



INTEROFFICE MEMO

Ryan Mindell, Executive Director

LaDonna Castañuela, Charitable Bingo Operations Director

To: Robert G. Rivera, Chairman
Cindy Fields, Commissioner
Mark A. Franz, Commissioner
Clark E. Smith, Commissioner
Jamey Steen, Commissioner

From: Bob Biard, General Counsel 

Date: December 5, 2024

Re: Consideration of the Status and Possible Approval of Orders in Enforcement Cases

The Legal Services Division staff recommends that the Commission approve each of the proposed orders presented under this item.

Date: DECEMBER 5, 2024

IN THE MATTER OF	§	BEFORE THE STATE OFFICE
	§	
	§	OF
THE REVOCATION OF CERTAIN	§	
LOTTERY RETAILER LICENSES	§	ADMINISTRATIVE HEARINGS

ORDER OF THE COMMISSION

During an open meeting in Austin, Texas, the Texas Lottery Commission (Commission) heard the license revocation cases listed on Attachment A hereto, in which the Texas Lottery Ticket Sales Agent (Respondent) in each referenced case did not appear at the scheduled hearing before the State Office of Administrative Hearings (SOAH) to respond to the allegations set forth in the Commission’s notice of hearing.

I. Findings of Fact

1. Timely and adequate notice of the hearings in the referenced cases before SOAH was provided to each Respondent, pursuant to Tex. Gov’t Code §§ 2001.051 and 2001.052, and 1 Tex. Admin. Code §§ 155.401 and 155.501(b). Each notice of hearing included a disclosure in at least 12-point, bold-face type, that the factual allegations listed in the notice could be deemed admitted, and the relief sought in the notice of hearing might be granted by default against the party that fails to appear at hearing.

2. After timely and adequate notice was given in each case, each case was heard by a SOAH Administrative Law Judge (ALJ). In each case, the Respondent did not appear at the hearing.

3. The Commission, by and through its attorney of record, filed a motion in each case requesting the ALJ issue a conditional order of default dismissal and remand to the Commission for informal disposition, in accordance with Tex. Gov’t Code §2001.058(d-1) and 1 Tex. Admin. Code §155.501(d)-(e).

Commission Order No. 25-0023

Date: DECEMBER 5, 2024

4. The ALJ dismissed the referenced cases from the SOAH docket and remanded these cases to the Commission for informal disposition under Tex. Gov't Code §2001.056, provided the Respondent in each case did not file a motion to set aside the default within 15 days from the date of the ALJ's order remanding case to the Commission.

5. In each case, Respondent did not file a motion to set aside the default within 15 days from the date of the ALJ's order.

II. Conclusions of Law

1. The Commission has jurisdiction over this matter pursuant to Tex. Gov't Code §466.155 (State Lottery Act) and 16 Tex. Admin. Code Chapter 401 (Commission Rules).

2. The Respondent in each of the cases listed on Attachment A violated the State Lottery Act and the Commission's Rules as set forth in the Commission's notice of hearing applicable to such Respondent. Specifically, each Respondent failed to deposit money due to the State received from lottery ticket sales under the State Lottery Act, in violation of Tex. Gov't Code §466.351 and 16 Tex. Admin. Code §§ 401.351 and 401.352.

3. The relief sought by the Commission Staff is fair, reasonable, and adequately protects the public.

III. Order

NOW, THEREFORE, IT IS ORDERED that, after review and due consideration of the administrative record, each of the cases listed on Attachment A hereto, which is incorporated into this Order for all purposes, is hereby disposed by default, and:

1. All allegations set forth in each notice of hearing in the cases listed on Attachment A are deemed admitted; and

Commission Order No. 25-0023

Date: DECEMBER 5, 2024

2. The Texas Lottery Ticket Sales Agent License for each Respondent in the cases listed on Attachment A is hereby revoked.

Passed and approved at the regular meeting of the Texas Lottery Commission in Austin, Texas, on the 5TH day of DECEMBER 2024.

Entered this 5TH day of DECEMBER 2024.

ROBERT G. RIVERA, CHAIRMAN

CINDY FIELDS, COMMISSIONER

MARK A. FRANZ, COMMISSIONER

CLARK E. SMITH, COMMISSIONER

JAMES H. C. STEEN, COMMISSIONER

Commission Order No. 25-0023

Date: DECEMBER 5, 2024

ATTACHMENT A

TAB NO.	SOAH DOCKET NO.	TICKET SALES AGENT NAME	TICKET SALES AGENT ADDRESS	LOTTERY LICENSE NO.
A.	362-24-24574	One Way Direction Corporation d/b/a Best Somerville Mart	18331 Argyle Park Trace Richmond, TX 77407	173993
B.	362-25-00780	Vada Enterprises LLC d/b/a Danny's Market	945 West Little York Rd. Houston, TX 77091	193878
C.	362-25-01332	Belfort St. Store #1 LLC d/b/a Rooski's	6902 Belfort St. Houston, TX 77087	193294
D.	362-25-01333	HJRA Group LLC d/b/a Z-21 Food Mart	1054 Ruiz St. San Antonio, TX 78207	194576

