



1 NGC Case No. 18-10

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**STATE OF NEVADA**

5

**BEFORE THE NEVADA GAMING COMMISSION**

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In the Matter of the Exclusion of: )

7

MARK WILLIAM BRANCO, )  
aka MARK M. BRANCO, )

**FINAL ORDER OF EXCLUSION**

8

From Licensed Gaming Establishments )  
In the State of Nevada. )

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On March 14, 2019, the Nevada Gaming Control Board (Board) entered its Order nominating MARK WILLIAM BRANCO as a candidate to the List of Excluded Persons pursuant to Nevada Revised Statutes (NRS) 463.151 through 463.155 and Nevada Gaming Commission Regulation 28. After being personally served the Notice of Candidacy and Order of Nomination to the List of Excluded Persons on March 20, 2019, MARK WILLIAM BRANCO failed to request a hearing before the Nevada Gaming Commission (Commission) pursuant to NRS 463.153(1). The Board filed a Bill of Particulars on April 15, 2019. This matter came before the Commission on May 23, 2019. JOHN S. MICHELA, Senior Deputy Attorney General, appeared on behalf of the Board.

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

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**FINDINGS OF FACT**

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1. Pursuant to NRS 463.151(3)(a), MARK WILLIAM BRANCO has been convicted of crimes that are felonies in this state. Specifically:

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- a) On or about April 18, 2016, MARK WILLIAM BRANCO was convicted in Nevada of Theft in violation of NRS 205.0832 and 205.0835(4), a Category B Felony and was convicted of Cheating at Gambling in violation of NRS 465.015, 465.083, and 465.088, a Category B Felony. MARK WILLIAM

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1 BRANCO was sentenced to 100 months in prison with a minimum parole  
2 eligibility of forty-eight (48) months for the Theft conviction and was  
3 sentenced to seventy-two (72) months in the Nevada Department of  
4 Corrections with a minimum parole eligibility of twenty-four (24) months for  
5 the Cheating at Gambling Conviction. The facts giving rise to these  
6 convictions occurred in a licensed gaming establishment.

7 2. Pursuant to NRS 463.151(3)(a), MARK WILLIAM BRANCO has been convicted  
8 of a crime which is a violation of the gaming laws of Nevada. Specifically:

9 a) On or about April 18, 2016, MARK WILLIAM BRANCO was convicted in  
10 Nevada of Cheating at Gambling in violation of NRS 465.015, 465.083, and  
11 465.088, a Category B Felony. MARK WILLIAM BRANCO was sentenced to  
12 seventy-two (72) months in the Nevada Department of Corrections with a  
13 minimum parole eligibility of twenty-four (24) months for the Cheating at  
14 Gambling Conviction. The facts giving rise to this conviction occurred in a  
15 licensed gaming establishment.

16 3. Pursuant to NRS 463.151(3)(a), MARK WILLIAM BRANCO has been convicted  
17 of crimes involving moral turpitude. Specifically:

18 a) On or about April 18, 2016, MARK WILLIAM BRANCO was convicted in  
19 Nevada of Theft in violation of NRS 205.0832 and 205.0835(4), a Category B  
20 Felony and was convicted of Cheating at Gambling in violation of NRS  
21 465.015, 465.083, and 465.088, a Category B Felony. MARK WILLIAM  
22 BRANCO was sentenced to 100 months in prison with a minimum parole  
23 eligibility of forty-eight (48) months for the Theft conviction and was  
24 sentenced to seventy-two (72) months in the Nevada Department of  
25 Corrections with a minimum parole eligibility of twenty-four (24) months for  
26 the Cheating at Gambling Conviction. The facts giving rise to these  
27 convictions occurred in a licensed gaming establishment.

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1 4. In addition to the preceding, MARK WILLIAM BRANCO continues to have  
2 contacts with the State of Nevada and poses a threat to the interests of the State of  
3 Nevada and to licensed gaming as demonstrated by the fact MARK WILLIAM BRANCO  
4 is still under supervision by the Nevada Department of Public Safety, Division of Parole  
5 and Probation, for his conviction for violating the gaming laws of Nevada.

6 5. The race, color, creed, national origin, ancestry or sex of MARK WILLIAM  
7 BRANCO is not and has not been considered for placing his name on the List of Excluded  
8 Persons.

9 **CONCLUSIONS OF LAW**

10 6. The Commission has jurisdiction in this matter pursuant to NRS 463.153(1).

11 7. The procedural requirements of the Nevada Gaming Control Act and Nevada  
12 Gaming Commission Regulation 28 have been satisfied.

13 8. The sole issue before the Commission is whether at least one of the criteria set  
14 forth in NRS 463.151(3) to place MARK WILLIAM BRANCO on the List of Excluded  
15 Persons has been met.

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

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

24 11. Given the preceding findings of fact, the criteria of NRS 463.151(3)(a), that  
25 MARK WILLIAM BRANCO has been convicted of a crime which is a felony under the  
26 laws of this state, is met. The criteria of NRS 463.151(3)(a), that MARK WILLIAM  
27 BRANCO has been convicted of a crime which is a violation of the gaming laws of any  
28 state, is met. The criteria of NRS 463.151(3)(a), that MARK WILLIAM BRANCO has

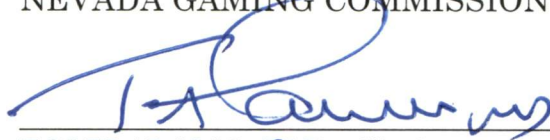
1 been convicted of crimes involving moral turpitude, is met. Each of these, standing on its  
2 own, is sufficient to place MARK WILLIAM BRANCO on the list of persons to be  
3 excluded or ejected from any licensed gaming establishment in the State of Nevada which  
4 conducts pari-mutuel wagering or operates any race book, sports pool, or games, other  
5 than slot machines only.

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

8 Accordingly, the Commission finds and concludes that MARK WILLIAM BRANCO  
9 is a person whose presence in licensed gaming establishments would pose a threat to the  
10 interests of this state or to licensed gaming, or both. Based on the foregoing, and good  
11 cause appearing:

12 DATED this 23<sup>rd</sup> day of May, 2019.

13 NEVADA GAMING COMMISSION

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16 TONY ALAMO, M.D., Chairman

17 Submitted by:

18 AARON D. FORD  
19 Attorney General

20 By:

  
21 \_\_\_\_\_  
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