

Supplemental Meeting  
Materials for 9/7/2023  
for  
Items 9.1 & 9.4

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Steven Frazier v. FGCC; Case No. 2022-040492; License Denial  
Date: September 6, 2023

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### *Executive Summary*

On August 15, 2022, Steven Frazier (“Applicant”) applied for a Cardroom Employee Occupational License on August 15, 2022. On November 3, 2022, the Commission issued a notice of intent to deny. Applicant requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on May 25, 2023, in Tallahassee, Florida. The Division recommended denying Applicant’s license while the hearing officer recommended placing Respondent’s license on a five-year probationary period.

### *Pertinent Facts*

On August 15, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Cardroom Employee Occupational License. Upon review of the completed application, it appears that Applicant was convicted of three felony crimes in the state of South Carolina. Specifically, Applicant was convicted of:

- Possession of Narcotic Drugs in 2007;
- Strong-Arm Robbery in 2007; and
- Unlawful neglect of a Child or Help in 2006.

Prior to the informal hearing held on February 27, 2023, Applicant submitted two letters of recommendation. At the informal hearing, Applicant testified to the circumstances that led to this denial. On September 5, 2023, the hearing officer issued a recommended order granting Applicant’s license and placing him on a five year probationary period.

### *Relevant Law*

Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

Section 849.086(6)(g), Florida Statutes, provides that:

“[t]he commission may deny, declare ineligible, or revoke any cardroom occupational license if the applicant or holder thereof has been found guilty or had adjudication withheld in this state or any other state, or under the laws of the United States of a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority.”

Section 550.105(5)(d), Florida Statutes, provides that:

“. . . the term “convicted” means having been found guilty, with or without adjudication of guilt, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere. However, the term “conviction” shall not be applied to a crime committed prior to the effective date of this subsection in a manner that would invalidate any occupational license issued prior to the effective date of this subsection or subsequent renewal for any person holding such a license.”

Section 550.105(5)(c), Florida Statutes, provides in pertinent part that:

“[i]f the applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.”

Rule 61D-5.006(2), Florida Administrative Code, provides that “[t]he applicant shall establish proof of rehabilitation and demonstrate good moral character.”

Staff Recommendation: The Division of Pari-Mutuel Wagering recommended the Florida Gaming Control Commission deny Respondent's License application. The Hearing Officer recommended granting Respondent's license application and placing him on a probationary period for five years.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

STEVEN R. FRAZIER

Petitioner,

v.

FGCC Case No.: 2022-040492

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

RESPONDENT'S PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on May 25, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Mr. Steven Frazier's ("Petitioner") petition for a hearing in response to the Commission's Letter of License Denial filed in Case Number 2022-040492. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Petitioner appeared for the hearing in person in Tallahassee, Florida. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about August 15, 2022, Petitioner submitted to the Commission a Cardroom Employee Occupational License application.
2. On July 6, 2022, Petitioner submitted a request for waiver.
3. On or about November 7, 2022, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on his criminal record, which includes three felony convictions.

4. On January 27, 2023, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

5. Prior to the informal hearing, the Commission received two letters of recommendation from Jesse Hollander (“Mr. Hollander”) and Tim Hay (“Mr. Hay”).

6. Mr. Hollander was Petitioner’s supervisor at BestBet and states that Petitioner was trustworthy and could be relied upon. He also stated that beyond his professionalism, Petitioner was positive, punctual, and committed to honesty and integrity.

7. Mr. Hay, who is the Vice President of IT at BestBet, stated that Petitioner has the highest integrity and work ethic. He further stated that he believes that Petitioner has overcome the difficult mistakes of his past and is determined to succeed.

8. The letters were added to the investigative packet that was provided to the Hearing Officer prior to the informal hearing.

9. A hearing pursuant to section 120.57(2), Florida Statutes, was held on May 25, 2023, during which the Commission presented the issues raised in the Letter of License Denial.

10. At the hearing, Petitioner explained the circumstances that led to the three felony convictions.

11. Petitioner explained that the convictions occurred during a time when he was much younger, although he repeated that this does not justify his actions.

12. Petitioner explained the unlawful neglect of a child conviction in detail. He stated that he and his child’s mother were in an argument and he left their house to allow the argument to settle. When he returned to the house, the police had been called and his child’s mother was being questioned by the police. He further stated that his child’s mother had left the child at home alone to go to work.

13. He explained that his child was three to four years old and she was not left long, but their neighbors saw her and called the police. He understands that he should not have left his child in the house.

14. Petitioner explained that the possession of narcotic drug charge and strong-arm robbery stemmed from the same incident involving another individual. While he admitted to selling drugs during that time, he stated that he did not commit a violation constituting a strong-arm robbery. He agreed to take a plea for six years in prison because he was told he would potentially be given ten to twenty years if the case were to go to trial.

15. Petitioner no longer speaks to the individual involved in that conviction or anyone surrounding his history with drug dealing.

16. Petitioner has indicated that since his prison sentence ended, he moved from South Carolina to Jacksonville and has never returned.

17. He began working as a waiter where he met Mr. Hay, who was a frequent customer at the restaurant he was employed.

18. Petitioner stated that he had no experience as a waiter, but became much better at his craft and began having regular customers.

19. Mr. Hay offered Petitioner employment at BestBet, where he was first working as a chip runner. Petitioner loved this job and stated that he was able to support his mother. Petitioner stated that this is the best job he has ever had.

20. Since his release from prison, Petitioner indicated that he walks a straight line and has changed his life completely.

21. At the hearing, the Hearing Officer granted the Commission's motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in the case and accepted the investigative packet into the record.

#### FINDINGS OF FACT

22. On August 27, 2007, Petitioner was convicted of Possession of Narcotic Drugs, a felony in Clarendon County, Florida in Case No. J123833.

23. On August 27, 2007, Petitioner was convicted of Strong-Arm Robbery, a felony in Clarendon County, Florida in Case No. H722142.

24. On March 14, 2006, Petitioner was convicted of Unlawful Neglect of a Child or Helpless Person, a felony in Sumter County, Florida in Case No. H905919.

#### CONCLUSIONS OF LAW

25. The Hearing Officer has jurisdiction over this matter and the parties pursuant to Section 120.57(2), Florida Statutes.

26. The Commission has jurisdiction over this matter pursuant to chapters 120 and 550, Florida Statutes.

27. Section 550.105(5)(b), Florida Statutes, provides, in pertinent part:

The Commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

28. Pursuant to section 550.105(5)(b), Florida Statutes, Petitioner's felony convictions are disqualifying offenses.

29. Section 550.105(5)(c), Florida Statutes, provides, in pertinent part, that “[i]f the applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.”

30. Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

31. Respondent failed to establish good moral character or rehabilitation as set out in section 550.105(5)(c), Florida Statutes.

32. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer enter a Recommended Order DENYING Petitioner’s application for a Cardroom Employee Occupational License.

This Proposed Recommended Order in FGCC Case Number 2022-040492 is submitted this 12th day of June, 2023.

*s/ Emily A. Alvarado*

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Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov

Secondary: Ebonie.Lanier@flgaming.gov

CERTIFICATE OF SERVICE

I hereby certify this 12th day of June, 2023, that a true copy of the foregoing “Respondent’s Proposed Recommended Order” has been provided by mail and email to:

**Steven Frazier**  
1110 Caliente Drive, #16  
Jacksonville, Florida 32211



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[Complaint Search](#) | [Change Recording License Type](#) | [Delete Complaint](#) | [Mass Activity Update](#) | [Mass Discipline Update](#)  
[Mass Status Update](#) | [Public Case Info](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

VR Home > Complaint Search > **Maintain Complaint**

Lic Type <b>1012 - Cardroom Employee Occupational</b>	Status <b>90 Closed</b>	Status Date <b>09/15/2022</b>
Complaint # <b>2022040492</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>FRAZIER, STEVEN R</b>	Responsible <b>bjones - JONES, BRADFORD</b>
		<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
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Source <b>LIC - Licensee</b>	Security Level <b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form <b>WALK - Walk-in</b>	Priority	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n <b>IIIB - Waivers</b>	Complexity <b>R - Regular</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security <b>STND - Standard</b>	Incident <b>07/06/2022</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region <b>CR - Central Region</b>	Received <b>08/19/2022</b>	<input type="checkbox"/> Inspection	
Reference		<input type="checkbox"/> Costs	
Entered <b>08/19/2022</b>	Entered By <b>rmahalinga</b>	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary <b>90-DAY DEADLINE (from email receiving date): November 17, 2022 ----- / ----- . 09/08/2022 - Waiver Interview conducted - ----- / ----- . 148-Orange Park Kennel Club, Inc.</b>		<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated <b>09/15/2022 12:57:10</b>	By <b>icampbell</b>	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

27	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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# ROUTING SLIP REQUEST FOR WAIVER

RE: FRAZIER, STEVEN R. – 13162896  
(APPLICANT'S NAME – LICENSE #)

Case No: 2022 04 0492

1012 – Chip Runner  
Occupation Code and Job Title

145 – Orange Park Best Bet  
Facility (d/b/a name)

**90-DAY RESPONSE DEADLINE: NOVEMBER 17, 2022**  
(DATE)

**Investigations Section:** Reviewed by Bradford D. Jones for  
Steve Kogan

 9/15/2022  
(Initial & Date)

The attached "Request for Waiver" file has been reviewed for completeness and accuracy, and has been forwarded to the Licensing Section.

**Licensing Section:** Reviewed by: \_\_\_\_\_  
(Initial & Date) (Initial & Date)

Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any gaming or racing jurisdiction?

Yes or  No If yes, in what jurisdiction? \_\_\_\_\_

**Executive Director:** \_\_\_\_\_  
(Initial & Date)

Prepare Waiver or  Prepare File for Commission Review

Comments: \_\_\_\_\_

## **Investigative Findings:**

August 7, 2007 Clarendon County Sheriff's Office, SC. – Drugs/MDP, Narcotic Drugs in Schedule I (b) & (c), LSD, and Schedule, II (Cocaine), 1st Offense – Felony – Pled Guilty – Convicted on August 27, 2007 – Six years in prison and fined \$231.75. – Balance due \$231.75.

September 13, 2005 Sumter County Sheriff's Office, SC. – Unlawful Neglect of Child/Helpless Person (2 counts) – Felony – Pled Guilty – Convicted on March 14, 2006 – Five years' in State Prison, suspended to 90 days, 2 years' Probation for each count served concurrently, and Fines totaling \$772.50. - Fine paid in full.

August 9, 2004 Clarendon County Sheriff's Office, SC. – Strong Arm Robbery – Felony – Pled Guilty – Convicted on August 27, 2007 – Six years in State Prison and fined \$128.75 – Balance due \$128.75.

\*Please attach Routing Slip to front of case file

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**WAIVER INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>NORTHERN</b>	Date of Complaint: <b>August 19, 2022</b>	Case Number: <b>2022 04 0492</b>
Respondent:  <b>FRAZIER, STEVEN R.</b> 1110 Caliente Drive #16 Jacksonville, FL 32211 <a href="mailto:nodayzoff803@gmail.com">nodayzoff803@gmail.com</a> Cell Phone: <b>(904) 454-9762</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 West Commercial Boulevard, Suite 165</b> <b>Ft. Lauderdale, Florida 33309</b>	
License # / Type: <b>13162896 / 1012</b>		Profession: <b>Chip Runner</b>	Report Date: <b>September 9, 2022</b>
Period of Investigation: <b>August 19, 2022 through September 9, 2022</b>		Type of Report: <b>Final</b>	
<b>Basis of Investigation:</b> This investigation is predicated upon the submission of <b>STEVEN R. FRAZIER's</b> State of Florida Pari-Mutuel Occupational License Application dated April 12, 2022 and Request for Waiver dated July 6, 2022.			
On April 12, 2022, <b>FRAZIER</b> applied for a PMW Cardroom Employee Occupational License (1012) to work as a Chip Runner at Orange Park Best Bet. On his application, he answered "NO" to the question, "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?"			
Upon receipt of <b>FRAZIER's</b> FDLE Criminal History Report, PMW Licensing sent him a Deficiency Letter on April 18, 2022, requesting that he list and provide court disposition records for the following arrests:			
<ul style="list-style-type: none"> <li>• Manning, South Carolina arrests – 02/14/2004</li> <li>• Summerton, South Carolina arrest – 5/21/2004</li> <li>• Sumter, South Carolina arrest(s) – 1/14/2005, 9/13/2005, 7/5/2007</li> <li>• Clarendon, South Carolina arrest(s) – 8/22/2007, 3/30/2012, 5/8/2016, 2/10/2017</li> <li>• Richland, South Carolina arrest(s) – 2/18/2014</li> </ul>			
On July 6, 2022, <b>FRAZIER</b> submitted an amended application listing several arrests.			
Related Case:			
Investigations Specialist II / Date  <i>/s/ Charles W. Taylor</i> Charles W. Taylor / September 9, 2022		Approved by Investigator Supervisor / Date  <i>C. Derek Washington</i> C. Derek Washington / September 13, 2022	
Chief of Investigations / Date  <i>Bradford D. Jones</i> Bradford D. Jones for Steven E. Kogan / September 15, 2022			

CONTINUATION

**CRIMINAL HISTORY**

Arrest 1					
<b>Date of Arrest:</b> 8/27/2007*		<b>Arresting Agency:</b> Clarendon County Sheriff's Office, SC			
OFFENSE					
Charge(s):	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Drugs/MDP, Narcotic Drugs in Sch I (b) & (c), LSD, and Sched, II (Cocaine) – 1 <sup>st</sup> Offense	Felony	Guilty	Convicted	8/27/2007*	
2					
3					
4					

SENTENCE
Six years in state prison and fined \$231.75.

**Additional Information:** Balance due \$231.75  
 \*All dates reflected as per South Carolina court records.

Arrest 2					
<b>Date of Arrest:</b> 09/13/2005		<b>Arresting Agency:</b> Sumter County Sheriff's Office, South Carolina			
OFFENSE					
Charge(s):	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Unlawful Neglect of Child/Helpless Person	Felony	Guilty	Guilty	03/14/2006	
2 Unlawful Neglect of Child/Helpless Person	Felony	Guilty	Guilty	03/14/2006	
3					
4					

SENTENCE
5 years' in State Prison, suspended to 90 days confinement, 2 years' Probation for each count to be served concurrently, and Fines totaling \$772.50.

**Additional Information:** Fines paid in full.

CONTINUATION

**CRIMINAL HISTORY**

Arrest 3					
<b>Date of Arrest:</b> 8/09/2004		<b>Arresting Agency:</b> Clarendon County Sheriff's Office, SC			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Strong Arm Robbery	Felony	Guilty	Convicted	8/27/2007
2					
3					
4					

SENTENCE
Six years in State Prison and fined \$128.75

<b>Additional Information:</b> Balance Due \$128.75
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Arrest 4					
<b>Date of Arrest:</b>		<b>Arresting Agency:</b>			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE

<b>Additional Information:</b>
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CONTINUATION

**ADDITIONAL LICENSES**

	YES	NO
Has the Applicant ever possessed a Florida Pari-Mutuel Occupational License?	X	
Does the Applicant possess an Occupational License from other jurisdictions?		X

<b>1. License Type: Cardroom Employee 1012 (**TEMPORARY**)</b>				
Date Licensed: <b>4/13/2022</b>	Expiration Date: <b>7/12/2022</b>	License #: <b>13162896</b>	Agency or Jurisdiction: <b>FGCC</b>	
			YES	NO
Has License ever been suspended or revoked?				X
Was any derogatory information received?			X	
Additional Comments: <b>This license was issued in the field office because the applicant did not disclose any convictions on his initial application.</b>				

<b>2. License Type:</b>				
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>3. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

<b>4. License Type:</b>				
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdiction:	
			YES	NO
Has License ever been suspended or revoked?				
Was any derogatory information received?				
Additional Comments:				

CONTINUATION

**WAIVER INTERVIEW**

		<b>YES</b>	<b>NO</b>
Was a Waiver Interview Conducted?		<b>X</b>	
Date of Interview: September 8, 2022	Location of Interview: Office at Best Bet Jacksonville		
		<b>YES</b>	<b>NO</b>
Was the applicant cooperative?		<b>X</b>	
Additional Comments: <b>FRAZIER</b> indicated chip runner as his occupation on his application, however, he will be working in the IT Department if granted a waiver.			

**SUMMARY OF INTERVIEW:**

During his interview, I asked Mr. **FRAZIER** why he did not disclose all of his criminal offenses on his initial application. He stated that he hoped they were only asking about criminal history in the state of Florida and that he did not have any Florida offenses.

We discussed his 2004 felony arrest for Strong Arm Robbery. **FRAZIER** stated that the police questioned him about another drug dealer, who claimed that **FRAZIER** robbed him of his drugs and money. **FRAZIER** admitted that he was a drug dealer, but insisted he was not a thief. He said after being questioned, police arrested him for drug possession. He stated that the police threatened him with a 10-year sentence in prison but offered him a plea deal for a 6-year sentence, but he had to admit guilt in the robbery case, which he did<sup>1</sup>.

Mr. **FRAZIER** explained his felony conviction for Unlawful Neglect of a Child by saying that when he and his child's mother were living together, the mother had to go to work one day before **FRAZIER** could get home from his job. **FRAZIER** claims he told her to wait, but when he got home, the police were already there, and she was not. He stated he thought the police were there for him because of his drug dealing, so he did not immediately approach the home. He said he watched until his child's mother arrived, and while she was being arrested, he showed up and took the blame so that she would not go to jail.

Mr. **FRAZIER** explained that he realized he was on the wrong course, so he moved to Florida. He said he arrived on a Greyhound bus, rented a studio apartment, and applied for a server job at Applebee's. He then got a second job at Miller's Ale House, where he met Tim Hay, an Information Technology Supervisor for Jacksonville Best Bet, located around the corner. **FRAZIER** said Hay was so impressed by his work ethic that Hay told him to come by Best Bet and apply for a job. **FRAZIER** said he got hired to help Hay in the I.T. Department prewire the new Best Bet facility in St. Augustine.

**FRAZIER** stated that Best Bet management was also impressed with his work ethic and

<sup>1</sup> This chronology cannot be reconciled with available court records. These records indicate that while **FRAZIER** was arrested for the Strong Arm Robbery on August 9, 2004 he was not convicted of this crime until August 27, 2007. This is the same conviction date as the 2007 felony narcotics conviction. This same date is also listed as the arrest date for the narcotics charge. The cause of the 3-year interval and the relationship between these events is unclear in the records and in the recollections of Mr. **FRAZIER**.

## CONTINUATION

that they held a position for him until he received his license. **FRAZIER** went on to say his family is very proud that he has turned his life around and that he hopes the Commission will grant his waiver so that he can continue to be successful with his new career in the gaming industry.

**CONCLUSION:**

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **FRAZIER (EXHIBIT #4)**.

**Case Status:** Case closed by Investigations and forwarded to Licensing.

**CONTINUATION**

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UNDER  
CONSTANT  
VIDEO AND  
AUDIO  
SURVEILLANCE



TCN: 70CJ100000000086

Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3120 - Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections that pertain to you and are not marked optional. Print clearly in black or blue ink. Do not write in the space labeled "For Division Use Only."

DEMOGRAPHIC INFORMATION					
Social Security Number		Birth Date (MM/DD/YYYY)		Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name		First	Middle	Suffix	
Rrazier		Steven	R		
Have you used, been known as, or called by another name (example - maiden name, pseudonym, nickname) or alias other than the name used on the application? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
If yes, list the name or names used: _____					
Race/Ethnicity (optional) <input checked="" type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input type="checkbox"/> White or Caucasian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other					
Current Mailing Address			Email Address (optional)		
110 Calintie Dr. #16			NoDayzoff803@gmail.com		
City	State	Zip Code (+4 optional)	Country, if other than USA		
Jacksonville	FL	32211			
Primary Phone Number			Secondary/Cell Phone Number (optional)		
904-454-9762					
Current Street Address					
110 Calintie Dr. #16					
City	State	Zip Code (+4 optional)	Country, if other than USA		
Jacksonville	FL	32211			
Type of Occupational License applying for: <input type="checkbox"/> Pari-Mutuel General Individual <input type="checkbox"/> Pari-Mutuel Professional individual <input checked="" type="checkbox"/> Cardroom Employee			Facility where employed and/or doing business:		
Occupation: <u>CHIP RUNNER</u>			bestbet - 148		
Does your position require access to the Cardroom? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Are you a Supervisor, Manager, or Shareholder of a business with a pari-mutuel permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Do you own or lease animals intended for racing in Florida? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, complete the following: Stable Name, Kennel Name, or Business Name _____ Trainer Name (horse or greyhound racing only) _____					
TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY					
Type of professional license (attach a copy of Florida professional license):			Florida License Number		
FOR DIVISION USE ONLY					
License Code	License #	File #	App #		
1012	13162896	13687	62679		
Association Code	Date Received	Entered By	License Year		
148	4/13/22	LPS	21/24		
License Fee	FP Date	FP Fee	Total Fee		
100.00	live scan		100.00		
Off Temp	Waiver Requested	APCI	Enforcement	Minor	

RECEIVED  
DIVISION OF  
PARI-MUTUEL WAGERING  
2022 APR 14 AM 11:07

EXHIBIT # 1  
PAGE # 2-9

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)					
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.				
DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.				
If you answered yes to any of the questions above, provide details here:					
PLEASE READ AND SIGN BELOW					
<p>Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1998 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.</p> <p>I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.058 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.</p> <p>Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.</p> <p>I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.</p>					
 Signature of Applicant				4-12-2022 Date	

EXHIBIT # 1  
PAGE # 3-9

**BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)**

- Yes Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
- No
- Yes Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.
- No

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
2/14/2004	Clarendon	S.C.	Assault on Battery	not sure	time served
5/21/2004	Clarendon	S.C.	Driving No Lic	Misdemeanor	paid fine
1/14/05	Sumter	S.C.	Driving No Lic	Misdemeanor	paid fine
9/13/05	Sumter	S.C.	Driving No Lic	Misdemeanor	paid fine

- Yes Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
- No
- Yes Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.
- No

If you answered yes to any of the questions above, provide details here:

**PLEASE READ AND SIGN BELOW**

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

Each application for a license or renewal of a license issued by the Department of Business and Professional Regulation shall be signed under oath or affirmation by the applicant, or owner or chief executive of the applicant without the need for witnesses unless otherwise required by law.

I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

  
Signature of Applicant

7/6/22  
Date

7/5/2007 Sumter / S.C. / Simple Position of Need / Paid fine

8/22/2007 / Clerndon County / S.C. / P.H.I.D / Driving no L.I.C. / threaten a  
Public officer / Position of Need / Served 5 year's in prison in Paid fine

3/30/2012 / - I dont know about that Date I was still in  
~~Prison~~ Jail

5/8/16 - Clerendon / S.C. / Driving no L.I.C. / Paid fine  
Failure to stop for blue light  
Driving on registered vehicle  
Simple Position of Need

2/18/2014 / Richland County / Columbia SC. / Driving no L.I.C.  
Paid fine

#13162896

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

- Yes  No Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States?
- Yes  No Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the chart provided below.

DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
8/2007	DUKELAND	SC	POSSESSION	F	16 yrs.
2/2010	WACONDO	SC	DUI - DRIVING UNDER THE INFLUENCE	MIS	15 days

- Yes  No Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.
- Yes  No Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the offense and discipline.

If you answered yes to any of the questions above, provide details here:

license through DBPR suspended due to record

2022 AUG 12  
FLORIDA  
ON ROAD

PLEASE READ AND SIGN BELOW

Under the Federal Privacy Act, disclosure of Social Security numbers is voluntary unless specifically required by Federal Statute. In this instance, disclosure of Social Security numbers is mandatory pursuant to Title 42, United States Code, Sections 653, 654; and Sections 409.2577, 409.2598, and 559.79, Florida Statutes. Social Security numbers are used to allow efficient screening of applicants and licensees by a Title IV-D child support agency to assure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for licensee identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, to submit a set of my fingerprints to the Florida Department of Law Enforcement (FDLE) for the purpose of accessing and reviewing Florida and national criminal history records that may pertain to me. I understand that I am able to obtain a national criminal history record that may pertain to me directly from the Federal Bureau of Investigation (FBI) pursuant to Title 28, Code of Federal Regulations (CFR), Sections 16.30-16.34. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent arrest notifications and that I am entitled to challenge the accuracy and completeness of any information contained in any such report. I am aware that procedures for challenging FDLE or FBI criminal history records are set forth in F.S. 943.056 and Title 28, CFR, Section 16.34. I may obtain a prompt determination as to the validity of my challenge before the Division makes a final determination about my status as a licensee. A copy of the Noncriminal Justice Applicant's Privacy Rights is available on the Division's website.

