

STATE OF ARIZONA
DEPARTMENT OF GAMING
RACING DIVISION

In the Matter of
BENJAMIN KALE KING,
License No. 21361,
Respondent.

Case No. 17A-013-DOR
NOTICE OF HEARING

DIRECTED TO:

Benjamin Kale King
2012 S Highway 137
Lamesa, TX 79331

YOU ARE HEREBY NOTIFIED that, pursuant to A.R.S. §§ 5-104 *et seq.* and 14-1092 *et seq.*, the Director of the Division of Racing (“Director”) will conduct a hearing at 10:00 a.m., on Wednesday, July 26, 2017. The hearing will take place in the conference room of the Arizona Department of Gaming located at 1110 W. Washington Street, Suite 450, Phoenix, Arizona, to determine whether the Director will take further disciplinary action against the above-named licensee.

You may appear with or without the assistance of an attorney on the date and at the time and place specified in this Notice of Hearing. You may present testimony and argument in support of your position with respect to the Turf Board of Stewards’ Ruling No. 16-17TP115 dated April 25, 2017 in which the Stewards found that you failed to provide the necessary documentation to complete the licensing requirements, or with regard to the request that the Director should take further disciplinary action against you.

Pursuant to their authority, in Ruling 16-17TP102 dated April 9, 2017, the Stewards summarily suspended your A.D.G. Owner License No. 21361, for failing to provide fingerprint cards to the Racing Division pursuant to A.A.C. R19-2-106(B)(4) and R19-2-106(D)(3)(a)(i-iii), and failure to respond to the stewards’ efforts to contact you. On April 9, 2017, the Stewards set a hearing in the above matter for April 15, 2017. You failed to appear for that hearing, therefore, the Stewards issued Ruling 16-17TP115, in which the Stewards fined you Two Hundred Ten Dollars (\$210.00), including the 5% Race Horse Adoption Fund

1 surcharge, and denied you access to all grounds under the jurisdiction of the Arizona
2 Department of Gaming/Racing Division. Additionally, the Stewards referred this matter to the
3 Director with the recommendation that the A.D.G. Owner License No. 21361 be revoked. The
4 rules that may apply to any decision of the Racing Division are Arizona Revised Statutes §§ 5-
5 108 and 5-108.05; and Arizona Administrative Code R19-2-102(76); R19-2-112(12); and R19-
6 2-121(E).

7 **YOU ARE FURTHER NOTIFIED** that if you fail to appear, the Director may
8 proceed and determine the matter in your absence pursuant to A.A.C. R19-2-123(D)(2).

9 Pursuant to A.R.S. § 41-1092.06(A), you have the right to request an informal
10 settlement conference by filing a written request with the Department no later than twenty (20)
11 days before the scheduled hearing. The conference will be held within fifteen (15) days after
12 receipt of your request. Please note that at any such informal settlement conference, written or
13 oral statements created by you solely for the purposes of settlement are inadmissible in any
14 subsequent administrative hearing. Should you elect to have an informal settlement
15 conference, you waive any right to object to the participation of the Department's
16 representative in the final administrative decision of the matter if it is not settled at the
17 conference.

18 In accordance with Title II of the Americans with Disabilities Act (ADA), the
19 Department does not discriminate on the basis of disability in admission to and participation in
20 hearings. Should you, or anyone you call as a witness need special accommodations, please
21 contact Cassie Goodwin at (602) 255-3876 at least five (5) business days before the hearing.

22 DATED this 15th day of June, 2017

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24 
25 RUDY CASILLAS
26 DIRECTOR RACING DIVISION
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1 A copy of the foregoing Notice served by EMAIL and FIRST CLASS MAIL this 15th day of
2 June, 2017 upon:

3 Benjamin Kale King
4 2012 S HWY 137
5 Lamesa, TX 79331
6 KKLAMESA@YAHOO.COM

7 A copy HAND-DELIVERED to:

8 Deanie Reh
9 Assistant Attorney General
10 15 S. 15th Ave.
11 Phoenix, AZ 85007

12 Turf Paradise Board of Stewards
13 Enforcement & Compliance, A.D.G. Division of Racing
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15 By  _____
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