FILED
362-24-24574
10/17/2024 11:09 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Julian Jaramillo, CLERK

ACCEPTED
362-24-24574
10/17/2024 11:13:01 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Julian Jaramillo, CLERK

SOAH Docket No. 362-24-24574

Suffix: TLC

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**TEXAS LOTTERY COMMISSION,
PETITIONER**

v.

**ONE WAY DIRECTION CORPORATION DBA BEST
SOMERVILLE MART,
RESPONDENT**

DEFAULT DISMISSAL ORDER

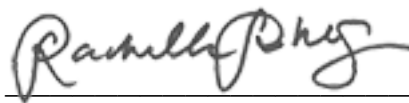
On October 17, 2024, the Administrative Law Judge (ALJ) convened a hearing on the merits in this matter via Zoom videoconference. Attorney Tyler Vance appeared on behalf of the staff (Staff) of the Texas Lottery Commission. One Way Direction Corporation d/b/a Best Somerville Mart (Respondent) did not appear and was not represented at the hearing. Staff Exhibits 1, 2, and 3 were admitted, and the ALJ took official notice of SOAH's file in this case, including specifically Order No. 2, which set the hearing by Zoom videoconference and provided instructions for participating in the hearing. Collectively, these exhibits

and orders showed proof of adequate notice to Respondent.¹ Upon establishing adequate notice, Staff moved for a default dismissal. Staff's motion was **GRANTED**, and the factual allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Texas Lottery Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

Signed OCTOBER 17, 2024

ALJ Signature:



Rachelle Nicolette Robles

Presiding Administrative Law Judge

¹ 1 Tex. Admin. Code § 155.501(b).

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code §§ 2001.056, .058(d-1).

FILED
362-25-00780
10/24/2024 1:59 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

ACCEPTED
362-25-00780
10/24/2024 2:04:47 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

SOAH Docket No. 362-25-00780

Suffix: TLC

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**TEXAS LOTTERY COMMISSION,
PETITIONER
v.
VADA ENTERPRISES LLC DBA DANNY'S MARKET,
RESPONDENT**

DEFAULT DISMISSAL ORDER


On October 24, 2024, the Administrative Law Judge (ALJ) convened a hearing on the merits in this matter via Zoom videoconference. Attorney Kyle Wolfe appeared on behalf of the staff (Staff) of the Texas Lottery Commission. Vada Enterprises LLC d/b/a Danny's Market (Respondent) did not appear and was not represented at the hearing. Staff Exhibits 1, 2, and 3 were admitted, which established adequate notice to Respondent.¹ Upon establishing adequate notice, Staff moved for a default dismissal. Staff's motion was

¹ 1 Tex. Admin. Code § 155.501(b).

GRANTED, and the factual allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Texas Lottery Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

SIGNED OCTOBER 24, 2024



Susan Rodriguez
Presiding Administrative Law Judge

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code §§ 2001.056, .058(d-1).

FILED
362-25-01332
10/31/2024 12:35 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

ACCEPTED
362-25-01332
10/31/2024 12:41:33 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Amy Robles, CLERK

SOAH Docket No. 362-25-01332

Suffix: TLC

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**TEXAS LOTTERY COMMISSION,
PETITIONER**

v.

**BELFORT ST STORE #1 LLC DBA ROOSKI'S,
RESPONDENT**

DEFAULT DISMISSAL ORDER

On October 31, 2024, the Administrative Law Judge (ALJ) convened a hearing on the merits in this matter via Zoom videoconference. Attorney Tyler Vance appeared on behalf of the staff (Staff) of the Texas Lottery Commission. Belfort St Store #1 LLC d/b/a Rooski's (Respondent) did not appear and was not represented at the hearing. Staff Exhibits 1, 2, and 3 were admitted, and the ALJ took official notice of SOAH's file in this case, including specifically the Notice of Hearing which set the hearing by Zoom videoconference and provided instructions for participating in the hearing. Collectively, these exhibits and orders showed

proof of adequate notice to Respondent.¹ Upon establishing adequate notice, Staff moved for a default dismissal. Staff's motion was **GRANTED**, and the factual allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

Signed OCTOBER 31, 2024.

ALJ Signature:



Rebecca Smith
Presiding Administrative Law Judge

¹ 1 Tex. Admin. Code § 155.501(b).

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code §§ 2001.056, .058(d-1).

