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**STATE OF WASHINGTON
GAMBLING COMMISSION**

7 In the Matter of:

NO. CR 2018-01830

8
9 MICHAEL A. YENGLIN,
License No. 68-35049,

FINAL ORDER OF THE
GAMBLING COMMISSION

10
11 _____
Licensee.

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

15 **I. FINDINGS OF FACT**

16 1. The Washington State Gambling Commission issued Michael A. Yenglin License
17 No.: 68-35049, authorizing Public Card Room activity at Clearwater Saloon & Casino in East
18 Wenatchee, Washington.

19 2. This license, which expires on October 29, 2019, was issued subject to Mr.
20 Yenglin's compliance with state gambling laws and Commission rules.

21 3. Mr. Yenglin first received his gambling license on November 1, 2018, after
22 submitting his application on October 30, 2018.

23 4. Mr. Yenglin's gambling license application requires him to disclose all possible
24 criminal history.

25 5. The gambling license application also requires a signature indicating that all
26 information is submitted under penalty of perjury.

1 6. Mr. Yenglin did not disclose any criminal history.

2 7. Mr. Yenglin was charged with Battery, involving the physical harm to an
3 individual, on February 16, 2016, in Las Vegas, Nevada.

4 8. Mr. Yenglin signed the citation, notifying him that he was to appear in court on
5 April 5, 2016.

6 9. As a result of Mr. Yenglin's failure to appear in court on April 5, 2016, a warrant
7 was issued for his arrest.

8 10. The case is still pending, and the warrant is still outstanding.

9 11. When Mr. Yenglin submitted his gambling license application, he chose not to
10 disclose the above pending charge and warrant.

11 12. Director David Trujillo issued administrative charges on January 2, 2019 alleging
12 that Mr. Yenglin's actions constituted a violation of RCW 9.46.075 and WAC 230-03-085.
13 Further, that he could not show by clear and convincing evidence that he was qualified for
14 licensure as required by RCW 9.46.153(1), and that his actions warranted revocation of his
15 license pursuant to RCW 9.46.075(1), (3), (7), (8), and (9), and WAC 230-03-085(1), (3), (8),
16 and (9)(a).

17 13. Mr. Yenglin was sent the charges by regular and certified mail on January 3, 2019
18 to the last address the Gambling Commission had on file. The certified mail was returned on
19 January 30, 2019.

20 14. The Commission received a Request for Hearing from Mr. Yenglin on January
21 30, 2019. A prehearing conference was scheduled for February 4, 2019. Mr. Yenglin failed to
22 appear.

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1 **II. CONCLUSIONS OF LAW**

2 1. Mr. Yenglin received proper notice of the January 2, 2019 charges via regular
3 and certified mail on January 3, 2019 pursuant to RCW 34.05.431, RCW 34.05.434, WAC 230-
4 17-005, WAC 230-17-010, and WAC 10-08-130.

5 2. The Commission can take final action against Mr. Yenglin's gambling license
6 under Case Number CR 2018-01830 pursuant to RCW 9.46.075, RCW 34.05.440(1), RCW
7 34.05.461, and WAC 230-03-085.

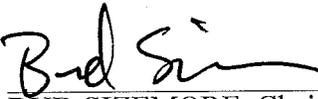
8 3. Mr. Yenglin's license should be revoked under Case Number CR 2018-01830
9 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461, and WAC
10 230-03-085.

ORDER

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

It is hereby **ORDERED** that Michael A Yenglin's gambling license, Number 68-35049, is **REVOKED**.

DATED this 14th day of March, 2019.


BUD SIZEMORE, Chair


JULIA PATTERSON, Vice Chair

CHRISTOPHER STEARNS


ED TROYER


ALICIA LEVY

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 7th Avenue S.E., Lacey, WA
21 P.O. Box 42400
Olympia, WA 98504-2400

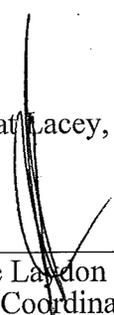
Gregory J. Rosen
Attorney General's Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

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:

MICHAEL A YENGLIN
421 15TH STREET NE
EAST WENATCHEE, WA 98802

EXECUTED this 15 day of March, 2019, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator

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