



# Florida Gaming Control Commission

JULIE I. BROWN, VICE CHAIR  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER  
TINA REPP, COMMISSIONER

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## Meeting Agenda

Thursday, January 11, 2024

9:30 AM

Joseph P. Cresse Hearing Room 148  
Betty Easley Conference Center  
4075 Esplanade Way  
Tallahassee, Florida 32399-0850

1. Approval of meeting minutes
  - 1.1. November 2, 2023
  - 1.2. November 16, 2023
2. Discussion of default final orders
  - 2.1. 2023-018935 – Brogdon, Carlos
  - 2.2. 2023-031855 – Days, Heather Renee
  - 2.3. 2023-047752 – Collazo, Henry
  - 2.4. 2023-048277 – Scott, Clemonte Germale
  - 2.5. 2023-050851 – Gretna Racing, LLC
  - 2.6. 2023-053869 – Zarnoch, Michael D
3. Discussion of consent orders
  - 3.1. 2023-008898 – Cascallares, Nestor Alfredo
  - 3.2. 2023-040396 – Hamilton Downs Horsetrack, LLC
  - 3.3. 2023-005700 – Tampa Bay Downs, Inc.
  - 3.4. 2023-037283 – Tampa Bay Downs, Inc.
  - 3.5. 2023-047573 – Tampa Bay Downs, Inc.
4. Discussion of recommended orders
  - 4.1. 2023-008508 – Martinez, Carlos
  - 4.2. 2023-031192 – Gillispie, Beatrice
  - 4.3. 2023-037698 – Bradley, Antwan

5. Discussion of license denials
  - 5.1. 2023-062769 – Fletcher, Sean Allister
  - 5.2. 2023-063904 – Robinson, Kevin Lapatrick
  - 5.3. 2023-064927 – Rodriguez, Daniel Alberto
6. Discussion of final order pursuant to request from respondent
  - 6.1. 2023-039413 – Cormier, Rocco
7. Discussion of policies and procedures
8. Executive Director update
9. Public comment

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THE COMMISSION ON ANY OF THE AGENDA ITEMS  
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NO LESS THAN 24 HOURS BEFORE THE  
START OF THE MEETING



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# 1. Approval of meeting minutes

Florida Gaming Control Commission

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November 02, 2023

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In The Matter Of:  
Florida Gaming Control Commission  
Public Meeting

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DATE: Thursday, November 2, 2023  
TIME: 9:31 a.m. to 11:00 a.m.  
LOCATION: The Florida Capitol  
Cabinet Meeting Room  
Tallahassee, Florida 32399

Stenographically Reported via telephone by:  
JUDY LYNN MARTIN, STENOGRAPHER

Job Number: 332981

1 APPEARANCES:

2 Julie Brown, Vice Chair

3 Tina Repp, Commissioner

4 Chuck Drago, Commissioner

5 John D'aquila, Commissioner

6

7 PARTICIPANTS:

8 Louis Trombetta, Executive Director

9 Ross Marshman, General Counsel

10 Emily Alvarado, Deputy Chief Attorney

11 Steven Woods, Chief Attorney

12 Jamie Pouncey, Program Administrator

13 Carl Herold, Director of Gaming Enforcement

14 Glenda Ricks, Chief of Operations

15

16 PUBLIC SPEAKER:

17 Kirk M. Ziadie

18

19 OTHER PRESENT:

20 The Florida Channel

21 Various Members of the Public

22

23

24

25

1 Proceedings began at 9:31 a.m.

2 VICE CHAIR BROWN: Good morning today. It is  
3 November 2nd. The time is 9:30. This is (computer  
4 animated voice) -- this meeting is being recorded  
5 and it's the Florida Gaming Control Commission  
6 meeting.

7 And before we begin the materials that we --  
8 and our agenda, would you please stand with us for  
9 the Pledge of Allegiance, which will be led by  
10 Commissioner Drago.

11 COMMISSIONER DRAGO: Please join me in the  
12 Pledge of Allegiance.

13 (Pledge of Allegiance)

14 VICE CHAIR BROWN: Thank you,  
15 Commissioner Drago.

16 It's a cool day here in Tallahassee and I want  
17 to thank the governor and his staff for letting us  
18 utilize the Cabinet Room today. We are going to  
19 move right into our agenda with the approval of the  
20 minute -- meeting minutes for September 15, 2023,  
21 and October 5th, 2023.

22 Can I get a motion to approve both items.

23 COMMISSIONER DRAGO: So moved.

24 VICE CHAIR BROWN: Is there a second?

25 COMMISSIONER A'QUILA: Second.



1           VICE CHAIR BROWN: All those in favor say,  
2     aye.

3           (Aye responses)

4           VICE CHAIR BROWN: Thank you.

5           I also want to just let folks know that we do  
6     have our court reporter. She's transcribing  
7     online, so anybody that appears before us today at  
8     the podium, please just state your name for the  
9     record as well and your interest here today.

10          All right. We are going to move into the  
11     discussion of applications for a change of  
12     ownership. With that, we'll go to 2.1,  
13     Mr. Marshman.

14          MR. MARSHMAN: Good morning. For the record,  
15     this is Ross Marshman. I'm here to present Items  
16     2.1, 2.2, and 2.3, Case Numbers 2023-059299, that's  
17     King's Court Key, LLC; 2023-059307, South Florida  
18     Racing Association, LLC; and 2023-059487, Hamilton  
19     Downs Horsetrack, LLC.

20          In each of these items the commission is  
21     presented with an application for a change of  
22     ownership. And King's Court Key and South Florida  
23     Racing Association, the same counsel worked with me  
24     to submit the applications and all the necessary  
25     paperwork. Staff has had a chance to review that

1 and I believe those are all in order. Separately  
2 for Hamilton Downs Horsetrack, again, the correct  
3 application was received and reviewed by staff.

4 And the staff recommendation for Items 2.1,  
5 2.2, and 2.3 is for the commission to approve each  
6 of these changes of ownership.

7 VICE CHAIR BROWN: Thank you, Mr. Marshman,  
8 for presenting them altogether. And as you stated  
9 all of the requirements in Section 550.054 and the  
10 other Florida Statutes have been met with these  
11 applications; correct?

12 MR. MARSHMAN: Correct.

13 VICE CHAIR BROWN: Commissioners, are there  
14 any questions? If not, can I get a motion to  
15 approve Items 2.1 through 2.3.

16 COMMISSIONER A'QUILA: Move to approve.

17 VICE CHAIR BROWN: Second.

18 COMMISSIONER REPP: Second.

19 VICE CHAIR BROWN: All those in favor say aye.  
20 (Aye responses)

21 VICE CHAIR BROWN: Thank you. Those three  
22 items passed unanimously.

23 Moving on to 3.3 -- 3.1, which is the  
24 discussion of the amended application for cardroom  
25 license.

1 MS. POUNCEY: That will be me (technical  
2 interference).

3 VICE CHAIR BROWN: We have a new change here.  
4 Yes, certainly.

5 MS. POUNCEY: Jamie Pouncey, for the record  
6 (technical interference) pari-mutuel wagering --

7 VICE CHAIR BROWN: Could you press your  
8 microphone on, please.

9 (Pause)

10 MS. POUNCEY: Again, Jamie Pouncey, for the  
11 record pari-mutuel wagering. Item Number 3.1 is an  
12 amended application to the cardroom license for TBD  
13 Entertainment, LLC, d/b/a TGT -- TGT Poker and  
14 Racebook.

15 The application is for the addition of  
16 cardroom tables to its existing cardroom. They  
17 have -- currently operate 17 tables and are asking  
18 to add two additional tables to the poker room.  
19 They have paid the associated thousand dollar per  
20 table licensing fee.

21 There are no other applicable restrictions to  
22 the number of tables that they can add to the  
23 cardroom, and the recommendation is approval of the  
24 request to add two tables.

25 VICE CHAIR BROWN: Thank you, Ms. Pouncey.

1           Commissioners, if there are no questions can I  
2 get a motion to approve the recommendation on 3.1.

3           COMMISSIONER REPP: I'd like to make a motion  
4 to approve.

5           VICE CHAIR BROWN: Thank you. Is there a  
6 second?

7           COMMISSIONER A'QUILA: Second.

8           VICE CHAIR BROWN: All those in favor say aye.  
9 (Aye responses)

10          VICE CHAIR BROWN: Thank you. Moving on to  
11 the discussion of renewal application for slot  
12 machine license, 4.1.

13          MS. POUNCEY: Item Number 4.1 is the  
14 application for slot renewal for Dania  
15 Entertainment, LLC, Case Number 2023-048572.

16          The licensee has submitted its application.  
17 The -- they currently hold an operating license for  
18 the 20 -- 2023/2024 fiscal year. They've submitted  
19 the required application documents. The fees have  
20 been received and the recommendation is to approve  
21 slot renewal license.

22          VICE CHAIR BROWN: Thank you.

23          Commissioners, any questions? Seeing none,  
24 can we get a motion to approve recommendation on  
25 4.1.

1 COMMISSIONER DRAGO: Motion to approve.

2 VICE CHAIR BROWN: Thank you.

3 COMMISSIONER A'QUILA: Second.

4 VICE CHAIR BROWN: All those in favor say aye.

5 (Aye responses)

6 VICE CHAIR BROWN: All right. It passes

7 unanimously.

8 Now, if I may ask staff that are presenting on  
9 the next few items, if they can come up to the

10 podium. There may be discussion between

11 commissioners and the staff, and it would be great

12 to have that so we don't have to turn our backs, so

13 Item 5.1 is a consent order.

14 Thank you, Ms. Alvarado.

15 MS. ALVARADO: Good morning. This is

16 Emily Alvarado for the record.

17 VICE CHAIR BROWN: Morning.

18 MS. ALVARADO: 5.1 is 2023-047841, which is

19 Valeriy Tushin. In this case you were provided a

20 filed administrative complaint alleging that the

21 respondent violated Rules 7511.0048(a) and

22 7511.0042(a) by failing to clear his hands when

23 cash, chips, or tokens were exchanged with -- with

24 the player and failing to spread the currency on

25 top of the card table in front of the (technical

1 interference) tray on one or more occasions.

2 You were also provided with a consent order  
3 that had a \$300 fine. This is the respondent's  
4 third violation of failing to clear their hands.  
5 Therefore, the division would ask the commission to  
6 enter an order adopting the settlement -- order in  
7 this case.

8 VICE CHAIR BROWN: Thank you, Ms. Alvarado. I  
9 do have a question about this. As you stated this  
10 is the third time and there are two -- two  
11 particular violations of the rule, with each  
12 violation being up to a thousand dollars.

13 I just want to understand the rationale for  
14 the lower amount being recommended.

15 MS. ALVARADO: Sure. So the two violations --  
16 the prior fines for both of those were \$50 and they  
17 were in 2018. This time I did -- for the one  
18 violation, I did \$250. So I -- you know, this is a  
19 substantial change from what they were fined the  
20 first two times, so it was my rationale for that.

21 VICE CHAIR BROWN: Thank you.

22 Commissioners, do you have any questions on  
23 this item? If not, would you like to make a motion  
24 to approve the consent order?

25 COMMISSIONER DRAGO: So moved.

1 COMMISSIONER A'QUILA: Second.

2 VICE CHAIR BROWN: All those in favor say aye.

3 (Aye responses)

4 VICE CHAIR BROWN: Thank you, Ms. Alvarado.

5 Moving on to discussion of default final orders,  
6 6.1 and 6.2.

7 MS. ALVARADO: 6.1 is 2023-013251, which is  
8 for Jorge Delgado. This case there was a one count  
9 administrative complaint filed alleging that  
10 respondent violated Section 550.24151(a) and Rule  
11 756.0082(h) by racing a horse with Dexamethasone.

12 You were also provided the USPS -- I'm sorry,  
13 the hand service affidavit that they were served  
14 properly with the administrative complaint. He  
15 failed to respond within 21 days.

16 Following the 21 days, he did provide a  
17 incomplete settlement and consent order, so we  
18 could not show that today. It had a thousand  
19 dollar fine as well.

20 Therefore, we'd ask the commission to find the  
21 respondent failed to respond with 21 days, that the  
22 facts in the AC are accepted as facts in the case,  
23 and concluding that he will be issued a thousand  
24 dollar fine and the owner shall return the purse to  
25 Tampa Bay Downs.

1 VICE CHAIR BROWN: Thank you, Ms. Alvarado.

2 I'll just note that this of course predated HYSA --  
3 or HISA going into effect.

4 MS. ALVARADO: Right.

5 VICE CHAIR BROWN: Any questions? If not, can  
6 we get a motion to approve the default final order.

7 COMMISSIONER A'QUILA: Move to approve the  
8 default final order.

9 VICE CHAIR BROWN: Thank you. Second, is  
10 there a second?

11 COMMISSIONER DRAGO: Second.

12 VICE CHAIR BROWN: Thank you. All those in  
13 favor say aye.

14 (Aye responses)

15 VICE CHAIR BROWN: All right. 6.2, please.

16 MS. ALVARADO: 6.2 is 2023-046348, which is  
17 Larry Mejias. This case there was a one count  
18 administrative complaint filed seeking suspension  
19 of respondent's pari-mutuel wagering professional  
20 individual occupational license due to an  
21 outstanding debt related to horseracing.

22 Pursuant to Section 550-1057 you were also  
23 provided the USPS green card confirmation showing  
24 that it was delivered to the respondent and he  
25 failed to respond within 21 days. Therefore, the



1 division would ask that the commission enter an  
2 order finding that he was properly served, that the  
3 respondent failed to respond within 21 days, that  
4 the facts in the administrative complaint are  
5 accepted as the facts in this case, and concluding  
6 that his pari-mutuel license will be suspended  
7 until we receive proof of confirmation of payment.

8 VICE CHAIR BROWN: Are there any questions on  
9 this item? If not, can I get a motion to approve  
10 the default final order.

11 COMMISSIONER REPP: I'd like to make a motion  
12 to approve the default final order.

13 COMMISSIONER A'QUILA: Second.

14 VICE CHAIR BROWN: All those in favor say aye.  
15 (Aye responses)

16 VICE CHAIR BROWN: All right. Item 6.2  
17 passes.

18 Now on to Item 7, which is a discussion of  
19 order to show cause. And I think this one's just  
20 unique because we haven't seen one yet to date, so  
21 if you could present it, please.

22 MS. ALVARADO: Sure. This is Case Number  
23 2023-013135, Paula Capestro. In this case you were  
24 provided with an order to show cause asking the  
25 respondent to respond within 10 days as to why she

1 shall not be required to return the purse.

2 She received a purse amount of \$15,600 from  
3 Gulfstream Park when her trainer won a race on  
4 September 4th. On December 2nd a final order was  
5 issued against Mr. Renaldo Richards in Case Number  
6 2022-046353 after finding that Mr. Richards raced a  
7 racehorse with an impermissible amount of  
8 Clenbuterol. Mr. Richards failed to respond, so  
9 there was a default final order that was entered  
10 against him.

11 In this case you were provided a USPS  
12 certified mail showing that it was delivered  
13 successfully and the respondent failed to respond  
14 within 10 days showing why she shall not return the  
15 purse in this case. Therefore, the division would  
16 ask that we enter a final order showing that she  
17 was properly served, she failed to respond within  
18 10 days, that the facts in the order are the facts  
19 in this case, and concluding that she shall be  
20 required to return the purse of \$15,600 to  
21 Gulfstream Park.

