



INTEROFFICE MEMO

Gary Grief, Executive Director

LaDonna Castañuela, Charitable Bingo Operations Director

To: Robert G. Rivera, Chairman
Cindy Fields, Commissioner
Mark A. Franz, Commissioner
Erik C. Saenz, Commissioner
Jamey Steen, Commissioner

From: Bob Biard, General Counsel 

Date: April 13, 2023

Re: Consideration of the Status and Possible Approval of Orders in Enforcement Cases

The Legal Services Division staff recommends that the Commission approve each of the proposed orders presented under this item.

Date: APRIL 13, 2023

| | | |
|---------------------------|---|-------------------------|
| IN THE MATTER OF | § | BEFORE THE STATE OFFICE |
| | § | |
| | § | OF |
| THE REVOCATION OF CERTAIN | § | |
| LOTTERY RETAILER LICENSES | § | ADMINISTRATIVE HEARINGS |

ORDER OF THE COMMISSION

During an open meeting in Austin, Texas, the Texas Lottery Commission (Commission) heard the license revocation cases listed on Attachment A hereto, in which the Texas Lottery Ticket Sales Agent (Respondent) in each referenced case did not appear at the scheduled hearing before the State Office of Administrative Hearings (SOAH) to respond to the allegations set forth in the Commission's notice of hearing.

I. Findings of Fact

1. Timely and adequate notice of the hearings in the referenced cases before SOAH was provided to each Respondent, pursuant to Tex. Gov't Code §§ 2001.051 and 2001.052, and 1 Tex. Admin. Code §§ 155.401 and 155.501(b). Each notice of hearing included a disclosure in at least 12-point, bold-face type, that the factual allegations listed in the notice could be deemed admitted, and the relief sought in the notice of hearing might be granted by default against the party that fails to appear at hearing.

2. After timely and adequate notice was given in each case, each case was heard by a SOAH Administrative Law Judge (ALJ). In each case, the Respondent did not appear at the hearing.

3. The Commission, by and through its attorney of record, filed a motion in each case requesting the ALJ issue a conditional order of default dismissal and remand to the Commission for informal disposition, in accordance with Tex. Gov't Code §2001.058(d-1) and 1 Tex. Admin. Code §155.501(d)-(e).

Date: APRIL 13, 2023

4. The ALJ dismissed the referenced cases from the SOAH docket and remanded these cases to the Commission for informal disposition under Tex. Gov't Code §2001.056, provided the Respondent in each case did not file a motion to set aside the default within 15 days from the date of the ALJ's order remanding case to the Commission.

5. In each case, Respondent did not file a motion to set aside the default within 15 days from the date of the ALJ's order.

II. Conclusions of Law

1. The Commission has jurisdiction over this matter pursuant to Tex. Gov't Code §466.155 (State Lottery Act) and 16 Tex. Admin. Code Chapter 401 (Commission Rules).

2. The Respondent in each of the cases listed on Attachment A violated the State Lottery Act and the Commission's Rules as set forth in the Commission's notice of hearing applicable to such Respondent. Specifically, each Respondent failed to deposit money due to the State received from lottery ticket sales under the State Lottery Act, in violation of Tex. Gov't Code §466.351 and 16 Tex. Admin. Code §§ 401.351 and 401.352.

3. The relief sought by the Commission Staff is fair, reasonable, and adequately protects the public.

III. Order

NOW, THEREFORE, IT IS ORDERED that, after review and due consideration of the administrative record, each of the cases listed on Attachment A hereto, which is incorporated into this Order for all purposes, is hereby disposed by default, and:

1. All allegations set forth in each notice of hearing in the cases listed on Attachment A are deemed admitted; and

Commission Order No. 23-0018

Date: APRIL 13, 2023

2. The Texas Lottery Ticket Sales Agent License for each Respondent in the cases listed on Attachment A is hereby revoked.

Passed and approved at the regular meeting of the Texas Lottery Commission in Austin, Texas, on the 13TH day of APRIL 2023.

