

**BEFORE THE
PENNSYLVANIA GAMING CONTROL BOARD**

FILED
April 26, 2024
11755-2024
Board Clerk PGCB

COMMONWEALTH OF PENNSYLVANIA	:	
GAMING CONTROL BOARD	:	
BUREAU OF INVESTIGATIONS AND	:	PETITION FOR
ENFORCEMENT,	:	PLACEMENT ON
Petitioner	:	THE EXCLUSION LIST
	:	
v.	:	INV. ID NO. 105232-E10952-24
	:	
MANSABORIE M CONDE,	:	OHA DKT. NO.
Respondent	:	

**PETITION FOR PLACEMENT OF MANSABORIE M CONDE
ON THE EXCLUSION LIST**

AND NOW COMES the Petitioner, Commonwealth of Pennsylvania, Gaming Control Board (“Board”), Bureau of Investigations and Enforcement (“BIE”), by and through the Office of Enforcement Counsel (“OEC”), and files this Petition for the Placement of Mansaborie M. Conde (“the Respondent”) on the Exclusion List and in support thereof states the following:

PARTIES

1. Petitioner, BIE and the OEC maintains its headquarters at 303 Walnut Street, Strawberry Square, 10th Floor, Commonwealth Tower, Harrisburg, PA 17101.
2. Stadium Casino RE, LLC doing business as Live Casino and Hotel Philadelphia (“Live!”) is the holder of a Category 2 license as approved by the Board.
3. Live!’s principal place of business is 900 Packer Ave., Philadelphia, PA 19148.
4. The Respondent’s last known address is 9314 Queens Post Cr., Laurel, MD 20723.

5. The Respondent is an African American male with brown eyes, black hair with a birth date of January 20, 1999.
6. If the Respondent is placed on the Exclusion List, a physical description of the Respondent, along with the Respondent's date of birth and a recent photograph will be provided to all slot machine licensees as required by Chapter 511 of the regulations promulgated by the Board ("Regulations") pursuant to 4 Pa.C.S. §§1101 et seq., known as the Pennsylvania Race Horse Development and Gaming Act ("Act"). 58 Pa. Code § 511a.2.
7. If the Board orders the Respondent to be placed on the exclusion list, the information regarding Respondent's inimical activity, picture, physical description, date of birth, and other pertinent information will be placed on the Board's public website along with other excluded individuals.

STATEMENT OF JURISDICTION

8. Section 1517 of the Act grants OEC the authority to initiate, at its sole discretion, non-criminal violation proceedings by filing a pleading with the Board. 4 Pa.C.S. § 1517(a.2)(1)(iii).
9. Chapter 511 of the Regulations requires BIE to "investigate a person to determine whether the person meets the criteria for exclusion [per Act and Regulations]." 58 Pa. Code § 511a.4(a).
10. Upon completion of an investigation, if the BIE determines that an individual should be placed on the exclusion list, it will file a petition for exclusion with the Board, identifying the candidate, setting forth a factual basis for the petition and including information, which demonstrates that the individual satisfies the criteria for exclusion under Section 1514 of the Act or Chapter 511a of the Regulations. 4 Pa.C.S. § 1514; 58 Pa. Code § 511a.4(b).

11. Venue is proper as Chapter 491 of the Regulations states that hearings will be conducted in Harrisburg, Pennsylvania, unless otherwise directed by the Board. 58 Pa. Code § 491a.8(e).

RELEVANT STATUTORY AND REGULATORY SECTIONS

12. The Act and the Regulations mandate that the PGCB establish a list of persons who are to be excluded or ejected from any licensed facility whose presence would be inimical to the interest of the Commonwealth or of licensed gaming therein, including “persons who have performed an act or have a notorious or unsavory reputation that would adversely affect public confidence and trust in gaming, including, being identified with criminal activities in published reports of various Federal and State legislative and executive bodies that have inquired into criminal or organized criminal activities.” 4 Pa. C.S. § 1514; 58 Pa. Code § 511a.3(a)(4)(ix).
13. Pursuant to Chapter 511 of the Regulations, a person’s presence may be considered “inimical to the interest of the Commonwealth or of licensed gaming therein”, or both if known attributes of the person’s character and background meet one of the following criteria:
 - a. are incompatible with the maintenance of public confidence and trust in the credibility, integrity, and stability of the operation of a licensed facility;
 - b. may reasonably be expected to impair the public perception of, and confidence in, the strict regulatory process created by the Gaming Act; or
 - c. creates or enhances a risk of the fact or appearance of unsuitable, unfair or illegal practices, methods or activities in the conduct of gaming or in the business or financial arrangements incidental thereto.

58 Pa. Code § 511a.3(b).

14. Pursuant to Chapter 511 of the Regulations, a finding of inimicality may be based upon:
 - a. the nature and notoriety of the character or background of the person;

- b. the history and nature of the involvement of the person with licensed gaming in this Commonwealth or another jurisdiction, or with a particular slot machine licensee or licensees or an affiliate, intermediary, subsidiary or holding company thereof;
- c. the nature and frequency of contacts or associations of the person with a slot machine licensee or licensees, or with employees or agents thereof; or
- d. other factors reasonably related to the maintenance of public confidence in the efficacy of the regulatory process and the integrity of gaming operations, the gaming industry and its employees.