22 VICE CHAIR BROWN: Thank you, Ms. Alvarado.  
23 What are the procedural next steps after the show  
24 cause order is issued then?

25 MS. ALVARADO: So that was giving her the

1 opportunity to show why she shouldn't have to  
2 return the purse in this case.

3 Specifically our rules and in statute require  
4 that once we find that there was a disqualifying  
5 impermissible substance, they would be required to  
6 return the purse. It would go to the next -- the  
7 runner-up in the race.

8 And at this point they are keeping the purse,  
9 although their trainer already was found to have  
10 that substance in that horse. So if they did  
11 respond, they had no chance to even -- they had a  
12 chance, but they didn't actually respond to -- to  
13 the order to show why they shouldn't have to return  
14 the purse in this case.

15 VICE CHAIR BROWN: Commissioners, are there  
16 any questions? Okay. Can I get a motion to  
17 approve the show cause order.

18 COMMISSIONER DRAGO: Move to approve the staff  
19 recommendation.

20 VICE CHAIR BROWN: Thank you. Is there a  
21 second?

22 COMMISSIONER A'QUILA: Second.

23 VICE CHAIR BROWN: All those in favor say  
24 aye.

25 (Aye responses)

1 VICE CHAIR BROWN: Thank you, Ms. Alvarado.

2 And we are going to move into Item 8.1 through  
3 8.7, which is a discussion of the license denials.  
4 Again, it's a little awkward. Sorry for making you  
5 all walk up to the podium. I think it will be  
6 easier, though, for y'all to have the discourse  
7 here.

8 MR. WOODS: Good morning.

9 VICE CHAIR BROWN: Good morning.

10 MR. WOODS: Good morning. Steve Woods for the  
11 record. First case, 8.1, Ronald Peirre,  
12 2023-038525.

13 He applied for a cardroom employee  
14 occupational license. The conviction in this case  
15 was for a domestic violent battery strangulation.  
16 This happened in 2021.

17 Very briefly the details of this were that he  
18 received a phone call about his girlfriend married  
19 to another man. There was an altercation and the  
20 police were called. There was bruising on the  
21 victim's neck and he was arrested for domestic  
22 violence. He was sentenced to 18 months probation.

23 In addition to that there was an independent  
24 battery, misdemeanor battery in 2021. This was a  
25 case in which he punched a patron in the eye socket

1 actually crushing his eye socket at a -- at a  
2 casino for which he was later banned for life.

3 The recommendation is that the commission  
4 authorize the issuance of a notice of intent to  
5 deny.

6 VICE CHAIR BROWN: Thank you. I would  
7 absolutely agree with that staff recommendation.  
8 Commissioners, any questions? None. Can I get a  
9 motion to approve the staff recommendation.

10 COMMISSIONER REPP: I'll make a motion to  
11 approve staff recommendation, please.

12 VICE CHAIR BROWN: Thank you. Second.

13 COMMISSIONER A'QUILA: I'll second the staff  
14 recommendation.

15 VICE CHAIR BROWN: All those in favor say aye.

16 (Aye responses)

17 VICE CHAIR BROWN: 8.1 passes. 8.2, please.

18 MR. WOODS: Yes, ma'am. 8.2 is Nicky  
19 Figueroa Quiles. Case Number 2023-045352. He  
20 applied for a general individual occupational  
21 license. The convictions in this case were  
22 multiple.

23 First there was conspiracy to possess with  
24 intent to distribute crack cocaine, heroin,  
25 cocaine, and marijuana. This happened in 2016.

1 These were federal charges. He was adjudicated  
2 guilty. There was a 10-year sentence in prison.  
3 He remains on probation for a term of eight years,  
4 which will conclude in 2031.

5 Previously there was a possession of heroin in  
6 2003. This was a case in which he said, you know,  
7 my friends told me to take a trip to -- to Miami.  
8 They went into a home, they came out with  
9 something, I didn't know what it was. They were  
10 stopped by the police.

11 He was arrested for this. He finished four  
12 years probation and he had to attend a drug  
13 program. He applied for a waiver, it was declined.  
14 The recommendation, the commission authorize the  
15 issuance of a notice of intent to deny.

16 VICE CHAIR BROWN: Thank you, Mr. Woods.

17 Commissioners, any question? If not, can we  
18 get a motion to approve the staff recommendation.

19 COMMISSIONER DRAGO: So moved.

20 VICE CHAIR BROWN: Thank you. Is there a  
21 second?

22 COMMISSIONER A'QUILA: Second.

23 VICE CHAIR BROWN: All those in favor say aye.  
24 (Aye responses)

25 VICE CHAIR BROWN: Item 8.2 passes the staff

1 recommendation. 8.3, please.

2 MR. WOODS: Yes, ma'am. 8.3 is  
3 Jefferson Gonzalez Lazano. This is Case Number  
4 2023-051224. He applied for a slot machine  
5 professional individual occupational license.

6 The crimes in this case were two, one was  
7 vehicular homicide. Both occurred in 1999, the  
8 vehicular homicide and then leaving the scene of an  
9 accident with the death.

10 The decedent, the victim, in this case was  
11 actually hit in a wheelchair while he was on the  
12 road. The victim (sic) left the victim in the  
13 street, on the street. The defendant at this time  
14 had no -- had no license.

15 Both -- both counts were resolved with a nolo  
16 contendere plea and he was sentenced to withhold of  
17 adjudication. This could not be waived. The  
18 recommendation is the commission authorize the  
19 issuance of a notice of intent to deny.

20 VICE CHAIR BROWN: Thank you. Commissioners,  
21 any questions on this item? Commissioner Drago.

22 COMMISSIONER DRAGO: Are both of these charges  
23 came from the same incident I assume?

24 MR. WOODS: Yes, sir, the same incident.  
25 He -- the vehicular homicide occurred and he left

1 the scene of the vehicular homicide.

2 COMMISSIONER DRAGO: Not on probation or  
3 anything that you know of?

4 MR. WOODS: At this point he is not on  
5 probation. The time line I can go through briefly.  
6 He -- this was a crime that occurred in 1998. He  
7 was charged as an adult in 1999 and he was on  
8 probation in 2001. There was an allegation of a  
9 violation of probation, but this was -- the  
10 allegation is that he failed to make payments --  
11 the restitution payments. This went to hearing and  
12 the judge found that there wasn't a willful  
13 violation. He was reinstated and he served the  
14 term of probation.

15 A few things happened that are marginally  
16 relevant. After this he was detained by  
17 immigration at an airport and therefore he saw an  
18 immigration judge who ruled that he would not be  
19 removed. He became a citizen in 2009.

20 COMMISSIONER DRAGO: How old (technical  
21 interference)?

22 MR. WOODS: Fifteen. He was 15. He would  
23 have been 15 on November 5th, 1998, yes, sir.

24 VICE CHAIR BROWN: Commissioner.

25 COMMISSIONER REPP: Yes. Since the -- I



1 understand the terms of the -- a violation of his  
2 probation was not having the funds as opposed to  
3 willfully not paying them. Am I correct?

4 MR. WOODS: You are correct. He -- the Court  
5 found there was no willful and substantial  
6 violation. He was reinstated. The violation of  
7 probation was dismissed.

8 COMMISSIONER REPP: Do we have any record of  
9 any other instance other than the encounter with  
10 immigration since that?

11 MR. WOODS: No, ma'am. The -- the encounter  
12 with immigration if I recall, he was flying back  
13 into the United States and he was detained briefly  
14 at the airport, and there was an interview about  
15 this incident and whether he could be in this  
16 country.

17 And he appeared before an immigration judge  
18 who ruled that he was not to be removed, that was  
19 2006. I believe at that time he was a lawful  
20 permanent resident after which he became a citizen  
21 in 2009.

22 COMMISSIONER REPP: And since this rather  
23 unfortunate and sad incident when he was 15 years  
24 old, you have no other issues with him?

25 MR. WOODS: That is correct. There's no

1 indication of any additional crime since this  
2 occurred.

3 COMMISSIONER REPP: Thank you.

4 VICE CHAIR BROWN: Thank you, Commissioners,  
5 for asking the very poignant questions as well. It  
6 is -- very devastating crime. A lot of time has  
7 passed. The probation has passed. His probation  
8 period has passed, and it looks like this  
9 individual is rehabilitated, but I'm hoping to --  
10 thoughts from you all too.

11 COMMISSIONER REPP: Considering he was 15  
12 years old, I would be inclined to think and hope  
13 since the amount of time has passed with zero  
14 encounter with law enforcement that he's no longer  
15 a problem, that there's no longer an issue that I  
16 have with him taking -- getting a license.

17 VICE CHAIR BROWN: Agreed.

18 Commissioner Drago.

19 COMMISSIONER DRAGO: I agree. Especially the  
20 date and time since the -- since have been  
21 rehabilitated in terms of (inaudible) becoming a  
22 United State Citizen. So as horrible as the  
23 incident was back in 1998, we all have a sense that  
24 25 years (technical interference).

25 VICE CHAIR BROWN: Thank you. For proper

1 motion then if the commission is so inclined as to  
2 grant him a license, is that correct, Mr. Woods,  
3 rather than issuing a notice of intent to deny?

4 MR. WOODS: That is correct, if that is what  
5 the commission desires.

6 VICE CHAIR BROWN: Commissioners, if there are  
7 no other comments, we're right for a motion to  
8 approve his license.

9 COMMISSIONER REPP: I'd like to make a motion  
10 to approve...

11 VICE CHAIR BROWN: Any further discussions?  
12 All those in favor say aye.

13 (Aye responses)

14 VICE CHAIR BROWN: It passes unanimously.  
15 Thank you. Item 8.4, please.

16 MR. WOODS: Yes, ma'am. 8.4, Alberto Lazo.  
17 This is Case 2023-052159. He's applying for a  
18 combination general individual license. The crime  
19 in this case was aggravated stalking from 2015. He  
20 entered a plea of nolo contendere. He did not  
21 apply for a waiver and the recommendation is the  
22 commission authorize the issuance of a notice of  
23 intent to deny.

24 VICE CHAIR BROWN: Commissioners, any  
25 questions on those? If not, can we get a motion to

1 approve the notice of intent to deny.

2 COMMISSIONER DRAGO: I move to approve staff  
3 recommendation.

4 VICE CHAIR BROWN: Thank you. Is there a  
5 second?

6 COMMISSIONER A'QUILA: I'll second.

7 VICE CHAIR BROWN: All those in favor say aye.

8 (Aye responses)

9 VICE CHAIR BROWN: 8.4 passes unanimously.  
10 8.5, Mr. Woods.

11 MR. WOODS: Yes, ma'am. 8.5. Stephanie L.  
12 Porter. This is Case Number 2023-057165. She  
13 applied for a cardroom employee occupational  
14 license. She was convicted in 1998 of petty theft.  
15 This was guilty plea, withhold of adjudication, and  
16 there was a fine. There are very few details  
17 available, because this file was destroyed, so --

18 VICE CHAIR BROWN: Why was it destroyed?

19 MR. WOODS: Why?

20 VICE CHAIR BROWN: Yes.

21 MR. WOODS: The passage of time. Because it  
22 -- because it was a 19 --

23 VICE CHAIR BROWN: -- '98?

24 MR. WOODS: -- '98 case and there's a notation  
25 on the -- the -- the documentation from the Clerk

1 of the Court saying that the file was destroyed.

2 So the details -- it was a shoplifting case and it  
3 happened in September of 1998, but I can't give any  
4 details beyond that.

5 She did not apply for a waiver and the -- the  
6 recommendation based on the part of the statute  
7 that says this is a crime involving a lack of good  
8 moral character, the -- the recommendation is that  
9 the commission authorize the issuance of the notice  
10 of intent to deny.

11 VICE CHAIR BROWN: Thank you. And it shows  
12 that the adjudication was withheld.

13 MR. WOODS: Yes -- yes, ma'am.

14 VICE CHAIR BROWN: We don't know what the  
15 amount of the petty theft was or any other details  
16 other than she was arrested?

17 MR. WOODS: We do not -- well, we know it was  
18 a misdemeanor petty theft, so that amount I  
19 believe -- if I remember correctly from the  
20 statute, it -- it cannot be -- I would have to  
21 double-check, but I believe it cannot have been  
22 above \$300 because the -- at some point, you know,  
23 the statute says at some point it's a second degree  
24 misdemeanor, at some point it is a first degree  
25 misdemeanor, after which it becomes a felony, and

1 it didn't reach the felony level, and I believe  
2 that amount was \$300.

3 VICE CHAIR BROWN: Do you know why she didn't  
4 apply for a waiver interview, any knowledge?

5 MR. WOODS: No. No, ma'am.

6 VICE CHAIR BROWN: Commissioners, any  
7 questions? Yeah, Commissioner Repp.

8 COMMISSIONER REPP: I just want to make sure  
9 that I -- I got -- she did not disclose the felony  
10 on her application?

11 MR. WOODS: It wasn't a felony. It was --

12 COMMISSIONER REPP: I mean, I'm sorry, the --

13 MR. WOODS: Misdemeanor. The --

14 COMMISSIONER REPP: The misdemeanor, was it  
15 disclosed on her application?

16 MR. WOODS: I believe it was disclosed. I'm  
17 having -- I'm bringing it up right now.

18 VICE CHAIR BROWN: It looks like there was an  
19 amended application with the -- with the  
20 disclosure.

21 MR. WOODS: I believe that's correct. I'm  
22 just double-checking right now. The letter had to  
23 be sent out. The letter said the application was  
24 complete. I think after that point the -- the  
25 incident was disclosed. She wrote on -- on the --

1           VICE CHAIR BROWN: Mr. Woods, could you put  
2 the mic further for the court reporter.

3           MR. WOODS: I'm sorry. I'm sorry.

4           She filled out the application saying that  
5 there was an adjudication of guilt withheld from  
6 Duval County, a misdemeanor petty theft, and I  
7 believe she put something in the box for sentence,  
8 which -- which I cannot read.

9           VICE CHAIR BROWN: Commissioner D'Aquila.

10          COMMISSIONER A'QUILA: There's only been one  
11 instance (technical interference)?

12          MR. WOODS: That is correct. Yes, sir.

13          VICE CHAIR BROWN: My understanding is she has  
14 a temporary license currently right now, but that's  
15 just based on timing purposes.

16          Commissioners, this is another one. The  
17 record is very, very vague with information other  
18 than the 1998 misdemeanor crime. I'm inclined to  
19 approve her license if you all are -- have an  
20 appetite for that too.

21          Yes, Commissioner D'Aquila or Drago.

22          COMMISSIONER DRAGO: I'll make a motion to  
23 approve --

24          VICE CHAIR BROWN: The license, okay. Is  
25 there a second to approve --

1           COMMISSIONER A'QUILA: I'll open discussions  
2 (technical interference).

3           VICE CHAIR BROWN: Any discussion? All those  
4 in favor to approve the license, say aye.

5           (Aye responses)

6           VICE CHAIR BROWN: Thank you. That passes --  
7 8.5 passes unanimously with regard to approving her  
8 license.

9           Now, the next item we have a speaker, so,  
10 Mr. Woods, you can go ahead and present and then  
11 we'll allow the speaker to come up. It is the --  
12 Mr. Kirk Ziadie. So if you can go ahead and open  
13 it up for us first.

14          MR. WOODS: Yes, ma'am. The next case is  
15 Kirk Ziadie, Case Number 2023-057292. He applied  
16 for a pari-mutuel professional individual  
17 occupational license. This case involves from 2004  
18 to 2016 there were 48 different violations of  
19 Chapter 550 and the rules.