Entered this 13TH day of APRIL 2023.

ROBERT G. RIVERA, CHAIRMAN

CINDY FIELDS, COMMISSIONER

MARK A. FRANZ, COMMISSIONER

ERIK C. SAENZ, COMMISSIONER

JAMES H. C. STEEN, COMMISSIONER

Commission Order No. 23-0018

Date: APRIL 13, 2023

ATTACHMENT A

| TAB NO. | SOAH DOCKET NO. | TICKET SALES AGENT NAME | TICKET SALES AGENT ADDRESS | LOTTERY LICENSE NO. |
|----------------|------------------------|--|--|----------------------------|
| A. | 362-23-07488 | Ryan Stahr d/b/a Indian Hills Stop and Go | P.O. Box 147 Buchanan Dam, TX 78609 | 141187 |
| B. | 362-23-07490 | TNP Family Inc. d/b/a Daily Stop | 9033 Highway 377 S Benbrook, TX 76126 | 181858 |
| C. | 362-23-08474 | Big Dog Convenience Store Inc. d/b/a Big Dog Convenience Store Inc. | 712 W. Houston Tyler, TX 75702 | 190086 |
| D. | 362-23-09881 | El Cerrito Meat Market LLC d/b/a El Cerrito Meat Market LLC | P.O. Box 1483 Santa Rosa, TX 78593 | 191681 |
| E. | 362-23-10363 | KP Shree Enterprises Inc. d/b/a Wayside Food Mart | 1201 Wayside Dr. Houston, TX 77011 | 188129 |

FILED
362-23-07488
1/23/2023 2:18 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
April Bermea , CLERK

SOAH Docket No. 362-23-07488

Suffix: TLC

BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

**TEXAS LOTTERY COMMISSION,
PETITIONER
v.
RYAN STAHR
D/B/A INDIAN HILLS STOP AND GO,
RESPONDENT**

ORDER GRANTING MOTION FOR DEFAULT

On January 19, 2023, the undersigned Administrative Law Judge (ALJ) convened a hearing on the merits in this matter. Staff was represented by Tyler Vance, and Respondent did not appear—either personally or through counsel. Staff Exhibits 1–3 were admitted and demonstrated adequate notice to Respondent.¹ Staff thereafter moved for a default dismissal. That motion is **GRANTED**, and the

¹ 1 Tex. Admin. Code § 155.501(b).

factual allegations detailed in the Notice of Hearing and the incorporated documents are deemed admitted.²

Respondent may file a motion to set aside this default within 15 days of the date of this order.³ Such motion must demonstrate good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion to set aside, or if the ALJ finds that the motion should be denied, this case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

SIGNED January 20, 2023



Joshua C. Fiveson
Presiding Administrative Law Judge

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code § 2001.056.

SOAH Docket No. 362-23-07490

Suffix: TLC

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

TEXAS LOTTERY COMMISSION,

PETITIONER

V.

**TNP FAMILY INC
/ BGA / AILY STOP,
RESPONDENT**

FILED
362-23-07490
1/23/2023 2:10 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Pegah Nasrollahzadeh, CLERK

ACCEPTED
362-23-07490
1/23/2023 2:11:47 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Pegah Nasrollahzadeh, CLERK

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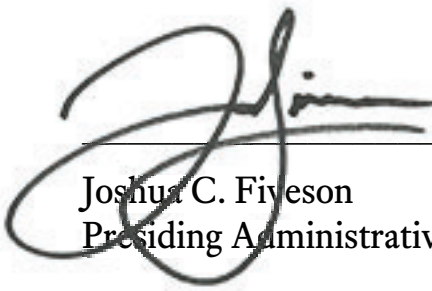
On January 19, 2023, the undersigned Administrative Law Judge (ALJ) convened a hearing on the merits in this matter. Staff was represented by Tyler Vance, and Respondent did not appear—either personally or through counsel. Staff Exhibits 1–3 were admitted and demonstrated adequate notice to Respondent.¹ Staff thereafter moved for a default dismissal. That motion is **GRANTED**, and the

¹ 1 Tex. Admin. Code § 155.501(b).

factual allegations detailed in the Notice of Hearing and the incorporated documents are deemed admitted.²

Respondent may file a motion to set aside this default within 15 days of the date of this order.³ Such motion must demonstrate good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion to set aside, or if the ALJ finds that the motion should be denied, this case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

SIGNED January 20, 2023

A handwritten signature in black ink, appearing to read 'J. Fiveson', is written over a horizontal line.