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I certify that I am empowered to execute this application as required by Section 559.79, Florida Statutes. I understand that my signature on this application has the same legal effect as an oath or affirmation. I declare that I have read the foregoing application and to the best of my knowledge, all information contained on this application is true and complete. I understand that falsification of any information on this application may result in administrative action, including fines up to \$1,000, denial, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Pari-Mutuel Wagering and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.

Signature of Applicant: [Signature] Date: 8/12/2022

EXHIBIT # 1  
PAGE # 6-9



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
www.myfloridalicense.com

To: Steven Remell Frazier  
Full Legal Name of Applicant



4046 13162896  
Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony, regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the Division Director in order to receive a Florida Pari-Mutuel Wagering Occupational License or Cardroom License. Please check the appropriate box(es) below that best describes your situation:

For Pari-Mutuel and Cardroom Applicants:

A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.

Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction:

New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

A misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, in this state or any other state, or under the laws of the United States.

If you choose to request a waiver, please sign this form below and return it with your completed application, license, and fingerprint fees. After an investigation is conducted, the Division Director will either grant or deny the request for waiver. You will be notified of the decision by mail at the address provided on your application.

UNTIL YOU ARE LICENSED:

- 1) You are not permitted to engage in any activity which requires a pari-mutuel occupational license or a cardroom license at any pari-mutuel facility in Florida. If you are found to be working without a license, you will be subject to arrest for trespassing and your waiver request may be denied.
- 2) You are forbidden from accessing any of the restricted areas of any pari-mutuel facility in Florida.

I hereby request a waiver for the situation(s) or conviction(s) noted above, and acknowledge that license and fingerprint fees are non-refundable in the event the waiver request is denied. I hereby acknowledge that my failure to participate in a waiver interview or to disclose any pertinent information regarding convictions, rulings, revocations, or denials from other jurisdictions will result in a denial of the request for waiver. I hereby waive the Section 120.60, Florida Statutes, timeline requirement regarding the processing of this application.

[Signature]  
Signature of Applicant

7/6/22  
Date

TO BE CONSIDERED FOR A WAIVER, APPLICANTS MUST COMPLETE FORM DBPR PMW-3195 – REQUEST FOR RELEASE OF INFORMATION AND AUTHORIZATION TO RELEASE INFORMATION, AND SCHEDULE A WAIVER INTERVIEW WITH THE OFFICE OF INVESTIGATIONS.

EXHIBIT # 1  
PAGE # 7-9



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF PARI-MUTUEL WAGERING**  
 www.myfloridalicense.com

PERSONAL INFORMATION					
Social Security Number/Federal Employer ID Number [REDACTED]					
IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION					
Last Name <i>Frazier</i>	First [REDACTED]	Middle <i>R</i>	Title	Suffix	
Birth Date (MM/DD/YYYY) [REDACTED]					
IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION					
Representative's Name Last		First	Middle	Title	Suffix
Permitholder Name					
Official Capacity					
ATTEST STATEMENT					
I, <u><i>Steven Frazier</i></u> , do hereby instruct all law enforcement (name of applicant/representative) or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.					
I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.					
<u>STEVEN REHELL FRAZIER</u> (if individual applicant - legal name and any nickname or alias in parentheses)					
Applicant/Representative Signature: <i>[Signature]</i>			Date: <i>7/6/22</i>		
NOTARIZATION					
The foregoing application was sworn to and subscribed before me this <u><i>6<sup>th</sup></i></u> Day of <u><i>JULY</i></u> , 20 <u><i>22</i></u> , by <u><i>STEVEN REHELL FRAZIER</i></u> , <i>[Signature]</i> Type or print name of applicant Signature of applicant					
who is personally known to me or who has produced the following as identification.					
<u><i>personally known</i></u> Type of identification			<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;">                         KASSANDRA WHITLEY                          NOTARY PUBLIC                          STATE OF FLORIDA                          NO. HH 262600                          MY COMMISSION EXPIRES MAY 09, 2028                     </div>		
<i>[Signature]</i> Signature of person taking acknowledgment Notary Seal (Rubber Stamp and Expiration)					

EXHIBIT # 1  
PAGE # 8-9

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: rmahalinga

VR Home > License Search > License Home

- [Licensee](#)
- [History](#)
- [Notes](#)
- [Notes History](#)
- [Back](#)

**License**

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **07/12/2022**  
 File # **13687** Name **Frazier, Steven R.** Extended To  
 License # **13162896** Rank **CEMP - Cardroom Employee Occupational** Renewed On  
 Entity # **13162896** Lic Status **Closed Upgrade**

**Address**

Street # **1110** Street **CALINTIE DRIVE #16**  
 Line 2  
 Line 3  
 City **JACKSONVILLE** State **FL** Zip **32211**  
 Routing

**Other**

1st License Date **04/13/2022** Rank Date **04/13/2022** Certificate #  
 Method **I-S-1018** Status Date **04/18/2022** Certificate Date  
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

Type ↕	Modifier ↕	Effective Date ↕	Additional Info ↕
C	RUNN - Chip Runner	04/13/2022	
I	GHND - Greyhound	04/13/2022	
L	148 - Orange Park Kennel Club, Inc.	04/13/2022	
Y	3YR - 3 Year License	04/13/2022	

**Alt Keys**

BEST LIC NBR **13162896**

 Get Adobe Reader.

EXHIBIT #1  
 PAGE # 9-9



# Clarendon County Third Judicial Circuit Public Index



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[South Carolina Judicial Department Home Page](#)
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## The State of South Carolina VS Steven Remell Frazier

Case Number:	<b>J123833</b>	Court Agency:	<b>General Sessions</b>	Filed Date:	<b>08/27/2007</b>
Case Type:	<b>Criminal-Clerk</b>	Case Sub Type:			
Status:	<b>Disposed</b>	Assigned Judge:	<b>James, George C Jr</b>	Disposition Judge:	<b>James, George C Jr</b>
Disposition:	<b>Pled Guilty</b>				
Disposition Date:	<b>08/27/2007</b>	Date Received:	<b>08/27/2007</b>	Arrest Date:	<b>08/27/2007</b>
Law Enf. Case:		True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	<b>2007GS1400296</b>	Waiver Date:	
Probation Case:					

### Case Parties

Click the icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
<input checked="" type="checkbox"/> Frazier, Steven Remell	3552 Mellette Road Manning SC 291020000	Black	M	1983	Defendant		03/04/2008
<input checked="" type="checkbox"/> Koon, Deborah Johnson	Po Box 1 Manning SC 291020000				Defendant Attorney		

### Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Frazier, Steven Remell	0183-Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II (Cocaine)- 1st offense	0183-Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II (Cocaine)- 1st offense	08/27/2007

### Sentencing

And/Or	Description	Amount	Units	Begin Date	End Date	Completion Date	Consecutive or Concurrent
	SIX (6) YEARS						

### Actions

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Frazier, Steven Remell	Active - Non Probation	Filing		08/27/2007-00:00		

### Financials

#### Summary

Fine/Costs:	<b>\$231.75</b>	Total Paid for fine/costs:	<b>\$0.00</b>	Balance Due:	<b>\$231.75</b>
-------------	-----------------	----------------------------	---------------	--------------	-----------------

#### Costs

Description	Cost Code	Amount	Charge Action	Disbursed Amount
Victim Conviction Surcharge \$100 / \$25	CVSRCH	\$100.00		\$0.00
Collection Fee for Converted Cases	CFEECC	\$6.75		\$0.00
Law Enforcement Funding Surcharge \$25	LEFSUR	\$25.00		\$0.00
PCC Surcharge	PCCSUR	\$100.00		\$0.00

Payments				
Payment Date	Receipt Number	Entered By	Transaction Type Code	Payment Amount
None				

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## *CDR Codes*

**CDR Code:**

0183

**Offense Description:**

Drugs / MDP, Narcotic drugs in Sch. I(b) & (c), LSD, and Sched. II - 1st offense

**Offense Statute(s):**

44-53-0370(b)(1)

**Penalty Statute(s):**

44-53-0370(b)(1)

**Drug Schedule(s):**

Schedule I    Schedule II

**Offense Type:**

Felony

**Offense Class:**

D

**Status:**

Active

**Effective Date:**

**Expiration Date:**

**Rescind/Retire Date:**

**Last Updated:**



# Sumter County Third Judicial Circuit Public Index



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Switch View

## The State of South Carolina VS Steven Frazier

<b>Case Number:</b>	<b>H905919</b>	<b>Court Agency:</b>	<b>General Sessions</b>	<b>Filed Date:</b>	<b>09/22/2005</b>
<b>Case Type:</b>	<b>Criminal-Clerk</b>	<b>Case Sub Type:</b>			
<b>Status:</b>	<b>Pled Guilty</b>	<b>Assigned Judge:</b>	<b>Ward, Kathy Lynn</b>	<b>Disposition Judge:</b>	<b>Newman, Clifton</b>
<b>Disposition:</b>	<b>Pled Guilty</b>				
<b>Disposition Date:</b>	<b>03/14/2006</b>	<b>Date Received:</b>	<b>09/22/2005</b>	<b>Arrest Date:</b>	<b>09/13/2005</b>
<b>Law Enf. Case:</b>		<b>True Bill Date:</b>		<b>No Bill Date:</b>	
<b>Prosecutor Case:</b>		<b>Indictment Number:</b>	<b>2006GS4300060</b>	<b>Waiver Date:</b>	
<b>Probation Case:</b>					

### Case Parties

Click the icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
<input checked="" type="checkbox"/> Finney, Ernest A iii	P O BOX 836 SUMTER SC 29151				Defendant Attorney		06/30/2007
<input checked="" type="checkbox"/> Frazier, Steven	3552 MALLET RD MANNING SC 29102	Black	M	1983	Defendant		09/20/2007

### Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Frazier, Steven	2481-Children / Legal custodian, unlawful neglect of child or helpless person	2481-Children / Legal custodian, unlawful neglect of child or helpless person	03/14/2006

### Sentencing

And/Or	Description	Amount	Units	Begin Date	End Date	Completion Date	Consecutive or Concurrent
	5 YRS; SUS TO 90 DAYS, 2 YRS PROB. CONCURRENT. CTS						
	2.0			03/14/2006			
	TOWARDS A CHILD			03/14/2006			
	UNLAWFUL CONDUCT			03/14/2006			
	PD FEE. A&D TESTING & COUNSELING. COMPLETE DSS TRE			03/14/2006			

### Actions

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Frazier, Steven	Active - Probation	Filing		09/11/2007-13:59		
Frazier, Steven	Active - Probation	Filing		09/22/2005-00:00		

**Financials**

Summary				
Fine/Costs:	<b>\$772.50</b>	Total Paid for fine/costs:	<b>\$772.50</b>	Balance Due: <b>\$0.00</b>
Costs				
Description	Cost Code	Amount	Charge Action	Disbursed Amount
Fine to State 44%	AFINES	\$0.00		\$0.00
Fine to General Fund	AFNEGF	\$0.00		\$0.00
Victim Services Asm 38.0013% / 5.7831%	ASMVIC	\$0.00		\$0.00
Victim Conviction Surcharge \$100 / \$25	CVSRCH	\$200.00		\$200.00
Law Enforcement Funding Surcharge \$25	LEFSUR	\$50.00		\$50.00
State Assessment	STAASM	\$0.00		\$0.00
Office of Indigent Defense \$500	OIDSUR	\$500.00		\$500.00
Collection Fee 3%	CFEE3%	\$22.50		\$22.50
Payments				
Payment Date	Receipt Number	Entered By	Transaction Type Code	Payment Amount
09/21/2007	71107	C43KGEDDIN	WO	\$772.50



# Sumter County Third Judicial Circuit Public Index



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Switch View

## The State of South Carolina VS Steven Frazier

Case Number:	<b>H905923</b>	Court Agency:	<b>General Sessions</b>	Filed Date:	<b>09/22/2005</b>
Case Type:	<b>Criminal-Clerk</b>	Case Sub Type:			
Status:	<b>Pled Guilty</b>	Assigned Judge:	<b>Ward, Kathy Lynn</b>	Disposition Judge:	<b>Newman, Clifton</b>
Disposition:	<b>Pled Guilty</b>				
Disposition Date:	<b>03/14/2006</b>	Date Received:	<b>09/22/2005</b>	Arrest Date:	<b>09/13/2005</b>
Law Enf. Case:		True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	<b>2006GS4300060</b>	Waiver Date:	
Probation Case:					

## Case Parties

Click the  icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
<input checked="" type="checkbox"/> Finney, Ernest A iii	P O BOX 836 SUMTER SC 29151				Defendant Attorney		06/30/2007
<input checked="" type="checkbox"/> Frazier, Steven	3552 MALLET RD MANNING SC 29102	Black	M	1983	Defendant		04/13/2006

## Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Frazier, Steven	2481-Children / Legal custodian, unlawful neglect of child or helpless person	2481-Children / Legal custodian, unlawful neglect of child or helpless person	03/14/2006

## Sentencing

And/Or	Description	Amount	Units	Begin Date	End Date	Completion Date	Consecutive or Concurrent
	<b>SAME AS H905919</b>						



# Clarendon County Third Judicial Circuit Public Index



[Clarendon County Home Page](#)
[South Carolina Judicial Department Home Page](#)
[SC.GOV Home Page](#)

Switch View

## The State of South Carolina VS Steven Frazier

<b>Case Number:</b>	<b>H722142</b>	<b>Court Agency:</b>	<b>General Sessions</b>	<b>Filed Date:</b>	<b>08/11/2004</b>
<b>Case Type:</b>	<b>Criminal-Clerk</b>	<b>Case Sub Type:</b>			
<b>Status:</b>	<b>Disposed</b>	<b>Assigned Judge:</b>	<b>James, George C Jr</b>	<b>Disposition Judge:</b>	<b>James, George C Jr</b>
<b>Disposition:</b>	<b>Pled Guilty</b>				
<b>Disposition Date:</b>	<b>08/27/2007</b>	<b>Date Received:</b>	<b>08/11/2004</b>	<b>Arrest Date:</b>	<b>08/09/2004</b>
<b>Law Enf. Case:</b>		<b>True Bill Date:</b>		<b>No Bill Date:</b>	
<b>Prosecutor Case:</b>		<b>Indictment Number:</b>	<b>2004GS1400333</b>	<b>Waiver Date:</b>	
<b>Probation Case:</b>					

### Case Parties

Click the icon to show associated parties.

Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
<input checked="" type="checkbox"/> Frazier, Steven	3552 Mallett Road Manning SC 291020000	Black	M	1983	Defendant		
<input checked="" type="checkbox"/> Koon, Deborah Johnson	Po Box 1 Manning SC 291020000				Defendant Attorney		

### Charges

Name	Charge Code - Charge Description	Original Charge Code - Original Charge	Disposition Date
Frazier, Steven	0137-Robbery / Common law robbery, strong arm robbery	0026-Robbery / Attempted armed, or allegedly armed, robbery	08/27/2007

### Sentencing

And/Or	Description	Amount	Units	Begin Date	End Date	Completion Date	Consecutive or Concurrent
	SIX YEARS						

### Actions

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Frazier, Steven	Active - Non Probation	Filing		08/27/2007-00:00		

### Financials

#### Summary

<b>Fine/Costs:</b>	<b>\$128.75</b>	<b>Total Paid for fine/costs:</b>	<b>\$0.00</b>	<b>Balance Due:</b>	<b>\$128.75</b>
--------------------	-----------------	-----------------------------------	---------------	---------------------	-----------------

#### Costs

Description	Cost Code	Amount	Charge Action	Disbursed Amount
Law Enforcement Funding Surcharge \$25	LEFSUR	\$25.00		\$0.00
Collection Fee for Converted Cases	CFEECC	\$3.75		\$0.00
Victim Conviction Surcharge \$100 / \$25	CVSRCH	\$100.00		\$0.00

#### Payments

Payment Date	Receipt Number	Entered By	Transaction Type Code	Payment Amount
--------------	----------------	------------	-----------------------	----------------