20          These included a variety of things, primarily  
21 over the threshold violations with different  
22 substances. There were 33 of those in addition to  
23 which there were 10 prohibitive substance  
24 violations and various others, that there was a  
25 suspension of six years for the license, and the --



1 the recommendation is that the commission authorize  
2 the issuance of a denial -- a notice of intent deny  
3 and I will at this point --

4 VICE CHAIR BROWN: Thank you, Mr. Woods.

5 And if we don't have any questions right now  
6 for Mr. Woods, we'll turn to the applicant here,  
7 Kirk Ziadie, who can please come up.

8 Hi. Please come up to the podium and state  
9 your name for the record.

10 MR. ZIADIE: Good morning, Commissioners.

11 VICE CHAIR BROWN: Good morning.

12 MR. ZIADIE: My name is Kirk Ziadie and I was  
13 handed a six-year suspension. I made mistakes.

14 Is it okay if I talk a little bit about my  
15 history?

16 VICE CHAIR BROWN: Sure. You have the floor.

17 MR. ZIADIE: I'm a dropout in school at a  
18 young age. I didn't take to school very well. I  
19 was depressed. My dad is a horse trainer. He's  
20 been a horse trainer all his life. He said there's  
21 no way I was going to be able to sleep all day in  
22 my room. He said, you're going to get up and go to  
23 work with me.

24 Now, going to the racetrack it's early  
25 mornings, four o'clock in the morning. We lived an

1 hour away, so I started to go to the track with my  
2 dad.

3 I didn't -- I was scared of the horses. So I  
4 didn't want to be around the horses, so I did the  
5 groom's job by cleaning the stalls and they would  
6 handle the horses. Finally I found a way and the  
7 horses grew on me. I fell in love with these  
8 horses.

9 My dad gave me a few horses to take care of.  
10 I nicknamed all of them. I had treats for them.  
11 No one could ever feed my horses. I was very -- I  
12 wanted to feed my own horses. I lost all my  
13 friends. It was like I disappeared, because I went  
14 to the racetrack.

15 Finally I worked for my dad, I built myself up  
16 to be an assistant to my father. Eventually I got  
17 a -- I had a family and I moved on and I went out  
18 on my own. Now, I was introduced the medication  
19 Clenbuterol to a very respectable veterinarian.  
20 His name is Dr. Chenee (ph).

21 One of my dad's horses when he went to  
22 Kentucky ran and bled in the lungs. Now, this is a  
23 -- this is something that happens to horses very  
24 often. Nobody can tell why, but there's  
25 medications to help the horses.

1           This Clenbuterol medication I learned about  
2    it, I believed in it, because I'm -- I'm allergic  
3    also to pine wood and saw dust. So when I was  
4    working with my dad, I would get sick very often,  
5    had -- my tonsils would get hurt, swollen. They  
6    eventually took my tonsils out. I went on  
7    Claritin-D 24 hours and I'm still on it to this  
8    day.

9           So I think similar, horses are not -- they're  
10   not used to living in an environment locked up in a  
11   sawdust stall. They're used to living out in the  
12   wild, fresh air, so I believed in this medication.  
13   I gave it. It legal, but there was a five-day  
14   withdrawal.

15          By that time I had built up enough horses  
16   where I had 40 to 50 horses. I had a lot of  
17   employees, but the one thing that I didn't have was  
18   management. I dropped out of school. I didn't  
19   know how to manage all of this what was happening.

20          So five-day withdrawal is very close to the  
21   deadline to when you enter horses for a race. So a  
22   lot of the horses came up positive with Clenbuterol  
23   because there was picograms. They found picograms  
24   in the blood.

25          And picograms is maybe one hour, two hours

1 out, that's how close it was -- it was. It wasn't  
2 like they found full amount where you think I was  
3 cheating. It was all a mistake by accident.

4 Now, my managing skills I can be honest is  
5 terrible, but I do love the horses and I do love  
6 what I did. I went to court, I fought it. The  
7 judge gave me six years. By that time I had my  
8 family. I just had a baby. One good thing about  
9 the six years, I got to spend three years with my  
10 little girl.

11 Finally I couldn't afford to support my  
12 girlfriend and my daughter. She had to move back  
13 to England to be with her family. My daughter's  
14 4,000 miles away. She's nine now and there's --  
15 nothing hurts more. I just want to be able to see  
16 my daughter again. And I know that the only thing  
17 I know how to do is work with horses and they took  
18 that away from me.

19 And I know I made mistakes, but Clenbuterol if  
20 you look it up, there's hundreds of hundreds of  
21 thousands of positives with Clenbuterol. I was the  
22 only one that got six years. I'll take it. I'll  
23 take it now and I suffer, but please don't deny my  
24 license.

25 VICE CHAIR BROWN: Thank you, Mr. Ziadie.

1 Thank you for coming to Tallahassee and providing  
2 some context to this case. I think it does make a  
3 difference when we can hear directly from you about  
4 the history. So I really appreciate you taking the  
5 time to come up here and be candid.

6 MR. ZIADIE: Thank you so much.

7 VICE CHAIR BROWN: If you don't mind,  
8 Commissioners, do you have any questions for  
9 Mr. Ziadie?

10 Again, thank you.

11 MR. ZIADIE: Thank you.

12 VICE CHAIR BROWN: At this time, please feel  
13 free to sit down. We're going to have our staff  
14 come back up.

15 Mr. Woods, thank you.

16 Commissioners, do you have questions for  
17 Mr. Woods regarding the substance of the prior  
18 charges that were committed by Mr. Ziadie, which he  
19 acknowledges?

20 Yes, Commissioner D'Aquila.

21 COMMISSIONER A'QUILA: Were all -- I think  
22 it's approximately 49 violations. Were all  
23 pertaining to that same drug?

24 MR. WOODS: I believe there were a variety of  
25 different drugs.

1 COMMISSIONER A'QUILA: Can you elaborate?

2 MR. WOODS: Yes. It will take just a moment.  
3 Clenbuterol was one. I will try my best to  
4 pronounce these. Glycopyrrolate, zynophenutasm  
5 (ph), bollinon (ph). There were multiple  
6 substances.

7 VICE CHAIR BROWN: Mr. Woods, also this  
8 trainer was licensed in multiple states; correct?

9 MR. WOODS: That is correct.

10 VICE CHAIR BROWN: So with that suspension,  
11 that six-year suspension, his license was  
12 revoked -- or suspended, pardon me, in all of those  
13 states as well?

14 MR. WOODS: Yes, I believe so.

15 VICE CHAIR BROWN: Do you know if the  
16 applicant has applied for licensure in other states  
17 and been denied since -- or granted?

18 MR. WOODS: In the paperwork there -- there  
19 are -- there are letters I believe from Maryland,  
20 from Delaware saying that he is in good standing in  
21 those states, and I'll try to find -- there's some  
22 paperwork --

23 VICE CHAIR BROWN: I'm looking in there too.  
24 Yeah. While he's looking for that, do you all have  
25 any thoughts or comments or additional questions?

1           Also, Mr. Woods, there were also fines that  
2 were associated with these offenses; correct?

3           MR. WOODS: Yes. Many of these resulted in a  
4 fine, some \$500 fine, \$300 fine, \$1,000 fine. I'm  
5 looking right here, to answer your prior question,  
6 that there is an email stating that he is in good  
7 standing in Maryland and I'm looking right now to  
8 see if I can find --

9           VICE CHAIR BROWN: And New Jersey. I see New  
10 Jersey.

11          MR. WOODS: New Jersey, yes, ma'am.

12          VICE CHAIR BROWN: Commissioner D'Aquila.

13          COMMISSIONER A'QUILA: All 49 violations were  
14 in the state of Florida; correct?

15          MR. WOODS: All 49 were in the state of  
16 Florida. The -- the -- if I can provide maybe  
17 something of a better summary. Before I was saying  
18 there were 33 over the threshold violations, 10  
19 prohibited substance violations, and various  
20 others.

21          There was an expired Coggins test, there were  
22 some late scratches, and the majority were over the  
23 threshold violations. So I suppose our position  
24 would be we would just rest on the pattern and  
25 frequency of these violations magnitude.

1           VICE CHAIR BROWN: Mr. Marshman is coming up  
2 behind you and I see Glenda as well.

3           MR. MARSHMAN: If I may, Ms. Ricks is here and  
4 I think she can answer some more of the  
5 commission's questions related to other states and  
6 what exactly is going on with that current status.

7           And if the commission has any other questions  
8 about the particular substances, she has a more  
9 detailed list and can answer any other questions  
10 the commission may have, if that's something,  
11 Ms. Vice Chair, you'd like.

12           VICE CHAIR BROWN: I think -- I think it  
13 sounds like the commissioners -- thank you. Thank  
14 you, Ms. Ricks.

15           MS. RICKS: Good morning, Commissioners.  
16 Glenda Ricks, chief of operations of the Division  
17 of Pari-Mutuel Wagering.

18           In regards to the other states, we did reach  
19 out to states for clarification what his standing  
20 was. In many of the states, his license had  
21 already expired, fines, any punishments in those  
22 states had already been resolved. So they  
23 typically say eligible to reapply, no guarantee of  
24 approval.

25           It is typically an industry standard that when



1 an individual has an issue as serious as we have in  
2 the state of Florida, they're usually required to  
3 address the issues within that state before they  
4 can go on to other states.

5 I do want to detail the drugs a little bit  
6 more. In the history we had one drug positive for  
7 Promethazine Sulfoxide; six, Boldenone; 27,  
8 Albuterol.

9 I will emphasize on Clenbuterol while this  
10 does have some medicinal use, there are  
11 limitations. A significant problem with  
12 Clenbuterol, especially when it's over the limit,  
13 it causes cardiac arrest and skeletal muscle issues  
14 with horses. It's a Class 3. It's considered a  
15 bronchodilator. If it's an abused drug often it is  
16 for the effects of increasing the lung capacity,  
17 increasing blood flow, which of course can lead to  
18 other issues in racing animals.

19 We also had three cases. We open for DMSO,  
20 which is dimethyl sulfoxide. We had two cases of  
21 glycopyrrolate, two cases of oxyphenbutazone, and  
22 phenylbutazone we had 20 cases, one case involving  
23 promazine sulfoxide, and seven cases involving  
24 stanozolol.

25 Some of those cases were issued written

1 warnings. Some of them ended up in a final order  
2 on them. I do want to emphasize in the state of  
3 Florida our mission is to protect the racing  
4 animals and the betting public. I'll leave it at  
5 that. If you have any other questions, I'll be  
6 glad to answer them.

7 VICE CHAIR BROWN: Thank you. Any questions?  
8 Yes, Commissioner Repp.

9 COMMISSIONER REPP: Thank you. You said you  
10 reached out to some of the other states. Did we  
11 find violations in other states?

12 MS. RICKS: The ARC report does indicate  
13 violations in other states.

14 COMMISSIONER REPP: Thank you.

15 VICE CHAIR BROWN: In those other states,  
16 they're resolved and that suspension period is  
17 been -- has run its course.

18 MS. RICKS: To the best of our knowledge what  
19 we were able to obtain from the other  
20 jurisdictions, the cases have been resolved. There  
21 was one state that we were unable to verify due to  
22 them changing out their computer systems and they  
23 didn't have a record of the case that we're looking  
24 into.

25 VICE CHAIR BROWN: Now, with HISA, and this

1 may be a question for Mr. Marshman or you, I'm not  
2 sure. But with HISA, Mr. Woods, if we were to  
3 enter -- issue a temporary license, for example,  
4 would HISA's oversight of any violations moving  
5 forward preempt our regulatory oversight?

6 So for example I'm thinking we have -- we have  
7 issued temporary licenses contingent on certain  
8 factors.

9 MR. MARSHMAN: If I may, I believe that prior  
10 to -- well, to answer the first part of the  
11 question. Drug positives are now under the ambit  
12 of HISA and HIWU, their drug enforcement agency.

13 So if Mr. Ziadie were to again race horses as  
14 a covered person, he would be subject to HISA and  
15 HIWU regulations. So we would not be discussing a  
16 punishment for Mr. Ziadie in any future allegation  
17 he may have impermissibly medicated a horse.

18 That being said, he still has to become or be  
19 eligible to become a covered person under HISA.  
20 And if I recall their regulations correctly, one of  
21 those predicates is having some sort of  
22 authorization in a state. And either Ms. Valentine  
23 or Ms. Stinson can correct me if I'm wrong,  
24 but Ms. Stinson's nodding her head that I'm  
25 correct.

1           So much like a Florida license would be a  
2 domino for other states being licensed there. They  
3 would also be the domino that would fall that would  
4 allow him to then apply to HISA to become a covered  
5 person.

6           So to what Ms. Ricks said, what Mr. Woods said  
7 I think this is kind of an important decision the  
8 commission has to make, because it will have  
9 ramifications not only for horses in Florida but  
10 potentially for the entire country.

11           VICE CHAIR BROWN: I understand that. Does  
12 the commission have authority to grant conditional  
13 licenses?

14           MR. MARSHMAN: Yes.

15           VICE CHAIR BROWN: Obviously HISA and HIWU  
16 have been cracking down. There's a lot of  
17 investigations. They have a public website that  
18 shows those that have been already arbitrated or  
19 handled. I'm assuming if he has a singular  
20 violation, HISA would suspend his license  
21 immediately in all states?

22           MR. MARSHMAN: I can't speak on behalf of HISA  
23 and I can't speak on behalf of HIWU, but I -- my  
24 basic understanding is that there is a regulatory  
25 lag and that a horse could die or become seriously

1 injured.

2 And afterwards an investigation would uncover  
3 what happened to that horse, but there is post race  
4 testing and there's out of competition testing, and  
5 no testing regime that I'm aware of can test every  
6 horse before every race and after every race.

7 So, yes, the commission can issue a  
8 conditional license, but, again, just so that I'm  
9 as clear as I can be that would be the domino that  
10 would allow him to be licensed nationally and in  
11 other states and his horses with the track record  
12 of 49 positives -- 49 violations rather including  
13 multiple prohibited substances, he will once again  
14 be allowed to enter that profession.

15 VICE CHAIR BROWN: I get that and I also  
16 understand that he has served substantial time from  
17 the industry that he was raised in and had his  
18 whole career in. And my understanding is also the  
19 other states will not grant him a license unless  
20 Florida -- Florida has to be the precursor with the  
21 violations; is that right?

22 MR. MARSHMAN: I don't believe that Ms. Ricks  
23 indicated that other states are contingent upon  
24 Florida, but I think that if Florida were to give a  
25 conditional license that could be used as good

1 evidence to take to another state and say, well,  
2 Florida has at least given me a conditional  
3 license, so that should allay any of this state's  
4 concern that I should be still a prohibited person.

5 VICE CHAIR BROWN: Commissioner Repp.

6 COMMISSIONER REPP: I believe it comes down to  
7 the horse safety and the best interest of our  
8 horses here. I'm not convinced that he's in any  
9 better position today -- or has he presented  
10 anything to show he's in any better position today  
11 to care for these horses?

12 MR. MARSHMAN: There was testimony in the  
13 record that his management skills are subpar today.

14 COMMISSIONER REPP: I'm not convinced that  
15 anything -- although the time has passed that  
16 anything has improved as far as his skills and  
17 management or taking care of horses or making me  
18 feel comfortable that these horses that will be  
19 under his care are going to be safe.