Joshua C. Fiveson
Presiding Administrative Law Judge

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code § 2001.056.

SOAH Docket No. 362-23-08474

Suffix: TLC

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

FILED
362-23-08474
2/10/2023 4:20 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Pegah Nasrollahzadeh, CLERK

**TEXAS LOTTERY COMMISSION,
PETITIONER**

ACCEPTED
362-23-08474
2/10/2023 4:21:53 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Pegah Nasrollahzadeh, CLERK

V.

**BIG DOG CONVENIENCE STORE INC DBA BIG DOG
CONVENIENCE STORE INC,
RESPONDENT**

ORDER GRANTING MOTION FOR DEFAULT

On February 9, 2023, the undersigned Administrative Law Judge (ALJ) convened a hearing on the merits in this matter. Attorney TLC Staff Kyle Wolfe appeared for the staff (Staff) of the Texas Lottery Commission (Commission). Big Dog Convenience Store Inc. d/b/a Big Dog Convenience Store Inc. (Respondent) did not appear and was not represented at the hearing. Staff Exhibits Exhibit 1, 2, and 3 were admitted showing proof of adequate notice to Respondent.¹ Upon

¹ 1 Tex. Admin. Code § 155.501(b), as amended effective November 29, 2020.

establishing adequate notice, Staff moved for a default dismissal. Staff's motion is **GRANTED**, and the factual allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion to set aside, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

Signed February 10, 2023



AMY DAVIS
ADMINISTRATIVE LAW JUDGE
STATE OFFICE OF ADMINISTRATIVE HEARINGS

² 1 Tex. Admin. Code § 155.501(d)(1), as amended effective November 29, 2020.

³ 1 Tex. Admin. Code § 155.501(e), as amended effective November 29, 2020.

⁴ Tex. Gov't Code § 2001.056.

FILED
362-23-09881
2/24/2023 9:04 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

ACCEPTED
362-23-09881
2/24/2023 9:05:51 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

SOAH Docket No. 362-23-09881

Suffix: TLC

BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

**TEXAS LOTTERY COMMISSION,
PETITIONER
v.
EL CERRITO MEAT MARKET LLC DBA EL CERRITO MEAT
MARKET LLC,
RESPONDENT**

DEFAULT DISMISSAL ORDER

On February 23, 2023, the undersigned Administrative Law Judge (ALJ) convened a hearing on the merits in this matter. Attorney Kyle Wolfe appeared for the staff (Staff) of the Texas Lottery Commission (Commission). El Cerrito Meat Market LLC d/b/a El Cerrito Meat Market LLC (Respondent) did not appear and was not represented at the hearing. Staff Exhibits 1, 2, and 3 were admitted showing proof of adequate notice to Respondent.¹ Upon establishing adequate notice, Staff moved for a default dismissal. Staff's motion is **GRANTED**, and the factual

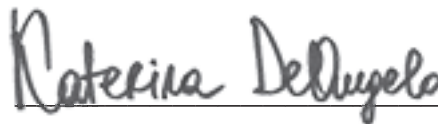
¹ 1 Tex. Admin. Code § 155.501(b).

allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion to set aside, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

Signed FEBRUARY 23, 2023.

ALJ Signature:

A handwritten signature in dark ink, reading "Katerina DeAngelo", is written over a horizontal line.

Katerina DeAngelo,

Presiding Administrative Law Judge

² 1 Tex. Admin. Code § 155.501(e)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code § 2001.056.

