



STATE OF WASHINGTON
GAMBLING COMMISSION

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

November 20, 2017

DEZARAY J. PACHECO
731 SE CRESCENT DR
SHELTON, WA 98584

RE: ADMINISTRATIVE ACTION; CR 2017-00779

Dear Ms. Pacheco:

Enclosed is an Order of Default entered by the Commission on November 16, 2017, revoking your license/certification to conduct gambling activities. This action occurred because you did not attend the prehearing conference on October 6, 2017 concerning 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 10th 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



1
2
3
4
5
**STATE OF WASHINGTON
GAMBLING COMMISSION**

6 In the Matter of:

NO. CR 2017-00779

7
8 DEZARAY J. PACHECO,
License No. 69-37116,

FINAL ORDER OF THE
GAMBLING COMMISSION

9
10 Class III Employee.

11 These matters having come before the Washington State Gambling Commission
12 (Commission) on November 16, 2017 and the Commission makes the following Findings of
13 Fact, Conclusions of Law, and issues its Final Order:

14
15
I. FINDINGS OF FACT

16 1. The Washington State Gambling Commission issued Dezaray J. Pacheco License
17 number: 69-37116, authorizing Class III Employee activity at the Lucky Dog Casino in
18 Skokomish, Washington.

19 2. Ms. Pacheco's license, which expired on September 14, 2017, was issued subject
20 to the licensee's compliance with state gambling laws and Commission rules.

21 3. On November 9, 2016, Ms. Pacheco, while working as a Cash Operations
22 Employee at Lucky Dog Casino, was responsible for performing "Hot Seat" drawings for \$50.00
23 Tribal Lottery System ("TLS") vouchers.

24 4. During one such drawing, Ms. Pacheco drew the name of a patron and discussed
25 the patron's name being drawn with a security officer and floor supervisor, then discarded the
26 valid winning draw and drew another name, awarding the prize to that other patron.

1 5. Ms. Pacheco and the two other employees with whom she discussed the draw
2 were interviewed by the Skokomish Tribal Gaming Agency (“TGA”) and admitted to their
3 involvement and/or knowledge of the intentional failure to pay a valid drawing winner, and on
4 November 22, 2016, the TGA suspended Ms. Pacheco’s tribal license, then revoked it on January
5 6, 2017.

6 6. Ms. Pacheco did not appeal the revocation, and never reported the suspension or
7 revocation to the Gambling Commission.

8 7. Director David Trujillo issued administrative charges on July 11, 2017 alleging
9 that Ms. Pacheco’s actions constituted violations of RCW 9.46.075 and WAC 230-06-090(1)
10 and (5), and established that she is a threat to the effective regulation of gambling pursuant to
11 WAC 230-03-085. Further, that she could not show by clear and convincing evidence that she
12 was qualified for licensure as required by RCW 9.46.153(1), and that her actions warranted
13 revocation of her license pursuant to RCW 9.46.075(1) and (8), and WAC 230-085(1), (7), and
14 (8)(a), (c), and (d), as well as Section V.E.(1) and (3) of the Skokomish Tribe-State Gaming
15 Compact.

16 8. Ms. Pacheco was sent the charges by regular and certified mail on July 11, 2017,
17 to her last known address. Charges were re-issued to her forwarding address on July 27, 2017,
18 and Ms. Pacheco responded with a request for hearing on August 9, 2017. A prehearing phone
19 conference was scheduled for October 6, 2017, and Ms. Pacheco was sent notice of the
20 prehearing to her last known (forwarding) address on September 14, 2017.

21 9. Ms. Pacheco failed to attend the October 6, 2017 prehearing conference, and the
22 an order dismissing appeal was issued on Thursday, October 12, 2017, to Ms. Pacheco’s last
23 known (forwarding) address.

24 10. To date, the Commission has received no further communication from Ms.
25 Pacheco.

1 **II. CONCLUSIONS OF LAW**

2 1. Ms. Dezaray J. Pacheco was sent proper notice of the July 11, 2017 charges via
3 first class mail and certified mail on July 11, 2017 and July 27, 2017 under RCW 34.05.434,
4 RCW 34.05.431, and WAC 10-08-130.

5 2. On October 6, 2017, Ms. Pacheco failed to attend or participate in a hearing or
6 other stage of an adjudicative proceeding under RCW 34.05.440(2).

7 3. The Commission can take final action against Ms. Pacheco’s gambling license
8 under Case Number CR 2017-00779 pursuant to RCW 9.46.075, RCW 34.05.440(2), RCW
9 34.05.461, and WAC 230-03-085.

10 4. Ms. Pacheco’s license should be revoked under Case Number CR 2017-00779
11 pursuant to RCW 9.46.153(1), RCW 9.46.075(1) and (8), WAC 230-06-090(1) and (5), and
12 WAC 230-03-085(1), (7), and (8)(a), (c), and (d), as well as Sections V.E.(1) and (3) of the
13 Skokomish Tribe-State Gaming Compact.

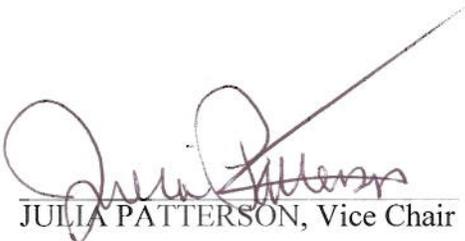
14 **ORDER**

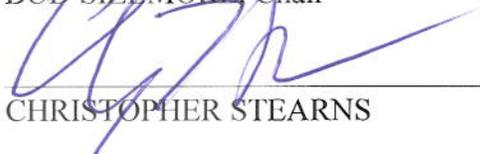
15 This matter having come before the Commission at its November 16, 2017, Commission
16 meeting, the Commissioners having heard arguments, given the chance to review the
17 administrative record, and being fully advised in this matter, now therefore:

18 It is hereby **ORDERED** that Dezaray J. Pacheco’s gambling license, Number 69-37116,
19 is **REVOKED**.

20 DATED this 16 day of November, 2017.

21 
22 _____
23 BUD SIZEMORE, Chair


JULIA PATTERSON, Vice Chair

24 
25 _____
26 CHRISTOPHER STEARNS

ED TROYER

1
2
3 **NOTICE**

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

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

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

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

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

20 Washington State Gambling Commission
21 Legal and Records Division
22 4565 7th Avenue S.E., Lacey, WA
23 P.O. Box 42400
24 Olympia, WA 98504-2400

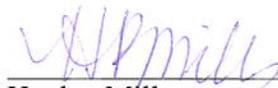
25 Gregory J. Rosen
26 Attorney General's Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

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:

DEZARAY J. PACHECO
731 SE CRESCENT DR
SHELTON, WA 98584

EXECUTED this 20 day of November, 2017, at Lacey, Washington.



Haylee Mills
Staff Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26