SOAH Docket No. 362-25-01333

Suffix: TLC

**BEFORE THE
STATE OFFICE OF ADMINISTRATIVE
HEARINGS**

**TEXAS LOTTERY COMMISSION,
PETITIONER
v.
HJRA GROUP LLC DBA Z-21 FOOD MART,
RESPONDENT**

DEFAULT DISMISSAL ORDER

On October 31, 2024, the Administrative Law Judge (ALJ) convened a hearing on the merits in this matter via Zoom videoconference. Attorney Tyler Vance appeared on behalf of the staff (Staff) of the Texas Lottery Commission. HJRA Group LLC d/b/a Z-21 Food Mart (Respondent) did not appear and was not represented at the hearing. Staff Exhibits 1, 2, and 3 were admitted, and the ALJ took official notice of SOAH's file in this case, including specifically the Notice of Hearing which set the hearing by Zoom videoconference and provided instructions for participating in the hearing. Collectively, these exhibits and orders showed

proof of adequate notice to Respondent.¹ Upon establishing adequate notice, Staff moved for a default dismissal. Staff's motion was **GRANTED**, and the factual allegations detailed in the Notice of Hearing and the documents incorporated within that notice are deemed admitted.²

Respondent may file a motion to set aside the default within 15 days of the date of this order.³ The motion must show good cause for resetting a hearing or show that the interests of justice require setting aside the default. If Respondent does not file a timely motion, or if the ALJ finds that a filed motion should be denied, the contested case will be remanded to the Commission for informal disposition on a default basis in accordance with the Administrative Procedure Act.⁴

Signed OCTOBER 31, 2024

ALJ Signature:



Rebecca Smith
Presiding Administrative Law Judge

¹ 1 Tex. Admin. Code § 155.501(b).

² 1 Tex. Admin. Code § 155.501(d)(1).

³ 1 Tex. Admin. Code § 155.501(e).

⁴ Tex. Gov't Code §§ 2001.056, .058(d-1).

Commission Order No. 25-0024

Date: DECEMBER 5, 2024

Docket No. 362-24-13400

IN THE MATTER OF	§	BEFORE THE TEXAS
	§	
SHIVDEEP INC.	§	
D/B/A FOOD MART ONE	§	
	§	
TEXAS LOTTERY TICKET SALES	§	
AGENT LICENSE NO. 141156	§	LOTTERY COMMISSION

MEMORANDUM OF AGREEMENT AND CONSENT ORDER

The Texas Lottery Commission (Commission) and Shivdeep Inc. d/b/a Food Mart One (Food Mart One) make the following Agreed Findings of Fact, Agreed Conclusions of Law, and Memorandum of Agreement, and enter into this Consent Order.

AGREED FINDINGS OF FACT

1. Food Mart One holds Texas Lottery Ticket Sales Agent License No. 141156.
2. Alpesh Vaghela is the president of Food Mart One, which is located at 2430 W. Walnut St., Garland, TX 75042.
3. On March 19, 2023, the Commission received a complaint that Food Mart One charges a fee to purchase Texas Lottery tickets with a debit card. The Commission initiated an investigation into this complaint.
4. On May 3, 2023, a Commission investigator attempted to purchase lottery tickets at Food Mart One with a debit card and was told by Mr. Vaghela there was a \$1 fee to purchase tickets with a debit card.

AGREED CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to Tex. Gov't Code ch. 466 (State Lottery Act) and 16 Tex. Admin. Code ch. 401 (Commission rules).

2. Food Mart One is obligated to follow the provisions of the State Lottery Act and the Commission rules to maintain its Texas Lottery Ticket Sales Agent License.

3. Tex. Gov't Code §466.155(a) states, in pertinent part:

After a hearing, the director shall deny an application for a license or the commission shall suspend or revoke a license if the director or commission, as applicable, finds that the applicant or sales agent:

...
(5) has violated this chapter or a rule adopted under this chapter.

4. Tex. Gov't Code §466.302(a) states:

A person commits an offense if the person intentionally or knowingly sells a ticket at a price the person knows is greater than that fixed by the commission or by the lottery operator authorized to set that price.

5. 16 Tex. Admin. Code §401.158(b) states, in pertinent part:

Without limiting the commission's ability to consider factors listed in §401.153(b) of this title as grounds for suspension or revocation of a license issued under this subchapter, the commission may also suspend or revoke a license for reasons including, but not limited to, any of the following:

...
(22) licensee intentionally or knowingly sells a ticket at a price the licensee knows is greater than the price set by the executive director.
(23) licensee charges a fee for lottery ticket purchases using a debit card and/or requires a minimum dollar amount for debit card purchases of only lottery tickets.

