

1 NGC Case No. 15-10

2

3

4

STATE OF NEVADA

5

BEFORE THE NEVADA GAMING COMMISSION

6 In the Matter of the Exclusion of:

7 BUJAR KALOSHI,
a.k.a.: Bujan Kaloshi; Bruce Kaloshi; Bruce
8 Koloshi; Bruce Kaloski; Steve Alberts; Jef-
fery Elliott; and Ken O'Brien.

FINAL ORDER OF EXCLUSION

9

10 From Licensed Gaming Establishments in
the State of Nevada.

11

12

13

14

15

16

17

18

19

20

21

22

23

On April 7, 2016, the Nevada Gaming Control Board (Board) entered its Order nominating BUJAR KALOSHI (KALOSHI) (a.k.a.: Bujan Kaloshi; Bruce Kaloshi; Bruce Koloshi; Bruce Kaloski; Steve Alberts; Jeffery Elliott; and Ken O'Brien) as a candidate to Nevada's List of Excluded Persons pursuant to Nevada Revised Statutes (NRS) 463.151 through NRS 463.155 and Nevada Gaming Commission (Commission or NGC) Regulation 28. After being served by certified mail with the Notice of Candidacy and Order of Nomination to List of Excluded Persons on May 27, 2016, KALOSHI failed to request a hearing before the Commission per NRS 463.153(1). On November 22, 2016, KALOSHI was served by certified mail with a Bill of Particulars and Notice of Meeting. This matter came before the Commission on December 22, 2016. KALOSHI, being duly noticed of the hearing, did not appear either in person or through legal counsel. EDWARD L. MAGAW, Deputy Attorney General, appeared at the hearing on behalf of the Board.

24

25

26

27

28

Having reviewed and carefully considered the record together with all of the evidence presented, the Commission, believing to be fully advised on the facts and issues before it, finds as follows:

....

....

1 FINDINGS OF FACT

2 1. Pursuant to NRS 463.151(3)(a), KALOSHI has been convicted of numerous
3 crimes that constitute felonies in this state and/or constitute violations of the gaming
4 laws of any state. Specifically:

5 a) In or around November 2000, in the Second Judicial District Court of Neva-
6 da, a jury found KALOSHI guilty of one count of Conspiracy to Cheat at Gaming, a viola-
7 tion of NRS 465.083 and NRS 465.088(2), a felony. *See State of Nevada vs. Bruce Kaloshi,*
8 2nd Judicial District Court of Nevada, Case No. CR99-1995C. The Jury found that KA-
9 LOSHI conspired with two co-defendants on or between January 9, 1998, and October 18,
10 1998, in Reno, Nevada, to cheat at gaming in a game of blackjack by bending/crimping
11 cards. *See id.* The Judgment was entered by the Court on or about January 18, 2001. As a
12 result of his conviction, KALOSHI received a sentence of twelve (12) to thirty (30) months
13 in the Nevada State Prison. *See id.* The sentence was suspended and KALOSHI was
14 placed on probation for a period of time not to exceed twenty-four (24) months. *See id.* The
15 case was appealed to the Nevada Supreme Court, which upheld the verdict and imposi-
16 tion of the original sentence. *See Kaloshi vs. State,* Nevada Supreme Court Case No.
17 44785.

18 b) On or about August 2, 2005, in the Eighth Judicial District Court of Nevada,
19 KALOSHI entered a plea of guilty to the charge of Cheating at Gambling, a violation of
20 NRS 465.015, 465.083, and 465.088, a category B felony. *See State of Nevada vs. Bujar*
21 *Kaloshi, aka Jeffrey Elliott,* 8th Judicial District Court of Nevada, Case No. C208551. The
22 charge relates to KALOSHI's marking of playing cards in certain gambling games in
23 which he participated at multiple casinos located in Las Vegas, Nevada, in or around Au-
24 gust 2004. *See id.* The Judgment was entered by the Court on or about August 19, 2005.
25 *See id.* KALOSHI received a sentence of twenty-four (24) to seventy-two (72) months in
26 the Nevada Department of Corrections. *See id.* The sentence was suspended

