

**ORDER 2009-188**  
**RE: TROY ASHLEY, LICENSE NO. CA7995-L3**

The Indiana Gaming Commission (“Commission”) hereby issues this Order approving the attached Order of the Commission’s Administrative Law Judge. In support of this Order, the Commission states as follows:

1. On or about June 9, 2007, Troy Ashley (“Respondent”) received his permanent Level 2 occupational license (CA7995-L3) and is currently employed at Horseshoe Southern Indiana Casino.
2. On March 12, 2008, law enforcement officers from the Indiana State Police, the Indiana State Excise Police, and the Indiana Gaming Commission entered Boomer’s Bar and Grill, located in Austin, Indiana, and found Respondent conducting a Texas Hold ‘em card game.
3. Participants, including two (2) undercover Indiana Gaming Commission law enforcement officers, each paid twenty dollars (\$20) to Respondent as a buy-in to participate in the card game. Respondent directed the officers and other participants to seats at the poker tables, was in possession of one thousand seventy five dollars (\$1,075) of buy-in money, and participated as a player.
4. Similar card games were held at Boomer’s Bar and Grill on Sundays and on Wednesdays and had regularly been conducted there for approximately six (6) or (7) months prior to March 2008.
5. The Commission initiated a disciplinary action against Respondent to revoke Respondent’s occupational license for failure to maintain suitability for licensure due to the following: (1) his involvement with an ongoing gambling operation; (2) his unlawful gambling; (3) his professional gambling; and (4) his promoting professional gambling.
6. The Commission subsequently filed a Motion for Summary Judgment and a hearing was held on the motion on August 13, 2009. After the hearing, the Commission’s Administrative Law Judge found in favor of the Commission and issued the attached Order, recommending that the Commission revoke Respondent’s occupational license.
7. Under IC 4-33-8-8(4), the Commission may suspend, revoke, or restrict an occupational license for any just cause.
8. The Commission has “just cause” to suspend, revoke, or restrict an occupational license if the occupational licensee participates in illegal gambling.
9. Failure to maintain suitability is “just cause” for revoking an occupational license.

**COMMISSION ACTION**


Having considered the foregoing, the Commission hereby **APPROVES** the Order of the Administrative Law Judge.

**IT IS SO ORDERED THIS THE 12<sup>th</sup> DAY OF NOVEMBER, 2009.**

**THE INDIANA GAMING COMMISSION:**

  
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Timothy Murphy, Chair

ATTEST:

  
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Marc Fine, Secretary