6. 16 Tex. Admin. Code §401.366 states:

Each retailer agrees to operate in a manner consistent with the State Lottery Act, applicable federal laws, Texas laws, local ordinances, with all terms and conditions related to the retailer's license, with all requirements set forth in the most recent Retailer Manual, the rules and regulations promulgated by the commission, and with his/her or its license from the Texas Lottery.

7. The Texas Lottery Ticket Sales Agent License of Food Mart One is subject to suspension or revocation pursuant to Tex. Gov't Code §466.155(a)(5), as a result of Food Mart One's violation of Tex. Gov't Code §466.302(a) and 16 Tex. Admin. Code §§ 401.158(b)(22) and (23) and 401.366.

MEMORANDUM OF AGREEMENT

1. By signing this Memorandum of Agreement, Food Mart One agrees to these terms, acknowledges understanding them, and waives all rights to procedural requirements for the entry of the Consent Order (Order) consistent with the terms of this Memorandum of Agreement, including but not limited to the right to notice of hearing, a formal hearing, a proposal for decision, a rehearing, and any right to seek judicial review of the Order.

2. The effective date of this Memorandum of Agreement and Consent Order shall be the date the Order is signed by the Commission.

3. Food Mart One agrees that, as a result of its violation of Tex. Gov't Code §466.302(a) and 16 Tex. Admin. Code §§ 401.158(b)(22) and (23) and 401.366, its Ticket Sales Agent License will be suspended for a period of ten (10) consecutive days. The suspension period will begin within seven (7) days from the date the Order is signed by the Commission. During the period of suspension, Food Mart One agrees that it will not sell Texas Lottery tickets of any kind, will not validate Texas Lottery tickets, and will not pay lottery prizes to customers.

4. During the entire period of suspension hereunder, Food Mart One is required to post a notice of suspension in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Food Mart One's Ticket Sales Agent License is posted.

5. Food Mart One agrees this Memorandum of Agreement and Consent Order applies only to the facts and circumstances stated herein. The Commission reserves the right to take additional disciplinary action, up to and including suspension or revocation of Food Mart One's Ticket Sales Agent License, for any further violations of the State Lottery Act or Commission rules.

6. Food Mart One acknowledges and agrees that this Memorandum of Agreement and Consent Order, and the Agreed Findings of Fact and the Agreed Conclusions of Law contained herein, may be admitted in any future administrative action initiated against it by the Commission.

7. Food Mart One agrees that if, after a formal hearing on the sole issue of compliance with the Memorandum of Agreement and Consent Order, it is found that Food Mart One has failed to comply with the terms of the Memorandum of Agreement and Consent Order, disciplinary action shall be taken against Food Mart One, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

8. Food Mart One agrees to provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins. It further agrees that these active tickets will settle on the date the suspension begins, and Food Mart One will be charged for tickets sold on or before that date. Food Mart One will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

AGREED AS TO FORM AND SUBSTANCE:

Shivdeep Inc.
d/b/a Food Mart One

Texas Lottery Commission
Lottery Operations Division

By:



10/17/2024

By:



10/17/2024

Alpesh Vaghela
President

DATE

Robert Tirloni
Director

DATE

Commission Order No. 25-0024

Date: DECEMBER 5, 2024

Docket No. 362-24-13400

IN THE MATTER OF	§	BEFORE THE TEXAS
	§	
SHIVDEEP INC.	§	
D/B/A FOOD MART ONE	§	
	§	
TEXAS LOTTERY TICKET SALES	§	
AGENT LICENSE NO. 141156	§	LOTTERY COMMISSION

CONSENT ORDER

NOW, THEREFORE, IT IS ORDERED by the Texas Lottery Commission (Commission), based on the above Agreed Findings of Fact, Conclusions of Law and Memorandum of Agreement, which are hereby adopted and incorporated by reference as if fully set out and separately stated herein, as follows:

(1) IT IS ORDERED by the Commission that, in lieu of revocation of the Texas Lottery Ticket Sales Agent License of Shivdeep Inc. d/b/a Food Mart One (Food Mart One), the license is suspended for a period of ten (10) consecutive days. The suspension period will begin within seven (7) days from the date this Consent Order (Order) is signed by the Commission. During the period of suspension, Food Mart One shall not sell Texas Lottery tickets of any kind, shall not validate Texas Lottery tickets, and shall not pay lottery prizes to customers.

(2) IT IS FURTHER ORDERED by the Commission that, during the entire period of suspension, Food Mart One shall post a notice of suspension, in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Food Mart One's Texas Lottery Ticket Sales Agent License is posted.