20 VICE CHAIR BROWN: I think that's the staff's  
21 posture as well.

22 Correct?

23 MR. MARSHMAN: That's what's been conveyed to  
24 me, yes, ma'am.

25 VICE CHAIR BROWN: Commissioner Drago.

1           COMMISSIONER DRAGO:  And I agree with that.

2           Well, it's certainly sensitive (technical  
3           interference), but we do have -- we do have a job  
4           here to make sure (technical interference).

5           I'm ready to make a motion.

6           VICE CHAIR BROWN:  The time is not right.

7           Commissioner D'Aquila.

8           COMMISSIONER A'QUILA:  I think I would just  
9           add to that a license is a privilege and it comes  
10          with responsibility and it comes with required  
11          management, if that's the term.  So I -- I'm not  
12          following the management argument or -- or  
13          presentation.

14          VICE CHAIR BROWN:  Thank you.  I'm extremely  
15          sensitive to Mr. Ziadie's situation and the time  
16          that he has served, but given -- given the strong  
17          opinion of our staff and their professional opinion  
18          it's very compelling to listen to -- to them in  
19          this regard and what's going on in the country too.

20          We're seeing horses around the country in  
21          these competitive races just die repeatedly.  And  
22          so horse safety and integrity training has never  
23          been more important than it is today.

24          But, again, thank you, Mr. Ziadie, for coming  
25          with that.

1           Commissioners, can I get a motion. Mr. --  
2 Commissioner Drago.

3           COMMISSIONER DRAGO: I would like to make a  
4 motion to approve the staff recommendation.

5           VICE CHAIR BROWN: A second?

6           COMMISSIONER REPP: I'm going to second that.

7           VICE CHAIR BROWN: All those in favor say aye.

8           (Aye responses)

9           VICE CHAIR BROWN: Thank you. Thank you again  
10 for coming. We are moving on to 8.7.

11           MR. WOODS: Yes, ma'am. 8.7, this is  
12 Rachelle Crashona Gardner. This is Case  
13 2023-058863. She applied for pari-mutuel general  
14 individual occupational license. The crime in this  
15 case was aggravated animal cruelty.

16           A dog was found in a kennel off the side of  
17 Capital Circle. The details of this are fairly  
18 shocking. This dog -- the cause of death was  
19 starvation and dehydration. The dog was found  
20 severely emaciated, covered in blood and feces.  
21 The defendant stated that she believed this dog had  
22 worms but never took him to the vet.

23           She entered a plea to -- this is a Chapter 828  
24 violation, aggravated cruelty, especially  
25 negligence resulting in the painful death of a dog.



1 And given that crime, the recommendation is that  
2 the commission authorize the issuance of intent to  
3 deny.

4 VICE CHAIR BROWN: Thank you. I mean, it's  
5 piggybacking on the last case. I think this one is  
6 pretty clear.

7 Is there any questions? If not, can we get a  
8 motion for staff recommendation.

9 COMMISSIONER DRAGO: So moved.

10 VICE CHAIR BROWN: Is there a second?

11 COMMISSIONER REPP: Second.

12 VICE CHAIR BROWN: Any discussion? All those  
13 in favor say aye.

14 (Aye responses)

15 VICE CHAIR BROWN: Thank you. The motion  
16 passes unanimously.

17 Thank you, Mr. Woods, for your time.

18 MR. WOODS: Thank you.

19 VICE CHAIR BROWN: We are moving on to  
20 discussions of policies and procedures, and I have  
21 to tell you all we have a lot. There are 31 before  
22 us and they all involve our law enforcement arm.

23 So with that, I'm going to turn it over to our  
24 executive director, Mr. Trombetta, and possibly our  
25 director of law enforcement (technical

1 interference) in case there are any questions.

2 MR. TROMBETTA: Thank you, Commissioner Brown.

3 Louis Trombetta for the record. Director Carl  
4 Herold I believe also -- I don't know if he has a  
5 mic on that table or not.

6 Do you have a microphone?

7 I'm going to take a break -- well, not a  
8 break. I'm going to grab a microphone at any time,  
9 but let me give you an overview of what we've done  
10 so far before we do that.

11 So in the process of setting up our law  
12 enforcement agency, Director Herold has began to  
13 get our law enforcement policies together. This  
14 has been a process that involves a lot of people, a  
15 lot of time, a lot of work.

16 The big picture here is that over the next few  
17 meetings, we will be presenting around a hundred  
18 law enforcement policies to the commission for  
19 approval.

20 We're trying to split them up evenly, so in  
21 front you today is about 30, you know, Ms. Vice  
22 Chair, however you'd like to handle this, you know,  
23 I kind of defer to you, but Director Herold and I  
24 are here to answer questions. I'm going to defer  
25 mostly to Mr. Herold for the substance questions.

1 And if there's anything I can help with, I'm also  
2 available.

3 VICE CHAIR BROWN: Thank you. I think there  
4 are exactly 32. And since there are so many -- I  
5 mean, for the record I think we at least need to  
6 enumerate all of them.

7 I think for purposes of ease if the  
8 commissioners would like to single out a particular  
9 policy or have questions on a specific policy,  
10 that -- that would probably be the most efficient  
11 way to go through this.

12 So with that I'm going to just turn it to the  
13 commissioners. And, Mr. Herold, if you'd like to  
14 come up here --

15 MR. TROMBETTA: If you can, I can identify all  
16 of them for the record. I mean, if you'd like  
17 Mr. Herold to come up, that's fine. You got --  
18 however you'd like to do this.

19 VICE CHAIR BROWN: You don't have to go  
20 through all of them. I just really want to have  
21 the opportunity -- we'll have them all on the  
22 record shortly, but if the commissioners want to  
23 first just jump right into it --

24 MR. TROMBETTA: They are all in the meeting  
25 materials.

1           VICE CHAIR BROWN: Commissioners, do you have  
2 any questions for Mr. Herold on any particular item  
3 from 02.01.02, all the way down to 03.13.01? I  
4 know you do, so I'm just going to turn it over to  
5 you.

6           But, Mr. Herold -- Director, would you like to  
7 address the commission first before we ask any  
8 questions?

9           MR. HEROLD: Certainly. Thank you --  
10 obviously thank you for having me. Carl Herold  
11 with the Gaming Commission, the director of law  
12 enforcement.

13           And so what we have here as we continue to  
14 stand up our law enforcement agency, we've got the  
15 first batch of policies. We tried to identify  
16 policies relevant to directing our law enforcement  
17 unit how to act and how not to act, and these are  
18 all essential policies necessary for law  
19 enforcement to function in today's environment.

20           This first batch is some of the more critical  
21 policies that we need so that we can ensure all the  
22 appropriate statutory requirements are met as well  
23 as any accreditation requirements. So that's what  
24 we're trying to do here is bring these policies  
25 forward so that we can begin to take some more law

1 enforcement action.

2 VICE CHAIR BROWN: We are really fortunate to  
3 have two former law enforcement commissioners on  
4 here that I'm sure can help us lead the discussion,  
5 so I would go ahead and just defer to  
6 Commissioner Repp or Commissioner Drago to start  
7 asking questions.

8 Commission Repp.

9 COMMISSIONER REPP: Yeah. In the review of  
10 your use of force policy, I just want to verify.  
11 You have training in here, regular training.  
12 What -- what do you have in mind as you consider  
13 regular training for the training items within?

14 MR. HEROLD: So in Florida the training  
15 curriculum is -- there are requirements based upon  
16 the Florida Department of Law Enforcement under  
17 criminal justice, standards and training. They  
18 identify training that is required as part of that  
19 continuing education.

20 And then beyond that, we have the ability to  
21 implement some other types of training. I can tell  
22 you that we have tried to -- we are identifying  
23 trainings that I will call is totally relevant to  
24 the types of law enforcement that we want to do  
25 here with the Gaming Commission.

1           So we're going to have undercover training,  
2 we're going to have how to deal with informants,  
3 and of course there will be regular firearms  
4 training, also ethics training as far as how to  
5 handle yourself in public and in law enforcement.

6           And then any other types of training that we  
7 identify, we -- we have seen that we need to have  
8 some training that is specific to gaming  
9 enforcement and understanding gaming machines and  
10 the gaming laws and those kind of things like that.

11           So we are trying to tailor all of those  
12 optional and training elements that we have the  
13 latitude to implement ourselves and try to tailor  
14 it towards the types of law enforcement that we  
15 intend on conducting.

16           COMMISSIONER REPP: With the defensive tactics  
17 and the -- that would be yearly or is there --

18           MR. HEROLD: So our goal is to have firearms  
19 training twice a year. And typically the way that  
20 that happens in my career has been that during one  
21 of those firearms training, we roll in handcuffing  
22 techniques, defensive tactics, and any other type  
23 of skills that are not really compatible with  
24 classroom since you have them at the range where  
25 you can -- you can get them on mats and do those

1 kind of things like that.

2 COMMISSIONER REPP: How many instructors do we  
3 -- do we have specific defensive tactic instructor?

4 MR. HEROLD: So recognizing that we don't have  
5 all of our law enforcement personnel in place yet,  
6 but as -- as we stand right now I have three  
7 certified instructors. I'm not sure if one of them  
8 is the defensive tactics. I'll have to check into  
9 that, but we do have three law enforcement  
10 instructors who have specialties in firearms,  
11 general topics, I believe in driving and those kind  
12 of things like that.

13 COMMISSIONER REPP: I'm pleased that it's  
14 going to be more than once a year with the firearms  
15 training.

16 MR. HEROLD: That's correct. It's only  
17 required once a year, but that's the kind of skill  
18 that you need to keep very fresh and so we're going  
19 to have training at least twice a year.

20 COMMISSIONER REPP: Absolutely. And -- and  
21 I'm quite pleased with that. You did mention also  
22 undercover, I mean, the 16 hours a night start, do  
23 we have a plan or -- for another more intensive  
24 training since there's going to be quite a bit of  
25 undercover work that you have planned for your

1 department?

2 MR. HEROLD: Absolutely. And I think I shared  
3 with you that we had already sent some of our  
4 agents to South Florida. One of our partner  
5 agencies in South Florida provided some essentially  
6 intro into undercover operations.

7 There is a litany of undercover type of  
8 training that goes on out there, and we're going to  
9 make sure that our folks are well trained up,  
10 because this is something that's absolutely  
11 critical for them. Undercover operations is where  
12 you can get yourself injured quite quickly, so we  
13 need to make sure that they're up to snuff on that.

14 And then at some point, I would hope that we  
15 as the Gaming Control Commission law enforcement  
16 that we become the experts or at least an agency  
17 that people want to come to us for undercover  
18 training.

19 COMMISSIONER REPP: My last thought here is do  
20 you -- as an agency do you believe we have the --  
21 the resources, the people, the opportunity, do we  
22 have what we need to implement these policies or do  
23 we have -- I know -- I believe we have more  
24 personnel coming, but do you believe we have what  
25 we need to implement these policies and training



1 and make this happen?

2 MR. HEROLD: Yes, I certainly do.

3 COMMISSIONER REPP: Thank you.

4 VICE CHAIR BROWN: Thank you,  
5 Commissioner Repp. I'm going to turn to  
6 Commissioner Drago, but I do believe  
7 Commissioner D'Aquila also has some questions.

8 Commissioner Drago.

9 COMMISSIONER DRAGO: First of all I just want  
10 to thank everybody for all the work (technical  
11 interference). I know there's a lot of work that  
12 goes into creating policies (technical  
13 interference), so I appreciate everybody that's  
14 involved with it (technical interference) --

15 MR. TROMBETTA: Commissioner Drago, I'm sorry,  
16 if I can interrupt. The microphone it sounds like  
17 there might be an issue.

18 COMMISSIONER DRAGO: Thank you. I've never  
19 been accused of having a soft voice, so usually  
20 it's not a problem. Sorry about that.

21 So I want to thank everybody for all the work  
22 that's been done on it and the attention to it,  
23 because this is in my mind one of the most critical  
24 things we can do in setting up a law enforcement  
25 agency is having proper policies in place for the

1 officers and the agents.

2 I would like to just go through a few of them  
3 that I have comments and/or questions on, and the  
4 first one is the code of Canon and Ethics policy,  
5 which is 02.02.01.

6 And my question about this is -- this is a  
7 standard policy about officers and agents following  
8 a code of ethics, but it says that -- under Roman  
9 Numeral III, law enforcement code of Canon of  
10 Ethics and then it says, as a civilian member, and  
11 goes on with the code.

12 So I wonder what -- why it says only civilian  
13 members and not sworn members, so --

14 MR. HEROLD: That was pointed out to me  
15 earlier and I think that's a typo. My intent is to  
16 strike civilian. It should be member and that  
17 applies to both the law enforcement and the  
18 civilians within the law enforcement unit.

19 COMMISSIONER DRAGO: Thank you. That's what I  
20 figured. The next one is use of force policy,  
21 which is 02.04.01. Probably one of the most  
22 critical policies in the whole batch, but I  
23 actually just have a couple of suggestions and  
24 comments on that.

25 If we go to page 3, Letter B on the top,

1 deescalation techniques, at the -- at the bottom it  
2 lists things that an officer can do and  
3 deescalation techniques. And I suggest to add  
4 language that may include the use of such  
5 techniques as command, presence, announcements,  
6 warnings, verbal persuasion, or tactical  
7 repositioning. Tactical repositioning being the  
8 new part. I think everyone has a copy of this with  
9 the -- some changes.

10 Underneath that there was something that  
11 was -- I think that was put in there by mistake  
12 about adopted budgets and so forth, which doesn't  
13 belong in use of force policy, but that's already  
14 been crossed out, but I just -- that's a typo.

15 On page 7 under Roman Numeral V, deadly force  
16 applications, there is A and B. Under B I would  
17 add a Letter C, which says: Discharging a firearm  
18 with intent to enact direct compliance from a  
19 perpetrator by a special agent, i.e. a warning shot  
20 is strictly prohibited. So warning shots are  
21 prohibited.

22 On the next page under -- let's see, it's on  
23 page 8. It's going to be under the section from  
24 page 7, Number 1, moving vehicles, those go on to  
25 page 8.

1           And instead of the paragraph that was there  
2           which permitted shooting at moving vehicles under  
3           certain conditions, my recommendations as you see  
4           there: Firearms shall not be discharged at a  
5           moving vehicle unless a person in the vehicle is  
6           immediately threatening an agent or another person  
7           with deadly force by means other than the vehicle.

8           The moving vehicle itself shall not  
9           presumptively constitute a threat that justifies an  
10          agent's use of deadly force. When possible an  
11          agent threatened by an oncoming vehicle shall move  
12          out of the vehicle's path. The key word there  
13          being shall as it used to be -- or it was in a  
14          previous policy should, shall out of the vehicle's  
15          path -- path instead of discharging a firearm at it  
16          or any of the vehicle's occupants.

17          I don't know, Vice Chair, if you want to take  
18          questions on each one if somebody wants to ask, you  
19          know, a question about it or if you just want me to  
20          go through them all.

21          VICE CHAIR BROWN: I'm going to allow --  
22          Commissioners, if you have questions or follow up  
23          to Commissioner Drago's -- I was just going to let  
24          him continue through this particular item and then  
25          we'll let you guys take -- have any questions.

1           So just continue, please.

2           MR. TROMBETTA: Commissioner Brown, may I make  
3 a recommendation too?

4           VICE CHAIR BROWN: Sure.

5           MR. TROMBETTA: So essentially for these  
6 policies, there's sort of two routes we can go when  
7 there's feedback. We can pull them and do it for  
8 the next meeting or we can adopt it with feedback  
9 if you all agree on the feedback.