## *CDR Codes*

**CDR Code:**

0137

**Offense Description:**

Robbery / Common law robbery, strong arm robbery

**Offense Statute(s):**

16-11-0325

**Penalty Statute(s):**

16-11-0325

**Offense Type:**

Felony

**Offense Class:**

D

**Status:**

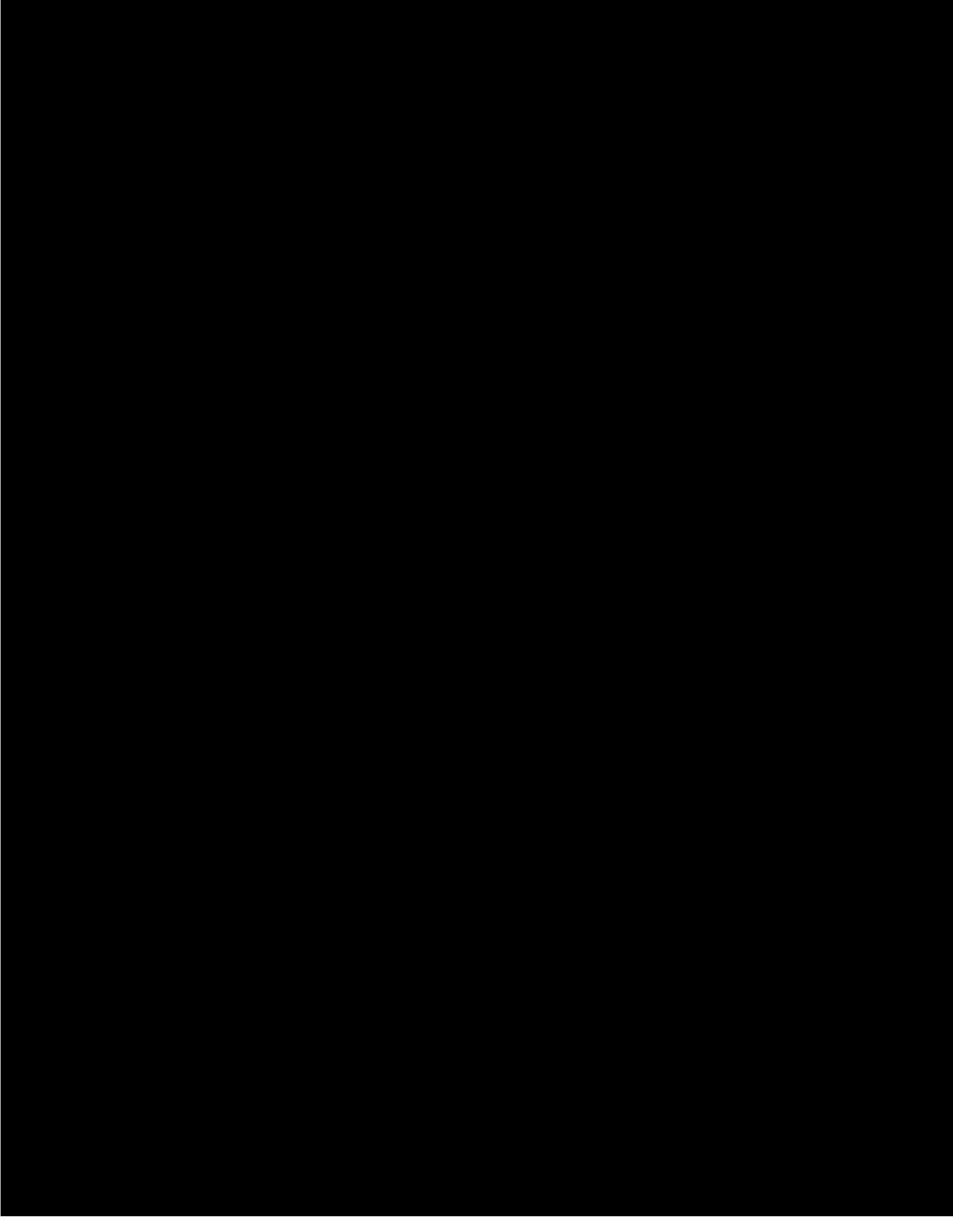
Active

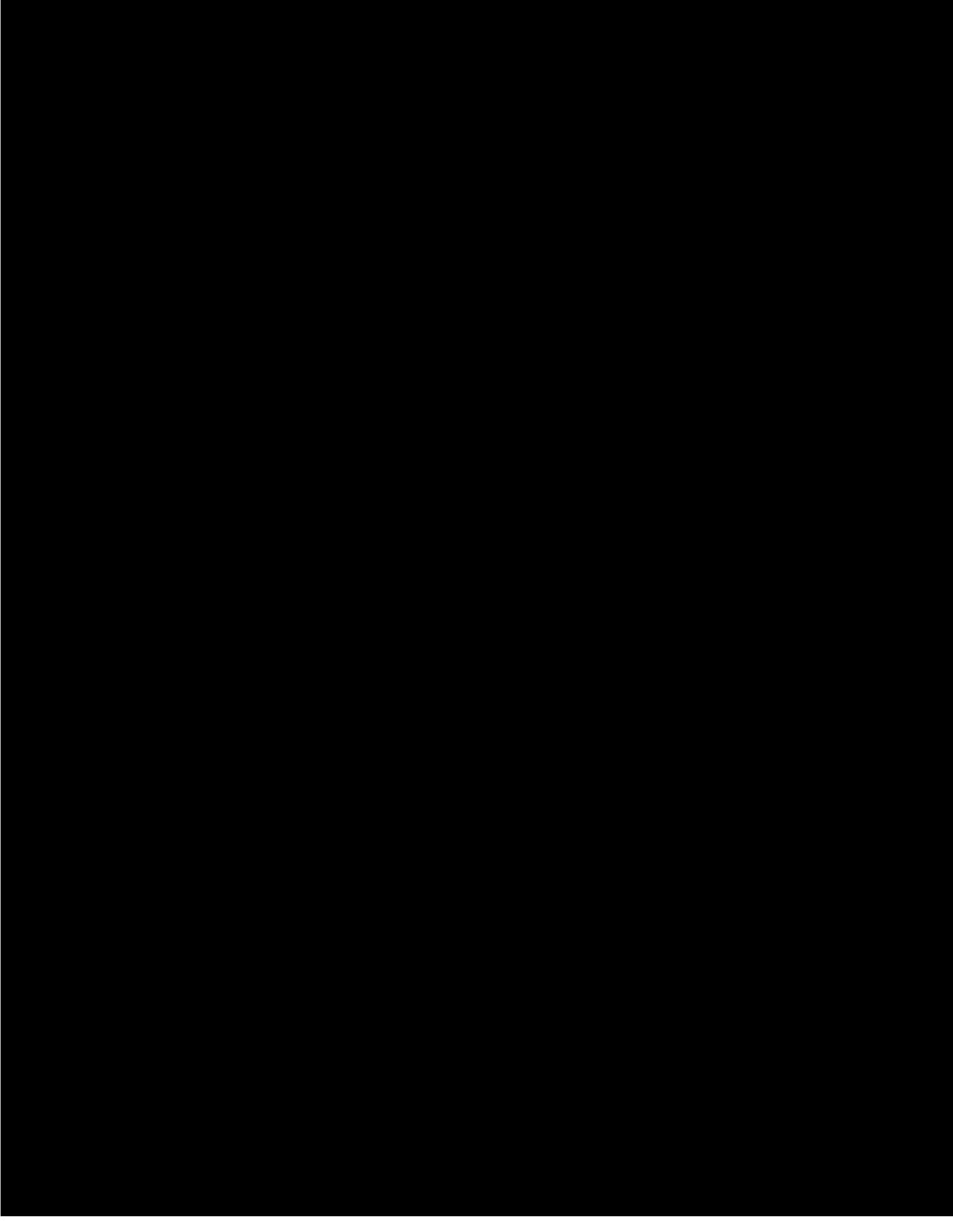
**Effective Date:**

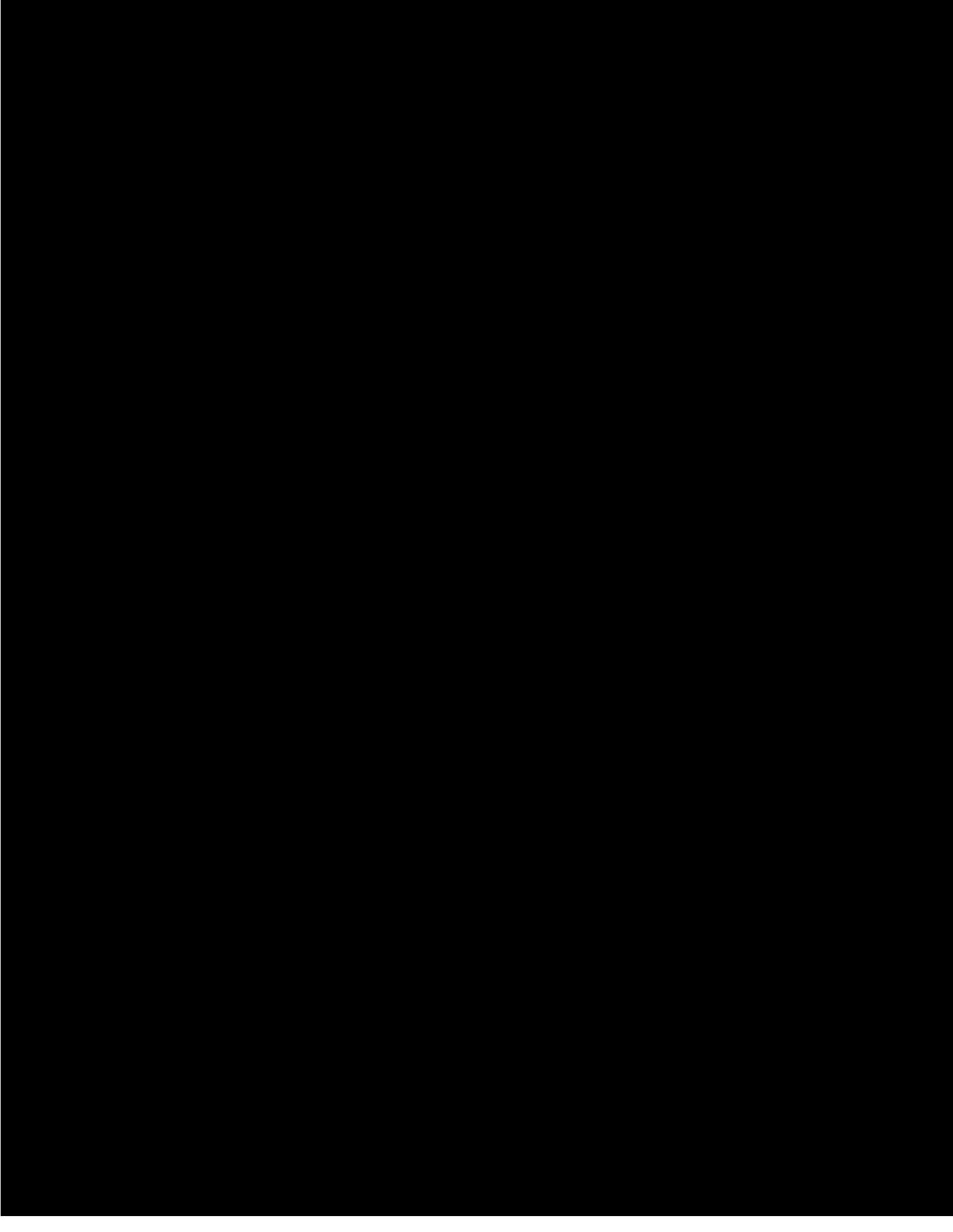
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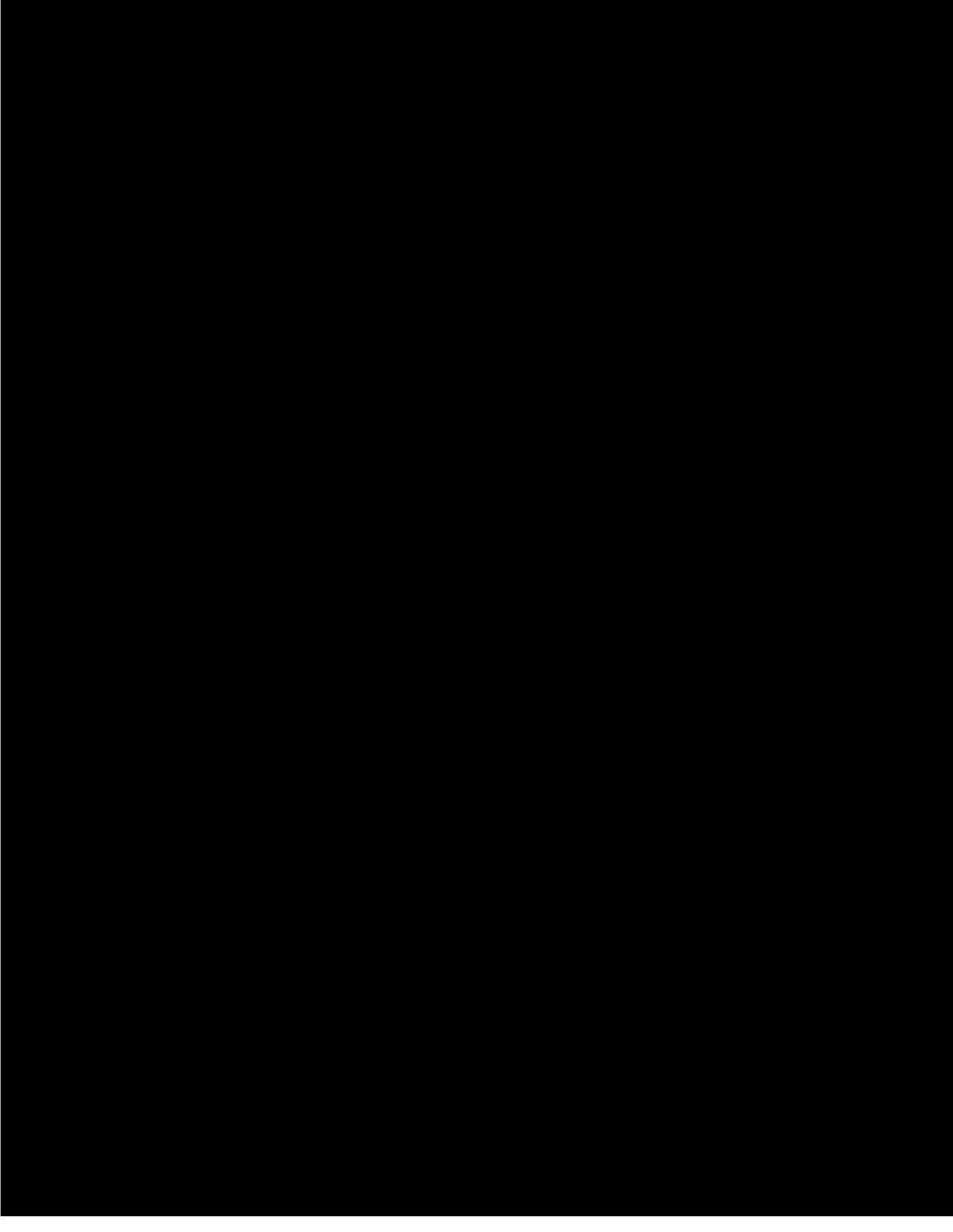
**Rescind/Retire Date:**