FILED
362-23-10363
3/8/2023 10:46 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

ACCEPTED
362-23-10363
3/8/2023 11:00:09 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

SOAH Docket No. 362-23-10363

Suffix: TLC

BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS

**TEXAS LOTTERY COMMISSION,
PETITIONER
V.
KP SHREE ENTERPRISES INC D/B/A WAYSIDE FOOD
MART,
RESPONDENT**

ORDER OF DEFAULT DISMISSAL

On March 2, 2023, the undersigned Administrative Law Judge (ALJ) convened a hearing on the merits in this matter. Attorney Tyler Vance appeared for the staff (Staff) of the Texas Lottery Commission (Commission). KP Shree Enterprises Inc d/b/a Wayside Food Mart (Respondent) did not appear and was not represented at the hearing. Staff Exhibits 1, 2, and 3 were admitted showing proof of adequate notice to Respondent.¹ Upon establishing adequate notice, Staff moved for a default dismissal. Staff's motion is GRANTED, and the

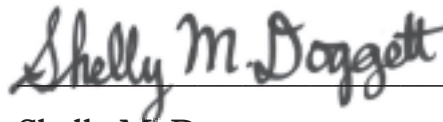
¹ 1 Tex. Admin. Code § 155.501(b).

factual allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion to set aside, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

Signed March 8, 2023.

ALJ Signature:

A handwritten signature in cursive script that reads "Shelly M. Doggett". The signature is written in dark ink and is positioned above a horizontal line.

Shelly M. Doggett,

Presiding Administrative Law Judge

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code § 2001.056.

Commission Order No. 23-0019

Date: APRIL 13, 2023

Case No. 2022-365

| | | |
|-----------------------------------|----------|---------------------------|
| IN THE MATTER OF | § | BEFORE THE TEXAS |
| | § | |
| SPEEDY SHOP LLC | § | |
| D/B/A TOMMY’S #27 | § | |
| | § | |
| TEXAS LOTTERY TICKET SALES | § | |
| AGENT LICENSE NO. 512701 | § | LOTTERY COMMISSION |

MEMORANDUM OF AGREEMENT AND CONSENT ORDER

The Texas Lottery Commission (Commission) and Speedy Shop LLC d/b/a Tommy’s #27 (Tommy’s #27) make the following Agreed Findings of Fact, Agreed Conclusions of Law, and Memorandum of Agreement, and enter into this Consent Order.

AGREED FINDINGS OF FACT

1. Tommy’s #27 holds Texas Lottery Ticket Sales Agent License No. 512701.
2. Behrooz Fayyazi is the managing member of Tommy’s #27, which is located at 13901 Hwy. 377 S., Benbrook, TX 76126.
3. On January 10, 2022, the Commission received a complaint that Tommy’s #27 accepted credit cards as a form of payment for Texas Lottery tickets. The Commission initiated an investigation into this complaint.
4. On January 27, 2022, Antonio Gonzalez-Apolonio, a Tommy’s #27 employee, without his employer’s consent, allowed a Commission investigator to purchase a lottery draw ticket with a credit card.

AGREED CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to Tex. Gov’t Code ch. 466 (State Lottery Act) and 16 Tex. Admin. Code ch. 401 (Commission rules).

2. Tommy's #27 is obligated to follow the provisions of the State Lottery Act and the Commission rules to maintain its Texas Lottery Ticket Sales Agent License.

3. Tex. Gov't Code §466.155(a) states, in pertinent part:

After a hearing, the director shall deny an application for a license or the commission shall suspend or revoke a license if the director or commission, as applicable, finds that the applicant or sales agent:

...

(5) has violated this chapter or a rule adopted under this chapter.

4. Tex. Gov't Code §466.3052(a) states:

A person commits an offense if the person intentionally or knowingly sells a ticket and the person accepts anything other than the following as payment for the ticket:

(1) United States currency;

(2) a negotiable instrument in the form of a check that meets the requirements of Section 3.104, Business & Commerce Code;

(3) a debit made through a financial institution debit card;

(4) a coupon or voucher issued by the commission for purposes of purchasing a lottery ticket; or

(5) a mail order subscription on a mail order subscription form authorized by the commission.