Commission Order No. 25-00XX

Date: DECEMBER 5, 2024

(3) IT IS FURTHER ORDERED by the Commission that if, after a formal hearing on the sole issue of compliance with this Order, it is found that Food Mart One has failed to comply with the terms of this Order, disciplinary action shall be taken against Food Mart One, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

(4) IT IS FURTHER ORDERED by the Commission that Food Mart One shall provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins, that these active tickets will settle on that date, and Food Mart One will be charged for the tickets sold on or before that date. Food Mart One will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

Commission Order No. 25-0024

Date: DECEMBER 5, 2024

Passed and approved at the regular meeting of the Texas Lottery Commission in Austin, Texas, on the 5TH day of DECEMBER, 2024.

Entered this 5TH day of DECEMBER, 2024.

ROBERT G. RIVERA, CHAIRMAN

CINDY FIELDS, COMMISSIONER

MARK A. FRANZ, COMMISSIONER

CLARK E. SMITH, COMMISSIONER

JAMES H. C. STEEN, COMMISSIONER

Commission Order No. 25-0025

Date: DECEMBER 5, 2024

Docket No. 362-24-24457

IN THE MATTER OF	§	BEFORE THE TEXAS
	§	
JALBHE INVESTMENT, INC.	§	LOTTERY COMMISSION
D/B/A GO-FAST-FOOD #1	§	
	§	
TEXAS LOTTERY TICKET SALES	§	
AGENT LICENSE NO. 153832	§	

MEMORANDUM OF AGREEMENT AND CONSENT ORDER

The Texas Lottery Commission (Commission) and Jalbhe Investment, Inc. d/b/a Go-Fast-Food #1 (Go-Fast-Food) make the following Agreed Findings of Fact, Agreed Conclusions of Law, and Memorandum of Agreement, and enter into this Consent Order.

AGREED FINDINGS OF FACT

1. Go-Fast-Food holds Texas Lottery Ticket Sales Agent License No. 153832.
2. Ranjodh Singh is the president of Go-Fast-Food, which is located at 4700 Judson Rd., Longview, TX 75605.
3. On December 5, 2023, the Commission received a complaint that Go-Fast-Food charges a \$3 fee to purchase lottery tickets with a debit card. The Commission initiated an investigation into this complaint.
4. On January 17, 2024, Ranjodh Singh, Go-Fast-Food president, admitted to a Commission investigator that he charges a \$3 fee to purchase lottery tickets with a debit card.

AGREED CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to Tex. Gov't Code ch. 466 (State Lottery Act) and 16 Tex. Admin. Code ch. 401 (Commission rules).

2. Go-Fast-Food is obligated to follow the provisions of the State Lottery Act and the Commission rules to maintain its Texas Lottery Ticket Sales Agent License.

3. Tex. Gov't Code §466.155(a) states, in pertinent part:

After a hearing, the director shall deny an application for a license or the commission shall suspend or revoke a license if the director or commission, as applicable, finds that the applicant or sales agent:

...

(5) has violated this chapter or a rule adopted under this chapter.

4. Tex. Gov't Code §466.302(a) states:

A person commits an offense if the person intentionally or knowingly sells a ticket at a price the person knows is greater than that fixed by the commission or by the lottery operator authorized to set that price.

5. 16 Tex. Admin. Code §401.158(b) states, in pertinent part:

Without limiting the commission's ability to consider factors listed in §401.153(b) of this title as grounds for suspension or revocation of a license issued under this subchapter, the commission may also suspend or revoke a license for reasons including, but not limited to, any of the following:

...

(22) licensee intentionally or knowingly sells a ticket at a price the licensee knows is greater than the price set by the executive director.

(23) licensee charges a fee for lottery ticket purchases using a debit card and/or requires a minimum dollar amount for debit card purchases of only lottery tickets.

6. 16 Tex. Admin. Code §401.366 states:

Each retailer agrees to operate in a manner consistent with the State Lottery Act, applicable federal laws, Texas laws, local ordinances, with all terms and conditions related to the retailer's license, with all requirements set forth in the most recent Retailer Manual, the rules and regulations promulgated by the commission, and with his/her or its license from the Texas Lottery.

7. The Texas Lottery Ticket Sales Agent License of Go-Fast-Food is subject to suspension or revocation pursuant to Tex. Gov't Code §466.155(a)(5), as a result of Go-Fast-Food's violation of Tex. Gov't Code §466.302(a) and 16 Tex. Admin. Code §§ 401.158(b)(22) and (23) and 401.366.

MEMORANDUM OF AGREEMENT

1. By signing this Memorandum of Agreement, Go-Fast-Food agrees to these terms, acknowledges understanding them, and waives all rights to procedural requirements for the entry of the Consent Order (Order) consistent with the terms of this Memorandum of Agreement, including but not limited to the right to notice of hearing, a formal hearing, a proposal for decision, a rehearing, and any right to seek judicial review of the Order.

2. The effective date of this Memorandum of Agreement and Consent Order shall be the date the Order is signed by the Commission.

