



1 NGC Case No. 17-01

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3
4 STATE OF NEVADA

5 BEFORE THE NEVADA GAMING COMMISSION

6 JOSEPH WHIT MOODY,
7 a.k.a. Joseph W. Moody, Joseph Moody,
8 Joe Moody,
9 From Licensed Gaming Establishments
10 In the State of Nevada.

FINAL ORDER OF EXCLUSION

11 On March 8, 2018, the Nevada Gaming Control Board (Board) entered its Order
12 nominating JOSEPH WHIT MOODY as a candidate to the List of Excluded Persons
13 pursuant to Nevada Revised Statutes (NRS) 463.151 through 463.155 and Nevada
14 Gaming Commission Regulation 28. After being served the Notice of Candidacy and
15 Order of Nomination to List of Excluded Persons by certified mail to the address of
16 JOSEPH WHIT MOODY's last known to the Board on March 14, 2018, and additionally
17 served by publication in the Las Vegas Review Journal, JOSEPH WHIT MOODY failed to
18 request a hearing before the Nevada Gaming Commission (Commission) pursuant to NRS
19 463.153(1). The Board filed a Bill of Particulars on July 6, 2018. This matter came before
20 the Commission on August 23, 2018. JOHN S. MICHELA, Senior Deputy Attorney
21 General, appeared on behalf of the Board.

22 Having reviewed and carefully considered the record, together with all of the
23 evidence presented, the Commission, believing it to be fully advised on the facts and
24 issues before it, makes the following findings:

25 FINDINGS OF FACT

26 1. Pursuant to NRS 463.151(3)(a), JOSEPH WHIT MOODY has been convicted of
27 crimes that are felonies in this state. Specifically:

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- 1 a) On or about November 23, 2009, JOSEPH WHIT MOODY was convicted in
2 Nevada of Burglary in violation of NRS 205.060, a Category B Felony, and
3 was sentenced to forty-eight (48) months in the Nevada Department of
4 Corrections. The facts giving rise to this conviction occurred in a licensed
5 gaming establishment.
- 6 b) On or about October 22, 2015, JOSEPH WHIT MOODY was convicted in
7 Nevada of Burglary in violation of NRS 205.060, a Category B Felony, and
8 was sentenced to twelve (12) to thirty (30) months in the Nevada
9 Department of Corrections, suspended, and placed on probation. The facts
10 giving rise to this conviction occurred in a licensed gaming establishment.

11 2. Pursuant to NRS 463.151(3)(a), JOSEPH WHIT MOODY has been convicted of
12 crimes involving moral turpitude. Specifically:

- 13 a) On or about November 23, 2009, JOSEPH WHIT MOODY was convicted in
14 Nevada of Burglary in violation of NRS 205.060, a Category B Felony, and
15 was sentenced to forty-eight (48) months in the Nevada Department of
16 Corrections. The facts giving rise to this conviction occurred in a licensed
17 gaming establishment.
- 18 b) On or about October 22, 2015, JOSEPH WHIT MOODY was convicted
19 Nevada of Burglary in violation of NRS 205.060, a Category B Felony, and
20 was sentenced to twelve (12) to thirty (30) months in the Nevada
21 Department of Corrections, suspended, and placed on probation. The facts
22 giving rise to this conviction occurred in a licensed gaming establishment.
- 23 c) On or about October 8, 2009, JOSEPH WHIT MOODY was convicted in
24 Nevada of Petit Larceny in violation of NRS 205.240, a Misdemeanor, and
25 sentenced to fifteen (15) days in jail. The facts giving rise to this conviction
26 occurred in a licensed gaming establishment.
- 27 d) On or about June 2, 2009, JOSEPH WHIT MOODY pled guilty in Nevada to
28 Petit Larceny, a Misdemeanor, and was sentenced to five (5) months in jail.

1 The facts giving rise to this conviction occurred in a licensed gaming
2 establishment.

3 e) On or about June 2, 2009, JOSEPH WHIT MOODY pled guilty in Nevada to
4 Petit Larceny, a Misdemeanor, and was sentenced to credit for time served.