10           So if it's helpful for the record for us just  
11 for keeping track, it will be helpful for you to  
12 discuss like per policy and maybe even per change  
13 for something like this, just to make sure there's  
14 a consensus on the change. Because if you guys do  
15 have a consensus and you agree on the change, then  
16 it's easy for us to -- you can essentially  
17 authorize me to, you know, adopt the policy as  
18 amended by the commission today.

19           VICE CHAIR BROWN: Absolutely. That was kind  
20 of my route. I'm going to allow them to continue  
21 with the feedback and then we'll go over each  
22 policy and moving forward.

23           I do think that these policies are time  
24 sensitive, so, you know, with that in mind I think  
25 we'll have a lot of discussion here so that we can

1 give direction.

2 Commissioner Drago, please feel free to keep  
3 on going.

4 COMMISSIONER DRAGO: So the next paragraph  
5 starts with special agent. It used to say should.  
6 I would suggest: Shall not shoot at any part of a  
7 vehicle in an attempt to disable the vehicle.  
8 Additionally special agents shall not discharge a  
9 firearm from -- from a moving vehicle.

10 So those should be additions.

11 VICE CHAIR BROWN: Commissioners, do you have  
12 any questions on Commissioner Drago's proposed  
13 changes?

14 COMMISSIONER DRAGO: One more on that policy.

15 VICE CHAIR BROWN: Okay.

16 COMMISSIONER DRAGO: You want me --

17 VICE CHAIR BROWN: Yeah, please.

18 COMMISSIONER DRAGO: So on page 10 under Roman  
19 Numeral VIII, supervisor responsibilities, it said:  
20 A supervisor shall respond to a reported  
21 application of force resulting in visible -- a  
22 visible injury. I would suggest to add: Or the  
23 complaint of an injury if reasonably available.

24 A supervisor would have to respond if the  
25 subject complains of a (inaudible) even though he's

1 not bleeding.

2 VICE CHAIR BROWN: I really appreciate you  
3 providing these and the redline changes to it to us  
4 so that we, you know, can talk about them and  
5 discuss them and see if they're appropriate. You  
6 are the expert here, so I appreciate the wisdom  
7 that you've provided.

8 Commissioners, any questions on  
9 Commissioner Drago's feedback on this policy?

10 Mr. Herold -- Director Herold, would you like  
11 to address any of them?

12 MR. HEROLD: No, I agree with all of  
13 recommendations the -- Commissioner Drago has made.

14 VICE CHAIR BROWN: That sounds great.

15 Commissioner Drago, you still have the floor  
16 if you'd like to go through the other proposed  
17 questions or changes.

18 COMMISSIONER DRAGO: Sure. Thank you. I  
19 would go to policy handcuffing and restraints,  
20 which is 02.05.01. On page 3 under Roman Numeral  
21 IV, application of handcuffs or plastic cuffs, the  
22 first paragraph says: Handcuffs including  
23 temporary, nylon, or plastic cuffs may be used only  
24 to restrain a person's hands to ensure officer  
25 safety.

1           And then the old language allowed the officer  
2           some discretion on whether or not he wanted to  
3           handcuff somebody that was a prisoner. I would  
4           suggest that it would say: Special agent shall  
5           handcuff, double locked, all prisoners with their  
6           hands behind their back, palms facing outward.

7           The officer may handcuff the prisoner with  
8           their hands in front or use other appropriate and  
9           approved restraints for the prisoner, and then it  
10          outlines certain situations where the special agent  
11          might have that discretion.

12          That's all I have on that.

13          VICE CHAIR BROWN: Commissioners, any  
14          questions on these proposed changes?

15          Director Herold, do you have any comments  
16          or --

17          MR. HEROLD: I'm in agreement with  
18          Commissioner Drago.

19          VICE CHAIR BROWN: Again, thank you for  
20          providing the redline copies too. It helps for the  
21          record.

22          Commissioner Drago, you want to jump to other  
23          sections or --

24          COMMISSIONER DRAGO: So that's it in that  
25          policy. Let's see, so the search and seizure



1 policy I think we pulled; correct?

2 MR. HEROLD: We did, yes, sir.

3 COMMISSIONER DRAGO: So we'll work on that one  
4 separately.

5 VICE CHAIR BROWN: We're going to go ahead and  
6 then just for that one, for another meeting?

7 COMMISSIONER DRAGO: Yes.

8 VICE CHAIR BROWN: Search and seizure, that's  
9 02.11.01.

10 COMMISSIONER DRAGO: Just real quickly, we  
11 don't even have to pull it I don't think, but  
12 contracts and temporary detentions, should be  
13 contacts. It's a typo just so everyone's aware.  
14 Sorry. I know I had --

15 VICE CHAIR BROWN: No, please take your time.

16 COMMISSIONER DRAGO: Maybe that was it. I  
17 think that's it. I think the other ones all -- all  
18 seem to be pretty standard and well thought out.

19 VICE CHAIR BROWN: Thank you. So we have  
20 three policies with changes that we just  
21 illuminated and we'll go over that.

22 Now we're going to turn to  
23 Commissioner D'Aquila.

24 COMMISSIONER A'QUILA: My first question has  
25 to do with the policy on informants and

1 specifically, let me get to the right paragraph, as  
2 it pertains to the dispensing of funds, I'd like  
3 you to just consider the language. It's often  
4 confusion about what is taxable and what's not.

5 And the language I'm recommending is: If  
6 funds exceed \$600 in any year, the informant should  
7 be provided form 1099-MISC --

8 VICE CHAIR BROWN: Are you on page 7 of 9?

9 COMMISSIONER A'QUILA: That's correct.

10 -- unless such documentation may reveal the  
11 identity of the informant and doing so would  
12 jeopardize the investigation. In all cases the  
13 informant should be provided with the writing to  
14 report all income as other income on their federal  
15 and/or state -- and if applicable state tax returns  
16 regardless of the amount or whether a 1099 is  
17 issued.

18 I think that if we just clarify -- it would  
19 put us in total compliance with the rules of the  
20 IRS. Because there's often confusion if something  
21 is not -- on a 1099 is not reportable and also  
22 if -- if they're not -- I looked at other state  
23 policies on this and if -- only if the IRS permits  
24 a non-1099 only if it's going to jeopardize their  
25 identity, which might be most cases. But I think

1 it should be very clear and delineated in the  
2 rules.

3 MR. TROMBETTA: Commissioner D'Aquila, just  
4 for trying to follow along. The comment is as it  
5 relates to Roman Numeral VII a payment process one  
6 or is it prior to that and is this language that  
7 you'd like to see that is not there right now; am I  
8 following you correctly?

9 COMMISSIONER A'QUILA: That's correct.

10 VICE CHAIR BROWN: Are you -- are we talking  
11 on page the reporting of payment?

12 MR. TROMBETTA: I'm going to recommend we pull  
13 this one and work on it based on the feedback,  
14 depending on feedback from Director Herold.

15 I mean, is it okay if this policy waits a  
16 month?

17 MR. HEROLD: Yes.

18 VICE CHAIR BROWN: We're going to pull this  
19 one, because we need to get that language right.

20 Commissioner D'Aquila, you still have the  
21 floor.

22 COMMISSIONER A'QUILA: My next question  
23 pertains to, where did it go, conflicts of  
24 interest, and I have a general question.

25 Should we not get more specific with regard to

1 Florida Statute 112.3137(a) and get more --  
2 considering all of the LLCs and financial interest  
3 out there in the gambling space, do we need to be  
4 more specific with regard to what is a conflict?

5 And what I'm thinking about as I read this is,  
6 you know, we have law enforcement out there. Does  
7 it mean that they can't be involved if the landlord  
8 for that particular strip mall where there are  
9 illegal casinos as a family member or so forth and  
10 so on.

11 When I read the statute that I previously  
12 stated, there are about seven or eight key lines in  
13 there and I wonder if we should have our policy be  
14 -- elaborate more on that, all the potential  
15 conflicts, not just of employment but of a  
16 contractual relationship, business interest, so  
17 forth and so on.

18 And I thought about it in relation to what  
19 we've been experiencing specifically in the current  
20 rates that have taken place in our state.

21 VICE CHAIR BROWN: Director Herold.

22 MR. HEROLD: I like that and -- but I would  
23 recommend that since it's going to take a little  
24 more conversation and a little bit more research  
25 maybe pull this one as well and have it ready for

1 next time.

2 VICE CHAIR BROWN: I think that's appropriate.  
3 Commissioner D'Aquila.

4 COMMISSIONER A'QUILA: Those are all my  
5 comments. Otherwise I think this is a incredible  
6 effort and thank you.

7 MR. HEROLD: Thank you.

8 VICE CHAIR BROWN: Thank you. And I do want  
9 to also echo that. I know you've been working on  
10 this since January at least so -- and there's many  
11 more to come. I'd like to -- I wish we could have  
12 a more expeditious way to do this for you so that  
13 you have the policies and tools that you need and  
14 we don't have any regulatory lag for you and -- so  
15 you have the tools.

16 So if -- if there's a more effective way that  
17 we can get some of these policies in place, I'm  
18 completely open to that idea.

19 Commissioner Repp.

20 COMMISSIONER REPP: Yes. I don't see him here  
21 today, but to -- I know I wasn't the only one who  
22 had read the policies and saw chief of law  
23 enforcement and -- so maybe you could introduce,  
24 you know -- since as he's not a -- as you said if  
25 you look up, you don't see him listed as chief

1 as -- on payroll as that -- his title.

2 If maybe you can tell us who he is and just --  
3 you know, just a little snippet about who chief is  
4 when this is referred to in our policies just for  
5 those listening and those who are interested in --

6 MR. HEROLD: Thank you. I don't get the  
7 chance to talk about him very much, but chief of  
8 law enforcement is my Number 2 person,  
9 Dan DeCoursey and I can't lay enough praise on Dan,  
10 because he -- he has stood shoulder to shoulder  
11 with me as we begin to build up this law  
12 enforcement agency. And it's incredibly helpful to  
13 have somebody that has the same vision for what we  
14 ultimately want to accomplish here and somebody  
15 that is driven to get this done as I am.

16 So Dan's not here, because he's -- he's the  
17 working guy that's holding everything back  
18 together -- together back at the office while I'm  
19 here and I couldn't do this without him, so, but  
20 I'll bring him one time.

21 VICE CHAIR BROWN: Thank you. And so I've  
22 kind of been keeping track of the policies that  
23 we've very tacitly expressed approval of without --  
24 and we're going to take a motion on all of them  
25 together.

1           So I'm just going to go through them and --  
2           with the changes that were mentioned, we're going  
3           to be pulling first 02.11.01, search and seizure;  
4           we're going to pull 02.16.01, informants; 02.30.01,  
5           conflicts of interest. Those are the three that  
6           I've got. And if there are no other questions on  
7           any of the other policies, we're going to -- just  
8           going to --

9           Yes.

10          MR. TROMBETTA: Just for a point of  
11          clarification, can we just address the policies  
12          that we did make changes to?

13          VICE CHAIR BROWN: There are three of them.  
14          We've got changes redline versions of them too for  
15          the record, .02.04.01, use of force policy;  
16          .02.05.01, handcuffing and restraints policy; minor  
17          edit to .02.54.01, contracts, which is contacts,  
18          and temporary detentions. Those are the three.

19          MR. TROMBETTA: By my notes there was one  
20          other one that we had a minor change to it,  
21          02.02.01, Code of -- or Canon of Ethics.

22          VICE CHAIR BROWN: Yes, thank you. I did get  
23          the redline one, so I like the redline. Can you go  
24          over that change, please, again.

25          MR. TROMBETTA: Yes, ma'am. I believe it was

1 from Commissioner Drago that suggested -- there's a  
2 reference to civilian members, I think the feedback  
3 was to remove reference to civilian members.

4 VICE CHAIR BROWN: Yeah. That's correct.  
5 Thank you. Okay.

6 Any other questions before we get -- go ahead  
7 take a motion to -- and I guess the best way to do  
8 it is I'll just state the motion with the -- the  
9 ones with the changes. So approve and then if you  
10 guys can go ahead and make that motion, it would be  
11 great.

12 But approve 02.01.02 in full, approve 02.06.01  
13 in full, 02.07.01, 02.08.01, 02.20.01, 02.21.01,  
14 02.25.01, and bear with me, 02.27.01, 02.28.01,  
15 02.29.01, 02.32.01 in full, 02.33.01 in full,  
16 02.35.01 in full, 02.39.01, 02.41.01, 02.43.01,  
17 02.46.01, probably a better way to do this, but  
18 02.49.01, 02.50.01, 02.51.01, 02.55.01 in full,  
19 02.58.01, 02.61.01, 03.01.01, and 03.13.01.

20 All of those mentioned all approved as the  
21 staff has presented and then with the changes that  
22 were made here today 02.02.01, 02.04.01, 02.05.01,  
23 and 02.54.01. That is the motion that I'd to take.

24 COMMISSIONER DRAGO: I'd like to make a motion  
25 to approve.



1           VICE CHAIR BROWN: Thank you. Is there a  
2 second?

3           COMMISSIONER REPP: I'll second.

4           VICE CHAIR BROWN: All those in favor say aye.  
5           (Aye responses)

6           VICE CHAIR BROWN: Thank you. So,  
7 Director Herold, when should we see the ones  
8 that -- the three ones that we pulled back, when do  
9 you expect?

10          MR. HEROLD: Maybe the end of next week.  
11 We'll start working on them immediately.

12          VICE CHAIR BROWN: That's great. And if you  
13 have a suggestion of how we can do it again much  
14 more expeditiously and give you the -- you know,  
15 some latitude along with commissioner input, then I  
16 think it will help move these along quicker.

17          MR. HEROLD: Executive Director Trombetta and  
18 I will follow up. I will tell you that I'm very  
19 thankful to have so many prescient and skilled  
20 members of the commission to, you know, offer this  
21 feedback, because it is very beneficial to -- you  
22 know, to have that.

23           I can look at these policies seven or eight  
24 times, which is about how many times I looked at  
25 them, and still miss things. So I consider myself

1 fortunate to have that opportunity.

2 VICE CHAIR BROWN: Well, thank you. There's a  
3 lot of work that went into this and these are so  
4 important to your mission. Thank you.

5 MR. HEROLD: Thank you.

6 VICE CHAIR BROWN: With that -- and thank you  
7 all for bearing with us on these items. We are  
8 moving to the executive director report -- update.

9 MR. TROMBETTA: Thank you, Mrs. Vice Chair.

10 I have two somewhat hopefully short updates.  
11 The first one involves HISA, or HISA (alternate  
12 pronunciation). I still call it HISA. I know  
13 everybody else is HISA, but whatever.

14 We received their new budget. So we got it  
15 Tuesday just before 5:00, so we didn't have it on  
16 the agenda. Essentially what's going to happen is  
17 annually racing commissions around the country have  
18 to make a decision on whether or not to opt in to  
19 make a payment on behalf of the industry for that  
20 state.

21 Florida, last year we did not opt in for a  
22 number of reasons. But it's not on the agenda  
23 today, because frankly we didn't get it in time and  
24 it would have been rushed and I don't think it  
25 would be fair to not have an item on the agenda.

1           So the budget has gone up. It's now just  
2           under \$80 million in total. They then essentially  
3           distribute that budget amongst the different racing  
4           commissioners around the country. Florida's share  
5           is about \$6.8 million.

6           What I would recommend, because we are  
7           supposed to provide a response before November 17,  
8           if the commission's open to it to having some type  
9           of virtual meeting to take potentially that item.  
10          It will give my staff time to kind of review what's  
11          really in it, get notice out to the public, and  
12          then it would allow the commission to vote on it  
13          with some time.