58 Pa. Code § 511a.3(c).

- 15. Respondent's race, color, creed, national origin or ancestry and sex is not a reason the OEC seeks to place Respondent's name on the exclusion list. 4 Pa. C.S. § 1514(c); 58 Pa. Code § 511a.3(d).
- 16. Red cheques are valued at \$5.00 and a black cheques are valued at \$100.00. 58 PA § 603a.3(c).

FACTUAL BASIS FOR EXCLUSION

- 17. Based upon information received and believed,¹ the Respondent was present in Live! on May 27, 2023.
- 18. At 9:32 p.m.², a male patron ("Victim") walked away from Midibaccarat table MD207, spot 7, leaving eighteen (18) black cheques on the table.
- 19. At 9:35 p.m. Respondent walked up to table MD207 and watched briefly before sitting down at spot 7.
- 20. At 9:41 p.m. Respondent placed a red cheque on the spot 8 tie wager. The wager lost and

¹ All factual information in this Petition pertaining to these incidents are based upon information received and believed unless otherwise noted.

² All dates and times are approximate unless otherwise noted.

was collected by the Dealer.

21. At 9:43 p.m. Respondent placed a three (3) pink cheque Banker wager on spot 7. The wager lost and was collected by the Dealer.
22. Respondent left the table at 9:52 p.m. but returned to spot 7 a minute later.
23. The Dealer picked up a card pick up bag at 9:53 p.m. and began to remove the cards from play.
24. At 9:57 p.m., while the Dealer was finishing the process to remove the cards from play, Respondent touched the Victim's cheques without taking them. Respondent then picked up the Victim's cheques and left the table.
25. At 9:59 p.m. Respondent approached the Cage window where he cashed out eighteen black cheques and three red cheques and received \$1,815.00.
26. Respondent exited the casino at 10:01 p.m. and entered the elevator.
27. At 10:02 p.m. Respondent exited the elevator on the top floor of the parking garage. Respondent entered a red four door sedan and exited the parking garage.
28. Respondent returned to the casino in the red four door sedan at 10:25 p.m. at the Main Lobby Entrance. A female patron entered the vehicle, and a male exited the vehicle.
29. Respondent was stopped by Pennsylvania State Police ("PSP") before he could drive off the casino's property again.
30. At 10:31 p.m. Respondent exited the vehicle and was placed in handcuffs and placed in the back of a PSP vehicle.
31. Respondent was driven to rear of the casino and escorted into the PSP Office in the Back of the House.
32. At 12:31 a.m. on May 28, 2023, Respondent exited PSP's Office, was escorted to the rear exit where he was placed in a Philadelphia Police Department van and driven off property.

33. Respondent paid \$500.00 toward restitution to the Victim.
34. PSP charged Respondent with Theft by Unlawful Taking- Moveable Property, a first degree misdemeanor, Receiving Stolen Property, a first degree misdemeanor, and Unlawful to Take/Claim/Manipulate with Intent to Defraud/Cheat, a first degree misdemeanor. *Commonwealth v. Conde*, P.C.C.P. MC-51-CR-0009482-2023. These charges are still pending.
35. Live! permanently banned Respondent from the casino as a result of this incident.
36. By and through the herein described conduct, Respondent performed an act or has a notorious or unsavory reputation adversely affecting public confidence and trust in gaming if permitted to game at Pennsylvania casinos, including, being identified with criminal activities in published reports of various Federal and State legislative and executive bodies that have inquired into criminal or organized criminal activities.
37. By engaging in the acts and practices described above, the Respondent meets the definition of a person whose presence is inimical to both the interest of the Commonwealth and of licensed gaming therein.
38. Based upon the allegations contained in the aforementioned paragraphs, the Respondent meets the criteria of exclusion as set forth in 58 Pa. Code §§ 511a.3(a)(4)(ix).

WHEREFORE, Petitioner requests that the Board place Mansaborie Conde on the Exclusion List under the procedures set forth in 58 Pa. Code § 511a.4.

DATED: April 22, 2024

Respectfully Submitted,

Office of Enforcement Counsel
Cyrus R. Pitre, Chief Enforcement Counsel

By:

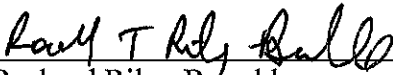
A handwritten signature in black ink, appearing to read 'Andrea L. Roberts', with a stylized flourish at the end.

