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**STATE OF WASHINGTON  
GAMBLING COMMISSION**

7 In the Matter of:

NO. CR 2019-00267

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MARCUS A. SHIN,  
License No. 69-27740

FINAL ORDER OF THE  
GAMBLING COMMISSION

Class III Employee.

12 This matter having come before the Washington State Gambling Commission  
13 (Commission) on May 9, 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 a Class III certification to  
17 Marcus A Shin Certification No.: 69-27740, authorizing Class III Employee activity at the Red  
18 Winds Casino in Olympia, Washington.

19 2. This certification, which expires on July 13, 2019, was issued subject to Mr.  
20 Shin's compliance with state gambling laws and Commission rules, in accordance with the  
21 Nisqually Tribal-State Gaming Compact.

22 3. On September 28, 2018, an anomaly regarding the player tracking was  
23 discovered at Red Winds Casino. An investigation into this anomaly began on September 29,  
24 2018.

1           4.       In reviewing a report for September 28, 2018, it was discovered that eleven  
2 players had questionable ratings for their play, and that all of the ratings had been approved by  
3 Mr. Shin.

4           5.       Mr. Shin was interviewed by the Nisqually Tribal Gaming Agency and he  
5 admitted to point loading player tracking cards since 2016.

6           6.       Mr. Shin also admitted to participating in a scheme to take and cash out the  
7 unearned points on these cards. Mr. Shin would put points on player's cards that were not  
8 being used, and then have his brother, Michael Shin, cash these points out.

9           7.       Video surveillance dating back to September 24, 2018, shows that Mr. Shin  
10 adjusted the ratings of thirteen players who were not present at the casino nor had they been in  
11 casino during the preceding timeframe.

12          8.       Video surveillance shows Michael Shin cashing out the points of these absent  
13 players.

14          9.       Michael Shin is observed inside the casino where he sits down at a player  
15 terminal, inserts a player tracking Club Red card, and within two minutes of every incident,  
16 receives a voucher from the terminal, and then moves on to another player terminal to repeat  
17 this process.

18          10.      Between September 24, 2018 and October 3, 2018, video surveillance shows  
19 that Mr. Shin manipulated the player tracking system so that his brother was able to unlawfully  
20 cash out unearned points and take \$55,193.00 from the casino during this time frame.

21          11.      Mr. Shin's employment was terminated on October 5, 2018.

22          12.      Director David Trujillo issued administrative charges on March 22, 2019  
23 alleging that Mr. Shin's actions constituted bases for revocation in RCW 9.46.075 and WAC  
24 230-03-085. Further, that he could not show by clear and convincing evidence that he was  
25 qualified for licensure as required by RCW 9.46.153(1), and that his actions warranted  
26 revocation of his Class III certification pursuant to RCW 9.46.075(1), (2), (8), and (10), WAC

1 230-03-085(1), (3), and (9)(a), and in accordance with Section V.C. (1) and (3) of the  
2 Nisqually Tribal-State Gaming Compact.

3 13. Mr. Shin was sent the charges by regular and certified mail on March 22, 2019  
4 to the last address the Gambling Commission had on file.

5 14. Pursuant to WAC 230-17-010, a response was required to be received by the  
6 Commission by April 15, 2019. No response was received.

## 7 II. CONCLUSIONS OF LAW

8 1. Mr. Shin received proper notice of the March 22, 2019 charges via regular and  
9 certified mail on March 22, 2019 pursuant to RCW 34.05.431, RCW 34.05.434, WAC 230-17-  
10 005, and WAC 230-17-010.

11 2. The Commission can take final action against Mr. Shin's Class III certification  
12 under Case Number CR 2019-00267 pursuant to RCW 9.46.075, RCW 34.05.440(1), RCW  
13 34.05.461, and WAC 230-03-085.

14 3. Mr. Shin's Class III certification should be revoked under Case Number CR  
15 2019-00267 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW  
16 34.05.461, and WAC 230-03-085.

1 **ORDER**

2 This matter having come before the Commission at its May 9, 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 Marcus A Shin's Class III certification, Number 69-  
6 27740, is **REVOKED**.

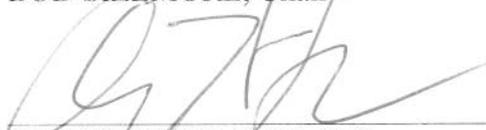
7  
8 DATED this 9th day of May, 2019.

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10 BUD SIZEMORE, Chair



JULIA PATTERSON, Vice Chair

11 

12 CHRISTOPHER STEARNS

13 

ED TROYER

14 

15 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  
10 final order. Any petition for a stay should be received by the Commission within thirteen (13)  
11 days 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  
20 Legal and Records Division  
21 4565 7<sup>th</sup> Avenue S.E., Lacey, WA  
22 P.O. Box 42400  
23 Olympia, WA 98504-2400

Kellen Wright  
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:

MARCUS A SHIN  
13108 3<sup>RD</sup> AVE CT E  
TACOMA, WA 98445

EXECUTED this 13 day of May, 2019, at Lacey, Washington.



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Ashlie Laydon  
Rules Coordinator