27

28

1 and KALOSHI was placed on probation for a period of time not to exceed three (3) years.
2 *See id.*

3 c) On or about December 14, 2009, in the District Court of Iowa, in and for
4 Black Hawk County, KALOSHI entered a plea of guilty to the offense of Prohibited Activ-
5 ities-Cheating at Gambling, a violation of section 99F.15(4)(h)(d) of the Iowa Criminal
6 Code, a felony. *See State of Iowa vs. Bruce Koloshi*, District Court of Iowa, in and for
7 Black Hawk County, Case No. JECR159558. The charge relates to KALOSHI's marking
8 of playing cards in a gambling game in which he participated at a casino located in Wa-
9 terloo, Iowa, on or about February 12, 2009. *See id.* The Judgment was entered on or
10 about December 14, 2009. *See id.* KALOSHI received a sentence of up to five (5) years.
11 *See id.* The sentence was suspended, and KALOSHI was placed on probation for two (2) to
12 five (5) years. *See id.*

13 d) On or about August 20, 2014, in the New London Judicial District, Connecti-
14 cut, KALOSHI was convicted of the offense of Gambling Cheat, Attempt, a violation of
15 Connecticut General Statutes sections 53a-127d, a felony. *See State of Connecticut vs.*
16 *Bruce Koloshi*, New London Judicial District Case No. KNL-CR13-0122570-T. The charge
17 relates to KALOSHI's marking of playing cards in a gambling game in which he partici-
18 pated at a casino located in Connecticut on or about September 15, 2013. *See id.* The
19 Judgment was entered on or about August 20, 2014. *See id.* KALOSHI received a sen-
20 tence of five (5) years. *See id.* KALOSHI was ordered to serve ten (10) months and then to
21 be placed on probation for three (3) years. *See id.* In addition, KALOSHI was ordered
22 banned from casinos located in Connecticut for three (3) years. *See id.*

23 e) On September 23, 2014, in the Nineteenth Judicial District Court, Louisi-
24 ana, KALOSHI entered a plea of guilty to the offense of Cheating and Swindling, a viola-
25 tion of Louisiana Revised Statute 14:67.18, a felony. *See State of Louisiana vs. Bruce Ko-*
26 *loshi*, 19th Judicial District Court, Parish of East Baton Rouge, State of Louisiana, Sec-
27 tion 04, Case No. 09-14-0644. The charge relates to KALOSHI's marking of playing cards
28 in a gambling game in which he participated at a casino in Baton Rouge, Louisiana, on or

1 about August 23, 2013. *See id.* The Judgment was entered on or about September 23,
2 2014. *See id.* KALOSHI received a sentence of one (1) year with credit for time served
3 from the date of his arrest to the bond date, and from conviction or remand to imposition
4 of sentence and credit for time served in Connecticut from September 15, 2013 to Sep-
5 tember 23, 2014. *See id.*

6 2. Pursuant to NRS 463.151(3)(c), KALOSHI is a person of notorious and unsavory
7 reputation whose presence in a licensed gaming establishment would adversely affect
8 public confidence that gaming is free from criminal and corruptive elements. This reputa-
9 tion is established as follows:

10 a) The above-described criminal convictions that constitute felonies in this
11 state and/or constitute violations of the gaming laws in any state.

12 b) KALOSHI's association with one individual currently on the Board's List of
13 Excluded Persons: Gary Frederick Young.

14 3. Pursuant to NRS 463.151(3)(d), KALOSHI is a person who has been excluded
15 from a casino at which gaming or pari-mutuel wagering is conducted by a written order of
16 a governmental agency. Specifically, on March 24, 2015, the New Jersey Division of Gam-
17 ing Enforcement added KALOSHI to New Jersey's List of Excluded Persons, which pro-
18 hibits KALOSHI "from entering the entire premises of any licensed casino hotel facility in
19 Atlantic City" and "from engaging in internet casino gaming activity in New Jersey." *See*
20 *Final Exclusion Order signed March 24, 2015.*

21 4. KALOSHI continues to pose a threat to the interests of the State of Nevada and
22 to licensed gaming establishments as demonstrated through his repeat convictions for vi-
23 olation of gaming laws in Nevada and in other states.