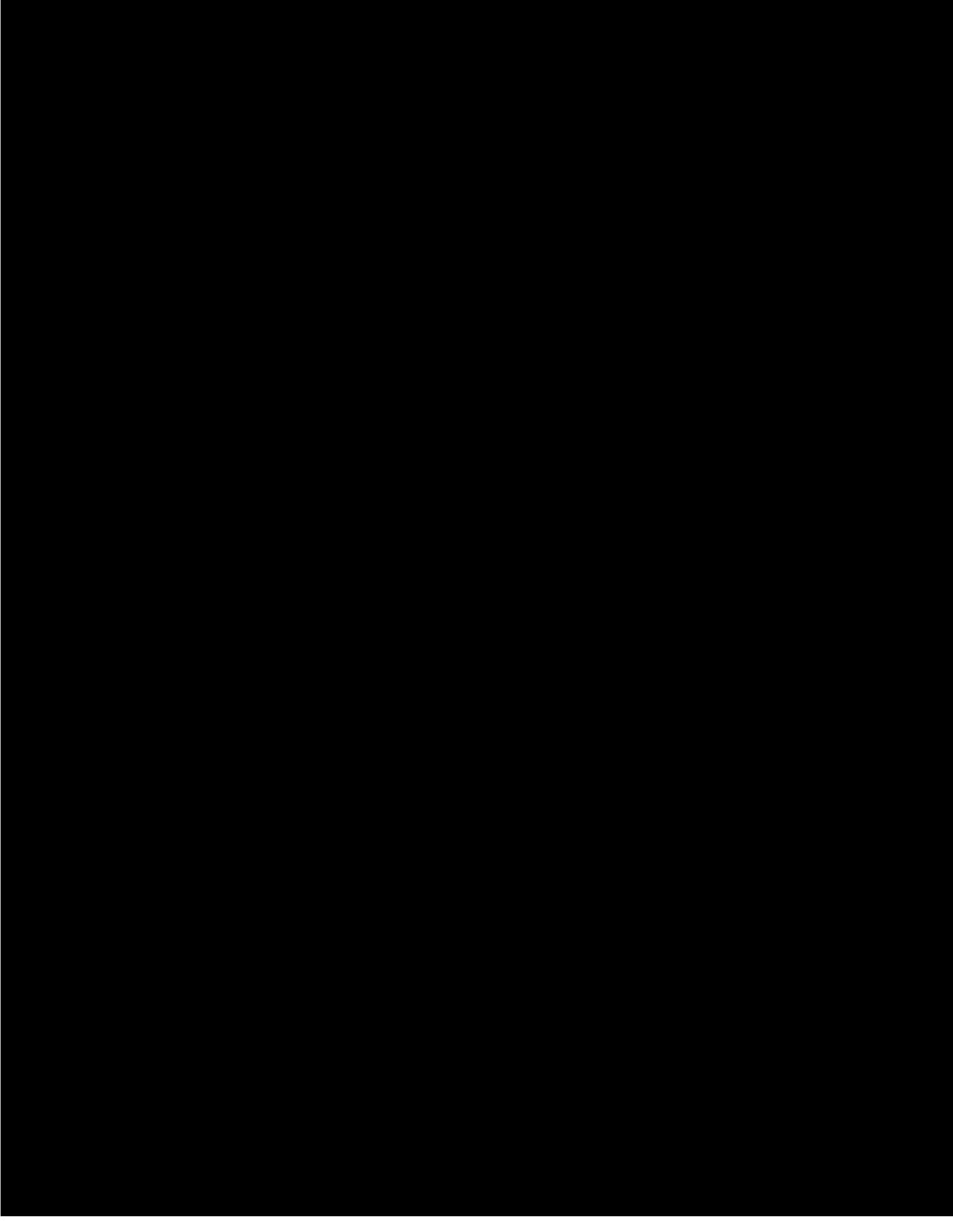
**Last Updated:**

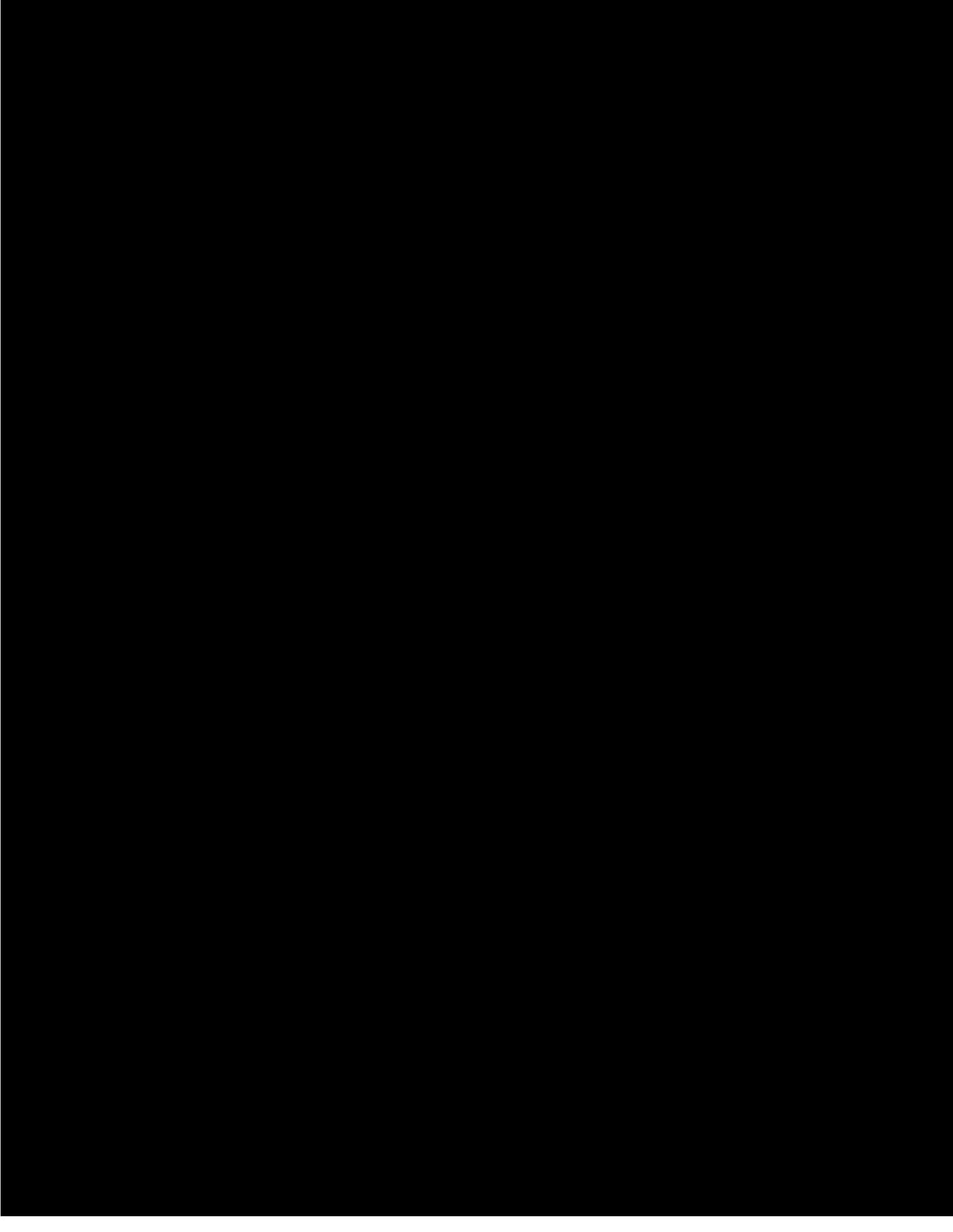


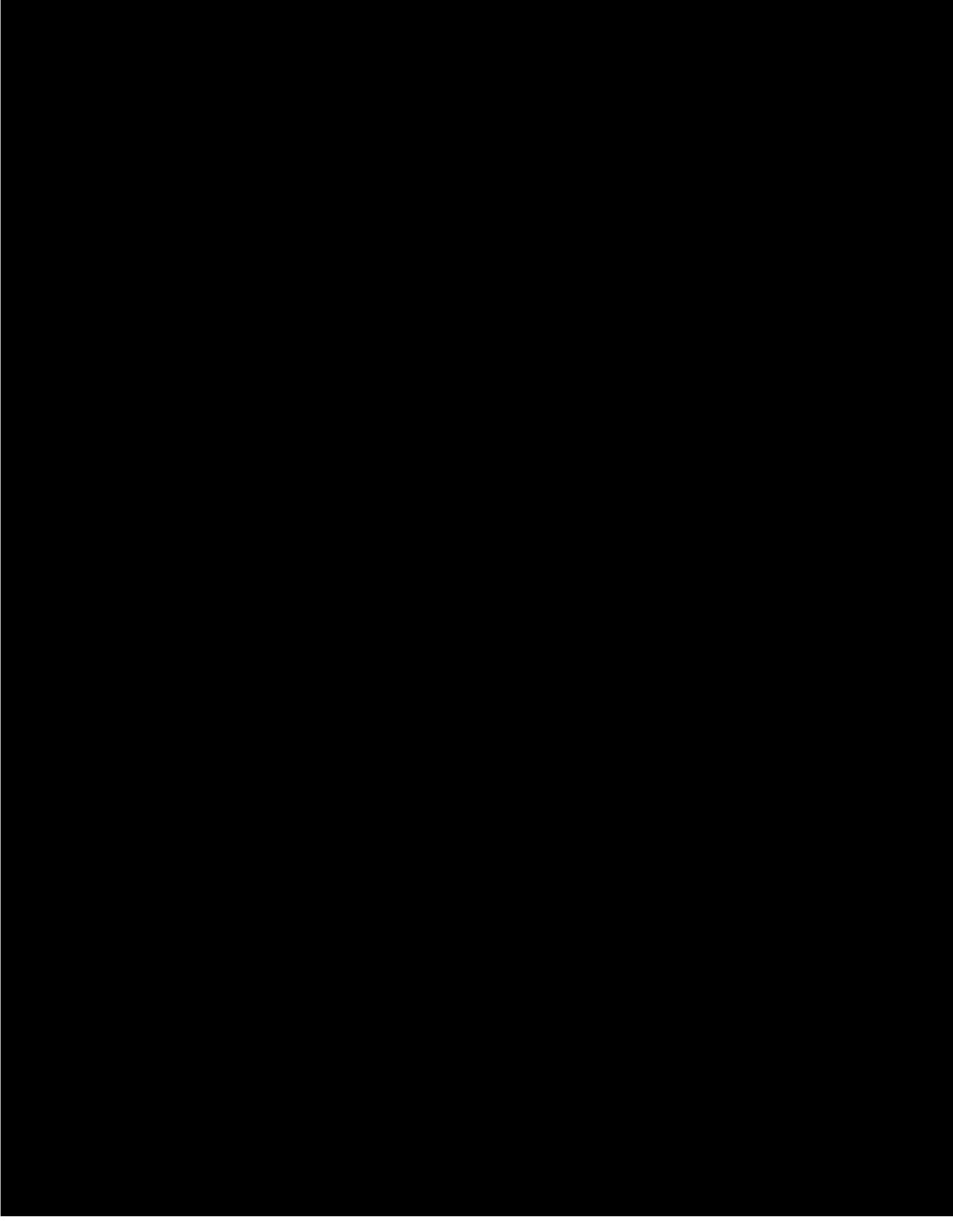


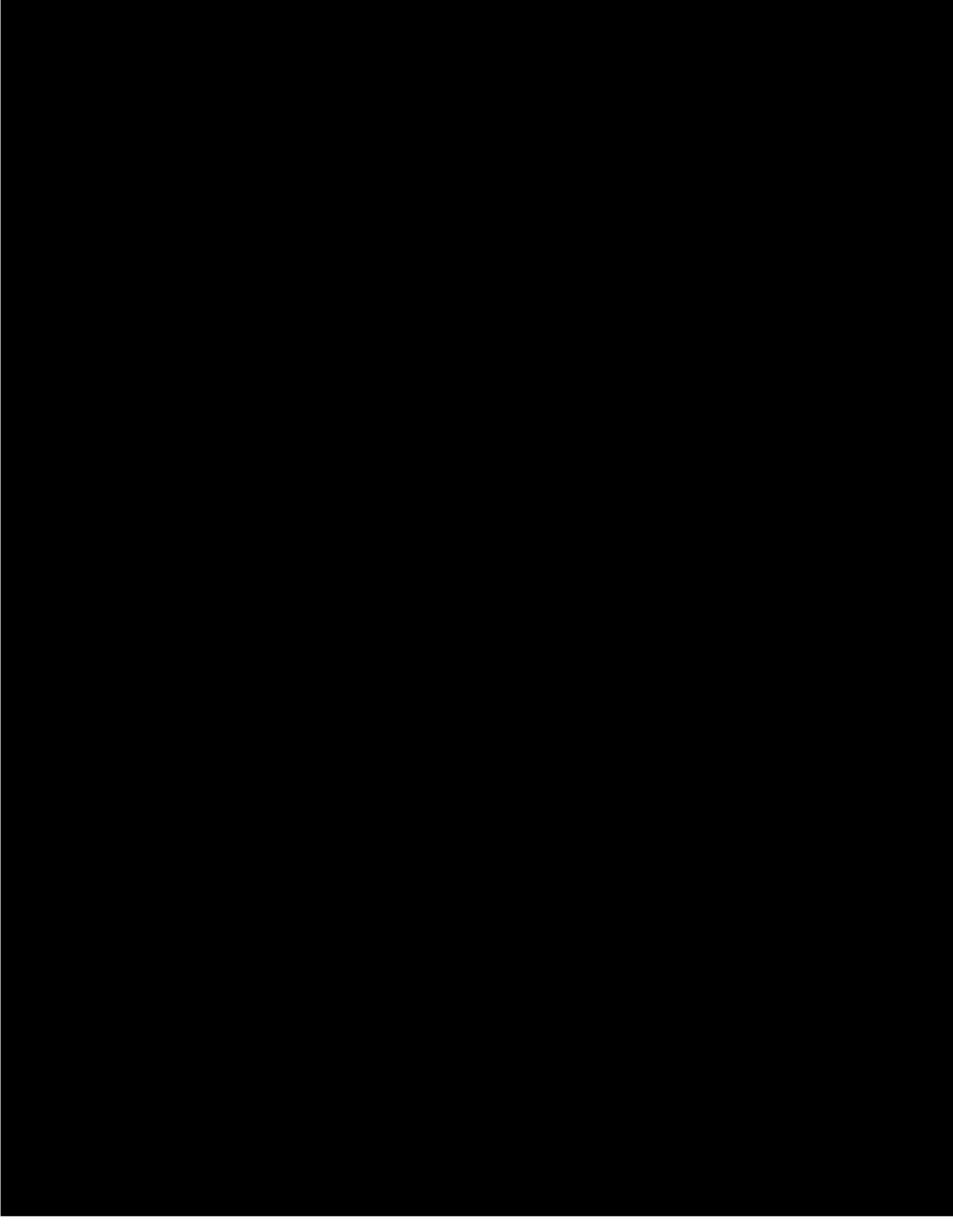


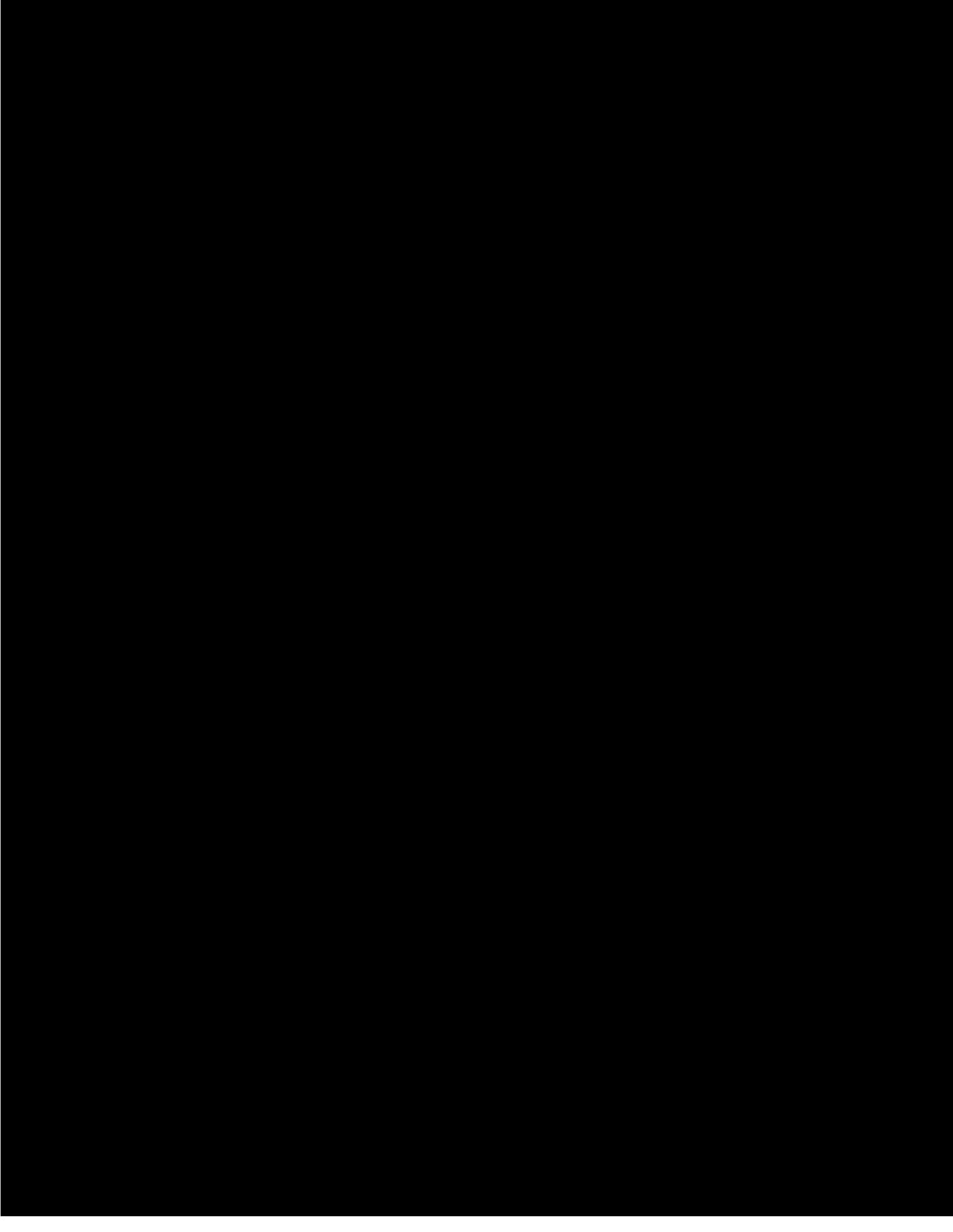


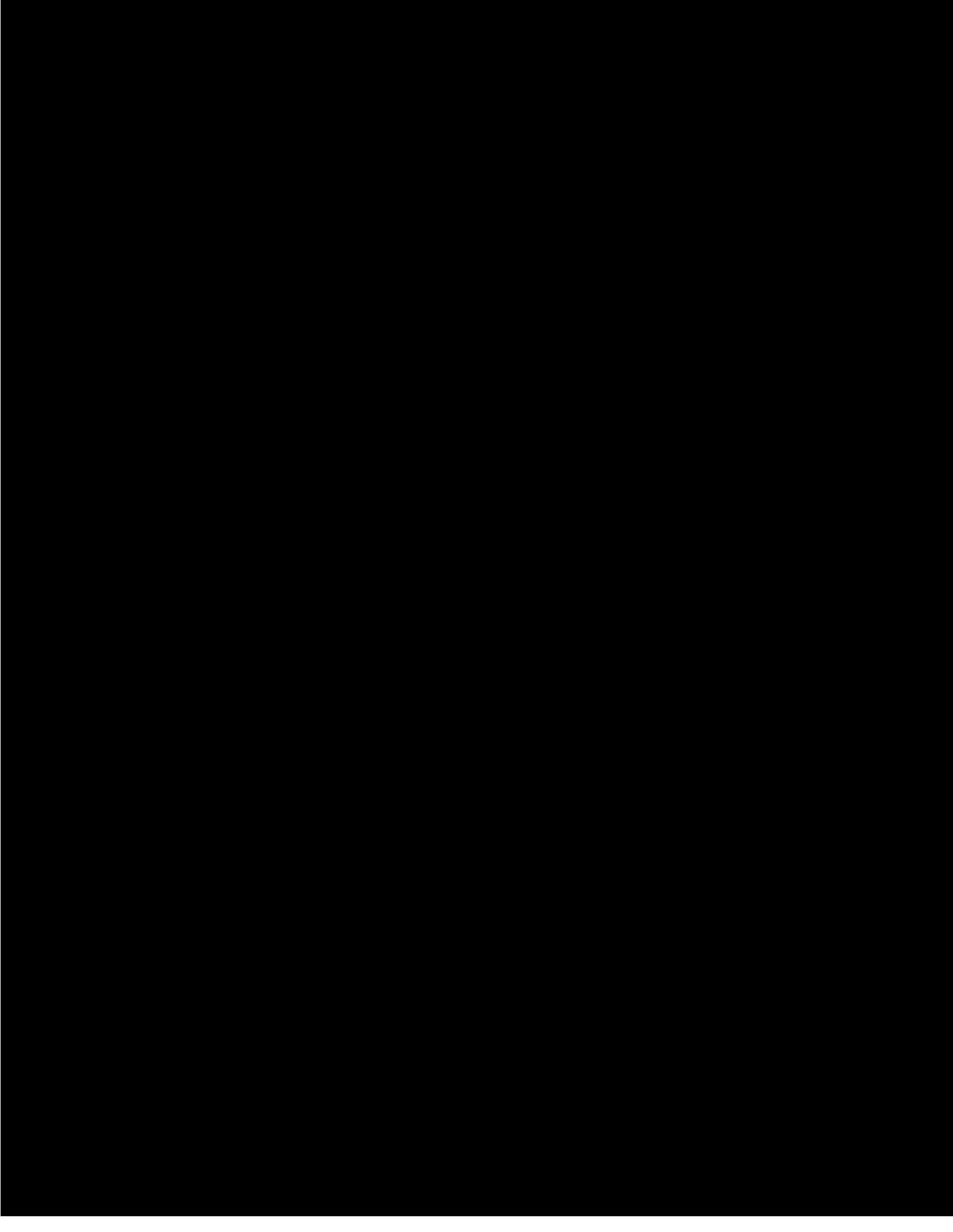


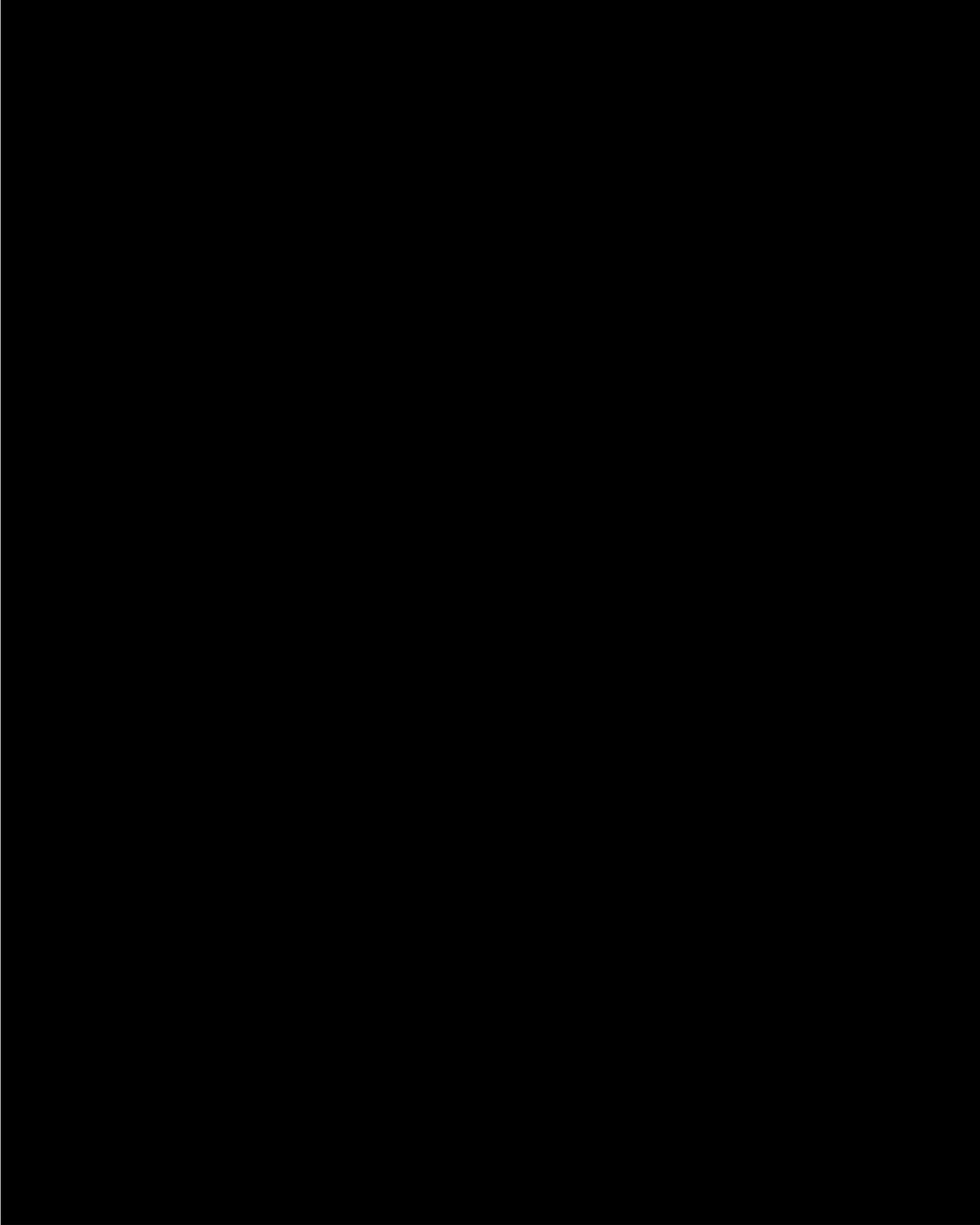


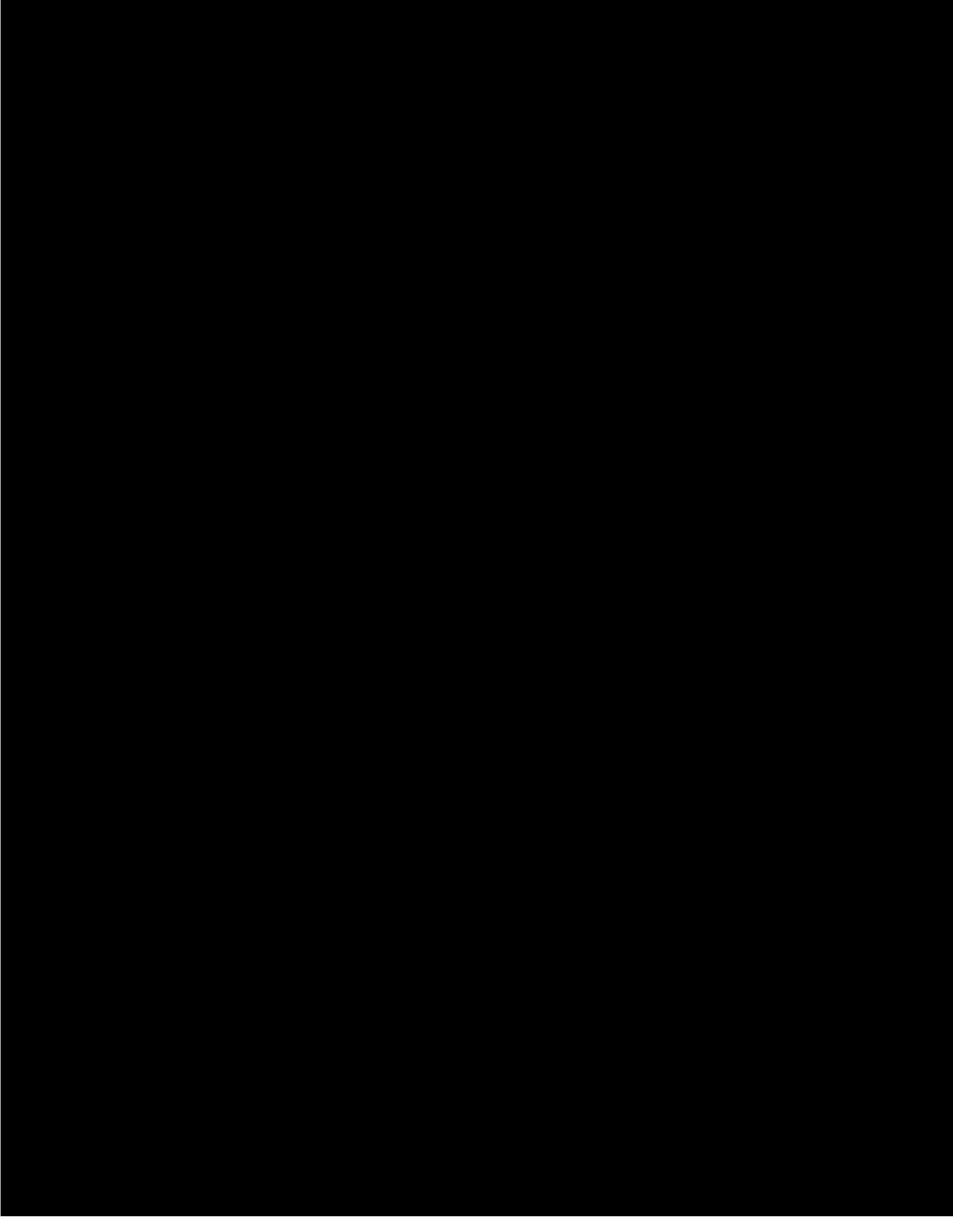


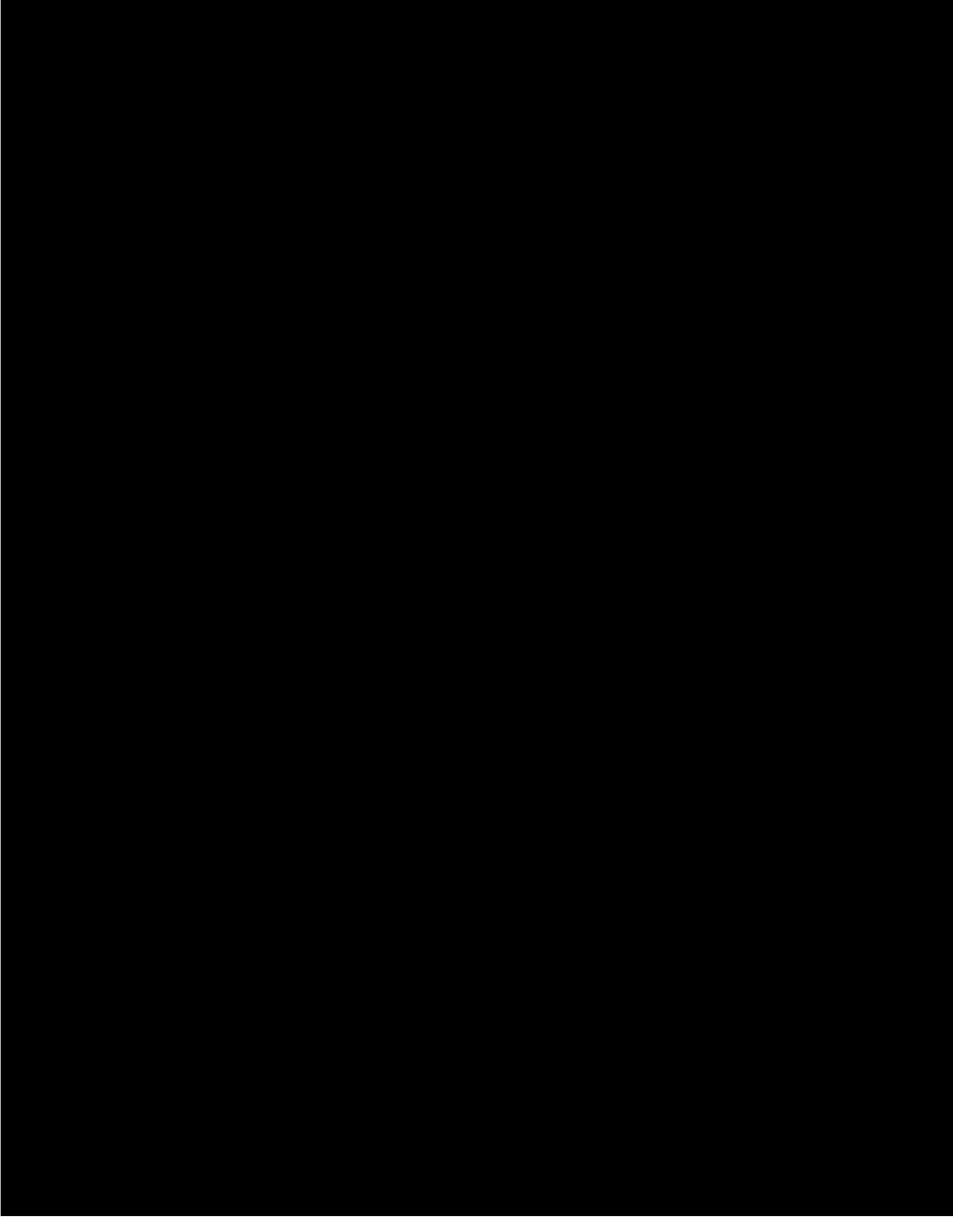


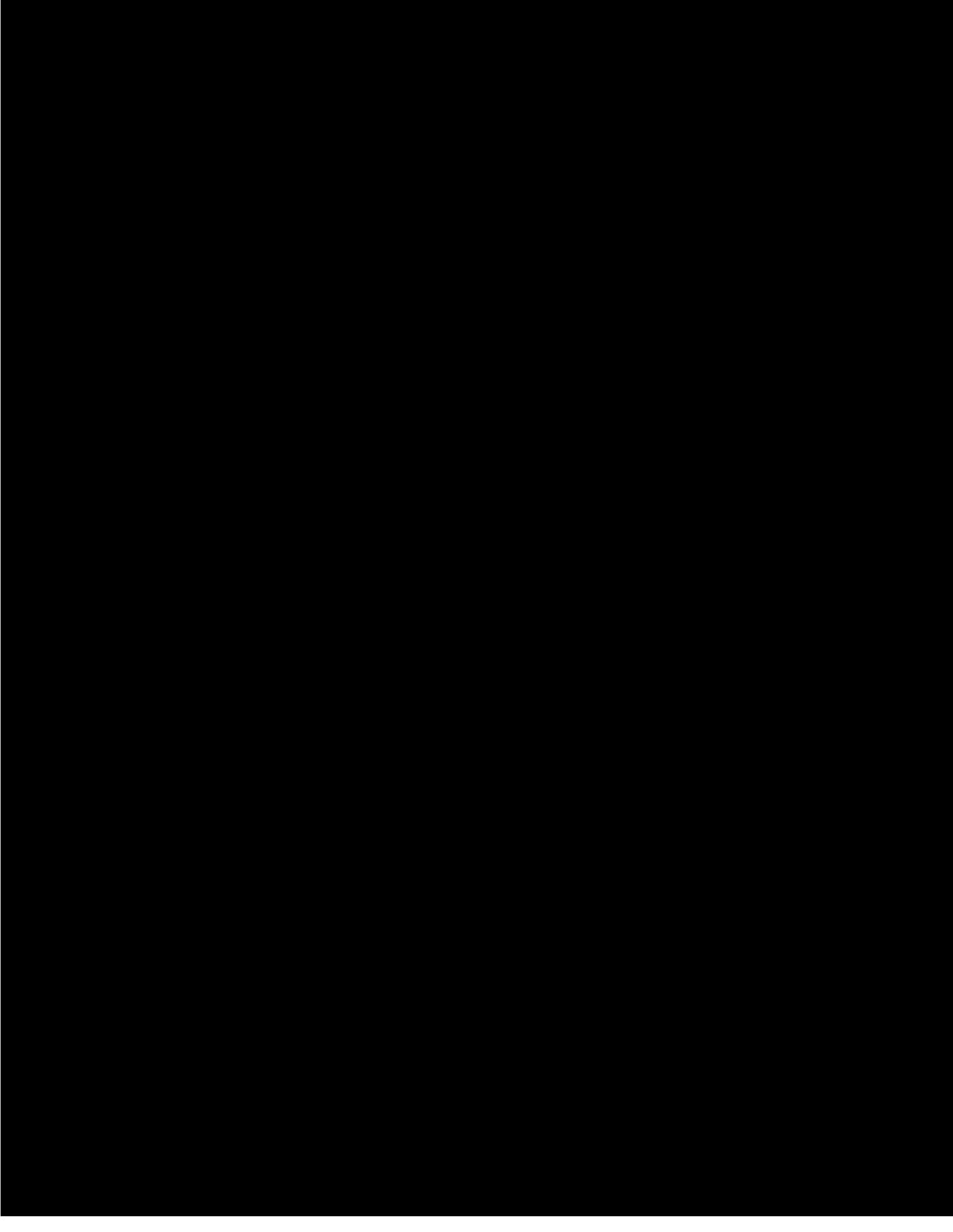


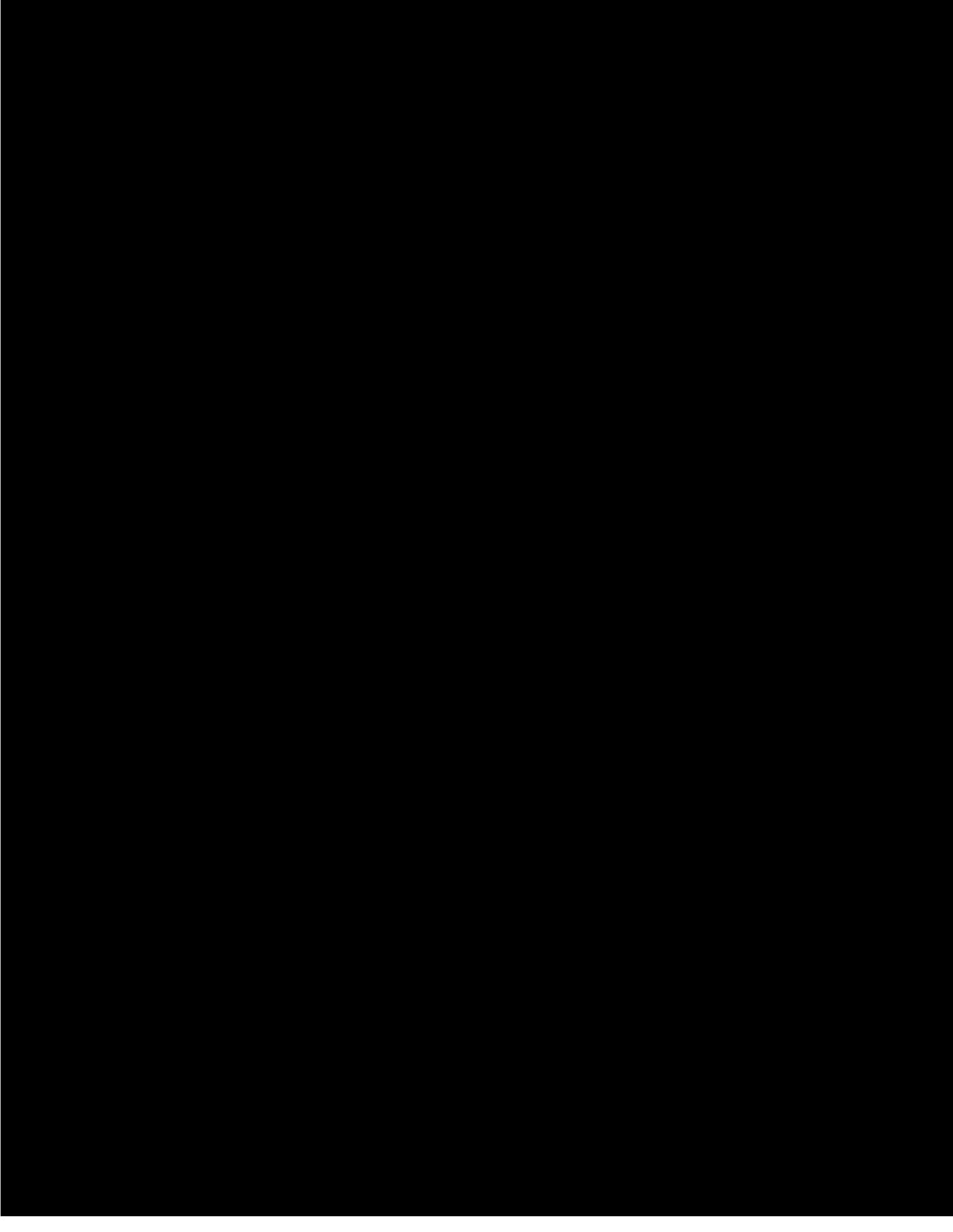


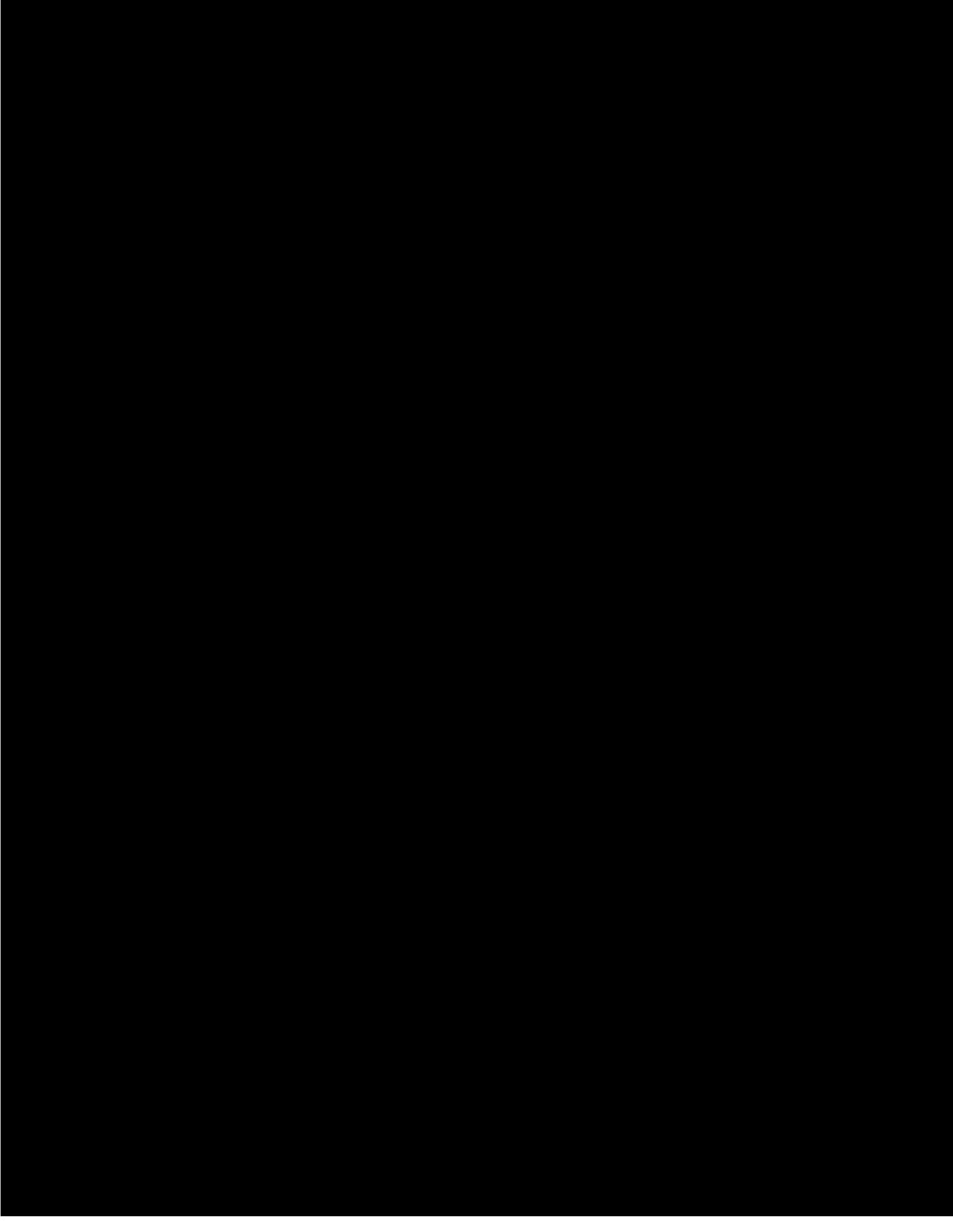


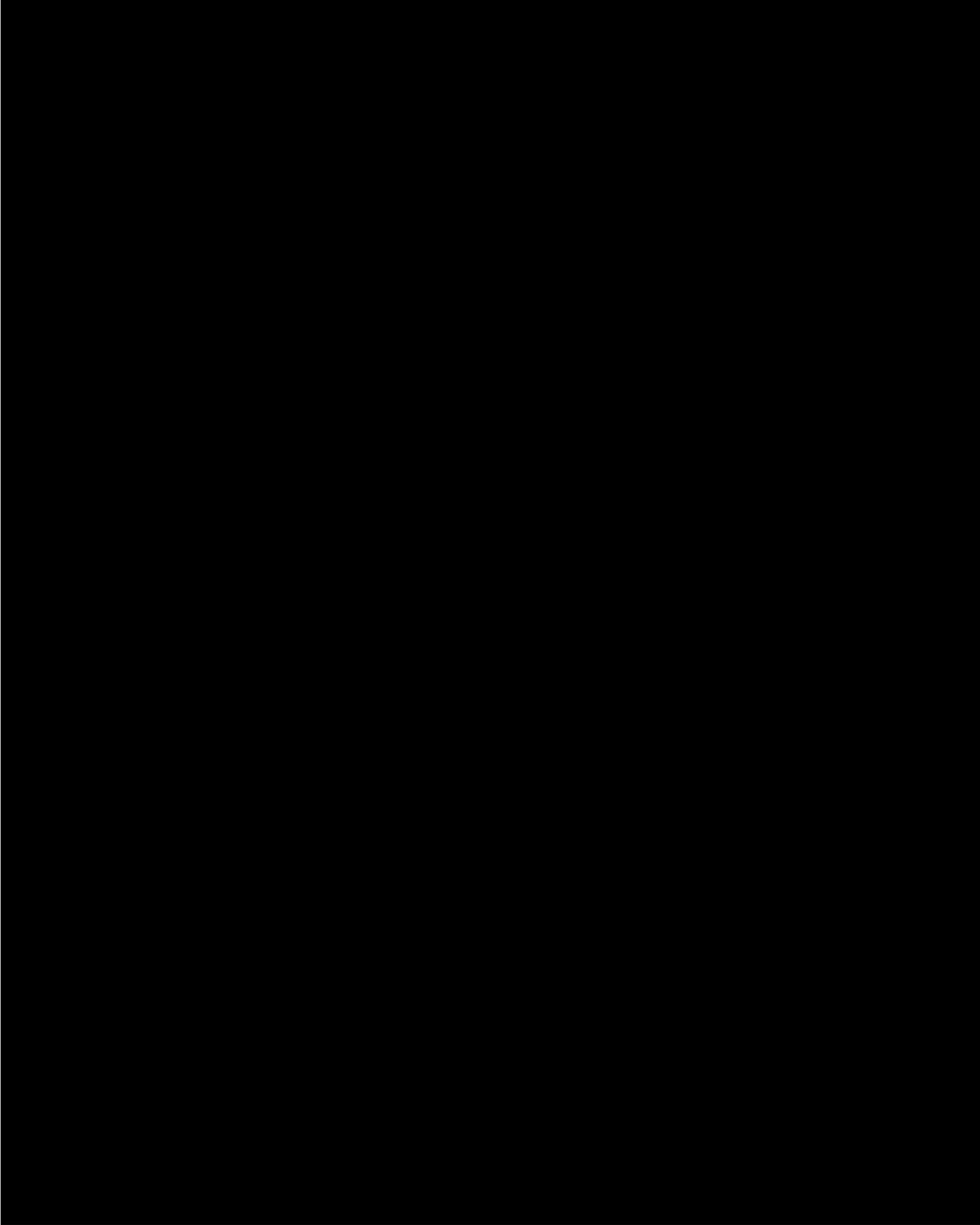












Melanie S. Griffin, Secretary

Ron DeSantis, Governor

April 18, 2022

Mr. Steven R. Frazier  
1110 Calintie Drive #16  
Jacksonville, Florida 32211

RE: Application No. 67727, Entity 13162896  
1012 - Cardroom Employee Occupational

Dear Mr. Frazier:

Your application for an occupational license with the Division of Pari-Mutuel Wagering has been received. The item(s) checked below are either missing or require correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 2 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

You must list the information on your application for the following charges:

- Manning, South Carolina Arrest(s) – 02/14/2004
- Summerton, South Carolina Arrest(s) – 05/21/2004
- Sumpter, South Carolina Arrest(s) – 01/14/2005, 09/13/2005, 07/05/2007
- Clarendon, South Carolina Arrest(s) – 08/22/2007, 03/30/2012, 05/08/2016, 02/10/2017
- Richland, South Carolina Arrest(s) – 02/18/2014

You must provide the court disposition records for the following charges:

- Sumpter, South Carolina Arrest(s) – 01/14/2005, 09/13/2005
- Clarendon, South Carolina Arrest(s) – 08/22/2007, 03/30/2012,

Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

- DBPR PMW 3180 - Request for Waiver (form enclosed).
- DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (form enclosed).

RECEIVED  
APR 18 AM 8:15  
FLORIDA GAMING  
CONTROL COMMISSION



# FLORIDA GAMING CONTROL COMMISSION

JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

July 18, 2022

Mr. Steven R. Frazier  
1110 Calintie Drive #16  
Jacksonville, Florida 32211

RE: Application No. 67727, Entity 13162896  
1012 - Cardroom Employee Occupational

Dear Mr. Frazier:

We have received the additional information you submitted, however, we are still unable to complete the processing of your application. The item(s) checked below is either missing or requires correction before the processing of your application can be completed:

- Application is incomplete: Please correct the highlighted section(s). It appears that you have made errors and/or omissions on page 2 of the application. If you have ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges, you must list the offenses in the Background Information section and provide court disposition records. Please initial and date any changes made to your application.

You must list the information on your application for the following charges:

- Clarendon, South Carolina Arrest(s) – 02/10/2017
- Richland County, South Carolina Arrest(s) – 08/30/2007

You must provide the court disposition records for the following charges:

- Richland County, South Carolina Arrest(s) – 08/30/2007

Note: If you cannot obtain the requested court disposition records, please submit a certified statement from the Clerk of Court for the relevant jurisdiction stating the status of records or that the records are not available. All aliases must be listed, if applicable.

To expedite the processing of your application, please include this letter as well as any supporting documents and/or court disposition records that you may have. If you have an outstanding balance and would like to submit your payment by telephone, please call 850.488.3211.

If you fail to provide the Florida Gaming Control Commission with a complete application by 08/12/2022, your application shall lapse and no longer be processed by the Florida

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

EXHIBIT # 4  
PAGE # 45

**Gaming Control Commission. An applicant seeking a license as an initial or renewal applicant following the lapse of their previous license application shall be required to reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule.**

Checks or money orders should be made payable to the Florida Gaming Control Commission or FGCC. **Return the missing document and/or information to the address provided above, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

Randall Kitchens  
Operations Analyst II

EXHIBIT # 4  
PAGE # 5-5

## **Mahalingam, Rajani**

---

**From:** Kitchens, Randall  
**Sent:** Friday, August 19, 2022 11:15 AM  
**To:** Mahalingam, Rajani  
**Cc:** Muniz, Luz; Campbell, Ian; Futrell, Michelle; Donaldson, David; Ricks, Glenda  
**Subject:** Investigations Referral 1012 - File 13687 - Entity 13162896

Good afternoon,

Ms. Mahalingam, can you please open a case for Stevan Frazier. His 90-day deadline is 11/13/2022. Please see the Application Routing Slip in Onbase for all Supporting Documents.

Thank you!



**Randall Kitchens, Operations Analyst II**

Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: (850) 488-3211 ~ Fax: (850) 410.5350

VR Home | Inbox | Entity | Application | License | Cash | Exam | Inspection | Enforcement | Report

License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **rmahalinga**

VR Home > License Search > **License Home**

**License**  
 Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **07/12/2022**  
 File # **13687** Name **Frazier, Steven R.** Extended To  
 License # **13162896** Rank **CEMP - Cardroom Employee Occupational** Renewed On  
 Entity # **13162896** Lic Status **Closed Upgrade**

- 
- 
- 
- 
- 

**Address**  
 Street # **1110** Street **CALINTIE DRIVE #16**  
 Line 2  
 Line 3  
 City **JACKSONVILLE** State **FL** Zip **32211**  
 Routing

**Other**  
 1st License Date **04/13/2022** Rank Date **04/13/2022** Certificate #  
 Method **I-S-1018** Status Date **04/18/2022** Certificate Date  
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**  
 Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	RUNN - Chip Runner	04/13/2022	
I	GHND - Greyhound	04/13/2022	
L	148 - Orange Park Kennel Club, Inc.	04/13/2022	
Y	3YR - 3 Year License	04/13/2022	

**Alt Keys**  
 BEST LIC NBR **13162896**

## Lanier-FGCC, Ebonie

---

**From:** Lanier-FGCC, Ebonie  
**Sent:** Thursday, March 2, 2023 2:41 PM  
**To:** 'NODAYZOFF MUSICGROUP'  
**Subject:** RE: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

Good Afternoon Mr. Frazier,

The exact date for the informal hearing has not been announced at this moment, however I do believe it would either scheduled for a date near the end of March or at the latest April.

I will be sure to notify you via email and mail once the date has been determined. In the meantime, you can still reach out to me if you would like to follow up or have questions.

**Note:** The informal hearings are normally held via telephone, but once your date has been announced you will have the option to request a video conference or in person hearing.

Thanks,  
*Ebonie Lanier*

**From:** NODAYZOFF MUSICGROUP [mailto:nodayzoff803@gmail.com]  
**Sent:** Wednesday, March 1, 2023 9:17 AM  
**To:** Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov>  
**Subject:** Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Hello ms.ebonie sorry to nag...I was checking in to see if a court date has been set for my informal hearing?

On Thu, Feb 16, 2023 at 10:37 Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov> wrote:

Good Morning Mr. Frazier,

Thanks for contacting the Florida Gaming Control Commission, it looks as though your case will be placed on the March 2023 Informal Hearing agenda. The exact date for the March Informal Hearings have not been determined at this time.

Thanks,

*Ebonie Lanier*

**From:** NODAYZOFF MUSICGROUP [mailto:nodayzoff803@gmail.com]  
**Sent:** Tuesday, February 14, 2023 12:19 PM  
**To:** Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov>  
**Subject:** Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Hello good afternoon ms.ebonie this is Steven Frazier I wanted to know where am I on the process of my informal hearing

On Mon, Jan 30, 2023 at 11:10 Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov> wrote:

Ok, Thanks for confirming the informal hearing request. We will be sure to contact you with further information and instructions once we have determined which informal hearing agenda your case will be placed on.

Kind Regards,

*-Ebonie Lanier*

**From:** NODAYZOFF MUSICGROUP [mailto:nodayzoff803@gmail.com]  
**Sent:** Monday, January 30, 2023 11:08 AM  
**To:** Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov>  
**Subject:** Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Sorry yes I would like an informal hearing

On Mon, Jan 30, 2023 at 08:57 Lanier-FGCC, Ebonie <[Ebonie.Lanier-FGCC@fgcc.fl.gov](mailto:Ebonie.Lanier-FGCC@fgcc.fl.gov)> wrote:

Good Morning Mr. Frazier,

I apologize for the delayed response, the final email we received from you is a request for an Informal hearing. Since we received 3 emails with different options, we just wanted to confirm you would like to proceed with the informal hearing request.

Thanks,

*Ebonie Lanier*

**From:** NODAYZOFF MUSICGROUP [mailto:[nodayzoff803@gmail.com](mailto:nodayzoff803@gmail.com)]  
**Sent:** Friday, January 27, 2023 5:15 PM  
**To:** Lanier-FGCC, Ebonie <[Ebonie.Lanier-FGCC@fgcc.fl.gov](mailto:Ebonie.Lanier-FGCC@fgcc.fl.gov)>  
**Subject:** Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Yes I'd like to request an informal hearing is that still available at this time?

On Fri, Jan 27, 2023 at 16:06 Lanier-FGCC, Ebonie <[Ebonie.Lanier-FGCC@fgcc.fl.gov](mailto:Ebonie.Lanier-FGCC@fgcc.fl.gov)> wrote:

Good Afternoon Mr. Steven Frazier,

We are in receipt of the email you submitted on December 1, 2022. Unfortunately, the email submitted did not specify if you were requesting a formal or informal hearing. Attached to your Letter of License Denial was a sheet called "Notice of Rights". Please review that very carefully and follow the correct procedures outlined within that Notice of Rights.

Please see the attached documents for further information.

Thanks,

*Ebonie Lanier*



**Ebonie Lanier**

Administrative Assistant III

Office of the General Counsel

Florida Gaming Control Commission

Phone: (850) 717-1663 | Fax (850) 921-1311