14          So what I'm looking for just based on -- you  
15          know, I have had several communications with all of  
16          you just about your calendars. It looks like there  
17          might be some availability towards the end of the  
18          week of the 13th, maybe the 16th.

19          VICE CHAIR BROWN: I think November 16 is a  
20          great day right before and we'll have enough time  
21          to go over the increased budget. How about 10:00  
22          a.m., does that work for you all?

23          COMMISSIONER A'QUILA: Yes.

24          VICE CHAIR BROWN: Also we welcome feedback  
25          from the community on this as well.

1 MR. TROMBETTA: Thank you. And the second one  
2 is an update -- well, (inaudible) update, it's an  
3 ask for rulemaking authority. So under the terms  
4 of the 2021 Compact, Seminole Tribe, the state of  
5 Florida and the Seminole Tribe are supposed to work  
6 together on handling a dispute process for patrons  
7 that play at Seminole casinos and have issues that  
8 they don't feel get resolved.

9 I again kind of asking just to get ahead of  
10 things for the authority to file a notice of rule  
11 development if needed. I'd like my team to really  
12 look into this right now. We might not even do it.  
13 I'll have you an update on what we do by that  
14 November 17 meeting. But if you give me the  
15 authority, then if we do need to go down that road  
16 I can get that notice filed and then we wouldn't  
17 have to wait.

18 VICE CHAIR BROWN: Commissioners, do you have  
19 any problem with that? It sounds like we're not --  
20 we're giving you some discretion, but you'll give  
21 us whether we're going down that by November 16 at  
22 that meeting?

23 MR. TROMBETTA: Yes, ma'am.

24 VICE CHAIR BROWN: Does that sound good? We  
25 don't need a motion to -- do we?

1           MR. TROMBETTA:  Something for the record, I  
2 think it would probably help if you did just to be  
3 sure.  It seems like you're in agreement.

4           VICE CHAIR BROWN:  Is there a motion to give  
5 Director Trombetta the authority to move forward  
6 until we discuss this again --

7           COMMISSIONER DRAGO:  So moved.

8           COMMISSIONER A'QUILA:  Second.

9           VICE CHAIR BROWN:  All those in favor say aye.  
10           (Aye responses)

11          MR. TROMBETTA:  Thank you.  And then lastly  
12 just some updates.  I mean, we're -- at this point  
13 we now -- we reached a milestone on our IT side, so  
14 hundred percent of the full-time facilities.  So  
15 people in full-time facilities are now on our own  
16 network.

17           So we now -- what that means potentially is  
18 that our IT team has full control of essentially  
19 the work -- the workstations that we know of.  
20 There's some people that are floating in and out,  
21 there's really the -- what's left is the -- there's  
22 a few stations that some of the facilities kind of  
23 get turned on and off, depending on the season or  
24 if somebody's in that office.  And we're working on  
25 finishing that, but really it's been a big step

1 there.

2 We are working on just kind of getting a lot  
3 of things together. We've had a lot of significant  
4 movement on the law enforcement side. We've been  
5 getting good results I think, just more background  
6 on how this policy stuff happens.

7 You know, Director Herold and his team gets  
8 those policies together but then there's a huge  
9 review process that goes on from the admin team,  
10 from legal, and then goes back essentially to law  
11 enforcement. If there's any issues, then it comes  
12 to you.

13 So that's part of the reason that it may seem  
14 like it's not very efficient, but I want to -- I  
15 don't want any of my staff -- I mean, they all  
16 worked -- I asked them -- essentially in about 10  
17 days we got all of those -- we got through all of  
18 those, which in state government is really pretty  
19 fast for that number -- that volume of things.

20 So we did a great job on that and -- I mean, I  
21 think we're going to continue -- the plan is to  
22 really get this done. If there are other  
23 efficiencies, you know, as Director Carl said,  
24 we're happy to kind of think of them and try to  
25 come up with something else we can do.

1           But I think this -- this group was probably  
2           the most rushed if it was, just because we were  
3           trying to get things going for this calendar, but I  
4           think having more time for the subsequent meetings  
5           will help us just to -- to -- and help everybody  
6           else get more time on this thing, but really it was  
7           -- we got a lot done, the goal that was set.  
8           Frankly I didn't expect us and we did, so I'm very  
9           happy with the work everybody did to get together  
10          to do that, so.

11          Outside of that, that's I all I have. I'm  
12          available if you have any questions as well.

13          VICE CHAIR BROWN: Thank you,  
14          Director Trombetta. I do also want to say the law  
15          enforcement folks and external affairs have been  
16          doing a great job, getting a lot of coverage,  
17          collaborating with a lot of other agencies around  
18          the state, and so really commend the work that  
19          you're doing in addition to all the daily routine  
20          things as well.

21          Commissioners, any questions for  
22          Director Trombetta?

23          COMMISSIONER DRAGO: I don't.

24          VICE CHAIR BROWN: Thank you.

25          MR. TROMBETTA: Thank you.

1           VICE CHAIR BROWN: We're moving on to public  
2 comment. Is there anybody from the public that  
3 would like to speak today that's not signed up?  
4 Going once, twice.

5           All right. Seeing none, this meeting is  
6 adjourned. Thank you.

7           (The proceedings concluded at 11:00 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA  
COUNTY OF WAKULLA

I, JUDY LYNN MARTIN, do hereby certify that I was authorized to and did stenographically report the foregoing remote proceedings and that the transcript, pages 1 through 75, is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 10th day of November, 2023.

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JUDY LYNN MARTIN



Florida Gaming Control Commission

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Public Meeting/Workshop Hearing

November 16, 2023

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Vol 01



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FLORIDA GAMING CONTROL COMMISSION

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PUBLIC MEETING/WORKSHOP HEARING

LOCATION: Remote Via Teams

(Page Nos. 1 - 18)

Thursday, November 16, 2023

10:00 a.m. - 10:18 a.m.

BEFORE: Commissioner Julie I. Brown  
Commissioner Charles Drago  
Commissioner John D'Aquila  
Commissioner Tina Repp  
Executive Director, Louis Trombetta

Stenographically Reported By:  
I. Iris Cooper  
Stenographic Reporter

Job No.: 336529

1 APPEARANCES: (Appearing remotely via Zoom)

2

COMMISSION MEMBERS:

3

Commissioner Julie I. Brown

4

Commissioner Charles Drago

Commissioner John D'Aquila

5

Commissioner Tina Repp

Executive Director, Louis Trombetta

6

7

8

COMMISSION STAFF:

9

Ian Campbell, Pari-Mutuel Operations Specialist

10

Bill Crafts, Chief of Slot Operations

11

Joe Dillmore, Director of Pari-Mutuel Wagering

12

Brandy Humphries, Administrative Assistant II

13

Ginny Morris, Chief Technology Officer

14

Lisa M. Mustain, Director Of Administration

15

Dixie Parker, Senior Management Analyst II

16

Jamie Pouncey, Program Administrator

17

Glenda Ricks, Chief Operations Officer

18

Elizabeth K. Stinson, Esq.

19

Tracy Swain, Chief/Revenue Program Administrator

20

Susan Whitmire, Chief Information Officer

21

22

23

- Various Members of the Public

24

25

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1 Thereupon, the following proceeding began at 10:00 a.m.:

2 VICE CHAIR BROWN: Good morning, everyone.

3 Today is November 16th. The time is 10:00 a.m. I  
4 hope you all can hear me clearly. Our court  
5 reporter, Ms. Iris Cooper, is here with us today as  
6 well, and she's going to be transcribing. So when  
7 you speak, just please state your name for the  
8 record so that she can have a clear record as she  
9 transcribes it.

10 Before we get into our meeting today, which  
11 will be very brief, I would like to turn it over to  
12 our executive director, Mr. Lou Trombetta for a  
13 moment of personal privilege.

14 MR. TROMBETTA: Thank you, Vice Chair Brown.  
15 For the record, Lou Trombetta. I am the executive  
16 director for the Gaming Commission. I just want to  
17 say a quick word before we start this meeting to  
18 recognize an employee that unfortunately lost his  
19 life unexpectedly last week.

20 Charlie, as many of you know, was part of the  
21 IT team. He was the second IT employee that was  
22 hired and instrumental in the Gaming Commission  
23 getting to where we are. He played a big part in  
24 just helping everybody.

25 I can't really say enough about him, but I did

1 just want to take a minute to recognize him and  
2 just thank him and just say a good word about him.

3 So thank you, Commissioner Brown.

4 VICE CHAIR BROWN: Thank you. And with that,  
5 I would like to turn it over to Commissioner  
6 D'Aquila who, if you would like to, join us in a  
7 brief non-denominational prayer.

8 COMMISSIONER D'AQUILA: Thank you, Vice  
9 Chairman. Please join me in a moment of silence.

10 Charlie, your tech brilliance combined with  
11 your sincere caring nature was the ultimate model  
12 of serving leadership needed in building this new  
13 commission.

14 You built us a very strong cloud, but perhaps  
15 are now called to be upon a greater cloud. As your  
16 new journey begins, we hope and pray a lighted path  
17 is yours and you are comforted by God's warm  
18 embrace. Ride on, our dear friend. Peace be  
19 yours. We celebrate and remember you.

20 VICE CHAIR BROWN: Thank you, Commissioner  
21 D'Aquila. It was beautiful. Charlie was such a  
22 special person. If you met him, you would know  
23 that he just had a special inner light that he kind  
24 of radiated. You just knew it. He was such an  
25 important part of our team, and we already feel



1 such a profound loss, so I appreciate the kind  
2 words that you all did.

3 Commissioners, any other comments before we  
4 get into the meeting?

5 COMMISSIONER DRAGO: Vice Chair, can I just  
6 say a couple of things?

7 VICE CHAIR BROWN: Absolutely, Commissioner  
8 Drago.

9 COMMISSIONER DRAGO: I know I'm feeling what  
10 everyone else is feeling here. Of course, I didn't  
11 know Charlie as long as many of the folks here, but  
12 he was part of our family and part of our team. He  
13 was so welcoming to me, not only in terms of IT.

14 I mean, he was great with that. But just as a  
15 person just welcoming me to the Commission, helping  
16 me any way he possibly could. Just sitting down  
17 talking with him, talking about him playing pool  
18 and the different things he was doing and so forth.

19 I'm really going to miss that, and I wish his  
20 whole family the best and will certainly have my  
21 prayers. Commissioner D'Aquila, thank you so much  
22 for that prayer. I really do appreciate it. Thank  
23 you, Vice Chair, for a couple minutes there.

24 VICE CHAIR BROWN: Thank you, Commissioner  
25 Drago.

1           If there are no other comments, we are going  
2 to go right into the meeting. We have two items on  
3 our agenda, starting with the HISA assessment  
4 discussion.

5           And for those in the public that would like to  
6 speak, there's a button on the Go-To Meeting to  
7 raise your hand. Please just raise your hand, and  
8 we'll recognize you.

9           Let's turn to staff right now on Item No. 1.

10          MR. TROMBETTA: Thank you, Commissioner Brown.  
11 So Item No. 1 is discussion on the Horseracing  
12 Integrity Safety Act. Just as a point of  
13 background, the Horseracing Integrity Safety Act  
14 created a federal authority to oversee horseracing  
15 around the country, so it's a federal organization.

16          State racing commissions annually have an  
17 option of opting in to pay an assessment that is  
18 calculated by HISA. This is our second year with  
19 this decision point. The decision has to be made  
20 by the commissioners.

21          I believe Elizabeth Stinson is also on the  
22 line, if there's any substantive questions. But  
23 just as a point of background, HISA has assessed  
24 the State of Florida almost \$6.8 million to  
25 participate in the horseracing and safety

1 authority's program.

2 The State Racing Commission's initial decision  
3 is whether or not to pay this amount to HISA  
4 directly. The calculation is based on a number of  
5 things. But most directly, it's essentially the  
6 number of starts in the state and the purses that  
7 are paid.

8 In the previous year, the Florida Gaming  
9 Control Commission did not opt in to make the  
10 payment as part of the program. In the meeting  
11 materials, we've included letters that we've  
12 received from the Authority, including the budget  
13 and a letter that describes how the assessment will  
14 be broken down and the possibility for credits  
15 later on.

16 There's also a draft letter that staff has  
17 prepared that, depending on how the Commission  
18 votes today, will be sent to HISA on behalf of the  
19 Gaming Commission.

20 With that, Vice Chair, if there's any other  
21 questions, we can be available. I'll turn it back  
22 to you.

23 VICE CHAIR BROWN: Thank you. I'm sure there  
24 probably are some questions on this with the budget  
25 being so much higher and the assessments to Florida

1 being so much greater than we originally  
2 anticipated with Gulfstream particularly being  
3 assessed the most of any track in the country.

4 That being said, I mean, I'm going to turn it  
5 over to the commissioners for questions. I'm sure  
6 Commissioner D'Aquila has some and the others as  
7 well. I just want to make sure that the FTC has to  
8 sign off on this budget before it goes to any State  
9 commissions?

10 MR. TROMBETTA: I'll ask Liz to kind of  
11 correct me if I'm wrong here, but I believe that is  
12 the case. The budget, the way the budget is  
13 created, essentially HISA creates the budget. This  
14 year they provided much more information than  
15 previous years, and I believe it does have to be  
16 approved by the FTC.

17 MS. STINSON: Yes, that is correct. The FTC  
18 has approved the budget and posted it to the  
19 Federal Register.

20 VICE CHAIR BROWN: Thank you. The budget  
21 itself, we've been a little frustrated over several  
22 months on the transparency of the budget and the  
23 State's rights to have an option to even approve  
24 the budget or not. It is non-existent; is that  
25 correct?

1           MR. TROMBETTA: That is correct. HISA's  
2 budget does not get approved by State racing  
3 commissions, that part is correct.

4           VICE CHAIR BROWN: And so what we're being  
5 asked today -- we're not being asked to decide  
6 whether we're going to enter into a new voluntary  
7 implementation agreement. That is down the road.

8           This is really just whether we will opt in or  
9 opt out of being the bill collector of the  
10 assessment. It's not approving the budget that  
11 they're proposing or anything to that regard; is  
12 that correct?

13          MR. TROMBETTA: Correct. The decision point  
14 today is whether or not the State of Florida will  
15 opt in, is the term that they use, in the federal  
16 law. And what that means is whether or not the  
17 State of Florida will pay the assessment on Florida  
18 by HISA directly.

19          If we do not do that, those costs are passed  
20 on to cover people that conduct activities in the  
21 state of Florida. Just as a reminder, there was a  
22 bill passed by the legislature signed off by the  
23 governor in the previous session that offers a tax  
24 credit for racetracks that are assessed this fee to  
25 offset some of that cost.

1           VICE CHAIR BROWN: Yes, that was a great bill.  
2           That being said, Commissioners, do you all have any  
3           questions? Commissioner Drago.

4           COMMISSIONER DRAGO: I just have a question.  
5           I understand about the legislation that was passed  
6           last session. That is still in effect; correct?  
7           That wasn't just for one term or anything like  
8           that? That's still in effect today?

9           MR. TROMBETTA: Yes, sir. Sorry, Vice Chair.  
10          But, yes, I can respond that that is still in  
11          effect today, yes, sir.

12          COMMISSIONER DRAGO: Thank you. That's all I  
13          have, Vice Chair.

14          VICE CHAIR BROWN: Then will the credits be  
15          adjusted based on the new assessments, the  
16          increased assessments? I don't recall. I don't  
17          remember that language specifically in the bill.