5 The facts giving rise to this conviction occurred in a licensed gaming
6 establishment.

7 f) On or about February 13, 2013, JOSEPH WHIT MOODY pled guilty in
8 Nevada to Conspiracy to Commit Larceny in violation of NRS 199.480,
9 205.220, and 205.222, a Gross Misdemeanor, and was sentenced to twelve
10 (12) months in the Clark County Detention Center. The facts giving rise to
11 this conviction occurred in a licensed gaming establishment.

12 3. JOSEPH WHIT MOODY continues to have contacts with the State of Nevada
13 and poses a threat to the interests of the State of Nevada and to licensed gaming as
14 demonstrated by the fact that JOSEPH WHIT MOODY seems to be incapable of staying
15 out of trouble in Nevada casinos and poses a threat to the interests of the State of Nevada
16 and to licensed gaming. This is clearly demonstrated by the fact that JOSEPH WHIT
17 MOODY, in addition to the six (6) Nevada casino-related convictions set out above, has a
18 clear *modus operandi* for his crimes in Nevada casinos and is known to have operated
19 under this modus operandi, or in a similar manner, in excess of ninety (90) times.

20 4. The race, color, creed, national origin, ancestry or sex of JOSEPH WHIT
21 MOODY is not and has not been considered for placing his name on the List of Excluded
22 Persons.

23 CONCLUSIONS OF LAW

24 5. The Commission has jurisdiction in this matter pursuant to NRS 463.153(1).

25 6. The procedural requirements of the Nevada Gaming Control Act and Nevada
26 Gaming Commission Regulation 28 have been satisfied.

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1 7. The sole issue before the Commission is whether at least one (1) of the criteria
2 set forth in NRS 463.151(3) to place JOSEPH WHIT MOODY on the List of Excluded
3 Persons has been met.

4 8. The Nevada Legislature has provided that the Board may nominate and the
5 Commission may so include a person on the List of Excluded Persons by reason of the fact
6 that such person has a "[p]rior conviction of a crime which is a felony in this state or
7 under the laws of the United States, a crime involving moral turpitude or a violation of
8 the gaming laws of any state." NRS 463.151(3)(a).

9 9. The Commission has also determined that a finding of any one of the criteria set
10 forth in NRS 463.151(3) is sufficient to place the name of an individual on the List of
11 Excluded Persons. *See Nev. Gaming Comm'n Reg. 28.010(2).*

12 10. Given the preceding findings of fact, the criteria of NRS 463.151(3)(a), that
13 JOSEPH WHIT MOODY has been convicted of a crime which is a felony under the laws
14 of this state, is met. The criteria of NRS 463.151(3)(a), that JOSEPH WHIT MOODY has
15 been convicted of crimes involving moral turpitude, is met. Each of these, standing on its
16 own, is sufficient to place JOSEPH WHIT MOODY on the list of persons to be excluded or
17 ejected from any licensed gaming establishment in the State of Nevada which conducts
18 pari-mutuel wagering or operates any race book, sports pool, or games, other than slot
19 machines only.

20 11. Should any of the foregoing Conclusions of Law be deemed Findings of Fact,
21 they shall be so construed.

22 Accordingly, the Commission finds and concludes that JOSEPH WHIT MOODY is
23 a person whose presence in licensed gaming establishments would pose a threat to the
24 interests of this state or to licensed gaming, or both. Based on the foregoing, and good
25 cause appearing:

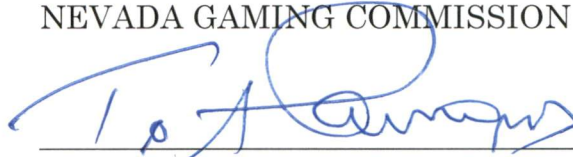
26 IT IS HEREBY ORDERED that JOSEPH WHIT MOODY be, and hereby is placed,
27 on the list of persons to be excluded or ejected from any licensed gaming establishment in

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1 the State of Nevada which conducts pari-mutuel wagering or operates any race book,
2 sports pool or games, other than slot machines only.

3 DATED this 23RD day of August, 2018.

4 NEVADA GAMING COMMISSION

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7 TONY ALAMO, M.D., Chairman

8 Submitted by:

9 ADAM PAUL LAXALT
10 Attorney General

11 By:


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