



STATE OF WASHINGTON
GAMBLING COMMISSION

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

June 12, 2020

MELANIE APTHORP
20407 7TH AVE CT E
SPANAWAY, WA 98387

RE: ADMINISTRATIVE ACTION; CR 2020-00259

Dear Melanie Apthorp:

Enclosed is an Order of Default entered by the Commission on May 14, 2020, 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 February 13, 2020.

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**

7 In the Matter of:

NO. CR 2020-00259

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MELANIE E APTHORP,
License No. 68-35232,

FINAL ORDER OF THE
GAMBLING COMMISSION

Licensee.

This matter having come before the Washington State Gambling Commission (Commission) on May 14, 2020, 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 Melanie Apthorp License No.: 68-35232, authorizing Public Card Room Employee activity at Palace Casino in Lakewood, Washington.

2. This license, which expired on March 20, 2020, was issued subject to Apthorp's compliance with state gambling laws and Commission rules.

3. Apthorp has been licensed since 2019.

4. On November 14, 2019, a WSGC Special Agent met with staff members of Palace Casino to discuss large shortages of cash (variances) in their cashier cage. According to Palace's General Manager, Ronald Johns, there had been multiple variances recorded in October and November of 2019.

1 5. The Agent advised Johns to review all surveillance and records to find the source
2 of the most recent variance and use that information to search for a potential pattern.

3 6. On November 22, 2019, Johns followed up with the Agent and explained that
4 cage cashier, Melanie Apthorp, had taken \$1,000 in cash from the cage and falsified her
5 paperwork to cover up the theft.

6 7. After reviewing the video surveillance, Johns reported the following activity from
7 November 14, 2019:

8 a. At about 2:41 a.m., Apthorp took a \$10,000 “strap” of \$100 bills from the
9 vault, and broke it into \$1,000 stacks.

10 b. Apthorp then took one of the \$1,000 stacks and placed it upright in the front
11 of her cash drawer. She placed the remainder of the \$10,000 into the cash till
12 in her drawer.

13 c. At about 3:08 a.m., Apthorp opened her cash drawer, took a white envelope
14 from a nearby pile, and paper-clipped the \$1,000 stack to the back of the
15 envelope, leaving it inside the cash drawer.

16 d. At about 3:15 a.m. Apthorp opened the cash drawer, and removed the
17 envelope with the cash clipped to it from the drawer. She then comingled that
18 envelope back into the nearby pile of envelopes.

19 e. At about 3:21 a.m., Apthorp removed the envelope with the cash clipped to it
20 from the pile of envelopes, and covered it with a piece of paper. She then
21 took the envelope with the cash, brought it into the man-trap, and placed the
22 envelope into her purse.

23 8. On November 25, 2019, the Case Agent received a call from Palace’s
24 Surveillance manager, Steven Martin. Martin had been reviewing surveillance footage of all of
25 Apthorp’s shifts after discovering the initial November 14 theft.
26

1 9. Martin reported that on November 8, 2019, Apthorp had used a similar process
2 to steal \$5,000 in \$100 bills from Palace. Surveillance footage shows that on that date, Apthorp
3 took all of the \$100 bills in her cash drawer, and counted out \$5,000. She placed the \$5,000 into
4 the cash drawer till, and the remainder of the bills behind the till. She took the \$5,000 she had
5 counted out, and attached it to an envelope in her drawer as described above. About four hours
6 later, Apthorp took the clipped \$5,000 into her possession, and left the cage.

7 10. Johns interviewed Apthorp with Palace's Accounting Manager, Shawna
8 Vanderford, present. When Johns explained what the surveillance footage revealed, Apthorp
9 said she didn't remember taking the cash.

10 11. Johns told Apthorp that based on the variances, he believed that Apthorp was
11 responsible for stealing a total of \$36,000, Apthorp responded by saying "It shouldn't be that
12 much!" When Johns asked if Apthorp had "a different number", she said that she did not.

13 12. After concluding the interview, Johns informed Apthorp that her employment
14 was being terminated.

15 13. Director David Trujillo issued administrative charges on February 13, 2020
16 alleging that Apthorp's actions constituted a violation of RCW 9.46.075 and WAC 230-03-085.
17 Further, that she could not show by clear and convincing evidence that she was qualified for
18 certification as required by RCW 9.46.153(1), and that her actions warranted revocation of her
19 certification pursuant to RCW 9.46.075(1), (8), and (10), and WAC 230-03-085(1), (3), and
20 (9)(a), (c), and (d).

21 14. Apthorp was sent the charges by regular and certified mail on February 13, 2020
22 to the last address the Gambling Commission had on file.

23 15. Pursuant to WAC 230-17-010, a response was required to be received by the
24 Commission by March 9, 2020. To date, the Commission has received no communication from
25 Apthorp.

1 **II. CONCLUSIONS OF LAW**

2 1. Melanie Apthorp received proper notice within three days of February 13, 2020
3 charges via regular and certified mail pursuant to RCW 34.05.413 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 Melanie Apthorp's gambling
6 license under Case Number CR 2020-00259 pursuant to RCW 9.46.075, RCW 34.05.440(1),
7 RCW 34.05.461, and WAC 230-03-085.

8 3. Melanie Apthorp's license should be revoked under Case Number CR 2020-
9 00259 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461, and
10 WAC 230-03-085.

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III. ORDER

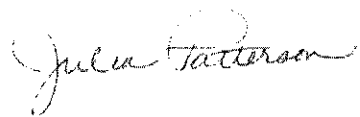
This matter having come before the Commission at its May 14, 2020, Commission meeting, the Commissioners having heard arguments, been given the chance to review the administrative record, and being fully advised in this matter, now therefore:

It is hereby **ORDERED** that Melanie Apthorp's gambling license, Number 68-35232, is **REVOKED**.

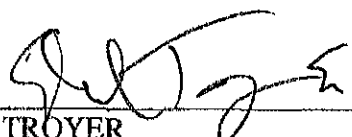
DATED this 14th day of May, 2020.



BUD SIZEMORE, Chair



JULIA PATTERSON, Vice Chair



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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

Doug Van de Brake
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:

MELANIE APTHORP
20407 7TH AVE CT E
SPANAWAY, WA 98387

EXECUTED this 12 day of ^{June}~~May~~, 2020, at Lacey, Washington.

Ashlie Laydon
Rules Coordinator