3. Go-Fast-Food agrees that, as a result of its violation of Tex. Gov't Code §466.302(a) and 16 Tex. Admin. Code §§ 401.158(b)(22) and (23) and 401.366, its Ticket Sales Agent License will be suspended for a period of ten (10) consecutive days. The suspension period will begin within seven (7) days from the date the Order is signed by the Commission. During the period of suspension, Go-Fast-Food agrees that it will not sell Texas Lottery tickets of any kind, will not validate Texas Lottery tickets, and will not pay lottery prizes to customers.

4. During the entire period of suspension hereunder, Go-Fast-Food is required to post a notice of suspension in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Go-Fast-Food's Ticket Sales Agent License is posted.

5. Go-Fast-Food agrees this Memorandum of Agreement and Consent Order applies only to the facts and circumstances stated herein. The Commission reserves the right to take additional disciplinary action, up to and including suspension or revocation of Go-Fast-Food's Ticket Sales Agent License, for any further violations of the State Lottery Act or Commission rules.

6. Go-Fast-Food acknowledges and agrees that this Memorandum of Agreement and Consent Order, and the Agreed Findings of Fact and the Agreed Conclusions of Law contained herein, may be admitted in any future administrative action initiated against it by the Commission.

7. Go-Fast-Food agrees that if, after a formal hearing on the sole issue of compliance with the Memorandum of Agreement and Consent Order, it is found that Go-Fast-Food has failed to comply with the terms of the Memorandum of Agreement and Consent Order, disciplinary action shall be taken against Go-Fast-Food, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

8. Go-Fast-Food agrees to provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins. It further agrees that these active tickets will settle on the date the suspension begins, and Go-Fast-Food will be charged for tickets sold on or before that date. Go-Fast-Food will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

AGREED AS TO FORM AND SUBSTANCE:

Jalbhe Investment, Inc.
d/b/a Go-Fast-Food #1

Texas Lottery Commission
Lottery Operations Division

By:

By:



11.12.24

11/12/2024

Ranjodh Singh
President

DATE

Robert Tirloni
Director

DATE

Commission Order No. 25-0025

Date: DECEMBER 5, 2024

Docket No. 362-24-24457

IN THE MATTER OF	§	BEFORE THE TEXAS
	§	
JALBHE INVESTMENT, INC.	§	LOTTERY COMMISSION
D/B/A GO-FAST-FOOD #1	§	
	§	
TEXAS LOTTERY TICKET SALES	§	
AGENT LICENSE NO. 153832	§	

CONSENT ORDER

NOW, THEREFORE, IT IS ORDERED by the Texas Lottery Commission (Commission), based on the above Agreed Findings of Fact, Conclusions of Law and Memorandum of Agreement, which are hereby adopted and incorporated by reference as if fully set out and separately stated herein, as follows:

(1) IT IS ORDERED by the Commission that, in lieu of revocation of the Texas Lottery Ticket Sales Agent License of Jalbhe Investment, Inc. d/b/a Go-Fast-Food #1 (Go-Fast-Food), the license is suspended for a period of ten (10) consecutive days. The suspension period will begin within seven (7) days from the date this Consent Order (Order) is signed by the Commission. During the period of suspension, Go-Fast-Food shall not sell Texas Lottery tickets of any kind, shall not validate Texas Lottery tickets, and shall not pay lottery prizes to customers.

(2) IT IS FURTHER ORDERED by the Commission that, during the entire period of suspension, Go-Fast-Food shall post a notice of suspension, in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Go-Fast-Food's Texas Lottery Ticket Sales Agent License is posted.

Commission Order No. 25-0025

Date: DECEMBER 5, 2024

(3) IT IS FURTHER ORDERED by the Commission that if, after a formal hearing on the sole issue of compliance with this Order, it is found that Go-Fast-Food has failed to comply with the terms of this Order, disciplinary action shall be taken against Go-Fast-Food, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

(4) IT IS FURTHER ORDERED by the Commission that Go-Fast-Food shall provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins, that these active tickets will settle on that date, and Go-Fast-Food will be charged for the tickets sold on or before that date. Go-Fast-Food will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

Commission Order No. 25-0025

Date: DECEMBER 5, 2024

Passed and approved at the regular meeting of the Texas Lottery Commission in Austin, Texas, on the 5TH day of DECEMBER, 2024.

Entered this 5TH day of DECEMBER, 2024.