The information contained in this transmission is intended solely for the use of the person(s) named herein. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by reply e-mail and destroy all copies of the original message.

The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. [LARGER VIEW](#)

**Lanier-FGCC, Ebonie**

**From:** Lanier-FGCC, Ebonie  
**Sent:** Monday, January 30, 2023 11:11 AM  
**To:** 'NODAYZOFF MUSICGROUP'  
**Subject:** RE: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

Ok, Thanks for confirming the informal hearing request. We will be sure to contact you with further information and instructions once we have determined which informal hearing agenda your case will be placed on.

Kind Regards,  
*-Ebonie Lanier*

**From:** NODAYZOFF MUSICGROUP [mailto:nodayzoff803@gmail.com]  
**Sent:** Monday, January 30, 2023 11:08 AM  
**To:** Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov>  
**Subject:** Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

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Sorry yes I would like an informal hearing

On Mon, Jan 30, 2023 at 08:57 Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov> wrote:

Good Morning Mr. Frazier,

I apologize for the delayed response, the final email we received from you is a request for an Informal hearing. Since we received 3 emails with different options, we just wanted to confirm you would like to proceed with the informal hearing request.

Thanks,

*Ebonie Lanier*

**From:** NODAYZOFF MUSICGROUP [mailto:nodayzoff803@gmail.com]  
**Sent:** Friday, January 27, 2023 5:15 PM

To: Lanier-FGCC, Ebonie <[Ebonie.Lanier-FGCC@fgcc.fl.gov](mailto:Ebonie.Lanier-FGCC@fgcc.fl.gov)>

Subject: Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Yes I'd like to request an informal hearing is that still available at this time?

On Fri, Jan 27, 2023 at 16:06 Lanier-FGCC, Ebonie <[Ebonie.Lanier-FGCC@fgcc.fl.gov](mailto:Ebonie.Lanier-FGCC@fgcc.fl.gov)> wrote:

Good Afternoon Mr. Steven Frazier,

We are in receipt of the email you submitted on December 1, 2022. Unfortunately, the email submitted did not specify if you were requesting a formal or informal hearing. Attached to your Letter of License Denial was a sheet called "Notice of Rights". Please review that very carefully and follow the correct procedures outlined within that Notice of Rights.

Please see the attached documents for further information.

Thanks,

*Ebonie Lanier*



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**Ebonie Lanier**

Administrative Assistant III

## Lanier-FGCC, Ebonie

---

**From:** NODAYZOFF MUSICGROUP <nodayzoff803@gmail.com>  
**Sent:** Friday, January 27, 2023 4:44 PM  
**To:** Lanier-FGCC, Ebonie  
**Subject:** Re: 2nd Attempt: FGCC Case No. 2022040492 - FRAZIER, STEVEN R

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

Sorry typo I meant formal hearing...I meant formal hearing I apologize

On Fri, Jan 27, 2023 at 16:41 NODAYZOFF MUSICGROUP <nodayzoff803@gmail.com> wrote:  
I apologize for that...yes I am requesting a formal hearing

On Fri, Jan 27, 2023 at 16:06 Lanier-FGCC, Ebonie <Ebonie.Lanier-FGCC@fgcc.fl.gov> wrote:

Good Afternoon Mr. Steven Frazier,

We are in receipt of the email you submitted on December 1, 2022. Unfortunately, the email submitted did not specify if you were requesting a formal or informal hearing. Attached to your Letter of License Denial was a sheet called "Notice of Rights". Please review that very carefully and follow the correct procedures outlined within that Notice of Rights.

Please see the attached documents for further information.

Thanks,

*Ebonie Lanier*

Date: 11/29/2022  
File Number: \_\_\_\_\_

**From:** NODAYZOFF MUSICGROUP  
**To:** Clerk  
**Subject:** [SUSPECTED SPAM] Re:  
**Date:** Tuesday, November 29, 2022 9:45:52 AM

**BY: MELBA L. APELLANIZ**  
**CLERK OF THE COMMISSION**

**[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.**

I would like to know what steps do I take next?

On Tue, Nov 29, 2022 at 09:38 NODAYZOFF MUSICGROUP <[nodayzoff803@gmail.com](mailto:nodayzoff803@gmail.com)> wrote:

Hello this is Steven Frazier...I work for best bet casino...I'm reaching out to see if there's an paperwork or fees I need to file my appeal...if there's paperwork can u please send it back to this email...my phone number is +19044549762



# FLORIDA GAMING CONTROL COMMISSION

JOHN MACIVER, CHAIRMAN  
MICHAEL YAWORSKY, VICE CHAIR  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

November 7, 2022

11/07/2022

Mr. Steven R. Frazier

1110 Caliente Drive #16  
Jacksonville, Florida 32211  
FLORIDA GAMING CONTROL COMMISSION  
E/ED

## Letter of License Denial

Dear Mr. Frazier:

This Letter of License Denial ("Denial") serves to inform you that your application for a Pari-Mutuel Wagering Cardroom Employee Occupational License and request for waiver is denied in accordance with the provisions of chapters 550 and 849, Florida Statutes, and the rules promulgated thereto. This Denial is based upon your following criminal dispositions:

1. 08/27/2007 – Possession of Narcotic Drugs (Felony) – Adjudicated Guilty – Clarendon County, South Carolina (Case No. J123833)
2. 03/14/2006 – Unlawful Neglect of Child or Helpless Person (Felony) – Adjudicated Guilty – Sumter County, South Carolina (Case No. H905919)
3. 08/27/2007 – Strong Arm Robbery (Felony) – Adjudicated Guilty – Clarendon County, South Carolina (Case No. H722142)

These convictions are disqualifying offenses under sections 550.105(5) and 849.086(6)(g), Florida Statutes. A withhold of an adjudication of guilt is considered a conviction for licensing under section 550.105(5) and 849.086(6)(f), Florida Statutes.

Your Request for Waiver has been denied based on your failure to meet the requirements of section 550.105(5)(c), Florida Statutes.

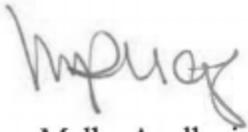
You are advised you may not work in any position requiring licensure or be within a restricted area at a pari-mutuel facility without an appropriate valid occupational license.

Pursuant to section 120.57, Florida Statutes, you may request a hearing to challenge the Division's decision within twenty-one (21) days of receipt of this Denial, as provided for in rule 28-106, Florida Administrative Code, and the attached Notice of Rights.

OFFICE OF THE GENERAL COUNSEL  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

If you do not request a hearing within twenty-one (21) days of your receipt of this Denial, this Denial will become the Agency's Final Order. If this Denial becomes a Final Order, you will have 30 days to file for an appeal pursuant to section 120.68, Florida Statutes.

Sincerely,



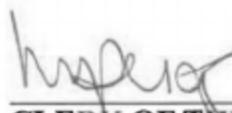
Melba Apellaniz  
Clerk of the Commission

Attachment: Notice of Rights

CERTIFICATE OF SERVICE

I hereby certify this 7<sup>th</sup> day of NOVEMBER, 2022, that a true copy of the foregoing has been furnished by certified U.S. mail to:

**Mr. Steven R. Frazier**  
1110 Caliente Drive #16  
Jacksonville, Florida 32211



**CLERK OF THE COMMISSION**  
Florida Gaming Control Commission

Case No. 2022-040492

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11/7/22  
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**Steven R. Frazier**  
1110 Caliente Drive #16  
Jacksonville, Florida 32211  
LLD-2022040492 PMW

or Instructions

## NOTICE OF RIGHTS

This is an action that may affect your substantial interests. Mediation of this administrative dispute is not available. However, pursuant to sections 120.569 and 120.57, Florida Statutes, you may request a hearing on this matter, provided a written request is filed with the agency. The request must comply with the requirements of rules 28-106.111, and 28-106.201 or 28-106.301, Florida Administrative Code. The written request must be received by the Division within 21 days of your receipt of this notice.

If the Division determines there are disputed issues of material fact, the case will be forwarded to the Division of Administrative Hearings for a formal hearing. If there are no disputed issues of material fact, the Division will schedule an informal hearing. You will be notified of the date, time and place of the hearing. In either case, you have the burden of establishing entitlement to the license.

In a formal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, to bring witnesses and present evidence, to cross-examine any witnesses produced against you by the State, and to have subpoenas issued on your behalf.

In an informal hearing, you have the right to appear in person on your own behalf, to be represented by an attorney, and to submit whatever information you desire to show entitlement to the license.

If a hearing pursuant to sections 120.569 and 120.57, Florida Statutes, is not requested within 21 days, the foregoing Letter of License Denial will become a Final Order. Any party adversely affected by this Final Order has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original Notice of Appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202 (Email: [Clerk@fgcc.fl.gov](mailto:Clerk@fgcc.fl.gov)), and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate Florida District Court of Appeal. The Notice of Appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk.

In all the above proceedings, practice is governed by chapter 120, Florida Statutes, and rule 28-106, Florida Administrative Code.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

STEVEN R. FRAZIER

Petitioner,

v.

FGCC Case No.: 2022-040492

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Respondent.

\_\_\_\_\_ /

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on May 25, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Mr. Steven Frazier's ("Petitioner") petition for a hearing in response to the Commission's Letter of License Denial filed in Case Number 2022-040492. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Petitioner appeared for the hearing in person in Tallahassee, Florida. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about April 12, 2022, Petitioner submitted to the Commission an application for a Cardroom Employee Occupational License.
2. On or about July 6, 2022, Petitioner submitted a request for waiver.
3. On or about August 15, 2022, Petitioner submitted to the Commission an amended Cardroom Employee Occupational License application that included his criminal convictions.

