



STATE OF WASHINGTON
GAMBLING COMMISSION

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

February 21, 2019

BRENDA WOODWARD
5462 MCDONALD ROAD
WAPATO, WA 98951

RE: ADMINISTRATIVE ACTION; CR 2018-01411

Dear Brenda Woodward:

Enclosed is an Order of Default entered by the Commission on February 14, 2019, revoking your certification to conduct gambling activities. This action occurred because you did not timely respond by requesting a hearing to the administrative charges mailed on November 28, 2018.

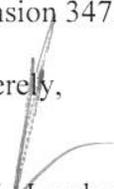
You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

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 3473, with any questions.

Sincerely,


Ashlie Laydon, Rules Coordinator
Legal & Records Division

Enclosure



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**STATE OF WASHINGTON
GAMBLING COMMISSION**

In the Matter of:

NO. CR 2018-01411

BRENDA M. WOODWARD,
License No. 69-44497

FINAL ORDER OF THE
GAMBLING COMMISSION

Class III Employee.

This matter having come before the Washington State Gambling Commission (Commission) on February 14, 2019, the Commission makes the following Findings of Fact, Conclusions of Law, and issues its Final Order:

I. FINDINGS OF FACT

1. The Washington State Gambling Commission issued a Conditional Class III certification to Brenda M. Woodward Certification No.: 69-44497, authorizing Class III Employee activity at the Legends Casino in Toppenish, Washington.

2. This conditional certification, which expires on May 17, 2019, was issued subject to Ms. Woodward's compliance with state gambling laws and Commission rules, in accordance with the Yakama Nation-State Gaming Compact.

3. On April 16, 2018, Yakama Nation Gaming Commission submitted an application to the Washington State Gambling Commission for Class III certification for Ms. Woodward to work at Legends Casino.

1 4. Ms. Woodward did not meet the standard criteria for certification due to her
2 criminal history, and was placed on a conditional certification, signed by Ms. Woodward on May
3 9, 2018.

4 5. In the conditional certification agreement, Ms. Woodward agreed that she would
5 not be arrested or charged with violating laws, or for any crime, whether by tribal police or any
6 other law enforcement agency.

7 6. On June 25, 2018, Ms. Woodward violated her conditional certification
8 agreement when she was charged with Theft Third Degree, a gross misdemeanor, and Driving
9 While License Suspended Third Degree, a misdemeanor, in City of Union Gap- Yakima County
10 District Court Case Nos. 8Z0655333 and 8Z0654332.

11 7. On July 24, 2018, the Yakama Nation Gaming Commission filed a Petition to
12 Uphold Summary Suspension and Motion to Revoke.

13 8. On September 10, 2018, the Gambling Commission received notification from
14 Yakama Nation Gaming Commission that on August 22, 2018, Ms. Woodward's tribal gaming
15 license was revoked.

16 9. On October 9, 2018, Ms. Woodward was charged with Shoplifting, a gross
17 misdemeanor, in Yakima Municipal Court Case No. PA18-0222.

18 10. Ms. Woodward's criminal matters are still pending.

19 11. Director David Trujillo issued administrative charges on November 28, 2018
20 alleging that Ms. Woodward's actions constituted bases for revocation in RCW 9.46.075 and
21 WAC 230-03-085. Further, that she could not show by clear and convincing evidence that she
22 was qualified for licensure as required by RCW 9.46.153(1), and that her actions warranted
23 revocation of her Conditional Class III certification pursuant to RCW 9.46.075(1), (8), and (9),
24 WAC 230-03-085(1), (3), and (9)(a), and in accordance with Section V.C. (1) and (3) of the
25 Yakama Nation-State Gaming Compact.
26

1 12. Ms. Woodward was sent the charges by regular and certified mail on November
2 28, 2018 to the last address the Gambling Commission had on file. The certified mail was
3 returned on December 26, 2018.

4 13. Pursuant to WAC 230-17-010, a response was required to be received by the
5 Commission by December 21, 2018. The Commission received an untimely request for hearing
6 on December 24, 2018 after the deadline for response.

7 II. CONCLUSIONS OF LAW

8 1. Ms. Woodward received proper notice of the November 28, 2018 charges via
9 regular and certified mail on November 28, 2018 pursuant to RCW 34.05.431, RCW 34.05.434,
10 WAC 230-17-005, and WAC 230-17-010.

11 2. The Commission can take final action against Ms. Woodward's Conditional
12 Class III certification under Case Number CR 2018-01411 pursuant to RCW 9.46.075, RCW
13 34.05.440(1), RCW 34.05.461, and WAC 230-03-085.

14 3. Ms. Woodward's Conditional Class III certification should be revoked under
15 Case Number CR 2018-01411 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW
16 34.05.440(1), RCW 34.05.461, and WAC 230-03-085.

1 **ORDER**

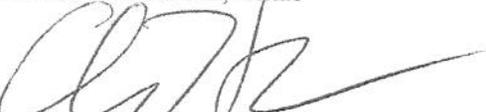
2 This matter having come before the Commission at its February 14, 2019, Commission
3 meeting, the Commissioners having heard arguments, been given the chance to review the
4 administrative record, and being fully advised in this matter, now therefore:

5 It is hereby **ORDERED** that Brenda M. Woodward's Conditional Class III certification,
6 Number 69-44497, is **REVOKED**.

7
8 DATED this 14th day of February, 2019.

9 
10 _____
11 BUD SIZEMORE, Chair


12 _____
13 JULIA PATTERSON, Vice Chair


14 _____
15 CHRISTOPHER STEARNS


16 _____
17 ED TROYER


18 _____
19 ALICIA LEVY

1 **NOTICE**

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

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

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

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

18 Any motions or petitions for judicial review should be served on or mailed to:
19 Washington State Gambling Commission Gregory J. Rosen
20 Legal and Records Division Attorney General's Office
4565 7th Avenue S.E., Lacey, WA 1135 Washington St. SE
P.O. Box 42400 P.O. Box 40100
21 Olympia, WA 98504-2400 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:

BRENDA M. WOODWARD
5462 MCDONALD ROAD
WAPATO WA 98951

EXECUTED this 21 day of February, 2019, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator

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