5. 16 Tex. Admin. Code §401.158(b) states, in pertinent part:

Without limiting the commission's ability to consider factors listed in §401.153(b) of this title as grounds for suspension or revocation of a license issued under this subchapter, the commission may also suspend or revoke a license for reasons including, but not limited to, any of the following:

...

(27) licensee intentionally or knowingly sells a ticket and accepts anything for payment not specifically allowed under the State Lottery Act.

6. 16 Tex. Admin. Code §401.366 states:

Each retailer agrees to operate in a manner consistent with the State Lottery Act, applicable federal laws, Texas laws, local ordinances, with all terms and conditions related to the retailer's license, with all requirements set forth in the most recent Retailer Manual, the rules and regulations promulgated by the commission, and with his/her or its license from the Texas Lottery.

7. The Texas Legislature has mandated that the Commission “exercise strict control and close supervision over all lottery games conducted in this state to promote and ensure integrity, security, honesty, and fairness in the operation and administration of the lottery.” Tex. Gov’t Code §466.014(a).

8. Under Texas law, an employer is liable, vicariously, for the acts of its servants committed in the course and scope of their employment. *GTE Southwest, Inc. v. Bruce*, 998 S.W.2d 605, 617–18 (Tex. 1999). An employee is acting within the scope of their employment if they are performing duties generally assigned to them, regardless of whether the employee acted intentionally and unlawfully. *Fink v. Anderson*, 477 S.W.3d 460, 468 (Tex. App.— Houston [1st Dist.] 2015, no pet.).

9. The State Lottery Act recognizes that a sales agent’s unlicensed employees may lawfully perform lottery-related duties of their licensee employers, including selling and handling lottery tickets and handling the revenue generated from ticket sales. Tex. Gov’t Code §§ 466.201(a)(7), 466.303(a), 466.305(a), 466.3051(a), and 466.353(a). Thus, the Commission’s ability to attribute employee violations committed within the course and scope of their employment to their licensee employer is within the Commission’s implied authority and is reasonably necessary to fulfill the Commission’s express duty to exercise strict control and supervision over the lottery.

10. The Texas Lottery Ticket Sales Agent License of Tommy’s #27 is subject to suspension or revocation pursuant to Tex. Gov’t Code §466.155(a)(5), as a result of Tommy’s #27’s violation of Tex. Gov’t Code §466.3052(a) and 16 Tex. Admin. Code §§ 401.158(b)(27) and 401.366.

MEMORANDUM OF AGREEMENT

1. By signing this Memorandum of Agreement, Tommy's #27 agrees to these terms, acknowledges understanding them, and waives all rights to procedural requirements for the entry of the Consent Order (Order) consistent with the terms of this Memorandum of Agreement, including but not limited to the right to notice of hearing, a formal hearing, a proposal for decision, a rehearing, and any right to seek judicial review of the Order, provided the Texas Lottery Commission accepts the Memorandum of Agreement and the term of suspension therein stated.

2. The effective date of this Memorandum of Agreement and Consent Order shall be the date the Order is signed by the Commission.

3. Tommy's #27 understands that, as a result of its violation of Tex. Gov't Code §466.3052(a) and 16 Tex. Admin. Code §§ 401.158(b)(27) and 401.366, its Ticket Sales Agent License will be suspended for a period of thirty (30) consecutive days. The suspension period will begin within seven (7) days from the date the Order is signed by the Commission. During the period of suspension, Tommy's #27 agrees that it will not sell Texas Lottery tickets of any kind, will not validate Texas Lottery tickets, and will not pay lottery prizes to customers.

4. During the entire period of suspension hereunder, Tommy's #27 is required to post a notice of suspension in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Tommy's #27's Ticket Sales Agent License is posted.