4. On or about November 7, 2022, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on three felony convictions.

5. On or about January 27, 2023, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

6. Prior to the informal hearing, the Commission received two letters of recommendation from Jesse Hollander ("Mr. Hollander") and Tim Hay ("Mr. Hay") concerning Petitioner.

7. Mr. Hollander was Petitioner's supervisor at BestBet. The letter from Mr. Hollander states that Petitioner was trustworthy and could be relied upon. Mr. Hollander also stated that beyond his professionalism, Petitioner was positive, punctual, and committed to honesty and integrity.

8. The letter from Mr. Hay, who is the Vice President of IT at BestBet, stated that Petitioner has the highest integrity and work ethic. He further stated that he believes that Petitioner has overcome the difficult mistakes of his past and is determined to succeed.

9. The letters were added to the investigative packet that was provided to the Hearing Officer prior to the informal hearing.

10. In the investigative packet, there was information pertaining to Petitioner's criminal history after the convictions enumerated in the Letter of License Denial.

11. This included a 2012 conviction for Threatening the Life, Person, or Family of a Public Employee, and a 2016 arrest for Possession of Marijuana and Resisting Arrest. For the 2016 arrest, Petitioner was sentenced in 2018 to 90 days or a \$500 fine for the charge of Resisting Arrest and Petitioner was sentenced in 2019 to a civil fine for the Possession of Marijuana.

The May 25, 2023, Informal Hearing

12. A hearing pursuant to section 120.57(2), Florida Statutes, was held on May 25, 2023, during which the Commission presented the issues raised in the Letter of License Denial.

13. At the hearing, Petitioner testified about a variety of topics:

a. Petitioner testified about the circumstances that led to the three felony convictions enumerated in the Letter of License Denial.

b. Petitioner explained that the convictions occurred during a time when he was much younger, although he repeatedly stated that this does not justify his actions.

c. Petitioner explained the 2006 Unlawful Neglect of a Child or Helpless Person conviction in detail. Petitioner stated that he was in an argument with the child's mother, and he left their house to allow the argument to settle. When he returned to the house, the police had been called and his child's mother was being questioned by the police. Petitioner further stated that after he had left the house his child's mother had left the child at home alone to go to work.

d. Petitioner explained that his child was three to four years old, and she was not left long, but their neighbors saw the child outside and called the police. He testified that he understood that he should not have left his child alone in the house.

e. Petitioner explained that the 2007 Possession of Narcotic Drugs and Strong-Arm Robbery charges stemmed from the same incident. While Petitioner admitted to selling drugs during that time, he stated that he did not commit a violation constituting a strong-arm robbery. Petitioner testified that he agreed to take a plea for six years in prison because he was told he would potentially be given ten to twenty years if the case were to go to trial.

- f. Petitioner no longer speaks to the individual involved in that incident or anyone surrounding his history with drug dealing.
- g. Petitioner has indicated that since his prison sentence ended, he moved from South Carolina to Jacksonville, Florida and has never returned to South Carolina. Petitioner testified regarding his efforts to stay out of trouble, including paying for his mother and aunt to travel to Florida instead of visiting them in South Carolina.
- h. Petitioner testified that after his arrival in Florida, he began working as a waiter. Petitioner stated that he had no experience as a waiter but became much better at his craft and began having regular customers.
- i. Petitioner testified that while working as a waiter, he met Mr. Hay, who was a frequent customer at the restaurant where Petitioner was employed.
- j. Petitioner testified that Mr. Hay offered Petitioner employment at BestBet, where he was first working as a chip runner. Petitioner loved this job and stated that he was able to support his mother. Petitioner stated that this is the best job he has ever had.
- k. Petitioner testified that Mr. Hay was one of the people who wrote a letter of recommendation for him.
- l. Petitioner testified that he took an Uber from Jacksonville, Florida, to Tallahassee to appear at the hearing in person.
- m. Petitioner also testified that he has a support system in Florida that comprises of his girlfriend and his dog.
- n. At the hearing, the Hearing Officer granted the Commission's motion to accept the findings of fact in the Letter of License Denial as the undisputed facts in

the case and accepted the investigative packet into the record.

#### FINDINGS OF FACT

14. On August 27, 2007, Petitioner was convicted of Possession of Narcotic Drugs, a felony in Clarendon County, South Carolina in case number J123833.

15. On August 27, 2007, Petitioner was convicted of Strong-Arm Robbery, a felony in Clarendon County, South Carolina in case number H722142.

16. On March 14, 2006, Petitioner was convicted of Unlawful Neglect of a Child or Helpless Person, a felony in Sumter County, South Carolina in case number H905919.

#### CONCLUSIONS OF LAW

17. The Hearing Officer has jurisdiction over this matter and the parties pursuant to section 120.57(2), Florida Statutes.

18. The Commission has jurisdiction over this matter pursuant to chapters 120 and 550, Florida Statutes.

19. Section 550.105(5)(b), Florida Statutes, provides, in pertinent part:

The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for such license has been convicted in this state, in any other state, or under the laws of the United States of a capital felony, a felony, or an offense in any other state which would be a felony under the laws of this state involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

20. Pursuant to section 550.105(5)(b), Florida Statutes, Petitioner's felony convictions are disqualifying offenses.

21. Section 550.105(5)(c), Florida Statutes, provides, in pertinent part, that "[i]f the

applicant establishes that she or he is of good moral character, that she or he has been rehabilitated, and that the crime she or he was convicted of is not related to pari-mutuel wagering and is not a capital offense, the restrictions excluding offenders may be waived by the director of the commission.”

22. Section 849.086(6)(f), Florida Statutes, provides that the “provisions specified in s. 550.105(4), (5), (6), (7), (8), and (10) relating to licensure shall be applicable to cardroom occupational licenses.”

23. An applicant for licensure bears the burden of ultimate persuasion at each and every step of the licensure proceedings. *Dep’t of Banking & Fin., Div. of Sec. & Investor Prot. v. Osborne Stern & Co.*, 670 So. 2d 932, 934 (Fla. 1996).

24. A petitioner must prove by a preponderance of the evidence that he is entitled to the license. *N.W v. Department of Children & Family Servs.*, 981 So. 2d 599, 601 (Fla. 3rd DCA 2008).

25. While Petitioner does have an extensive criminal history, his last arrest was in 2016 in South Carolina.

26. Petitioner has taken drastic steps to rehabilitate himself. Petitioner testified that since relocating to Florida, Petitioner does not ever visit South Carolina, where all his criminal convictions occurred. Petitioner testified that even though Petitioner’s family is still located in South Carolina, when he wishes to see them, he pays for their travel to visit him. Petitioner has not received any criminal convictions in Florida.

27. Petitioner, once arriving in Florida, got a job as a waiter, something that Petitioner had never done before. Petitioner worked on his craft until he gained a regular base of customers.

28. Petitioner also provided two letters of reference that testified to Petitioner’s good

character and work ethic.

29. Petitioner additionally felt that the informal hearing was so important that Petitioner went to the great expense of taking an Uber to the hearing in Tallahassee, Florida from Jacksonville, Florida.

30. Although Petitioner did not disclose his criminal convictions on his initial application, Petitioner disclosed his criminal convictions on his amended application.

31. Petitioner was also candid in the informal hearing and took responsibility for his past.

32. Given all these factors, Petitioner has met his burden of proof demonstrating good moral character and that he had been rehabilitated from his prior convictions.

33. None of Petitioner's crimes are related to pari-mutuel wagering or are capital offenses.

34. There is competent substantial evidence to support the conclusions of law.

RECOMMENDED ORDER

WHEREFORE, based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission enter a Final Order:

GRANTING Petitioner's application for a Pari-Mutuel Wagering Cardroom Employee Occupational License with the following conditions:

1. Petitioner's license will be subject to a five-year probationary period. Since Pari-Mutuel Wagering Cardroom Employee Occupational Licenses are valid for only three years, this probationary period is to continue if Petitioner's license is renewed by the Division of Pari-Mutuel Wagering.
2. During this five-year probationary period, any subsequent criminal convictions may lead to the automatic revocation of Petitioner's license.

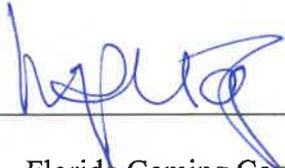
This Recommended Order in FGCC Case Number 2022-040492 is submitted this 5th day of September, 2023.

/s/ Elizabeth K. Stinson  
Elizabeth K. Stinson  
Hearing Officer  
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 5th day of September, 2023, that a true copy of the foregoing "Hearing Officer's Recommended Order" has been provided by mail to:

Steven Frazier  
Petitioner  
1110 Caliente Drive, #16  
Jacksonville, Florida 32211  
[Nodayzoff803@gmail.com](mailto:Nodayzoff803@gmail.com)

  
\_\_\_\_\_  
Agency Clerk  
Florida Gaming Control Commission



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Dixia Harish Patel Case Number 2023-005829; Final Order  
Date: August 16, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to adopt the hearing officer's recommended order recommending permanent exclusion of Dixia Harish Patel ("Respondent") from all pari-mutuel and slot facilities in the state of Florida. On April 10, 2023, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes. A hearing was held on June 15, 2023. Following the hearing, the hearing officer recommended permanent exclusion from all pari-mutuel and slot machine facilities. Therefore, the Florida Gaming Control Commission should enter a final order excluding Respondent from all pari-mutuel and slot facilities in the state of Florida.

### *Background*

On January 19, 2023, Respondent was a patron of Magic City Casino.<sup>1</sup> Respondent was later ejected from Magic City Casino and permanently excluded from Magic City Casino<sup>2</sup>, on January 20, 2023 for capping her bet.

Based on her exclusion from Magic City Casino, the Division served Respondent with an administrative complaint seeking her exclusion from all pari-mutuel and slot facilities in the state of Florida. Respondent requested an informal hearing pursuant to 120.57(2), Florida Statutes, which was held on June 15, 2022. The hearing officer issued their recommended order on September 5, 2023 recommending permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee.

### *Analysis*

Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Section 550.0251(6), Florida Statutes, provides, in relevant part, that "[t]he Commission may exclude from any pari-mutuel facility within this state any person

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<sup>1</sup> Magic City Casino is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

<sup>2</sup> Pari-mutuel permitholders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

who has been ejected from a pari-mutuel facility in this state.” Likewise, section 551.112, Florida Statutes, provides, in relevant part “[t]he Commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state.” Magic City Casino is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state. Therefore, the Florida Gaming Control Commission may enter a final order adopting the hearing officer’s recommended order and excluding Respondent from all pari-mutuel and slot machine facilities in this state.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order adopting the hearing officer’s recommended order in case number 2023-005829.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-005829

DIXA HARISH PATEL,

Respondent.

\_\_\_\_\_ /

PROPOSED RECOMMENDED ORDER

THIS MATTER came before Elizabeth Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on June 15, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission’s Administrative Complaint filed against Dixa Harish Patel (“Respondent”), in FGCC Case Number 2023-005829 (“Administrative Complaint”). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held via videoconference. Both sides were permitted to present witnesses, offer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On March 13, 2023, the Commission filed an Administrative Complaint against Respondent alleging that on January 20, 2023, Respondent was permanently excluded from Magic City Casino. and that she is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida.

2. On April 10, 2023, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

3. At the informal hearing on June 15, 2023, the Division presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Division's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. At the hearing, Respondent explained the events that surrounded her exclusion from Magic City Casino.

5. Respondent stated that she is in the third year of her medical studies in Miami, Florida.

6. Respondent stated that earlier in the day on January 19, 2023, she had witnessed the traumatic death of one of her patients for the first time.

7. Respondent stated that witnessing this death affected her deeply.

8. Respondent stated that when she returned home from her shift, she took an unprescribed Benzodiazepine before using an Uber to travel to Magic City Casino. Respondent noted that she does not usually take unprescribed medications.

9. Respondent frequently visits pari-mutuel cardrooms as her schedule allows, indicating she sometimes visits twice per week, other times not for a few weeks. She explained that she would play poker as a way to de-stress. Respondent noted that sometimes she would go with her partner, but other occasions she would visit alone.

10. Respondent mentioned she was completely shocked when she received the Administrative Complaint Packet from Petitioner, as she did not recall the incident, but she did not dispute the facts alleged therein.

11. Respondent accepts her permanent exclusion from Magic City Casino due to the allegations in the Administrative Complaint. However, Respondent would like to be able to continue to visit other pari-mutuel card rooms to continue her hobby of playing poker.

12. Respondent also stated her concerns regarding the effect an exclusion may have on her as she is in medical school, namely as to whether an exclusion would be visible in a background check. Respondent would like a chance to not be placed on a state-wide exclusion list.

#### FINDINGS OF FACT

13. On or about January 19, 2023, Respondent was a patron of Magic City Casino.

14. On or about January 20, 2023, Respondent was permanently excluded from Magic City Casino.

#### CONCLUSIONS OF LAW

15. The Hearing Officer has jurisdiction over this matter and the parties pursuant to section 120.57(2), Florida Statutes.

16. The Commission has jurisdiction over this matter pursuant to chapters 120, 550, and 551, Florida Statutes.

17. At all times material, Magic City Casino was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

18. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority

exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

19. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

20. Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on her permanent exclusion from Magic City Casino on January 20, 2023. *See* § 550.0251(6), and § 551.112 Fla. Stat.

21. Respondent's testimony neither mitigates the fact that Respondent was permanently excluded from Magic City Casino, nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida. *See Id.*

22. There is competent substantial evidence to support the conclusions of law.

PROPOSED RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby requested that the Hearing Officer issue a Recommended Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

This Proposed Recommended Order in FGCC Case Number 2023-005829 is submitted this 23rd day of June, 2023.

*s/ Emily A. Alvarado*

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Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.gov

CERTIFICATE OF SERVICE

I hereby certify this 27th day of June, 2023, that a true copy of the foregoing “Petitioner’s Proposed Recommended Order” has been provided by mail to:

**Dixa Harish Patel**  
1444 Northwest 14th Avenue, Apt. 1403  
Miami, Florida 33125

**Documents Included in Case File**

- Exhibit 1 ..... Cover Letter
- Exhibit 2 ..... Notice of Informal Hearing
- Exhibit 3.....Election of Rights
- Exhibit 4 ..... Administrative Complaint
- Exhibit 5 ..... Report of Investigation



# FLORIDA

## GAMING CONTROL COMMISSION

C.B. UPTON, CHAIRMAN  
JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER  
TINA REPP, COMMISSIONER

May 10, 2023

Dixa Harish Patel  
1444 NW 14<sup>th</sup> Ave. Apt. 1403  
Miami, FL 33125

RE: FGCC v. Dixa Harish Patel  
Case No.: 2023-005829

Dear Ms. Patel:

Enclosed please find a Notice of Hearing for the informal hearing that has been scheduled in the above-referenced case. **Your hearing is scheduled to be heard on Thursday, May 25, 2023 between 10:00 a.m. and 12:00 p.m. (Eastern Time).** Please read the Notice of Hearing for more details about the date, time, location and instructions for the hearing. A copy of the Commission's case file has been mailed to your address of record. Please ensure that you have this case file available during the hearing, as you may need to refer to it throughout the hearing.

You may also provide written or oral evidence or have witnesses testify on your behalf. Any evidence that you wish to present to the Hearing Officer and any names and contact information of witnesses you plan to call at the hearing should be emailed to [Elizabeth.Stinson@flgaming.gov](mailto:Elizabeth.Stinson@flgaming.gov) at least 7 days before the date of the hearing. If you do not have an email address, please contact me for an alternative method to provide the requested information.

**Please note:** If you choose not to attend the hearing in person or by video conference, we will be conducting the hearing telephonically; you will be contacted **between 10:00 AM and 12:00 PM (EST) at the following number: (270) 315-9468.** If that number is incorrect, please contact me as soon as possible to notify me of the correct number at which to reach you. Failure to answer the telephone, promptly return a voicemail, or hold an open line will result in the hearing proceeding without you.

Below please find information about the informal hearing process:

1. The Informal Hearing is held on the date and time noted in the Notice of Hearing;
2. Approximately 14 to 21 days after the hearing, Proposed Recommended Orders, or recommendations for what the Hearing Officer's ruling should be, are sent to Hearing Officer;
3. Approximately 21 to 45 days after the Proposed Recommended Orders are submitted, the Hearing Officer will submit his or her recommended ruling to the Clerk of the Commission's office;
4. A Final Order will be issued within approximately 90 days after the date of the hearing. The Final Order is final agency action and will describe the resolution of your case.

Should you have any questions or need any assistance, please feel free to contact me via telephone or email at 850-717-1663 or [Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.gov).

Sincerely,

/s/ Ebonie Lanier

Ebonie Lanier  
Administrative Assistant III

OFFICE OF THE GENERAL COUNSEL  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

Enclosures: Notice of Hearing and Case File

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-005829

DIXA HARISH PATEL,

Respondent.

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NOTICE OF TELEPHONIC HEARING

TO: Dixa Harish Patel  
1444 NW 14<sup>th</sup> Ave., Apt. 1403  
Miami, FL 33125

YOU ARE HEREBY NOTIFIED that the Commission's designated Hearing Officer will conduct a hearing in this matter, pursuant to Section 120.57(2), Florida Statutes. If you wish to present oral or written evidence, you must attend the hearing. The hearing is scheduled for **Thursday, May 25, 2023, at 10:00 a.m. (Eastern Time)**. **If you choose not to attend the hearing in person or by video conference, the Hearing Officer will call you at (270) 315-9468 sometime between 10:00 a.m. – 12:00 p.m. (EST)**. Please be available to take the Hearing Officer's call. Failure to answer the telephone, promptly return a voicemail, or hold an open line may result in the hearing proceeding without you.

You may elect to attend the hearing in person or by video conference via GoToMeeting. If you wish to do so, you must contact the Commission by email at [Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.gov) or telephone at (850) 717-1663, at least seven (7) days prior to your hearing date. If you do not elect to attend by video conference or in person, the hearing will automatically be held by telephone only.

You may also provide written or oral evidence or have witnesses testify on your behalf. Any evidence

that you wish to present to the Hearing Officer and any names and contact information of witnesses you plan to call at the hearing should be emailed to [Elizabeth.stinson@flgaming.gov](mailto:Elizabeth.stinson@flgaming.gov) at least 7 days before the date of the hearing. If you do not have an email address, please contact me for an alternative method to provide the requested information.

If you cannot attend the hearing and wish to request a continuance for good cause, you must notify the Hearing Officer at [elizabeth.stinson@flgaming.gov](mailto:elizabeth.stinson@flgaming.gov) at least five (5) days prior to your hearing date. Continuance requests made within five (5) days of the hearing can only be granted for emergencies.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to: the above-named parties via certified mail, on this 10th day of May, 2023.

By: /s/ *Ebonie Lanier*

Ebonie N. Lanier  
Administrative Assistant III  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1663  
Facsimile: (850) 921-1311  
[Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.gov)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 48 hours before the hearing by contacting Ebonie Lanier at (850) 717-1663. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

ELECTION OF RIGHTS

FGCC v. DIXA HARISH PATEL

CASE NO.: 2023-005829

PLEASE CHECK ONLY ONE OF THE THREE OPTIONS.

Option (1)  I do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fines are imposed.

Option (2)  I do dispute the allegations of material fact in the Administrative Complaint. This is a petition for a hearing involving disputed material facts pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, ("formal hearing") before an Administrative Law Judge of the Division of Administrative Hearings. I specifically dispute the following paragraphs in the Administrative Complaint (attach extra pages or write on the back if needed):

In addition to the above election for formal hearing, if you wish to enter into settlement negotiations, check the box below:

Section 120.569(2)(a), Florida Statutes, requires the Department to send this case to the Division of Administrative Hearings (DOAH) for a formal hearing within 15 days after receiving your Election of Rights. I am interested in settling this case and waive the 15-day requirement in order to enter into settlement negotiations with the Department.

Option (3)  I do not dispute the allegations of material fact in the Administrative Complaint and waive my right to any form of hearing. I request that a Final Order imposing a penalty and fines be entered in this case. The Final Order will be placed on the next available Florida Gaming Control Commission Meeting. Respondent is not required to attend, but may check the Florida Gaming Control Commission website at www.fgcc.fl.gov for the meeting materials, agenda, and contact information.

THIS IS A LEGALLY BINDING DOCUMENT. SEEK LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY UNDERSTAND THE TERMS.

DIXA H PATEL  
PRINTED NAME

\_\_\_\_\_  
ATTORNEY OR QUALIFIED REPRESENTATIVE

1444 NW 14<sup>TH</sup> AVE., APT. 1403  
Street Address

\_\_\_\_\_  
Street Address (where service shall be made)

MIAMI                      FL                      33125  
City                              State                              Zip

\_\_\_\_\_  
City                              State                              Zip

(270) 315-9468  
Telephone Number              Facsimile Number (if any)

\_\_\_\_\_  
Telephone Number              Facsimile Number (if any)

DIXAPATEL44@GMAIL.COM  
E-mail

\_\_\_\_\_  
E-mail

*Dix Patel*  
SIGNATURE

THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel  
Florida Gaming Control Commission  
2601 Blair Stone Road, Tallahassee, FL 32399-2202  
**Attention: Ebonie N. Lanier, Administrative Assistant III**  
Telephone: (850) 717-1663 Fax: (850) 921-1311  
Email: Ebonie.Lanier@fgcc.fl.gov

## Ebonie Lanier

---

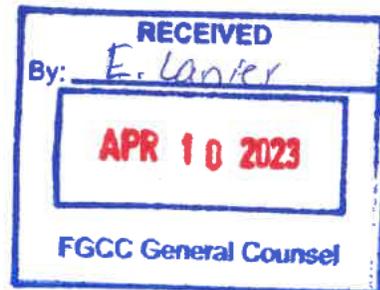
**From:** Dixa Patel <dixapatel44@gmail.com>  
**Sent:** Monday, April 10, 2023 4:14 PM  
**To:** Ebonie Lanier  
**Subject:** Election of Rights Waiver  
**Attachments:** DIXA PATEL - ELECTION OF RIGHTS.pdf; Delivery Error Screenshot.png

You don't often get email from dixapatel44@gmail.com. [Learn why this is important](#)

Good Evening,

I have attached below is a copy of my election of rights waiver with my selected option along with a screenshot of the email saying my previous email wasn't delivered. Please let me know if there is anything else that I need to send or can do!

Thank You,  
--Dixa P.



Your message to [Ebonie.Lanier@fgcc.fl.gov](mailto:Ebonie.Lanier@fgcc.fl.gov) couldn't be delivered.

**Ebonie.Lanier wasn't found at [fgcc.fl.gov](http://fgcc.fl.gov).**

<b>dixapatel44</b> Action Required	<b>Office 365</b>	<b>Ebonie.Lanier</b> Recipient
Unknown To address		

## How to Fix It

The address may be misspelled or may not exist. Try one or more of the following:

- Send the message again following these steps: In Outlook, open this non-delivery report (NDR) and choose **Send Again** from the Report ribbon. In Outlook on the web, select this NDR, then select the link "**To send this message again, click here.**" Then delete and retype the entire recipient address. If prompted with an Auto-Complete List suggestion don't select it. After typing the complete address, click **Send**.
- Contact the recipient (by phone, for example) to check that the address exists and is correct.
- The recipient may have set up email forwarding to an incorrect address. Ask them to check that any forwarding they've set up is working correctly.
- Clear the recipient Auto-Complete List in Outlook or Outlook on the web by following the steps in this article: [Fix email delivery issues for error code 5.1.10 in Office 365](#), and then send the message again. Retype the entire recipient address before selecting **Send**.

If the problem continues, forward this message to your email admin. If you're an email admin, refer to the **More Info for Email Admins** section below.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-005829

DIXA HARISH PATEL,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Dixa Harish Patel (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, slot machines, and cardroom operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent’s address was reported as 2749 Chatham Lane Owensboro, Kentucky 42303.
3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about January 19, 2023, Respondent was a patron of Magic City Casino.
5. On or about January 20, 2023, Respondent was ejected and permanently excluded from Magic City Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

7. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes based on her ejection from Magic City Casino on or about January 20, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities and any

facility of a slot machine licensee in the state of Florida, along with any other remedy provided by chapters 550 and 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-005829 is signed this 13th day of March 2023.

*/s/Emily A. Alvarado*

---

Emily A. Alvarado  
Deputy Chief Attorney  
Florida Bar Number: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1783  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@fgcc.fl.gov  
Secondary: Ebonie.Lanier@fgcc.fl.gov

## NOTICE OF RIGHTS TO REQUEST A HEARING

Pursuant to sections 120.569 and 120.57, Florida Statutes, you have the right to request a hearing to challenge the charges contained in this Administrative Complaint. If you choose to request a hearing, you will have the right to be represented by counsel, or other qualified representative, to present evidence and argument, to call and cross-examine witnesses, and to have subpoenas and subpoenas duces tecum issued on your behalf.

Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you must request a hearing within 21 days from receipt of this Notice, or you will waive your right to request a hearing.

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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- Complaint Search
- Mass Status Update
- Change Recording License Type
- Public Case Info
- Delete Complaint
- Mass Activity Update
- Mass Discipline Update

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

VR Home > Complaint Search > Maintain Complaint

Lic Type <b>1098 - Unlicensed Complaints</b>	Status <b>90 Closed</b>	Status Date <b>03/03/2023</b>
Complaint # <b>2023005829</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>PATEL, DIXA HARISH</b>	Responsible <b>tsmith2 - SMITH, TYRELL</b>
		<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
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Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form <b>INET - Internet</b>	Priority		
Class'n <b>V-C - Cardroom Violations</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security <b>STND - Standard</b>	Incident <b>01/19/2023</b>		
Region <b>SR - Southern Region</b>	Received <b>02/01/2023</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Reference <b>550.0251(6)</b>			
Entered <b>02/01/2023</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Summary	<p><b>155-West Flagler Associates, LTD --- / ----- . Powers and duties of the Florida Gaming Control Commission: On January 19, 2023, at approximately 11:50 P.M., Magic City Casino Security Office was advised by Poker Supervisor Robert Moreno that a patron, later identified as Dixa Harish PATEL was cheating during a live Poker game. Security Supervisor Jose Guevara responded to the Poker room and met with Poker Supervisor Moreno. Moreno advised Guevara that the patron seated at table#24, seat#4 was observed by the Poker Dealer capping her bets. Based on the information provided by Moreno, Security Supervisor Guevara along with Miami PD Officers confronted PATEL at the table, and escorted her to the Cashier Cage to cash out her remaining chips. She was then escorted to the Security Office and informed of the Casino's Rules and Regulations as they pertain to patrons conduct while patronizing the facility. She was given a trespass warning form which she acknowledged and signed and advised that she was being permanently excluded from the facility. PATEL was then allowed to leave the premises without further incident.</b></p>	<input type="checkbox"/> Inspection	
		<input type="checkbox"/> Costs	
		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
		<input type="checkbox"/> Attachments	<input type="button" value="History"/>
		<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>
Updated <b>03/07/2023 13:16:25</b>	By <b>icampbell</b>		

<b>34</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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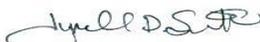
[Get Adobe Reader.](#)

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>February 1, 2023</b>	Case Number: <b>2023 00 5829</b>
Respondent:  <b>PATEL, DIXA HARISH 2749 CHATHAM LANE OWENSBORO, KENTUCKY 42303</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900</b>	
License # and Type: <b>N/A - 1098</b>	Profession: <b>Patron</b>	Report Date: <b>February 16, 2023</b>	
Period of Investigation: <b>January 31, 2023 through February 16, 2023</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 61D-11.005 Prohibitions.</b></p> <p><b>(4)</b> No person shall, either directly or indirectly:</p> <p><b>(a)</b> Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p><b>(b)</b> Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.</p> <p><b>(c)</b> Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p>			
<p><b>Synopsis:</b> On January 20, 2023, this Investigator received an email notification from Magic City Casino Compliance Manager Yadelin Crespo containing an updated Weekly Exclusion list for the facility. <b>(EXHIBIT #2)</b> Upon a review of the list, this Investigator found that on January 19, 2023, Card room Patron Dixa Harish <b>PATEL</b> was added to the list for cheating. <b>PATEL</b> was observed sitting at Poker Table #20, seat #1, cheating by adding additional chips to a bet on the table during a live poker game. This practice is known as Capping, and it is done to enhance a larger payout on the winning hand. I requested and obtained a copy of Incident Report # IN20230000317 from Crespo and video footage from Surveillance Director Octavio Jacques.</p> <p>After reviewing the report and video footage of the incident, an Open Case Request was submitted to Investigations Supervisor Julio Minaya for review and approval.</p>			
<b>Related Case(s):</b>			
Investigator / Date: February 16, 2023   Tyrell Smith /		Investigator Supervisor / Date   Julio Minaya / February 24, 2023	
Chief of Investigations / Date   Steven E. Kogan / March 3, 2023			

## CONTINUATION

On January 27, 2023, this Investigator requested and obtained a copy of Incident Report IN20230000317 from Magic City Casino Compliance Manager Yadelin Crespo. Crespo also provided a copy of the Magic City Casino Trespass Warning Form that was acknowledged and signed by **PATEL. (EXHIBIT # 1 & 2)**

According to the above incident report on Thursday January 19, 2023, at approximately 11:50 P.M., Poker Supervisor Robert Moreno contacted the Security Office in reference to a female patron cheating during a live Poker game. According to the report Moreno was informed by Poker Dealer Lizeth Palacio that a female patron at table #20, seat #1 had capped her bet during a live game that she was dealing. The patron was then observed seated at table #24, seat #4 when Moreno contacted the Security Department to respond. Once Security Supervisor Jose Guevara responded to the Poker room he met with Moreno who advised him of the situation. Guevara responded to table #24, seat #4 and met with the female patron who was identified as Dixia Harish **PATEL**. Guevara escorted **PATEL** from table #24 to the Poker cashier window where she was allowed to cash out her remaining chips. She was then escorted to the Security office by Guevara and advised of the Casino's rules and regulations regarding cheating. She was given the facilities Trespass Warning Form which she signed and acknowledged, and was allowed to leave the premises without further incident.

On January 31, 2023, this Investigator responded to Magic City Casino's Surveillance Department and obtained a copy of the Surveillance video footage of the incident from Magic City Surveillance Director Octavio Jacques. **(EXHIBIT #4)**

A review of the Surveillance video footage revealed the following:

On January 19, 2023, at approximately 11:17 P.M., **PATEL** was seated at Poker Table #20, seat #1.

At 11:18 P.M., **PATEL** places her bets on the table and then receives her cards from the dealer. She peeks at the cards on the table one by one and then picks them up. She then places them in her left hand and holds them face down over the table bets.

At 11:19 P.M., **PATEL** uses the cards placed in her left hand to cover the PLAY bet on the table and uses her right hand to pick up additional chips from her chip stack. She then inconspicuously places the additional chips taken from her stack onto the TRIPS bet on the table. After placing the additional chips on the bet, she places her cards face down on the table and continues to play.

Although it is not seen in the video footage, between 11:19 P.M., and 11:57 P.M., **PATEL** switches from table #20 to table #24 to play, and is met and escorted from table #24 by Security Supervisor Guevara to the cashier's cage.

**PATEL** is allowed to cash out her remaining chips and is then escorted to the Security Office by Guevara where she is met by Miami Police Officers. She is seen sitting in the lobby of the Security Office being spoken to by Security Supervisor Guevara who hands her a clip board which contained the facilities Trespass Warning Form. She then signs the document on the clip board and is escorted outside to the parking lot where she is allowed to leave the facility without further incident. **(EXHIBIT #3)**

## CONTINUATION

On February 15, 2023, this Investigator interviewed Poker Supervisor Moreno regarding the incident. Moreno stated that on the day of the incident he was approached at the Poker Room Supervisors Podium by dealer Lizeth Palacio who was on her break. Palacio stated that she believed that the player at her table (#20) seated in seat #1 was capping bets. Moreno stated that he then contacted Surveillance to conduct a review of the table and the cheating was confirmed. He then notified Security to respond to the poker room and locate the patron identified as **PATEL** who had switched from table #20 to table #24. Security responded to table #24 and escorted **PATEL** from the table. He could not provide any other information once they had left the Poker room.

On February 16, 2023, this Investigator interviewed Poker Dealer Lizeth Palacio regarding the incident. Palacio stated that on the day of the incident she was the dealer at table #20 and **PATEL** was the player seated in seat #1. During a live game she observed that after she had dealt the cards, she noticed that **PATEL** had her hand placed over the bets on the table while holding chips in her hands. Palacio also stated that **PATEL** then placed additional chips on her already placed bets after she had looked at her cards and knew that she had a winning hand. Palacio said that she continued with the game and **PATEL** revealed a winning straight hand. She paid **PATEL** on the hand and continued to play. After about three (3) more hands, **PATEL** got up from her table and went to play at another table. Palacio stated that she was relieved at her table by another dealer for her break, and it was at this time that she approached Poker Supervisor Moreno and advised him of her observations.

**Conclusion:** This case will be forwarded to Legal for possible statewide exclusion from all Pari-Mutuel facilities.

CONTINUATION

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2. Magic City Weekly Exclusion List ..... 1-5

3. Magic City Trespass Warning Form ..... 1-1

4. Property Receipt ..... 1-1

# Incident File Full Report



iTrak Incident Reporting and Risk Management System Version  
2020.1.0.05202

Incident Number: IN20230000317  
Date/Time Occurred: 1/19/2023 11:52:11 PM  
Day of Week: Thursday  
Created by: jguevara08

Printed By: kmejia

Printed On: 1/25/2023 at 1:30:48 PM

EXHIBIT # -/  
PAGE # -/

Incident File Full Report

Incident File #IN20230000317

Date/Time Occurred: 1/19/2023 11:52:11 PM
Day of Week Occurred: Thursday
Date/Time Created: 1/20/2023 3:15:02 AM
Date/Time Closed:
Closed By:

Record Creation Details
Department: Security
Owner: jguevara08
Operator ID: jguevara08
Operator Name:
Personnel ID:
Card Number:
Job Position
Secondary Operator:

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation: Security Vestibule

Details of Incident:

Daily Log #: DL20230002229
Incident Type: Capping bets
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis: On Thursday January 20th 2023, at approximately 11:50 P.M, the Security Office was advised by the Poker Room Supervisor of a patron cheating in the Poker Room. The Security Supervisor responded to the location. Upon arrival, the Security Supervisor was advised of a female patron who was seated at Table 24 Seat 4 who had cheated. The Security Supervisor approached the patron and escorted her to the Security Vestibule. The Security Supervisor alongside MPD advised the patron of the Casino's Rules and Regulations regarding Cheating/Capping Bets. The patron acknowledged and signed the Trespass Warning Form. The patron left property shortly thereafter. The patron is excluded permanently.

Checklist:

Narrative: Created On Created By Modified On Modified By
1/20/2023 3:15:07 F jguevara08 1/20/2023 7:36:57 F jguevara08
On Thursday January 20th 2023, at approximately 11:50 P.M, the Security Office was advised by Poker Room Supervisor Robert Moreno Jr. (3792) of a female patron, later identified as Dixa Harish Patel who had capped a bet in the Poker Room. P.S Moreno Jr. was advised of Ms. Patel's bet capping by Poker Dealer Lizeth Paola Palma Palacio (3485) who witnessed it. Security Supervisor Jose Guevara responded to the location. Upon arrival in the Poker Room, S.S Guevara was advised of Ms. Patel who was seated at Table 24 Seat 4 who had capped a bet

Reporting Party:

Supervisor:

**Incident File Full Report**

**Incident File #IN20230000317**

at Table 20 Seat 1. S.S Guevara approached Ms. Patel and escorted her to the Security Vestibule. S.S Guevara alongside MPD advised Ms. Patel of the Casino's Rules and Regulations regarding Capping Bets. Ms. Patel acknowledged and signed the Trespass Warning Form. Ms. Patel left property shortly thereafter. Ms. Patel is excluded permanently.

Upon video review, at approximately 11:18 P.M, Ms. Patel can be observed seated at Table 20 Seat 1. Ms. Patel proceeds to use her cards to obscure P.D Palacio's view of her chips in place. Ms. Patel is observed adding a few chips to her bet after the bet is called.

**Executive Brief:**

**Participants Involved:**

**Personnel**

Full Name: Palma Palacio, Lizeth Paola Property: Magic City Casino  
Role: Poker Room, Dealer Department: Poker  
Date Of Birth:

Full Name: Moreno Jr., Roberto Property: Magic City Casino  
Role: Poker Room, Supervisor Department: Poker  
Date Of Birth:

Full Name: GUEVARA, JOSE LUIS Property: Magic City Casino  
Role: Security Supervisor Department: Security  
Date Of Birth:

**Subject**

Full Name: Patel, Dixia Harish Company:  
Role: Patron  
Date Of Birth: 3/ 3/1995  
Address: 2749 Chatham LN, Owensboro, KY, 42303, USA  
Contact Info:

**Ban/Watch Details**

<u>Full Name</u>	<u>Ban/Watch</u>	<u>Start Date</u>	<u>End Date</u>
Patel, Dixia Harish	Ban	1/20/2023	Permanent
Type Of Ban:	Permanent	Notes:	
Reason For Ban:	Capping Bets		
Identification:	Driver's License		

**EXHIBIT # -1**  
**PAGE # - 3**

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20230000317

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20230000449 - Daily Log#: DL20230002229 - Call Time: 19/01/2023 23:52:11 - Dispatch Code: APPROACHING PATRON - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Sublocation: Security Vestibule - Dispatch Status: Cleared	jguevara08	1/20/2023

Header: [faded]  
Dispatch: [faded]  
Data: [faded]  
Date: [faded]  
Time: [faded]  
Status: [faded]

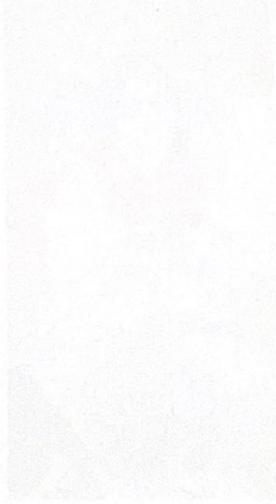


EXHIBIT # -1  
PAGE # -4

Reporting Party:

Supervisor:

Media Title

Original Filename

Dixa Harish Patel (2).jpg

Date Attached

1/20/2023 3:00:23 AM

Attached By

jguevara08

Type

JPG

Size

510036



Media Title

Original Filename

Dixa Harish Patel.jpg

Date Attached

1/20/2023 3:00:23 AM

Attached By

jguevara08

Type

JPG

Size

1377619



1/25/2023 1:30:48 PM

Page 1/2

EXHIBIT # -1  
PAGE # =5

Media Title

Original Filename

Trespass Warning Form -  
Dixa Harish Patel.pdf

Date Attached

1/20/2023 3:00:23 AM

Attached By

jguevara08

Type

PDF

Size

68273

1/25/2023 1:30:48 PM

Page 2/2

EXHIBIT # 1  
PAGE # 4

**Smith, Tyrell**

---

**From:** Yadelin Crespo <y Crespo@magiccitycasino.com>  
**Sent:** Friday, January 20, 2023 12:23 PM  
**To:** Minaya, Julio; Smith, Tyrell; Suau, Raul  
**Cc:** Victor Suarez; Ileana Zamora  
**Subject:** MCC Weekly Exclusions 1/19/23  
**Attachments:** MCC Weekly Exclusions 2023-01-19.xlsx

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Good Afternoon and Happy Friday!

Attached please find MCC's weekly exclusions for this week.

\*State Exclusion website checked today 1/20/23 – MCC Master Exclusion List up to date

Thank you,

**Yadelin Crespo**  
**Compliance Manager**  
Magic City Casino  
305.631.4536 (direct line)  
y Crespo@magiccitycasino.com  
magiccitycasino.com

Connect on [LinkedIn](#)





Address	City	State	Zip	Height	Weight
2749 Chatham LN	Owensboro	KY	42303	5'4	131

EXHIBIT # -2  
PAGE # -3

Hair Color	Eye Color	Build	Length	Incident Type
Brown	Brown	Normal	Permanent	Cheating

EXHIBIT # -2  
PAGE # -4



TRESPASS WARNING

NAME / LAST NAME: Dixa Harish Patel

DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]

ADDRESS: 2749 Chatham LN CITY: Owensboro ST: KY ZIP: 42303

RACE: Middle Eastern SEX: F HEIGHT: 5'-04" WEIGHT: 130 HAIR: Brown EYES: Brown

REASON FOR TRESPASSING: Cheating/Capping Bets

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:

24 Hrs  
 3 Days  
 7 Days  
 30 Days  
 3 Months  
 6 Months  
 1 Year  
 2 Year  
 Permanent

This warning was given on 1/20/23 at 12:25AM hours.

If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [Signature]

CASE #: \_\_\_\_\_ ARRESTED:  YES  NO

SECURITY AGENT: [Signature] 3020 DATE: 1/20/23

POLICE OFFICER / WITNESS: [Signature] 45206

Warned by MPD referenced trespass after warning    Subject refused to sign this trespass warning



State of Florida  
 Florida Gaming Control Commission  
 Division of Pari-Mutuel Wagering  
 Office of Investigations

PROPERTY RECEIPT

Complaint # 2023-00-5829 Date 1/3/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
<u>1</u>	<u>1</u>	<u>USB WITH FOOTAGE OF PATRON DIXA PATEL CAPPING BETS.</u>
<u>LAST ITEM</u>		

<p>I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.</p> <p><u>[Signature]</u>          Signature</p>	<p>I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.</p> <p><u>[Signature]</u>          Signature - Impounding Investigator</p>
--	--

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

EXHIBIT # -4  
 PAGE # -1

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

- [Complaint Search](#)
- [Change Recording License Type](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)
- [Mass Status Update](#)
- [Public Case Info](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) [Complaint Search](#) [Maintain Complaint](#)

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	02/01/2023
Complaint #	2023005829	Case Type	CMP Complaint	Disposition	Disposition Date
Docket#	Re pondent	PATEL, DIXA HARISH	Re pon ible	tsmith2 - SMITH, TYRELL	Private Ca e

Complaint	Re pondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	INET - Internet	Priority			
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security	STND - Standard	Incident	01/19/2023	<input type="checkbox"/> Violation	<input type="checkbox"/> Compliance
Region	SR - Southern Region	Received	02/01/2023		
Reference	550.0251(6)			<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Entered	02/01/2023	Entered By	Imuniz	<input type="checkbox"/> Inspection	
Summary	<p>155-West Flagler Associates, LTD --- / ----- . Powers and duties of the Florida Gaming Control Commission: On January 19, 2023, at approximately 11:50 P.M., Magic City Casino Security Office was advised by Poker Supervisor Robert Moreno that a patron, later identified as Dixa Harish PATEL was cheating during a live Poker game. Security Supervisor Jose Guevara responded to the Poker room and met with Poker Supervisor Moreno. Moreno advised Guevara that the patron seated at table#24, seat#4 was observed by the Poker Dealer capping her bets. Based on the information provided by Moreno, Security Supervisor Guevara along with Miami PD Officers confronted PATEL at the table, and escorted her to the Cashier Cage to cash out her remaining chips. She was then escorted to the Security Office and informed of the Casino's Rules and Regulations as they pertain to patrons conduct while patronizing the facility. She was given a trespass warning form which she acknowledged and signed and advised that she was being permanently excluded from the facility. PATEL was then allowed to leave the premises without further incident.</p>			<input type="checkbox"/> Costs	<input type="checkbox"/> Auto A ign
				<input type="checkbox"/> Time Tracking	<input type="checkbox"/> Hi tory
				<input type="checkbox"/> Attachment	<input type="checkbox"/> Print Report
				<input type="checkbox"/> Work Note	
Updated	02/01/2023 09:17:18	By	Imuniz		

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: January 19, 2023

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: West Flagler Associates, LTD (Magic City Casino)    LIC #: 155

**RESPONDENT**

<b>NAME:</b> Dixa Harish Patel		
Address: 2749 Chatham Lane, Owensboro, KY 42303		Tel
LIC #: N/A	LIC TYPE: 1098	OCCUPATION: Patron

**COMPLAINANT**

<b>NAME:</b> West Flagler Associates LTD (Magic City Casino)		Tel #:
Address: 450 NW 37 <sup>th</sup> Ave, Miami, Florida 33126		
LIC #: 155	LIC TYPE: 1002	OCCUPATION: Permit Holder

**VIOLATION(S) / TITLE(S): 550.0251 Powers and duties of the Florida Gaming Control Commission.—**

The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On January 19, 2023, at approximately 11:50 P.M., Magic City Casino Security Office was advised by Poker Supervisor Robert Moreno that a patron, later identified as Dixa Harish **PATEL** was cheating during a live Poker game. Security Supervisor Jose Guevara responded to the Poker room and met with Poker Supervisor Moreno. Moreno advised Guevara that the patron seated at table#24, seat#4 was observed by the Poker Dealer capping her bets.

Based on the information provided by Moreno, Security Supervisor Guevara along with Miami PD Officers confronted **PATEL** at the table, and escorted her to the Cashier Cage to cash out her remaining chips. She was then escorted to the Security Office and informed of the Casino's Rules and Regulations as they pertain to patrons conduct while patronizing the facility. She was given a trespass warning form which she acknowledged and signed and advised that she was being permanently excluded from the facility. **PATEL** was then allowed to leave the premises without further incident.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

Tyrell D. Smith        January 31, 2023  
 (Print Name)    (Signature)    (Date)

## Muniz, Luz

---

**From:** Minaya, Julio  
**Sent:** Tuesday, January 31, 2023 12:21 PM  
**To:** Muniz, Luz  
**Cc:** Smith, Tyrell; Jones, Bradford  
**Subject:** OCR  
**Attachments:** OPEN CASE REQUEST - MAGIC CITY (PATEL) EXCLUSION- 1-19-23.docx

Luz,

Please open and assign to Tyrell.

Thanks



**Julio Minaya**  
Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: 954-202-6844 / Fax: 954.202.3930

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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- [Complaint Search](#)
- [Change Recording License Type](#)
- [Delete Complaint](#)
- [Mass Activity Update](#)
- [Mass Discipline Update](#)
- [Mass Status Update](#)
- [Public Case Info](#)

Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **icampbell**

[VR Home](#) > [Complaint Search](#) > [Maintain Complaint](#)

Lic Type <b>1098 - Unlicensed Complaints</b>	Status <b>90 Closed</b>	Status Date <b>03/03/2023</b>
Complaint # <b>2023005829</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>PATEL, DIXA HARISH</b>	Responsible <b>tsmith2 - SMITH, TYRELL</b>
		<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form <b>INET - Internet</b>	Priority		
Class'n <b>V-C - Cardroom Violations</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security <b>STND - Standard</b>	Incident <b>01/19/2023</b>		
Region <b>SR - Southern Region</b>	Received <b>02/01/2023</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Reference <b>550.0251(6)</b>			
Entered <b>02/01/2023</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Summary	<p><b>155-West Flagler Associates, LTD --- / ----- . Powers and duties of the Florida Gaming Control Commission: On January 19, 2023, at approximately 11:50 P.M., Magic City Casino Security Office was advised by Poker Supervisor Robert Moreno that a patron, later identified as Dixa Harish PATEL was cheating during a live Poker game. Security Supervisor Jose Guevara responded to the Poker room and met with Poker Supervisor Moreno. Moreno advised Guevara that the patron seated at table#24, seat#4 was observed by the Poker Dealer capping her bets. Based on the information provided by Moreno, Security Supervisor Guevara along with Miami PD Officers confronted PATEL at the table, and escorted her to the Cashier Cage to cash out her remaining chips. She was then escorted to the Security Office and informed of the Casino's Rules and Regulations as they pertain to patrons conduct while patronizing the facility. She was given a trespass warning form which she acknowledged and signed and advised that she was being permanently excluded from the facility. PATEL was then allowed to leave the premises without further incident.</b></p>	<input type="checkbox"/> Inspection	
		<input type="checkbox"/> Costs	
		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
		<input type="checkbox"/> Attachments	<input type="button" value="History"/>
		<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>
Updated <b>03/07/2023 13:16:25</b>	By <b>icampbell</b>		

<b>34</b>	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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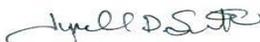
[Get Adobe Reader.](#)

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>February 1, 2023</b>	Case Number: <b>2023 00 5829</b>
Respondent:  <b>PATEL, DIXA HARISH 2749 CHATHAM LANE OWENSBORO, KENTUCKY 42303</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900</b>	
License # and Type: <b>N/A - 1098</b>	Profession: <b>Patron</b>	Report Date: <b>February 16, 2023</b>	
Period of Investigation: <b>January 31, 2023 through February 16, 2023</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 61D-11.005 Prohibitions.</b></p> <p><b>(4)</b> No person shall, either directly or indirectly:</p> <p><b>(a)</b> Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p><b>(b)</b> Engage in any act, practice, or course of operation that would constitute a fraud or deceit upon any participant in a game or the cardroom operator.</p> <p><b>(c)</b> Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator.</p>			
<p><b>Synopsis:</b> On January 20, 2023, this Investigator received an email notification from Magic City Casino Compliance Manager Yadelin Crespo containing an updated Weekly Exclusion list for the facility. <b>(EXHIBIT #2)</b> Upon a review of the list, this Investigator found that on January 19, 2023, Card room Patron Dixa Harish <b>PATEL</b> was added to the list for cheating. <b>PATEL</b> was observed sitting at Poker Table #20, seat #1, cheating by adding additional chips to a bet on the table during a live poker game. This practice is known as Capping, and it is done to enhance a larger payout on the winning hand. I requested and obtained a copy of Incident Report # IN20230000317 from Crespo and video footage from Surveillance Director Octavio Jacques.</p> <p>After reviewing the report and video footage of the incident, an Open Case Request was submitted to Investigations Supervisor Julio Minaya for review and approval.</p>			
<b>Related Case(s):</b>			
Investigator / Date: February 16, 2023   Tyrell Smith /		Investigator Supervisor / Date   Julio Minaya / February 24, 2023	
Chief of Investigations / Date   Steven E. Kogan / March 3, 2023			

## CONTINUATION

On January 27, 2023, this Investigator requested and obtained a copy of Incident Report IN20230000317 from Magic City Casino Compliance Manager Yadelin Crespo. Crespo also provided a copy of the Magic City Casino Trespass Warning Form that was acknowledged and signed by **PATEL. (EXHIBIT # 1 & 2)**

According to the above incident report on Thursday January 19, 2023, at approximately 11:50 P.M., Poker Supervisor Robert Moreno contacted the Security Office in reference to a female patron cheating during a live Poker game. According to the report Moreno was informed by Poker Dealer Lizeth Palacio that a female patron at table #20, seat #1 had capped her bet during a live game that she was dealing. The patron was then observed seated at table #24, seat #4 when Moreno contacted the Security Department to respond. Once Security Supervisor Jose Guevara responded to the Poker room he met with Moreno who advised him of the situation. Guevara responded to table #24, seat #4 and met with the female patron who was identified as Dixia Harish **PATEL**. Guevara escorted **PATEL** from table #24 to the Poker cashier window where she was allowed to cash out her remaining chips. She was then escorted to the Security office by Guevara and advised of the Casino's rules and regulations regarding cheating. She was given the facilities Trespass Warning Form which she signed and acknowledged, and was allowed to leave the premises without further incident.