Andrea L. Roberts, Esquire
Assistant Enforcement Counsel
Pennsylvania Supreme Court ID #333612
Pennsylvania Gaming Control Board
Office of Enforcement Counsel
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Commonwealth Tower, 10th Floor
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andrearobe@pa.gov
(717) 307-2148

VERIFICATION

The undersigned hereby states that the facts above set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 4-24-24



Rachard Riley-Bramble
Casino Compliance Representative
Bureau of Casino Compliance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of April, 2024 a copy of the Petition was served upon Respondent in the manner of both Certified Mail and U.S. First Class Mail, at:

Mansaborie Conde
9314 Queens Post Cr.
Laurel, MD 20723

Office of Enforcement Counsel
Cyrus R. Pitre, Chief Enforcement Counsel

By:

A handwritten signature in black ink, appearing to read 'Andrea Roberts', with a long horizontal flourish extending to the right.

Andrea Roberts, Esquire
Assistant Enforcement Counsel
Pennsylvania Supreme Court ID #333612
Pennsylvania Gaming Control Board
Office of Enforcement Counsel
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PENNSYLVANIA GAMING CONTROL BOARD**

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BUREAU OF INVESTIGATIONS AND	:	
ENFORCEMENT,	:	OHA DKT. NO.
Petitioner	:	
	:	
v.	:	INV. ID NO. 105232-E10952-24
MANSABORIE CONDE,	:	
Respondent	:	

PROPOSED ORDER

AND NOW this _____ day of _____, 2024, the Pennsylvania Gaming Control Board, pursuant to the Act of July 5, 2004 (P.L. 57, No. 71) known as the Pennsylvania Race Horse Development and Gaming Act, 4 Pa. C.S. §§ 1101 et seq., hereby ORDERS that Mansaborie Conde be placed on the Exclusion List pursuant to 4 Pa. C.S. § 1514.

Pennsylvania Gaming Control Board

Denise J. Smyler, Chair

If you disagree with the Board’s Decision and Order you have the right to file an appeal with the Commonwealth Court of Pennsylvania within thirty (30) days of the date of the Order. See Pennsylvania Rule of Appellate Procedure 1512.

Notice of Hearing Rights

In accordance with 58 Pa. Code §493a.5, you have the following rights in connection with the attached pleading, which has been filed with the Clerk to the Board.

Answer to Filing

Within 30 days of service of the complaint or petition filed by the complainant, the respondent may file with the Clerk an Answer to the filing which may contain:

- (1) Admissions of matter complained of and the alleged facts, in whole or part.
- (2) New matter or explanation by way of defense.
- (3) Legal objections.
- (4) Affirmative defenses.
- (5) A request for a hearing.

Answers shall be filed with the Clerk and other parties **within 30 days** after the date of service of a complaint, petition, motion or other pleading, unless a different time is prescribed by the Board or presiding officer. **All Answers must be in writing.**

Hearing on the Merits

The respondent may be entitled to a hearing on the merits if the respondent files the required Answer within thirty (30) days.

Failure to File/Appeal

Failure to timely file an Answer or to appear at a subsequent hearing constitutes an admission of all matters and facts contained in the complaint or petition and a waiver of the respondent's rights to a hearing. The Board may conduct a hearing despite a respondent's failure to timely file the required Answer or to appear at the hearing.

All responses may be filed with the Office of Hearings and Appeals at the following address:

Pennsylvania Gaming Control Board
Bureau of Hearings and Appeals
Office of the Board Clerk
Strawberry Square Complex, 2nd Floor
P. O. Box 69060
Harrisburg, Pennsylvania 17101
(717) 265-7451 - phone
(717) 265-7416 - fax
boardclerk@pa.gov



HEARING REQUEST FORM - EXCLUSIONS

PURSUANT TO 4 Pa.C.S. § 1514(a), THE BOARD SHALL PROVIDE FOR THE EXCLUSION OF INDIVIDUALS WHO ARE CAREER OR PROFESSIONAL OFFENDERS, OR ARE INIMICAL TO THE INTEREST OF THE COMMONWEALTH

**THIS FORM MUST BE RETURNED TO THE ADDRESS BELOW
WITHIN THIRTY (30) DAYS OF RECEIPT.**

Pennsylvania Gaming Control Board, Office of Hearings and Appeals, Board Clerk

303 Walnut Street/Strawberry Square

Commonwealth Tower, 5th Floor

Harrisburg, Pennsylvania 17101

(717) 265-7451 - phone; (717) 265-7416 - fax

Via email to boardclerk@pa.gov

I, _____, request a hearing in this matter.
Name (Please Print)

Please check one of the following options to participate in your hearing:

____ Video hearing via Microsoft Teams Application from your computer, cell phone or other device. An invitation will be sent to the email address provided below.

____ Telephone hearing where you will connect to the hearing via a Microsoft Teams Application and testify from your telephone. An invitation will be sent to the email address provided below.

____ I do not wish to participate in the hearing by video or telephone. I wish to appear in person at a Board office. I understand that Board employees may appear by video even though I am appearing in person.

****Understand that if your hearing involves the use of video surveillance by the Office of Enforcement Counsel, you will be required to participate from a Board office nearest to the address provided below. You will be notified by the Board Clerk if that is necessary, and the location of the hearing.**

I understand that it is my responsibility to notify the Office of Hearings and Appeals of any change of my physical or email addresses.

(Signature)

E-Mail Address

Street Address

City

State

Zip

Date

Telephone number