the following Findings of Fact,  
13 Conclusions of Law, and issues its Final Order:

14 **I. FINDINGS OF FACT**

15 1. The Washington State Gambling Commission issued Class III Certification to  
16 James D. Gardner, License Number 69-37121, authorizing Class III Employee activity at the  
17 Emerald Queen Casino in Tacoma, Washington.

18 2. This certification, which expired on September 15, 2017, was issued subject to  
19 Mr. Gardner's compliance with state gambling laws and Commission rules.

20 3. On April 19, 2017, criminal charges were filed in Pierce County Superior Court  
21 in Case Number 17-1-01516-6, charging Mr. Gardner with four counts of Child Molestation in  
22 the Third Degree, Class C Felonies.

23 4. Mr. Gardner's charges stem from allegations that he molested a fourteen year old  
24 female on four separate occasions between June 1, 2016 and September 30, 2016.

25 5. The Puyallup Tribal Gaming Authority temporarily suspended Mr. Gardner's  
26 tribal gaming license on May 8, 2017, pending the outcome of his criminal case.

FINAL ORDER OF THE  
GAMBLING COMMISSION

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IN RE: JAMES D. GARDNER  
NO. 2017-00646

Washington State Gambling Commission  
4565 7<sup>th</sup> Avenue S.E., Lacey, WA 98503  
P.O. Box 42400  
Olympia, WA 98504

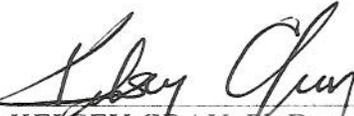


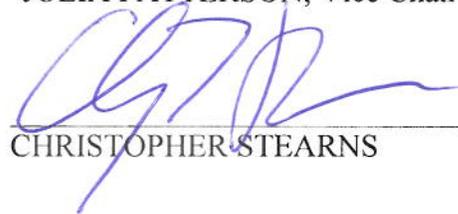
1 It is hereby **ORDERED** that James D. Gardner's gambling license, Number 69-37121,  
2 is **REVOKED**.

3  
4 DATED this 17 day of October, 2017.

5   
6 BUD SIZEMORE, Chair

JULIA PATTERSON, Vice Chair

7   
8 KELSEY GRAY, Ph.D.

  
CHRISTOPHER STEARNS

9   
10 ED TROYER

1 NOTICE

2 Reconsideration: RCW 34.05.470 and WAC 230-17-140 provide that a party may file a  
3 petition for reconsideration of a final order. A petition for reconsideration must be received no  
4 later than thirteen (13) days after the date this final order is mailed. Any motion for  
5 reconsideration must state the specific grounds supporting the party's request for  
6 reconsideration.

7 Stay of Final Order: Filing for reconsideration does not stay the effectiveness of this  
8 Order. WAC 230-17-145 provides that a party may petition the Commission for a stay of a final  
9 order. Any petition for a stay should be received by the Commission within thirteen (13) days  
10 after the date this final order is mailed.

11 Judicial Review: RCW 34.05.542 provides that a party may appeal this final order by  
12 filing a petition for judicial review within thirty (30) days after service of this order. A petition  
13 for judicial review must be filed with the appropriate superior court and served upon both the  
14 Commission and the Office of the Attorney General.

15 Service: This Order was served on you three days after it was deposited in the United  
16 States Postal Service regular mail, excluding the date of mailing. WAC 230-17-035.

17 Any motions or petitions for judicial review should be served on or mailed to:

18 Washington State Gambling Commission  
19 Legal and Records Division  
20 4565 7<sup>th</sup> Avenue S.E., Lacey, WA  
21 P.O. Box 42400  
Olympia, WA 98504-2400

Gregory J. Rosen  
Attorney General's Office  
1135 Washington St. SE  
P.O. Box 40100  
Olympia, WA 98504-0100

**CERTIFICATE OF SERVICE**

I certify that on the date below I served a copy of the foregoing document on all parties and/or their counsel by United States Postal Service regular mail to the following:

JAMES D. GARDNER  
1710 E 56<sup>TH</sup> STREET  
APT 3  
TACOMA, WA 98404

EXECUTED this 19 day of October, 2017, at Lacey, Washington.

  
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Haylee Mills  
Staff Attorney

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