

ORDER 2009-90

**REGARDING THE PETITION OF DAVID W. SPEARS FOR REMOVAL
FROM THE EXCLUSION LIST**

On January 3, 2004, the Executive Director took action pursuant to IC 4-33-4-7(a) to exclude Mr. David W. Spears from riverboat gambling facilities in Indiana. Mr. Spears, pursuant to 68 IAC 6-1-5, petitioned for removal from the exclusion list on January 26, 2009. In accordance with 68 IAC 6-1-6, Commission staff attorney, Joseph Hoage, was appointed review officer. A hearing was held on March 24, 2009 in Elizabeth, Indiana. In accordance with 68 IAC 6-1-12, Mr. Hoage transmitted the record in this matter and his findings of fact and recommendation to the Commission on April 20, 2009.

The review officer's recommendation is that the Commission **ADOPT** the recommendation approving the application for exclusion removal of David W. Spears.

COMMISSION ACTION

After reviewing the foregoing and the attached Findings of Fact and Conclusions of Law, the Commission hereby

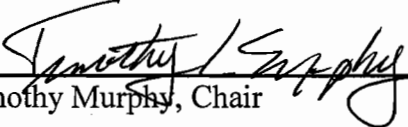
Adopts

ADOPTS or REJECTS

the findings of fact of the hearing officer approving Mr. Spears' application for exclusion removal.


IT IS SO ORDERED THIS THE 11th DAY OF JUNE, 2009:

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Thomas Swihart, Secretary