5. Tommy's #27 agrees this Memorandum of Agreement and Consent Order applies only to the facts and circumstances stated herein. The Commission reserves the right to take additional disciplinary action, up to and including suspension or revocation of Tommy's #27's Ticket Sales Agent License, for any further violations of the State Lottery Act or Commission rules.

6. Tommy's #27 acknowledges and agrees that this Memorandum of Agreement and Consent Order, and the Agreed Findings of Fact and the Agreed Conclusions of Law contained herein.

7. Tommy's #27 agrees that if, after a formal hearing on the sole issue of compliance with the Memorandum of Agreement and Consent Order, it is found that Tommy's #27 has failed to comply with the terms of the Memorandum of Agreement and Consent Order, disciplinary action shall be taken against Tommy's #27, up to and including revocation of its Texas Lottery Ticket Sales Agent License.


8. Tommy's #27 agrees to provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins. It further agrees that these active tickets will settle on the date the suspension begins, and Tommy's #27 will be charged for tickets sold on or before that date. Tommy's #27 will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

AGREED AS TO FORM AND SUBSTANCE:

Speedy Shop LLC
d/b/a Tommy's #27


Texas Lottery Commission
Lottery Operations Division

By:


Behrooz Fayyazi
Managing Member

DATE

Rev.


Robert Tirloni
Director

3-3-23
3/3/2023

DATE

Commission Order No. 23-0019

Date: APRIL 13, 2023

Case No. 2022-365

| | | |
|-----------------------------------|----------|---------------------------|
| IN THE MATTER OF | § | BEFORE THE TEXAS |
| | § | |
| SPEEDY SHOP LLC | § | |
| D/B/A TOMMY’S #27 | § | |
| | § | |
| TEXAS LOTTERY TICKET SALES | § | |
| AGENT LICENSE NO. 512701 | § | LOTTERY COMMISSION |

CONSENT ORDER

NOW, THEREFORE, IT IS ORDERED by the Texas Lottery Commission (Commission), based on the above Agreed Findings of Fact, Conclusions of Law and Memorandum of Agreement, which are hereby adopted and incorporated by reference as if fully set out and separately stated herein, as follows:

(1) IT IS ORDERED by the Commission that, in lieu of revocation of the Texas Lottery Ticket Sales Agent License of Speedy Shop LLC d/b/a Tommy’s #27 (Tommy’s #27), the license is suspended for a period of thirty (30) consecutive days. The suspension period will begin within seven (7) days from the date this Consent Order (Order) is signed by the Commission. During the period of suspension, Tommy’s #27 shall not sell Texas Lottery tickets of any kind, shall not validate Texas Lottery tickets, and shall not pay lottery prizes to customers.

(2) IT IS FURTHER ORDERED by the Commission that, during the entire period of suspension, Tommy’s #27 shall post a notice of suspension, in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Tommy’s #27’s Texas Lottery Ticket Sales Agent License is posted.

Commission Order No. 23-0019

Date: APRIL 13, 2023

(3) IT IS FURTHER ORDERED by the Commission that if, after a formal hearing on the sole issue of compliance with this Order, it is found that Tommy's #27 has failed to comply with the terms of this Order, disciplinary action shall be taken against Tommy's #27, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

(4) IT IS FURTHER ORDERED by the Commission that Tommy's #27 shall provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins, that these active tickets will settle on that date, and Tommy's #27 will be charged for the tickets sold on or before that date. Tommy's #27 will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

Commission Order No. 23-0019

Date: APRIL 13, 2023

Passed and approved at the regular meeting of the Texas Lottery Commission in Austin, Texas, on the 13TH day of APRIL 2023.

Entered this 13TH day of APRIL 2023.

ROBERT G. RIVERA, CHAIRMAN

CINDY FIELDS, COMMISSIONER

MARK A. FRANZ, COMMISSIONER

ERIK C. SAENZ, COMMISSIONER

JAMES H. C. STEEN, COMMISSIONER