18          MR. TROMBETTA: I don't have the bill in front  
19          of me. I believe it does.

20          Ms. Stinson, are you able to answer that  
21          question? If not, that's okay. I don't want to  
22          put you on the spot here. We can look at the bill  
23          and get back to you afterwards, if we don't have an  
24          answer.

25          VICE CHAIR BROWN: Ms. Swain has a comment

1 real quickly.

2 MS. SWAIN: This is Tracy Swain. Yes, every  
3 year the assessment is based on the amount of money  
4 that they paid in the prior fiscal year for the  
5 assessment. So whatever amount that they pay, if  
6 it increases or decreases determines their credit  
7 for the next fiscal year.

8 VICE CHAIR BROWN: Thank you so much.

9 MS. SWAIN: You're welcome.

10 VICE CHAIR BROWN: I appreciate that.  
11 Commissioner D'Aquila.

12 COMMISSIONER D'AQUILA: I just might add that  
13 while this year is an improvement over the prior  
14 year, if there is an opportunity to give some  
15 feedback to HISA when asking for us to consider the  
16 payment here, if they could please do a more  
17 thorough job with regard to the presentation of  
18 their budget and spending, specifically as it  
19 pertains to non-recurring items and very large  
20 expense items not broken out in the customary  
21 fashion for approving budgets or at least not on  
22 the standard that we have in the great state of  
23 Florida.

24 And if they need more guidance on that, we can  
25 get more specific. And if it's helpful, I'm

1 specifically referring to professional fees,  
2 litigation costs, administrative costs, as we  
3 answer to our contingent here in Florida in this  
4 transition and what appear to be significantly  
5 increased costs.

6 And whether or not they are effective is  
7 neither here nor there. So more hopefully  
8 constructive feedback for HISA as they endeavor to  
9 achieve their mission.

10 VICE CHAIR BROWN: Thank you. I just want to  
11 say thank you, Commissioner D'Aquila. You  
12 encompassed really the categories that I had  
13 concerns about, having more information delineated  
14 in the proposed budget when they send it to the  
15 states.

16 You want more information like what are these,  
17 are they recurring, and what are these additional  
18 professional services for?

19 Sorry I have no voice.

20 Commissioner Repp, do you have any questions?

21 COMMISSIONER REPP: I do not.

22 COMMISSIONER DRAGO: Vice Chair, I just want  
23 to make a quick comment. I just want to concur  
24 with what both you and Commissioner D'Aquila are  
25 talking about. The points Commissioner D'Aquila



1 brought up I think are critical.

2 I would just like to offer my voice as part of  
3 a consensus here that we would ask for that type of  
4 information the next time, if we can get it. Thank  
5 you.

6 VICE CHAIR BROWN: Thank you, Commissioner  
7 Drago, for adding that in there. I hope we can  
8 send that message through our staff, and I see Lou  
9 has his hand up. But if we can send that message,  
10 I know that our team has been collaborating in a  
11 very productive working relationship with HISA, and  
12 so appreciate the collaboration.

13 But, yes, when our tracks are being assessed  
14 these exorbitant fees, they want to know what those  
15 costs are going towards, other than litigation and  
16 some key salary and operating expenses and  
17 technology.

18 Mr. Trombetta.

19 MR. TROMBETTA: Thank you. Now, I wanted to  
20 touch on, you essentially just said that just from  
21 an operational standpoint, just sort of for the  
22 record and just to make sure it's out there. The  
23 working relationship with the people from HISA and  
24 HIWU has gone very well. It is a collaboration.

25 You know, I know that -- I'm not disagreeing

1 with anything that's been said about the  
2 transparency and the budget and how it likely could  
3 improve. But from the operational side, things  
4 have been going very well.

5 You know, I give the folks at HISA that have  
6 been working with us a lot of credit in that. Our  
7 team has adjusted very well to some of the changes.  
8 And honestly, the relationship between the two  
9 groups, you know, the Gaming Commission and the  
10 people from HISA and HIWU has been working pretty  
11 well this first year of implementation.

12 VICE CHAIR BROWN: Thank you. All right. Do  
13 the commissioners have any questions before we take  
14 a motion? Is there anybody from the public that  
15 would like to speak on this matter?

16 Seeing none, we are ripe for a motion. We  
17 have a proposed letter that is attached to the  
18 materials ready to take a motion whenever you all  
19 are ready. Commissioner D'Aquila.

20 COMMISSIONER D'AQUILA: I'll make a motion  
21 that the State will not pay directly, but that the  
22 bill will be passed on to our tracks in the state  
23 of Florida.

24 VICE CHAIR BROWN: Is there a second?

25 COMMISSIONER REPP: Second.

1 VICE CHAIR BROWN: Any further discussion?

2 All those in favor say aye.

3 (Multiple ayes.)

4 VICE CHAIR BROWN: All right. It passes  
5 unanimously. It does show that our stenographer is  
6 waiting in the lobby, though. We'll just hold on  
7 until she's admitted. With that being said, the  
8 motion has passed, and staff is prepared to move  
9 forward with the letter that is attached to the  
10 materials. Thank you so much for your work on  
11 this.

12 Moving on to the second item and last item on  
13 the agenda before public comment, discussion of  
14 amended application for cardroom license.

15 Ms. Pouncey.

16 MS. POUNCEY: Item No. 2.1 is an application  
17 from --

18 VICE CHAIR BROWN: You are frozen now.

19 MR. TROMBETTA: Ms. Vice Chair, I can probably  
20 jump in, if it helps. As Ms. Pouncey said, Item  
21 No. 2 involves an application for an amendment of a  
22 cardroom license in Case No. 2023-062428. This is  
23 on behalf of Fronton Holding, doing business as  
24 Port St. Lucie Card House and/or Casino Fort  
25 Pierce.

1           They are seeking to amend their cardroom  
2 license application to add four tables. They have  
3 paid the \$4,000 licensing fee and submitted all the  
4 required applications, it looks like.

5           Ms. Pouncey, it looks like you're maybe back.  
6 Is there anything to add?

7           MS. POUNCEY: No, that's everything. Sorry.  
8 I don't know what happened. I just dropped.

9           MR. TROMBETTA: With that, I will mute myself.  
10 If there's any questions, I think it sounds like  
11 Jamie may be able to help.

12           VICE CHAIR BROWN: Thank you, Mr. Trombetta.  
13 This is a straightforward application.

14           Commissioners, do you have any questions for  
15 Ms. Pouncey? Commissioner Repp.

16           COMMISSIONER REPP: No. I just wanted to  
17 state that I agree with the staff recommendation to  
18 approve this. I believe it was well set out, and  
19 we've received all the information we need, I  
20 think, to approve this.

21           VICE CHAIR BROWN: And is that a motion?

22           COMMISSIONER REPP: I would like to make a  
23 motion to approve the recommendation to approve the  
24 card tables addition.

25           VICE CHAIR BROWN: Thank you. Is there a

1 second?

2 COMMISSIONER DRAGO: I'll second. This is  
3 Commissioner Drago.

4 VICE CHAIR BROWN: Thank you. All those in  
5 favor, say aye.

6 (Multiple ayes.)

7 VICE CHAIR BROWN: Motion passes unanimously.  
8 Thank you, all. We are on to our final item, which  
9 is public comment. Is there anyone from the public  
10 that would like to address the Commission at this  
11 time?

12 Ms. Parker, is there anybody that has  
13 contacted you that would like to speak to us at  
14 this time?

15 MS. PARKER: No, ma'am.

16 VICE CHAIR BROWN: Is there any other business  
17 to address, seeing that there is no public comment?

18 Seeing none. The meeting is adjourned. Thank  
19 you all for organizing this. Thank you.

20 (Proceedings concluded at 10:18 a.m.)

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CERTIFICATE OF REPORTER

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

I, I. IRIS COOPER, do hereby certify that I  
was authorized to and did stenographically report  
the foregoing remote proceeding, and that the  
transcript is a true and complete record of my  
stenographic notes.

Dated this 26th day of November, 2023.



---

I. Iris Cooper  
Stenographic Reporter  
Notary Public, State of Florida  
My Commission No. 1366674  
Expires: July 27, 2025

Job No.: 336529

## 2. Discussion of default final orders

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Carlos Brogdon Case No. 2023-018935, Default Final Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Carlos Brogdon (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the publication notice, Respondent waived his right to request a hearing contesting the Division’s decision. 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 multiple occasions from September 6 to September 12, 2022, Respondent was a patron of Calder Race Course, Inc. d/b/a Calder Casino & Race Course.<sup>1</sup> Calder Casino was notified by Synchrony Bank’s Fraud Department that Respondent was involved in using stolen credit cards for cash advances at the facility. Respondent was permanently excluded from Calder Casino<sup>2</sup>, on September 21, 2022.

The Division filed an administrative complaint and attempted service on Respondent via USPS certified mail on two occasions but failed to achieve service. The Division attempted to serve Respondent via hand service but failed to achieve service. The Division requested that a notice be placed with the Miami Legal Department Daily Business Review.<sup>3</sup> It was published on October 27, 2023, November 3, 2023, November 9, 2023, and November 17, 2023. Respondent was given until November 24, 2023, to respond to this notice. He has never responded.

---

<sup>1</sup> Calder 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.

<sup>3</sup> Section 120.60(5), Florida Statutes, provides, “when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee’s last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county.”



*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 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.” Calder 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.

Because Respondent failed to file a timely response to the publication notice, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order 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 permanently excluding Carlos Brogdon from all pari-mutuel and slot machine facilities in this state.

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.: 2023-018935

CARLOS BROGDON,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Carlos Brogdon (“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 3884 Northwest 213rd Street Miami Gardens, Florida 33055.
3. At all times material hereto, Calder 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 September 12, 2022, Respondent was a patron of Calder Casino.
5. On or about September 21, 2022, Respondent was permanently excluded from Calder 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 Calder Casino on or about September 21, 2022.

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 2023-018935 is signed this 22nd day of June 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@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.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.

Closed: 06/14/23  
72 Days

FAQ | Help | Sign Out

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: **nmelvai**

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

Lic Type <b>1098 - Unlicensed Complaints</b>	Status <b>90 Closed</b>	Status Date <b>06/13/2023</b>
Complaint # <b>2023018935</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>BROGDON, CARLOS</b>	Responsible <b>jminaya - MINAYA, JULIO</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>INTR - Internal</b>	Priority		
Class'n <b>UNLI - Unlicensed Activity Investigations</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security <b>STND - Standard</b>	Incident <b>12/26/2022</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Region <b>SR - Southern Region</b>	Received <b>04/03/2023</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Reference <b>550.0251</b>	Entered By <b>icampbell</b>	<input type="checkbox"/> Inspection	
Entered <b>04/03/2023</b>		<input type="checkbox"/> Costs	
Summary	<p><b>285 - Calder Race Course, Inc. - 550.0251 (Powers and duties of the FGCC): According to Synchrony Bank beginning in April of 2022, they have been monitoring a group of individuals that were fraudulently utilizing Synchrony Bank Credit cards to make cash withdrawal at numerous locations. On September 12, 2022, an individual identified as Carlos Jose Brogdon visited Calder Casino using an alias of James Segars and obtained a cash advance in the amount of \$500.00. He then returned on September 26, 2022 and attempted to make another cash advance withdrawal however, the card had been flagged by Synchrony, and Brogdon was unable to complete the cash advance. Synchrony, contacted Calder Casino for information on the transaction at which Calder Casino provided all information relative to the transaction. According to an e-mail from Synchrony Banks Fraud Department, Brogdon was identified using facial recognition by a law enforcement contact working with Synchrony's Fraud Department. Brogdon was permanently excluded by the facility.</b></p>	<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>06/14/2023 10:25:37</b>	By <b>nmelvai</b>		

72 Days	<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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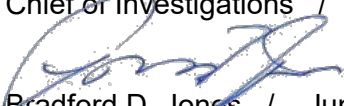
Get Adobe Reader.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>April 3, 2023</b>	Case Number: <b>2023 01 8935</b>
Respondent:  <b>BROGDON, CARLOS JOSE 3845 NW 213 St. MIAMI GARDENS, FL. 33055</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309</b>	
License # and Type: <b>N/A - 1098</b>		Profession: <b>Patron</b>	Report Date: <b>June 6, 2023</b>
Period of Investigation: <b>From April 3, 2023 through June 6, 2023</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 550.0251 The 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:</b></p> <p><b>(6)</b> 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 permitholder to exclude absolutely a patron in this state.</p>			
<p><b>Synopsis:</b> On September 26, 2022, I received an e-mail from Calder Casino Risk &amp; Communication Manager Melissa Brooks informing me that on September 21, 2022, a patron identified as Carlos Jose <b>BROGDON</b> had been permanently excluded from the facility for fraudulent transactions. When I inquired as to the nature of the transactions, I was informed by Calder Compliance Officer Iliana Velasquez that in April of 2022, Synchrony Bank began monitoring a group of individuals that were fraudulently utilizing stolen Synchrony Bank Credit cards to make cash withdrawals at numerous locations including Calder Casino. On September 12, 2022, <b>BROGDON</b> visited Calder Casino using an alias of "James Segars" and obtained a cash advance in the amount of \$500.00. On September 20, 2022, Synchrony's Fraud Investigator, Craig Catlin visited Calder Casino seeking information into numerous fraudulent credit card transactions involving cash advances that were successfully committed by this group of individuals. During Catlin's visit, several individuals were identified including Carlos Jose <b>BROGDON</b>. <b>BROGDON</b> returned to Calder on September 26, 2022 and attempted to make another cash advance withdrawal however, the credit card he presented had been flagged by Synchrony, and <b>BROGDON</b> was unable to complete the cash advance. Although not present <b>BROGDON</b> was permanently excluded by the facility.</p>			
Related Case: 2023 01 9619, 2023 02 8537			
Investigator / Date   Raul Suau / June 6, 2023		Investigator Supervisor / Date   Julio Minaya / June 13, 2023	
Chief of Investigations / Date   Bradford D. Jones / June 13, 2023			

## CONTINUATION

This case is predicated on a fraudulent transaction that patron Carlos Jose **BROGDON** committed during his visit to Calder Casino on September 12, 2022. Upon further inquiry it was discovered that as of April 2022, Synchrony Bank's Fraud Department has been investigating **BROGDON** and a group of individuals that have been fraudulently using stolen credit cards issued by Synchrony to illegally obtain cash advances impacting numerous local businesses including Calder Casino. During their monitoring of the credit cards in question, Synchrony Bank became aware that several stolen credit cards had been used to obtain cash advances at Calder Casino.

According to Compliance Officer Iliana Velazquez on September 12, 2022, a fraudulent cash advance transaction in the amount of \$500.00 was conducted by **BROGDON** using a stolen credit card issued by Synchrony Bank. The name used to obtain the money was that of the actual card holder, James Segars, an individual with a Jacksonville address. The identification used by **BROGDON** under the name of Segars, turned out to be a bogus Florida Driver's license.

As per Velazquez, on September 20, 2022, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into **BROGDON's** September 12, 2022 cash advance transaction and other transactions. It was during this meeting that Catlin provided Velazquez and Susan Flores, the former Calder Casino Compliance Officer, an Excel sheet containing numerous transaction numbers of cash advances that were completed in Calder Casino by **BROGDON** and others using stolen credit cards. According to Velazquez, Catlin stated that these fraudulent transactions have caused Synchrony Bank over \$500,000.00 in financial losses. With the information provided by Catlin the facility's cage team conducted their own research and confirmed that **BROGDON** and others had committed the transactions. The other subjects were identified as Ryan Austin Duarte and Shaniya Branae Murphy.