ROBERT G. RIVERA, CHAIRMAN

CINDY FIELDS, COMMISSIONER

MARK A. FRANZ, COMMISSIONER

CLARK E. SMITH, COMMISSIONER

JAMES H. C. STEEN, COMMISSIONER

Commission Order No. 25-0026

Date: DECEMBER 5, 2024

Case No. 2024-723

IN THE MATTER OF	§	BEFORE THE TEXAS
	§	
WAWA MARKET INC	§	
D/B/A PAPA MARKET	§	
	§	
TEXAS LOTTERY TICKET SALES	§	
AGENT LICENSE NO. 156847	§	LOTTERY COMMISSION

MEMORANDUM OF AGREEMENT AND CONSENT ORDER

The Texas Lottery Commission (Commission) and Wawa Market Inc d/b/a Papa Market (Papa Market) make the following Agreed Findings of Fact, Agreed Conclusions of Law, and Memorandum of Agreement, and enter into this Consent Order.

AGREED FINDINGS OF FACT

1. Papa Market holds Texas Lottery Ticket Sales Agent License No. 156847.
2. Jae Lee is the president of Papa Market, which is located at 3522 Ramona Ave., Dallas, TX 75216.
3. On April 10, 2024, Mr. Lee claimed a \$3,000 Texas Lottery scratch ticket prize at the Dallas Claim Center. Mr. Lee stated on the Texas Lottery claim form that he had purchased the lottery ticket. Based on an internal review, the Commission initiated an investigation into this claim.
4. On May 28, 2024, Mr. Lee admitted to a Commission investigator that a Papa Market employee gave him the scratch ticket and that Mr. Lee did not purchase the ticket.

AGREED CONCLUSIONS OF LAW

1. The Commission has jurisdiction over this matter pursuant to Tex. Gov't Code ch. 466 (State Lottery Act) and 16 Tex. Admin. Code ch. 401 (Commission rules).

2. Papa Market is obligated to follow the provisions of the State Lottery Act and the Commission rules to maintain its Texas Lottery Ticket Sales Agent License.

3. Tex. Gov't Code §466.155(a) states, in pertinent part:

After a hearing, the director shall deny an application for a license or the commission shall suspend or revoke a license if the director or commission, as applicable, finds that the applicant or sales agent:

...

(5) has violated this chapter or a rule adopted under this chapter.

4. Tex. Gov't Code §466.308(a) states:

A person commits an offense if the person intentionally or knowingly:

(1) claims a lottery prize or a share of a lottery prize by means of fraud, deceit, or misrepresentation; or

(2) aids or agrees to aid another person or persons to claim a lottery prize or a share of a lottery prize by means of fraud, deceit, or misrepresentation.

5. Tex. Gov't Code §466.310(a) states:

A person commits an offense if the person:

(1) induces another person to assign or transfer a right to claim a prize;

(2) offers for sale the right to claim a prize; or

(3) offers, for compensation, to claim the prize of another person.

6. Tex. Gov't Code §466.402(b) states:

The payment of a prize in an amount of \$600 or more may be made only by the director.

7. 16 Tex. Admin. Code §401.158(b) states, in pertinent part:

Without limiting the commission's ability to consider factors listed in §401.153(b) of this title as grounds for suspension or revocation of a license issued under this subchapter, the commission may also suspend or revoke a license for reasons including, but not limited to, any of the following:

...

(33) licensee:

(A) induces another person to assign or transfer a right to claim a prize;

(B) initiates or accepts an offer to sell the right to claim a prize;

(C) initiates or accepts an offer of compensation from another person to claim a lottery prize, or

(D) purchases a lottery ticket from a person who is not a licensed lottery retailer.

8. 16 Tex. Admin. Code §401.360 states:

Retailers may pay any lottery prize of less than \$600, after complying with established validation procedures. However, if a retailer validates a ticket of up to \$600, that retailer shall pay the prize amount on the ticket. Prizes of \$600 or more shall be paid by the Texas Lottery by mail or at a designated lottery claim center.

9. 16 Tex. Admin. Code §401.366 states:

Each retailer agrees to operate in a manner consistent with the State Lottery Act, applicable federal laws, Texas laws, local ordinances, with all terms and conditions related to the retailer's license, with all requirements set forth in the most recent Retailer Manual, the rules and regulations promulgated by the commission, and with his/her or its license from the Texas Lottery.

10. The Texas Lottery Ticket Sales Agent License of Papa Market is subject to suspension or revocation pursuant to Tex. Gov't Code §466.155(a)(5), as a result of Papa Market's violation of Tex. Gov't Code §§ 466.308(a), 466.310(a) and 466.402(b) and 16 Tex. Admin. Code §§ 401.158(b)(33), 401.360, and 401.366.

MEMORANDUM OF AGREEMENT

1. By signing this Memorandum of Agreement, Papa Market agrees to these terms, acknowledges understanding them, and waives all rights to procedural requirements for the entry of the Consent Order (Order) consistent with the terms of this Memorandum of Agreement, including but not limited to the right to notice of hearing, a formal hearing, a proposal for decision, a rehearing, and any right to seek judicial review of the Order.

