



STATE OF WASHINGTON
GAMBLING COMMISSION

"Protect the Public by Ensuring that Gambling is Legal and Honest"

November 23, 2021

ROBBY DENUYL
7320 ST 92
LAKE STEVENS, WA 98258

RE: ADMINISTRATIVE ACTION; CR 2021-00751

Dear Robby Denuyl:

Enclosed is an Order of Default entered by the Commission on November 16, 2021, revoking your certification to conduct gambling activities. This action occurred because you did not timely respond by requesting a hearing to the administrative charges mailed on June 7, 2021.


You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

Washington State Gambling Commission
Attention: Legal & Records Division
P.O. Box 42400
Olympia, WA 98504-2400

You also have the right to submit a Petition for Judicial Review. If you do this, you must submit it within 30 days of the date the Order was mailed. RCW 34.05.514 explains where you must file this petition and RCW 34.05.546 explains what information your Petition must include.

This is not meant to be a full explanation of all the statutes and regulations you would need to understand to move to vacate or Petition for Judicial Review. Please call me at (800) 345-2529, extension 3473, with any questions.

Sincerely,


Ashlie Laydon, Rules Coordinator
Legal & Records Division

Enclosure

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

<p>In the Matter of:</p> <p>ROBBY C DENUYL, License No. 69-38355,</p> <p style="text-align: center;">Class III Employee.</p>		<p>NO. CR 2021-00751</p> <p>FINAL ORDER OF THE GAMBLING COMMISSION</p>
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This matter having come before the Washington State Gambling Commission (Commission) on November 16, 2021, the Commission makes the following Findings of Fact, Conclusions of Law, and issues its Final Order:

I. FINDINGS OF FACT

1. The Washington State Gambling Commission issued Robby Denuyl Certification No. 69-38355 authorizing Class III Employee activity for the Tulalip Tribe of Indians.
2. This certification, which expires on June 16, 2022, was issued subject to Denuyl's compliance with state gambling laws and Commission rules in accordance with the Tulalip Tribal-State Gaming Compact.
3. Denuyl has held this certification since 2015.
4. On May 12, 2021, the WSGC received the online annual renewal application for Class III Certification holder Robby Denuyl. As part of the application process, Denuyl disclosed that he had a pending criminal charge, Rape Third Degree, in Snohomish County, Washington.

1 5. Upon receiving the renewal application, a routine criminal history check was
2 conducted using the Judicial Access Browser System (JABS)¹. That history check confirmed
3 the existence of the pending criminal charge.

4 6. On May 13, 2021, a WSGC Special Agent was assigned to investigate whether
5 Denuyl continues to qualify for certification given the pending charges. As part of that
6 investigation, the Agent requested certified copies of the court documents filed in Denuyl’s case.

7 7. In addition to requesting the pleadings, the Agent also contacted Jeff Hatch of the
8 Tulalip Tribal Gaming Agency (TTGA) to notify him of Denuyl’s case. In response, Hatch told
9 the Agent that TTGA would be processing a suspension for Denuyl pending a WSGC revocation
10 action.

11 8. When the Agent received the certified copies, dated May 13, 2021, she conducted
12 a review of the pleadings for the case, Snohomish County Superior Court case number 20-1-
13 01592-31. The Information showed Denuyl was charged with one count, Third Degree Rape,
14 on October 23, 2020.

15 9. The Affidavit of Probable Cause for the case stated that on April 25, 2020 the
16 alleged female victim of the crime spoke with police regarding an incident that had occurred on
17 April 23. The victim alleged that on the date in question she and Denuyl were playing beer pong
18 at her home. The two had been friends for years but had never had a dating relationship.

19 10. Around midnight, the victim went to bed “nearly blackout drunk”. She recalled
20 waking up during the night for about 30 seconds with Denuyl’s penis inside of her vagina. When
21 the victim woke up the following morning, she was naked, and Denuyl was in bed with her.

22 11. When Denuyl was interviewed by a Detective, he admitted to having sex with the
23 victim, but said that she was not passed out and never said “no”. When asked if she had given
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26 ¹ JABS is a system run by the Washington State Court System that keeps a record of court actions
occurring in Municipal, District, and Superior Courts throughout the state.