24 5. The race, color, creed, national origin, ancestry or sex of KALOSHI is not and
25 has not been considered for placing him on Nevada's List of Excluded Persons.

26 6. If any of the foregoing Findings of Fact shall be deemed Conclusions of Law,
27 they shall be so construed.

28

1 CONCLUSIONS OF LAW

2 7. The Commission has jurisdiction in this matter pursuant to NRS 463.153(1).

3 8. The procedural requirements of the Nevada Gaming Control Act and NGC Reg-
4 ulation 28 have been satisfied.

5 9. The sole issue before the Commission is whether at least one of the criteria set
6 forth in NRS 463.151(3) to add KALOSHI to Nevada's List of Excluded Persons has been
7 met.

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

13 11. The Nevada Legislature has provided that the Board may nominate and the
14 Commission may so include a person on the List of Excluded Persons by reason of the fact
15 that such person has a "[n]otorious or unsavory reputation which would adversely affect
16 public confidence and trust that the gaming industry is free from criminal or corruptive
17 elements." See NRS 463.151(3)(c).

18 12. The Nevada Legislature has provided that the Board may nominate and the
19 Commission may so include a person on the List of Excluded Persons by reason of the fact
20 that such person has been the subject of a "[w]ritten order of a governmental agency
21 which authorizes the exclusion or ejection of the person from an establishment at which
22 gaming or pari-mutuel wagering is conducted." See NRS 463.151(3)(d).

23 13. Given the preceding findings of fact, the criterion of NRS 463.151(3)(a), in that
24 KALOSHI has been convicted of a crime which is a felony under the laws of this State, is
25 met. The criterion of NRS 463.151(3)(a), in that KALOSHI has been convicted of viola-
26 tions of the gaming laws of Nevada, Iowa, Connecticut and Louisiana, is met. The criteri-
27 on of NRS 463.151(3)(c), in that KALOSHI has a notorious or unsavory reputation which
28 would adversely affect public confidence and trust that the gaming industry is free from

1 criminal or corruptive elements, is met. In addition, the criterion of
2 NRS 463.151(3)(d), in that KALOSHI has been the subject of a written order of a govern-
3 mental agency excluding him from an establishment at which gaming is conducted, is
4 met. Each of these, standing on its own, is sufficient to place KALOSHI on the list of per-
5 sons to be excluded or ejected from any licensed gaming establishment in the State of Ne-
6 vada which conducts pari-mutuel wagering or operates any race book, sports pool, or
7 games, other than slot machines only.

8 14. Accordingly, the Commission finds and concludes that KALOSHI is a person
9 whose presence in licensed gaming establishments would pose a threat to the interests of
10 this state or to licensed gaming, or both.

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

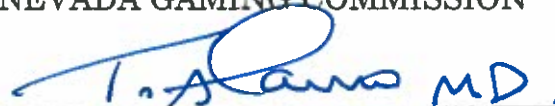
13 **ORDER**

14 Based on the foregoing, and good cause appearing:

15 IT IS HEREBY ORDERED that BUJAR KALOSHI (KALOSHI) (a.k.a., Bujan Ka-
16 loshi; Bruce Kaloshi; Bruce Koloshi; Bruce Kaloski; Steve Alberts; Jeffery Elliott; and
17 Ken O'Brien) be, and hereby is placed on the list of persons to be excluded or ejected from
18 any licensed gaming establishment in the State of Nevada which conducts pari-mutuel
19 wagering or operates any race book, sports pool or games, other than slot machines only.


20 DATED this 22nd day of December, 2016.

21 NEVADA GAMING COMMISSION

22 
23 TONY ALAMO, M.D., Chairman

24 Submitted by:

25 PAUL ADAM LAXALT
26 Attorney General

27 By: 
28 EDWARD L. MAGAW
Deputy Attorney General
Gaming Division
(702) 486-3224