On January 31, 2023, this Investigator responded to Magic City Casino's Surveillance Department and obtained a copy of the Surveillance video footage of the incident from Magic City Surveillance Director Octavio Jacques. **(EXHIBIT #4)**

A review of the Surveillance video footage revealed the following:

On January 19, 2023, at approximately 11:17 P.M., **PATEL** was seated at Poker Table #20, seat #1.

At 11:18 P.M., **PATEL** places her bets on the table and then receives her cards from the dealer. She peeks at the cards on the table one by one and then picks them up. She then places them in her left hand and holds them face down over the table bets.

At 11:19 P.M., **PATEL** uses the cards placed in her left hand to cover the PLAY bet on the table and uses her right hand to pick up additional chips from her chip stack. She then inconspicuously places the additional chips taken from her stack onto the TRIPS bet on the table. After placing the additional chips on the bet, she places her cards face down on the table and continues to play.

Although it is not seen in the video footage, between 11:19 P.M., and 11:57 P.M., **PATEL** switches from table #20 to table #24 to play, and is met and escorted from table #24 by Security Supervisor Guevara to the cashier's cage.

**PATEL** is allowed to cash out her remaining chips and is then escorted to the Security Office by Guevara where she is met by Miami Police Officers. She is seen sitting in the lobby of the Security Office being spoken to by Security Supervisor Guevara who hands her a clip board which contained the facilities Trespass Warning Form. She then signs the document on the clip board and is escorted outside to the parking lot where she is allowed to leave the facility without further incident. **(EXHIBIT #3)**

## CONTINUATION

On February 15, 2023, this Investigator interviewed Poker Supervisor Moreno regarding the incident. Moreno stated that on the day of the incident he was approached at the Poker Room Supervisors Podium by dealer Lizeth Palacio who was on her break. Palacio stated that she believed that the player at her table (#20) seated in seat #1 was capping bets. Moreno stated that he then contacted Surveillance to conduct a review of the table and the cheating was confirmed. He then notified Security to respond to the poker room and locate the patron identified as **PATEL** who had switched from table #20 to table #24. Security responded to table #24 and escorted **PATEL** from the table. He could not provide any other information once they had left the Poker room.

On February 16, 2023, this Investigator interviewed Poker Dealer Lizeth Palacio regarding the incident. Palacio stated that on the day of the incident she was the dealer at table #20 and **PATEL** was the player seated in seat #1. During a live game she observed that after she had dealt the cards, she noticed that **PATEL** had her hand placed over the bets on the table while holding chips in her hands. Palacio also stated that **PATEL** then placed additional chips on her already placed bets after she had looked at her cards and knew that she had a winning hand. Palacio said that she continued with the game and **PATEL** revealed a winning straight hand. She paid **PATEL** on the hand and continued to play. After about three (3) more hands, **PATEL** got up from her table and went to play at another table. Palacio stated that she was relieved at her table by another dealer for her break, and it was at this time that she approached Poker Supervisor Moreno and advised him of her observations.

**Conclusion:** This case will be forwarded to Legal for possible statewide exclusion from all Pari-Mutuel facilities.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET ..... 1

II. INVESTIGATIVE REPORT ..... 2-11

III. EXHIBITS

1. Magic City Incident Report # IN20230000317 ..... 1-6

2. Magic City Weekly Exclusion List ..... 1-5

3. Magic City Trespass Warning Form ..... 1-1

4. Property Receipt ..... 1-1

# Incident File Full Report



iTrak Incident Reporting and Risk Management System Version  
2020.1.0.05202

Incident Number: IN20230000317  
Date/Time Occurred: 1/19/2023 11:52:11 PM  
Day of Week: Thursday  
Created by: jguevara08

Printed By: kmejia

Printed On: 1/25/2023 at 1:30:48 PM

EXHIBIT # -/  
PAGE # -/

Incident File Full Report

Incident File #IN20230000317

Date/Time Occurred: 1/19/2023 11:52:11 PM
Day of Week Occurred: Thursday
Date/Time Created: 1/20/2023 3:15:02 AM
Date/Time Closed:
Closed By:

Record Creation Details
Department: Security
Owner: jguevara08
Operator ID: jguevara08
Operator Name:
Personnel ID:
Card Number:
Job Position
Secondary Operator:

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation: Security Vestibule

Details of Incident:

Daily Log #: DL20230002229
Incident Type: Capping bets
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis: On Thursday January 20th 2023, at approximately 11:50 P.M, the Security Office was advised by the Poker Room Supervisor of a patron cheating in the Poker Room. The Security Supervisor responded to the location. Upon arrival, the Security Supervisor was advised of a female patron who was seated at Table 24 Seat 4 who had cheated. The Security Supervisor approached the patron and escorted her to the Security Vestibule. The Security Supervisor alongside MPD advised the patron of the Casino's Rules and Regulations regarding Cheating/Capping Bets. The patron acknowledged and signed the Trespass Warning Form. The patron left property shortly thereafter. The patron is excluded permanently.

Checklist:

Narrative:

Created On Created By Modified On Modified By
1/20/2023 3:15:07 F jguevara08 1/20/2023 7:36:57 F jguevara08

On Thursday January 20th 2023, at approximately 11:50 P.M, the Security Office was advised by Poker Room Supervisor Robert Moreno Jr. (3792) of a female patron, later identified as Dixa Harish Patel who had capped a bet in the Poker Room. P.S Moreno Jr. was advised of Ms. Patel's bet capping by Poker Dealer Lizeth Paola Palma Palacio (3485) who witnessed it. Security Supervisor Jose Guevara responded to the location. Upon arrival in the Poker Room, S.S Guevara was advised of Ms. Patel who was seated at Table 24 Seat 4 who had capped a bet

Reporting Party:

Supervisor:

**Incident File Full Report**

**Incident File #IN20230000317**

at Table 20 Seat 1. S.S Guevara approached Ms. Patel and escorted her to the Security Vestibule. S.S Guevara alongside MPD advised Ms. Patel of the Casino's Rules and Regulations regarding Capping Bets. Ms. Patel acknowledged and signed the Trespass Warning Form. Ms. Patel left property shortly thereafter. Ms. Patel is excluded permanently.

Upon video review, at approximately 11:18 P.M, Ms. Patel can be observed seated at Table 20 Seat 1. Ms. Patel proceeds to use her cards to obscure P.D Palacio's view of her chips in place. Ms. Patel is observed adding a few chips to her bet after the bet is called.

**Executive Brief:**

**Participants Involved:**

**Personnel**

Full Name: Palma Palacio, Lizeth Paola Property: Magic City Casino  
Role: Poker Room, Dealer Department: Poker  
Date Of Birth:

Full Name: Moreno Jr., Roberto Property: Magic City Casino  
Role: Poker Room, Supervisor Department: Poker  
Date Of Birth:

Full Name: GUEVARA, JOSE LUIS Property: Magic City Casino  
Role: Security Supervisor Department: Security  
Date Of Birth:

**Subject**

Full Name: Patel, Dixia Harish Company:  
Role: Patron  
Date Of Birth: 3/ 3/1995  
Address: 2749 Chatham LN, Owensboro, KY, 42303, USA  
Contact Info:

**Ban/Watch Details**

<u>Full Name</u>	<u>Ban/Watch</u>	<u>Start Date</u>	<u>End Date</u>
Patel, Dixia Harish	Ban	1/20/2023	Permanent
Type Of Ban:	Permanent	Notes:	
Reason For Ban:	Capping Bets		
Identification:	Driver's License		

**EXHIBIT # -1**  
**PAGE # - 3**

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20230000317

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20230000449 - Daily Log#: DL20230002229 - Call Time: 19/01/2023 23:52:11 - Dispatch Code: APPROACHING PATRON - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Sublocation: Security Vestibule - Dispatch Status: Cleared	jguevara08	1/20/2023

Header: [faded]  
Dispatch: [faded]  
Data: [faded]  
Date: [faded]  
Time: [faded]  
Status: [faded]

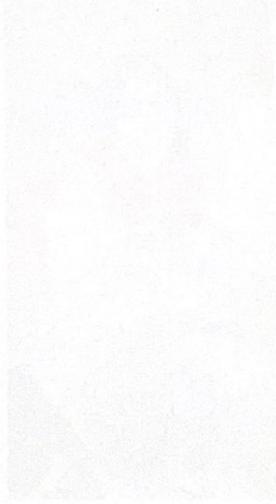


EXHIBIT # -1  
PAGE # -4

Reporting Party:

Supervisor:

Media Title

Original Filename

Dixa Harish Patel (2).jpg

Date Attached

1/20/2023 3:00:23 AM

Attached By

jguevara08

Type

JPG

Size

510036



Media Title

Original Filename

Dixa Harish Patel.jpg

Date Attached

1/20/2023 3:00:23 AM

Attached By

jguevara08

Type

JPG

Size

1377619



1/25/2023 1:30:48 PM

Page 1/2

EXHIBIT # -1  
PAGE # =5

Media Title

Original Filename

Trespass Warning Form -  
Dixa Harish Patel.pdf

Date Attached

1/20/2023 3:00:23 AM

Attached By

jguevara08

Type

PDF

Size

68273

1/25/2023 1:30:48 PM

Page 2/2

EXHIBIT # 1  
PAGE # 4

**Smith, Tyrell**

---

**From:** Yadelin Crespo <y Crespo@magiccitycasino.com>  
**Sent:** Friday, January 20, 2023 12:23 PM  
**To:** Minaya, Julio; Smith, Tyrell; Suau, Raul  
**Cc:** Victor Suarez; Ileana Zamora  
**Subject:** MCC Weekly Exclusions 1/19/23  
**Attachments:** MCC Weekly Exclusions 2023-01-19.xlsx

[NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk.

Good Afternoon and Happy Friday!

Attached please find MCC's weekly exclusions for this week.

\*State Exclusion website checked today 1/20/23 – MCC Master Exclusion List up to date

Thank you,

**Yadelin Crespo**  
**Compliance Manager**  
Magic City Casino  
305.631.4536 (direct line)  
y Crespo@magiccitycasino.com  
magiccitycasino.com

Connect on [LinkedIn](#)



Date	Last Name	First Name	DOB	Gender	Race
1/19/2023	Patel	Dixa Harish		Female	Middle-Eastern

EXHIBIT # -2  
PAGE # -2

Address	City	State	Zip	Height	Weight
2749 Chatham LN	Owensboro	KY	42303	5'4	131

EXHIBIT # -2  
PAGE # -3

Hair Color	Eye Color	Build	Length	Incident Type
[REDACTED]				
Brown	Brown	Normal	Permanent	Cheating

EXHIBIT # -2  
PAGE # -4

Report#	Photo Taken	Arrested	Driver's License	Location
IN20230000317	Y	N		Poker Room

EXHIBIT #-2  
PAGE # -5

TRESPASS WARNING

NAME / LAST NAME: Dixa Harish Patel
DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]
ADDRESS: 2749 Chatham LN CITY: Owensboro ST: KY ZIP: 42303
RACE: Middle Eastern SEX: F HEIGHT: 5'-04" WEIGHT: 130 HAIR: Brown EYES: Brown
REASON FOR TRESPASSING: Cheating/Capping Bets

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:
[ ] 24 Hrs [ ] 3 Days [ ] 7 Days [ ] 30 Days [ ] 3 Months [ ] 6 Months [ ] 1 Year [ ] 2 Year [x] Permanent
This warning was given on 1/20/23 at 12:25AM hours.
If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [Signature]
CASE #: \_\_\_\_\_ ARRESTED: [ ] YES [x] NO
SECURITY AGENT: [Signature] 3020 DATE: 1/20/23
POLICE OFFICER / WITNESS: [Signature] 45206

[x] Warned by MPD referenced trespass after warning [ ] Subject refused to sign this trespass warning



State of Florida  
 Florida Gaming Control Commission  
 Division of Pari-Mutuel Wagering  
 Office of Investigations

PROPERTY RECEIPT

Complaint # 2023-00-5829 Date 1/3/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
<u>1</u>	<u>1</u>	<u>USB WITH FOOTAGE OF PATRON DIXA PATEL CAPPING BETS.</u>
<u>LAST ITEM</u>		

<p>I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.</p> <p><u>[Signature]</u>          Signature</p>	<p>I hereby acknowledge that the above list represents all property impounded by me in the official performance of duty as Investigator for the Division of Pari-Mutuel Wagering.</p> <p><u>[Signature]</u>          Signature - Impounding Investigator</p>
--	--

RETURNED PROPERTY RECEIPT

I hereby acknowledge the return to me, by the Division of Pari-Mutuel Wagering, the above listed property.

\_\_\_\_\_  
 Signature Date

Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_  
 Received by: \_\_\_\_\_ Date: \_\_\_\_\_

EXHIBIT # -4  
 PAGE # -1

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
---------	-------	--------	-------------	---------	------	------	------------	-------------	--------

[Complaint Search](#) | [Change Recording License Type](#) | [Delete Complaint](#) | [Mass Activity Update](#) | [Mass Discipline Update](#)  
[Mass Status Update](#) | [Public Case Info](#)

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: Imuniz

[VR Home](#) | [Complaint Search](#) | [Maintain Complaint](#)

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	02/01/2023
Complaint #	2023005829	Case Type	CMP Complaint	Disposition	Disposition Date
Docket#	Re pondent	PATEL, DIXA HARISH	Re pon ible	tsmith2 - SMITH, TYRELL	Private Ca e

Complaint	Re pondent	Complainant	Add'l Info
-----------	------------	-------------	------------

Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	INET - Internet	Priority			
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security	STND - Standard	Incident	01/19/2023	<input type="checkbox"/> Violation	<input type="checkbox"/> Compliance
Region	SR - Southern Region	Received	02/01/2023		
Reference	550.0251(6)			<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Entered	02/01/2023	Entered By	Imuniz	<input type="checkbox"/> Inspection	
Summary	<p>155-West Flagler Associates, LTD --- / ----- . Powers and duties of the Florida Gaming Control Commission: On January 19, 2023, at approximately 11:50 P.M., Magic City Casino Security Office was advised by Poker Supervisor Robert Moreno that a patron, later identified as Dixia Harish PATEL was cheating during a live Poker game. Security Supervisor Jose Guevara responded to the Poker room and met with Poker Supervisor Moreno. Moreno advised Guevara that the patron seated at table#24, seat#4 was observed by the Poker Dealer capping her bets. Based on the information provided by Moreno, Security Supervisor Guevara along with Miami PD Officers confronted PATEL at the table, and escorted her to the Cashier Cage to cash out her remaining chips. She was then escorted to the Security Office and informed of the Casino's Rules and Regulations as they pertain to patrons conduct while patronizing the facility. She was given a trespass warning form which she acknowledged and signed and advised that she was being permanently excluded from the facility. PATEL was then allowed to leave the premises without further incident.</p>			<input type="checkbox"/> Costs	
				<input type="checkbox"/> Time Tracking	Auto A ign
				<input type="checkbox"/> Attachment	Hi tory
				<input type="checkbox"/> Work Note	Print Report
Updated	02/01/2023 09:17:18	By	Imuniz		

<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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STATE OF FLORIDA  
 FLORIDA GAMING CONTROL COMMISSION  
 DIVISION OF PARI-MUTUEL WAGERING

**OPEN CASE REQUEST**

(OTHER THAN THOSE SPECIFIED IN SECTION 120.80(4)(a), F.S.)

INCIDENT DATE: January 19, 2023

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: West Flagler Associates, LTD (Magic City Casino)    LIC #: 155

**RESPONDENT**

<b>NAME:</b> Dixa Harish Patel		
Address: 2749 Chatham Lane, Owensboro, KY 42303		Tel
LIC #: N/A	LIC TYPE: 1098	OCCUPATION: Patron

**COMPLAINANT**

<b>NAME:</b> West Flagler Associates LTD (Magic City Casino)		Tel #:
Address: 450 NW 37 <sup>th</sup> Ave, Miami, Florida 33126		
LIC #: 155	LIC TYPE: 1002	OCCUPATION: Permit Holder

**VIOLATION(S) / TITLE(S): 550.0251 Powers and duties of the Florida Gaming Control Commission.—**

The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

(6) In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state. The commission may authorize any person who has been ejected or excluded from pari-mutuel facilities in this state or another state to attend the pari-mutuel facilities in this state upon a finding that the attendance of such person at pari-mutuel facilities would not be adverse to the public interest or to the integrity of the sport or industry; however, this subsection shall not be construed to abrogate the common-law right of a pari-mutuel permit holder to exclude absolutely a patron in this state.

**DESCRIPTION:** On January 19, 2023, at approximately 11:50 P.M., Magic City Casino Security Office was advised by Poker Supervisor Robert Moreno that a patron, later identified as Dixa Harish **PATEL** was cheating during a live Poker game. Security Supervisor Jose Guevara responded to the Poker room and met with Poker Supervisor Moreno. Moreno advised Guevara that the patron seated at table#24, seat#4 was observed by the Poker Dealer capping her bets.

Based on the information provided by Moreno, Security Supervisor Guevara along with Miami PD Officers confronted **PATEL** at the table, and escorted her to the Cashier Cage to cash out her remaining chips. She was then escorted to the Security Office and informed of the Casino's Rules and Regulations as they pertain to patrons conduct while patronizing the facility. She was given a trespass warning form which she acknowledged and signed and advised that she was being permanently excluded from the facility. **PATEL** was then allowed to leave the premises without further incident.

**CASE DETAILS FILED BY:**

Chief Inspector     Judge/Steward     Investigator     Other: \_\_\_\_\_  
 (Title of State Employee)

Tyrell D. Smith        January 31, 2023  
 (Print Name)    (Signature)    (Date)

## Muniz, Luz

---

**From:** Minaya, Julio  
**Sent:** Tuesday, January 31, 2023 12:21 PM  
**To:** Muniz, Luz  
**Cc:** Smith, Tyrell; Jones, Bradford  
**Subject:** OCR  
**Attachments:** OPEN CASE REQUEST - MAGIC CITY (PATEL) EXCLUSION- 1-19-23.docx

Luz,

Please open and assign to Tyrell.

Thanks



**Julio Minaya**  
Investigative Supervisor  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
1400 West Commercial Boulevard, Suite 165  
Ft. Lauderdale, Florida 33309  
Office: 954-202-6844 / Fax: 954.202.3930

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION  
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA GAMING CONTROL COMMISSION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2023-005829

DIXA HARISH PATEL,

Respondent.

I

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on June 15, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Commission's Administrative Complaint filed against Dixa Harish Patel ("Respondent"), in FGCC Case Number 2023-005829 ("Administrative Complaint"). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held via videoconference. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On March 13, 2023, the Commission filed an Administrative Complaint against Respondent alleging that on January 20, 2023, Respondent was permanently excluded from Magic City Casino, and that she is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida.

2. On April 10, 2023, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The June 15, 2023, Informal Hearing

3. At the informal hearing on June 15, 2023, the Commission presented the issues raised in its Administrative Complaint. The Hearing Officer granted the Commission's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

4. The investigative packet that was admitted into the record contained an Incident File Full Report detailing the events leading up to Respondent's exclusion from Magic City Casino.

5. The Incident File Full Report states that Respondent was capping bets, a type of cheating.

6. At the hearing, Respondent testified about the events that surrounded her exclusion from Magic City Casino:

a. Respondent stated that she is in the third year of her medical studies in Miami, Florida.

b. Respondent stated that earlier in the day on the date of the incident, January 19, 2023, she had witnessed the traumatic death of a patient for the first time.

c. Respondent stated that witnessing this death affected her deeply.

d. Respondent stated that when she returned home from her shift, she took a Benzodiazepine that was not prescribed to her before using an Uber to travel to Magic City Casino. Respondent noted that she does not usually take

medications that are not prescribed to her.

e. Respondent testified that she frequently visits pari-mutuel cardrooms as her schedule allows, indicating she sometimes visits twice per week, other times not for a few weeks. She explained that she would play poker to de-stress. Respondent noted that sometimes she would go with her partner, but on other occasions she would visit alone.

f. Respondent mentioned she was completely shocked when she received the Administrative Complaint Packet from Petitioner, as she did not recall the incident, but she did not dispute the facts alleged therein.

g. Respondent accepts her permanent exclusion from Magic City Casino due to the allegations in the Administrative Complaint. However, Respondent would like to be able to continue to visit other pari-mutuel card rooms to continue her hobby of playing poker.

h. Respondent also stated her concerns regarding the effect an exclusion may have on her as she is in medical school, namely as to whether an exclusion would be visible in a background check. Respondent would like a chance to not be placed on a state-wide exclusion list.

#### FINDINGS OF FACT

7. On or about January 19, 2023, Respondent was a patron of Magic City Casino.

8. On or about January 20, 2023, Respondent was permanently excluded from Magic City Casino.

## CONCLUSIONS OF LAW

9. The Hearing Officer has jurisdiction over this matter and the parties pursuant to section 120.57(2), Florida Statutes.

10. The Commission has jurisdiction over this matter pursuant to chapters 120, 550, and 551, Florida Statutes.

11. At all times material, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the State of Florida.

12. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any pari-mutuel facility in the state, the commission may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

13. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the commission may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission. The commission may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory

jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.

(Emphasis supplied).

14. Pursuant to sections 550.0251(6), Florida Statutes, and section 551.112, Florida Statutes, Respondent is subject to exclusion from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida based on her permanent exclusion from Magic City Casino on January 20, 2023.

15. Respondent's testimony neither mitigates the fact that Respondent was permanently excluded from Magic City Casino, nor precludes the Commission from excluding Respondent from all licensed pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

16. There is competent substantial evidence to support the conclusions of law.

#### RECOMMENDED ORDER

Based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Florida Gaming Control Commission issue a Final Order permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

This Hearing Officer's Recommended Order in FGCC Case Number 2023-005829 is submitted this 5th day of September, 2023.

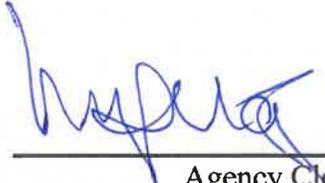
s/ Elizabeth K. Stinson  
Elizabeth K. Stinson  
Hearing Officer  
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 5th day of September 2023, that a true copy of the foregoing

"Hearing Officer's Recommended Order" has been provided by mail to:

Dixa Harish Patel  
Respondent  
[DixaPatel44@gmail.com](mailto:DixaPatel44@gmail.com)  
1444 Northwest 14th Avenue, Apt. 1403  
Miami, Florida 33125



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Agency Clerk  
Florida Gaming Control Commission