1 any indication that she wanted to have sex with him, Denuyl stated, "I don't know". He also
2 stated that he didn't remember how the interaction had progressed.

3 12. On May 27, 2021, the Special Agent sent copies of the court documents to Hatch
4 so that TTGA could have records on the documents.

5 13. Acting Director Tina Griffin issued administrative charges on June 7, 2021
6 alleging that Denuyl's actions constituted a violation of RCW 9A.56.050, 9.46.075(1), (8) and
7 (9) and WAC 230-03-085(3). Further, that Denuyl could not show by clear and convincing
8 evidence that he was qualified for licensure as required by RCW 9.46.153(1), and that his actions
9 warranted revocation of his license pursuant to RCW 9.46.075(1) and (9), WAC 230-03-
10 085(9)(a) and (b), and Section 5(c) of the Tulalip Tribal-State Gaming Compact.

11 14. Denuyl was sent the charges by regular and certified mail on June 7, 2021 to the
12 last address the Gambling Commission had on file.

13 15. Pursuant to WAC 230-17-010, a response was required to be received by the
14 Commission by June 30, 2021. To date, the Commission has received no communication from
15 Denuyl.

16 **II. CONCLUSIONS OF LAW**

17 1. Robby Denuyl received proper notice of the charges within three days of June 7,
18 2021 via regular and certified mail, pursuant to RCW 34.05.413 RCW 34.05.434, WAC 230-17-
19 005, WAC 230-17-010, and WAC 10-08-130.

20 2. The Commission can take final action against Robby Denuyl's gambling
21 certification under Case Number CR 2021-00751 pursuant to RCW 9.46.075, RCW
22 34.05.440(1), RCW 34.05.461, WAC 230-03-085, and Section 5(c) of the Tulalip Tribal-State
23 Gaming Compact.

24 3. Robby Denuyl's license should be revoked under Case Number CR 2021-00751
25 pursuant to RCW 9.46.075, RCW 9.46.153(1), RCW 34.05.440(1), RCW 34.05.461, WAC 230-
26 03-085, and Section 5(c) of the Tulalip Tribal-State Gaming Compact.


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III. ORDER

This matter having come before the Commission at its November 16, 2021, Commission meeting, the Commissioners having heard arguments, been given the chance to review the administrative record, and being fully advised in this matter, now therefore:

It is hereby **ORDERED** that Robby Denuyl's gambling certification, Number 69-38355, is **REVOKED**.


DATED this 19th day of November, 2021.



BUD SIZEMORE, Chair




JULIA PATTERSON, Vice Chair



ALICIA LEVY



KRISTINE REEVES



SARAH LAWSON

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NOTICE

Reconsideration: RCW 34.05.470 and WAC 230-17-140 provide that a party may file a petition for reconsideration of a final order. A petition for reconsideration must be received no later than thirteen (13) days after the date this final order is mailed. Any motion for reconsideration must state the specific grounds supporting the party's request for reconsideration.

Stay of Final Order: Filing for reconsideration does not stay the effectiveness of this Order. WAC 230-17-145 provides that a party may petition the Commission for a stay of a final order. Any petition for a stay should be received by the Commission within thirteen (13) days after the date this final order is mailed.

Judicial Review: RCW 34.05.542 provides that a party may appeal this final order by filing a petition for judicial review within thirty (30) days after service of this order. A petition for judicial review must be filed with the appropriate superior court and served upon both the Commission and the Office of the Attorney General.

Service: This Order was served on you three days after it was deposited in the United States Postal Service regular mail, excluding the date of mailing. WAC 230-17-035.

Any motions or petitions for judicial review should be served on or mailed to:

Washington State Gambling Commission
Legal and Records Division
4565 7th Avenue S.E., Lacey, WA
P.O. Box 42400
Olympia, WA 98504-2400

Doug Van de Brake
Attorney General's Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

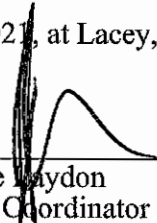
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CERTIFICATE OF SERVICE

I certify that on the date below I served a copy of the foregoing document on all parties and/or their counsel by United States Postal Service regular mail to the following:

ROBBY C DENUYL
7320 SR 92
LAKE STEVENS WA 98258

EXECUTED this 03 day of November, 2021, at Lacey, Washington.



Ashlie Laydon
Rules Coordinator