

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE
BUILDINGS 68-69
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:

PATRICK ALBARRACIN,

RESPONDENT.

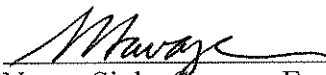
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DBR No. 13RA146

FINAL ORDER OF DISMISSAL

On January 2, 2014, the undersigned Hearing Officer received a Motion to Withdraw Order to Show Cause (“Motion”) from counsel for the Department of Business Regulation (“Department”). The Motion indicated that the Department and Respondent had entered into a Consent Agreement to resolve the above-captioned matter (See attached Consent Agreement) which provided that Respondent would be granted a conditional Vendor (Concessionaire) license which provided, *inter alia*, that Respondent waives his right to complete the administrative hearing process and right to appeal. The Consent Agreement further provided that should Respondent violate the terms of the Consent Agreement, Respondent may be subject to future administrative action. The Department seeks to dismiss the Order to Show Cause in this matter due to the resolution of the issues. Based on these facts, the undersigned recommends the Order to Show Cause be dismissed and the matter be closed. However, this matter is dismissed without prejudice to the Department to raise any issues alleged in the Order to Show Cause should the Department initiate any action resulting from a violation of the Consent Agreement.

Recommended by:

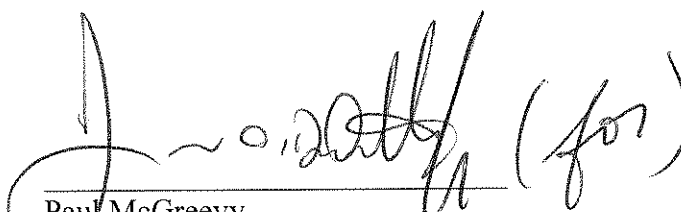


Neena Sinha Savage, Esq.
Hearing Officer

Date: January 2, 2014

I have read the Hearing Officer's Recommendation in this matter, and I hereby take the following action with regard to the Recommendation:

ADOPT
 REJECT
 MODIFY



Paul McGreevy
Director

Date: 1/3/2014

NOTICE OF APPELLATE RIGHTS

THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this 6th day of January 2014, that a copy of the within Order was sent by first class mail, postage prepaid, to:

Mr. Patrick Albarracin
243 Smith Street
Providence, RI 02908

And by hand-delivery to:

Jenna Algee, Legal Counsel
Department of Business Regulation

Neena Sinha Savage, Esq.
Hearing Officer

Maria D'Alessandro, Esq.
Associate Director, Commercial Licensing, Racing & Athletics, Securities
Department of Business Regulation

A handwritten signature in black ink, appearing to read "Charles A. D'Amico". The signature is written in a cursive style with a horizontal line underneath it.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE CENTER, BLDG. 68-1
1511 PONTIAC AVENUE
CRANSTON, RHODE ISLAND 02920

IN THE MATTER OF :
:
PATRICK ALBARRACIN, : DBR No. 13RA146
:
RESPONDENT. :
:

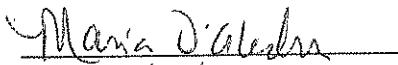
CONSENT AGREEMENT

1. The Division of Commercial Licensing (“Division”) of the Rhode Island Department of Business Regulation (“Department”) enters into this Consent Agreement (“Agreement”) with Patrick Albarracin (“Respondent”) to resolve the above-captioned matter pursuant to its authority under R.I. Gen. Laws § 42-35-9(d).
2. It is hereby agreed by and between the Division and the Respondent that the Division will grant the Respondent’s Application for a Twin River Vendor (Concessionaire) License upon the following conditions:
 - (a) The Respondent shall notify the Department in writing within five (5) days of the occurrence of the following: any arrests, charges, or convictions;
 - (b) The Respondent shall notify the Department in writing of the results of efforts to have his record sealed within sixty (60) days of the date of this agreement, with any supporting court documentation; and
 - (c) The Respondent understands that the Department may take action against the license


based on information received as required by this Agreement and/or failure to make a timely report of required information.

3. In consideration of the foregoing, the Division agrees to withdraw its Order to Show Cause dated December 16, 2013.
4. Respondent voluntarily waives any right to an administrative hearing and appeal to Superior Court under the Rhode Island Administrative Procedures Act, R.I. Gen. Laws § 42-35-1 *et seq.*
5. If Respondent fails to abide by the requirements of this Consent Agreement, the Department may initiate further administrative proceedings against the Respondent.

For the Division:


Date: 12/31/13
Maria D'Alessandro
Deputy Director, Securities, Commercial
Licensing and Racing and Athletics
Department of Business Regulation

For the Respondent:


Date: 12-31-13
Patrick Albarracin
Respondent

CERTIFICATION

I hereby certify that on this 2nd day of January, 2014 a copy of the attached Motion to Withdraw and attached Consent Agreement was sent by regular first class mail to Patrick Albarracin at 243 Smith St., Providence, RI 02908

And was hand delivered to Hearing Officer Neena Savage at the Department of Business Regulation and