2. The effective date of this Memorandum of Agreement and Consent Order shall be the date the Order is signed by the Commission.

3. Papa Market agrees that, as a result of its violation of Tex. Gov't Code §§ 466.308(a), 466.310(a) and 466.402(b) and 16 Tex. Admin. Code §§ 401.158(b)(33), 401.360,

and 401.366, its Ticket Sales Agent License will be suspended for a period of ninety (90) consecutive days. The suspension period will begin within seven (7) days from the date the Order is signed by the Commission. During the period of suspension, Papa Market agrees that it will not sell Texas Lottery tickets of any kind, will not validate Texas Lottery tickets, and will not pay lottery prizes to customers.

4. During the entire period of suspension hereunder, Papa Market is required to post a notice of suspension in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Papa Market's Ticket Sales Agent License is posted.

5. Papa Market agrees this Memorandum of Agreement and Consent Order applies only to the facts and circumstances stated herein. The Commission reserves the right to take additional disciplinary action, up to and including suspension or revocation of Papa Market's Ticket Sales Agent License, for any further violations of the State Lottery Act or Commission rules.

6. Papa Market acknowledges and agrees that this Memorandum of Agreement and Consent Order, and the Agreed Findings of Fact and the Agreed Conclusions of Law contained herein, may be admitted in any future administrative action initiated against it by the Commission.

7. Papa Market agrees that if, after a formal hearing on the sole issue of compliance with the Memorandum of Agreement and Consent Order, it is found that Papa Market has failed to comply with the terms of the Memorandum of Agreement and Consent Order, disciplinary action shall be taken against Papa Market, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

8. Papa Market agrees to provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins. It further agrees that these

active tickets will settle on the date the suspension begins, and Papa Market will be charged for tickets sold on or before that date. Papa Market will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

AGREED AS TO FORM AND SUBSTANCE:

Wawa Market Inc
d/b/a Papa Market

Texas Lottery Commission
Lottery Operations Division

By: 

10/22/2024

By: 

10/23/2024

Jae Lee DATE
President

Robert Tirloni DATE
Director

Commission Order No. 25-0026

Date: DECEMBER 5, 2024

Case No. 2024-723

IN THE MATTER OF	§	BEFORE THE TEXAS
	§	
WAWA MARKET INC	§	
D/B/A PAPA MARKET	§	
	§	
TEXAS LOTTERY TICKET SALES	§	
AGENT LICENSE NO. 156847	§	LOTTERY COMMISSION

CONSENT ORDER

NOW, THEREFORE, IT IS ORDERED by the Texas Lottery Commission (Commission), based on the above Agreed Findings of Fact, Conclusions of Law and Memorandum of Agreement, which are hereby adopted and incorporated by reference as if fully set out and separately stated herein, as follows:

(1) IT IS ORDERED by the Commission that, in lieu of revocation of the Texas Lottery Ticket Sales Agent License of Wawa Market Inc d/b/a Papa Market (Papa Market), the license is suspended for a period of ninety (90) consecutive days. The suspension period will begin within seven (7) days from the date this Consent Order (Order) is signed by the Commission. During the period of suspension, Papa Market shall not sell Texas Lottery tickets of any kind, shall not validate Texas Lottery tickets, and shall not pay lottery prizes to customers.

(2) IT IS FURTHER ORDERED by the Commission that, during the entire period of suspension, Papa Market shall post a notice of suspension, in the form and at the location prescribed by the Commission, visible to store customers, in the same area where Papa Market's Texas Lottery Ticket Sales Agent License is posted.

Commission Order No. 25-0026

Date: DECEMBER 5, 2024

(3) IT IS FURTHER ORDERED by the Commission that if, after a formal hearing on the sole issue of compliance with this Order, it is found that Papa Market has failed to comply with the terms of this Order, disciplinary action shall be taken against Papa Market, up to and including revocation of its Texas Lottery Ticket Sales Agent License.

(4) IT IS FURTHER ORDERED by the Commission that Papa Market shall provide all active and settled tickets to the Commission or to an IGT representative on or before the date the suspension begins, that these active tickets will settle on that date, and Papa Market will be charged for the tickets sold on or before that date. Papa Market will be credited for any tickets that have been paid for in previous sweeps and that are returned to and received by the Commission on or before the date the suspension begins.

Commission Order No. 25-0026

Date: DECEMBER 5, 2024

Passed and approved at the regular meeting of the Texas Lottery Commission in Austin, Texas, on the 5TH day of DECEMBER, 2024.

Entered this 5TH day of DECEMBER, 2024.

ROBERT G. RIVERA, CHAIRMAN

CINDY FIELDS, COMMISSIONER

MARK A. FRANZ, COMMISSIONER

CLARK E. SMITH, COMMISSIONER

JAMES H. C. STEEN, COMMISSIONER