While the cage looked through its' own records, the Surveillance Department was reviewing video footage of a fraudulent transactions for September 12, 2022. It was during this review that surveillance noticed a male with Shaniya Branae Murphy. When they compared the image of the male in the video with photos provided by Synchrony's Fraud Investigator, the facility identified the male as "James Segars" based on information contained in the facility FABICASH Transaction Report which included a copy of a Florida driver's license bearing that name. After learning of the identification "Segars", Synchrony's Fraud Investigator responded by stating that his sources in Law Enforcement had determined the license on the FABICASH Report was fraudulent, and the suspect individuals' real name was Carlos Jose **BROGDON (Exhibit #3)**.

On September 21, 2022, after identifying all parties involved, a Be-On-The-Look-Out (BOLO) was issued within Calder for **BROGDON**, Ryan Austin Duarte and Shaniya Branae Murphy. **BROGDON**, Duarte and Murphy were then permanently excluded from the facility (**Exhibit #4**).

On September 26, 2022, **BROGDON** returned to the facility and stood in line at the Casino Cage (apparently intending to conduct yet another fraudulent transaction) when he was identified by Cash Operations Supervisor Alana Thomas and Cash Operations Shift Manager Jose Vargas who proceeded to notify security. As Security Shift Manager Jason Milam approached **BROGDON** while simultaneously calling him by the name of "Segars", **BROGDON** denied being "Segars" and fled from the facility via the south entrance. He was observed running through the parking lot and exiting the facility property; he was not apprehended.



## CONTINUATION

On June 8, 2023, the undersigned investigator conducted a search of the Miami/Dade County Clerk of Courts to see if **BROGDON** has been arrested in relation to this incident. Although **BROGDON** has been arrested in the past, none of the arrests discovered are related to this incident. I also conducted a search of the U.S Bureau of Prisons to determine if **BROGDON** was currently in federal custody; results were negative. I then requested that a check be conducted through the U.S. Department of Justice PACER system to see if any federal indictment had been filed against **BROGDON**. Per Chief of Investigations Bradford D. Jones, results were negative (**Exhibit #8**).

**Conclusion;** Case closed by Investigations and forwarded to Legal for review and possible state-wide exclusion from all Florida Pari-Mutuel Wagering facilities.

CONTINUATION

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**Suau, Raul**

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**From:** Catlin, Craig (Synchrony) <Craig.Catlin@syf.com>  
**Sent:** Tuesday, September 27, 2022 12:15 PM  
**To:** Iliana Velazquez  
**Subject:** FW: Fraudsters at Calder Casino

**\*\*External Email\*\***

***DO NOT* open attachments or click on links from unknown senders or unexpected emails.**

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FYI

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**From:** Catlin, Craig (Synchrony)  
**Sent:** Tuesday, September 27, 2022 12:13 PM  
**To:** Richard.Sukhu@caldercasino.com  
**Subject:** Fraudsters at Calder Casino

Good morning Richard,

I would like to give my sincere appreciation to your security team at Calder.

I'm a retired detective from North Miami Beach PD and worked on a federal task force in South Florida my last 10 years of my law enforcement career. I retired in 2017. I've been with Synchrony since 2017. I cover southeast United States for fraud investigations including west thru Texas. Synchrony Bank issues credit cards for numerous retail clients and the credit cards are dual purpose (Visa/Mastercard). Some of our clients are Lowe's, Sam's Club, QVC, Amazon, Ebay etc etc.

These cards are used for legitimate cash advances at Calder but many fraudsters use stolen credit cards for cash advances too.

I have been investigation a fraud ring since April this year. This ring obtains Synchrony issued credit cards and fraudulently use them through out South Florida. I have obtained video of these fraudsters at Marshalls, Lowe's, Macy's and other retail stores. For months, I have not been able to identify this ring. Several of the credit cards were used at Calder Casino.

Last week, I traveled to South Florida for several meetings in federal agents and the US Attorney's Office on different cases. I visited Calder with no appointment because I did not have a contact. I had the pleasure of meeting Iliana Velaquez and Susan Flores. Immediately, they offered to provide any help that they could give. I provided them a list of fraudulent transactions. Later that day, I received a call from Susan that she had a package and to return to Calder in the morning.

The following morning, I met with Iliana and Susan. The prepared package contained the identities of the female that I've been trying to identity for months! A male was identified that did several \$800 cash advances within an hour. Even after I left Calder, Iliana called about another subject that used a Synchrony issued credit card on the same day that was considered suspicious. Iliana provided a copy of the driver's license. The driver's license was a counterfeit Florida license. My law enforcement contacts identified this individual via facial recognition. This is another suspect that I've been trying to identify for months. INCREDIBLE!

Iliana contacted me this morning. This last suspect attempted another cash advance last night at Calder. When security attempted to interview the suspect, he fled.

This fraud ring is responsible for \$500K loss to Synchrony to date. Thanks to Iliana and Susan and the rest of your security team, this case is now being put together for federal prosecution.

Again, I want to thank Susan and Ileana. I can't say enough of how I appreciate their help and working with them. If they ever need anything from Synchrony, I will be more than happy to help.

Thanks and stay safe,

Craig

Craig Catlin  
Vice President  
Special Investigations Team  
Synchrony

T: 786-778-9090

E: [craig.catlin@syf.com](mailto:craig.catlin@syf.com)



Calder Casino & Race Course

21001 NW 27th Avenue  
Miami Gardens, Florida United States  
33056

# Incident Report

Incident Number: SEC-2022-09-00092

Class/Category: Non Criminal/Informational Report

Occurred From Date/Time: 9/26/2022 8:00 PM

Status: Open



## Incident Details

### Incident Details

Incident Number: SEC-2022-09-00092

#### Classification

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Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/27/2022 3:12 PM

Occurred From Date/Time: 9/26/2022 8:00 PM

#### Business Unit

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Business Unit: Non Gaming

#### Summary:

On September 26, 2022 at approximately 2000 hours, Security Shift Supervisor Jason Milam was requested to the main cage to approach one of the suspects in a recent B.O.L.O. Suspect; Carlos J. Brogdon was identified by the Cash Ops department, shortly after an attempt to approach, and inform Mr. Brogdon (AKA James C.) of his ban to this casino was made. This attempt failed as Mr. Brogdon fled property via the South entrance.

#### Physical Location

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Site: Casino

Building: Front of House

Location: Cashier

Section: North

### Supplemental Details

Reported to Police: No

## Incident Involvement Section

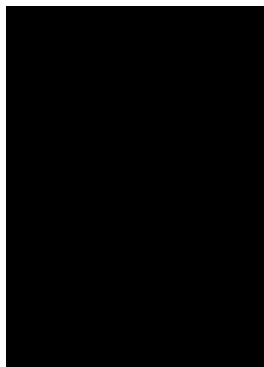
Linked Person

Total = 1

BROGDON, Carlos

Involvement Type:

Suspect



Date of Birth:

Phone Number:

Gender: Black Male

Address:

Hair Color:

Eye Color:

Height: 00' 00"

Weight: 0lbs

First Aid Administered?: No

Marital Status:

Person Hospitalized?: No

Employee?: No

Injured: No

Interviewed?: No

Notes:

Linked To Person: Brogdon, Carlos

# Incident Narratives

Incident Narratives			Total = 1
---------------------	--	--	-----------

AUTHOR:	Milam, Jason	Narrative Type:	Original Narrative
---------	--------------	-----------------	--------------------

Created By Date/Time	9/27/2022 3:20 PM	Sealed	No
----------------------	-------------------	--------	----

**Narrative:**

Origin of Call: On September 26, 2022 at approximately 2000 hours, Security Shift Supervisor Jason Milam was requested to the main cage to approach one of the suspects in a recent B.O.L.O. Suspect; Carlos J. Brogdon was identified by the Cash Ops department, shortly after an attempt to approach, and inform Mr. Brogdon (AKA James C.) of his ban to this casino was made. This attempt failed as Mr. Brogdon fled property via the South entrance.

Interview: Mr. Brogdon was already in active egress towards the South. S/S Milam, was able to call out to him, but he only stopped long enough to say: "Nah, that ain't me." S/S Milam followed him and confirmed with Surveillance that he was following the right person, which Mr. Brogdon must have heard since he started to run. S/S Milam had called out to inform that he just wanted to talk, but Mr. Brogdon picked up his pace to run out of the South entrance.

Action Taken: Surveillance maintained video coverage and had alerted S/S Milam to attempt the approach. Any attempted criminal activity was denied as all departments involved were prepared to interact with such incidents. Unfortunately, the suspect wears head dressing and a medical mask to conceal his features from fully matching the available picture, yet his actions indicate his knowledge that he is known to the casino for his criminal intent.

Attachment: A copy of the suspect's face photo and one of him at the cash checking window, has been filed with this report.



## Attachments

Selected for Printing

Total = 2



Picture  
09.26.2022 Carlos Brogdon 1.jpg  
Size: 78 KB  
Description:

### Carlos J Brogdon



Attachment Type: Picture  
File Name: Carlos J Brogdon.jpg  
File Size: 7 KB  
Description:

## Incident Controls

### Incident Controls

Org Rollup Name	Access Level:	Level 2
Org Level 1:	Status:	Open
Org Level 2:		
Org Level 3:		
Org Level 4:	Locked:	No
	Archive (record not visible):	No
	Record Owner:	Milam, Jason

### Incident Visibility

Owner Workgroup:	Security	Exceptions:	Workgroup Name	Record Rights
All Workgroups:	None			



Incident Record Created By jason.milam, 9/27/2022 7:18 PM GMT

Last Modified By jason.milam, 9/27/2022 9:25 PM GMT

Calder Casino & Race Course

21001 NW 27th Avenue  
Miami Gardens, Florida United States  
33056

# Incident Report

Incident Number: SURV-2022-09-00082

Class/Category: Non Criminal/Informational Report

Occurred From Date/Time: 9/12/2022 8:18 PM

Status: Open



## Incident Details

### Incident Details

Incident Number: SURV-2022-09-00082

#### Classification

---

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/22/2022 10:45 AM

Occurred From Date/Time: 9/12/2022 8:18 PM

#### Business Unit

---

Business Unit: Gaming

Department: Cash Ops

#### Summary:

On September 12, 2022 at approximately 8:18 pm, it was observed that the guest named Carlos J. Brogdon was observed requesting a credit cash transaction at our check cashing win.

#### Physical Location

---

Site: Casino

Building: Front of House

Location: Cashier

Section: North

### Supplemental Details

Reported to Police: No

## Incident Involvement Section

Linked Person

Total = 1

BROGDON, Carlos

Involvement Type:

Suspect



Date of Birth:

Phone Number:

Gender: Male

Address:

Hair Color:

Eye Color:

Height: 00' 00"

Weight: 0lbs

First Aid Administered?: No

Marital Status:

Person Hospitalized?: No

Employee?: No

Injured: No

Interviewed?: No

Notes:

Linked To Person: Brogdon, Carlos

## Incident Narratives

Incident Narratives

Total = 2

AUTHOR: 39, Surv Narrative Type: Follow-up

Created By Date/Time 9/26/2022 8:57 PM Sealed No

Narrative:

Origin of Call: On September 26, 2022 at approximately 20:00 hours, Mr. Brogdon approached the Check Cashing Window. At approximately 20:01 hours Surveillance and Security Shift Supervisor Jason Milan were notified by Cash Operations Supervisor Alana Thomas and Cash Operations Shift Manager Jose Vargas.

Video Coverage: Upon Security Shift Supervisor Jason Milan approaching Mr. Brogdon, he began running down the center of the casino, making his way out through the South entrance. Mr. Brogdon hurried to the C-Lot where he entered a Black Nissan Altima (Tag # unidentified), and left property.

Information Supplied: According to Security Shift Supervisor Jason Milan, Milan had called Mr. Brogdon by his alias "James Segars." At this time, Mr. Brogdon began acting suspiciously, stating, "nah, that ain't me," before running off.

AUTHOR: 3, Surv Narrative Type: Original Narrative

Created By Date/Time 9/27/2022 11:51 AM Sealed No

Narrative:

Greetings,

Craig Catlin, Special Investigations Team with Synchrony Bank is investigating fraudulent transactions that were conducted by a bravo couple at the Check Cashing window.

Attached is an excel spreadsheet which has the date and transaction times (central time). Please add 1 hour to determine the exact visit at the Check Cashing Window.

Could you please research to determine if we have them on video, as well as a copy of their driver's licenses on file?

He is on property but I told him we will research and hopefully provide him some information tomorrow.

Thanks for your research in advance.

Susan

At the time of this review based on the spreadsheet Susan provided Surveillance, it was observed that Mrs. Carlos J. Brogdon was requesting a credit card advance at Calder Casino Check Chasing window on September 12, 2022. Be advised this incident is under investigation by Mr. Craig Catlin(Special Investigation Team with Synchrony Bank)

## Incident Controls

### Incident Controls

Org Rollup Name	Access Level:	Level 2
Org Level 1:	Status:	Open
Org Level 2:		
Org Level 3:		
Org Level 4:	Locked:	No
	Archive (record not visible):	No
	Record Owner:	3, Surv

### Incident Visibility

Owner Workgroup:	Surveillance	Exceptions:	Workgroup Name	Record Rights
All Workgroups:	None			



Incident Record Created By leonides.martinez, 9/22/2022 2:48 PM GMT

Last Modified By leonides.martinez, 9/27/2022 3:52 PM GMT



### Transaction Detail Report

Calder

Date	DXID	Type	Account	Disposition	Clerk	Amount	Fee	Total
09/12/2022 08:18:30 PM	FC2000000000000000000011123336	Credit Sale	██████████7	APPROVED	Patricia Gibson	500.00	35.00	535.00
<b>Totals Non Inquiry:</b>						<b>500.00</b>	<b>35.00</b>	<b>535.00</b>
<b>Calder Totals Non Inquiry</b>						<b>\$500.00</b>	<b>\$35.00</b>	<b>\$535.00</b>
<b>Grand Totals Non Inquiry</b>						<b>\$500.00</b>	<b>\$35.00</b>	<b>\$535.00</b>

Report data from 9/1/2022 12:00:00 AM to 9/30/2022 11:59:00 PM ; Merchant(s) = Calder ; Clerk(s) = Patricia Gibson ; Player First Name =

████████████████████

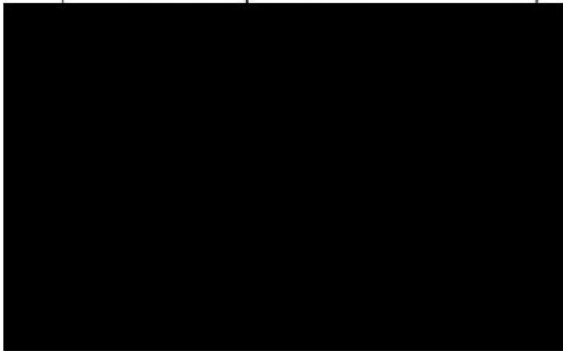


# Calder

## Transaction Detail Report

Customer:	[REDACTED]
Address:	9820 CREEKFRONT RD
City:	JACKSONVILLE
State:	FL
Zip Code:	32256
Telephone:	[REDACTED]
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	[REDACTED]
DOB:	[REDACTED]
Sex:	
Date/Time DL Scanned:	9/12/2022 8:18:30 PM

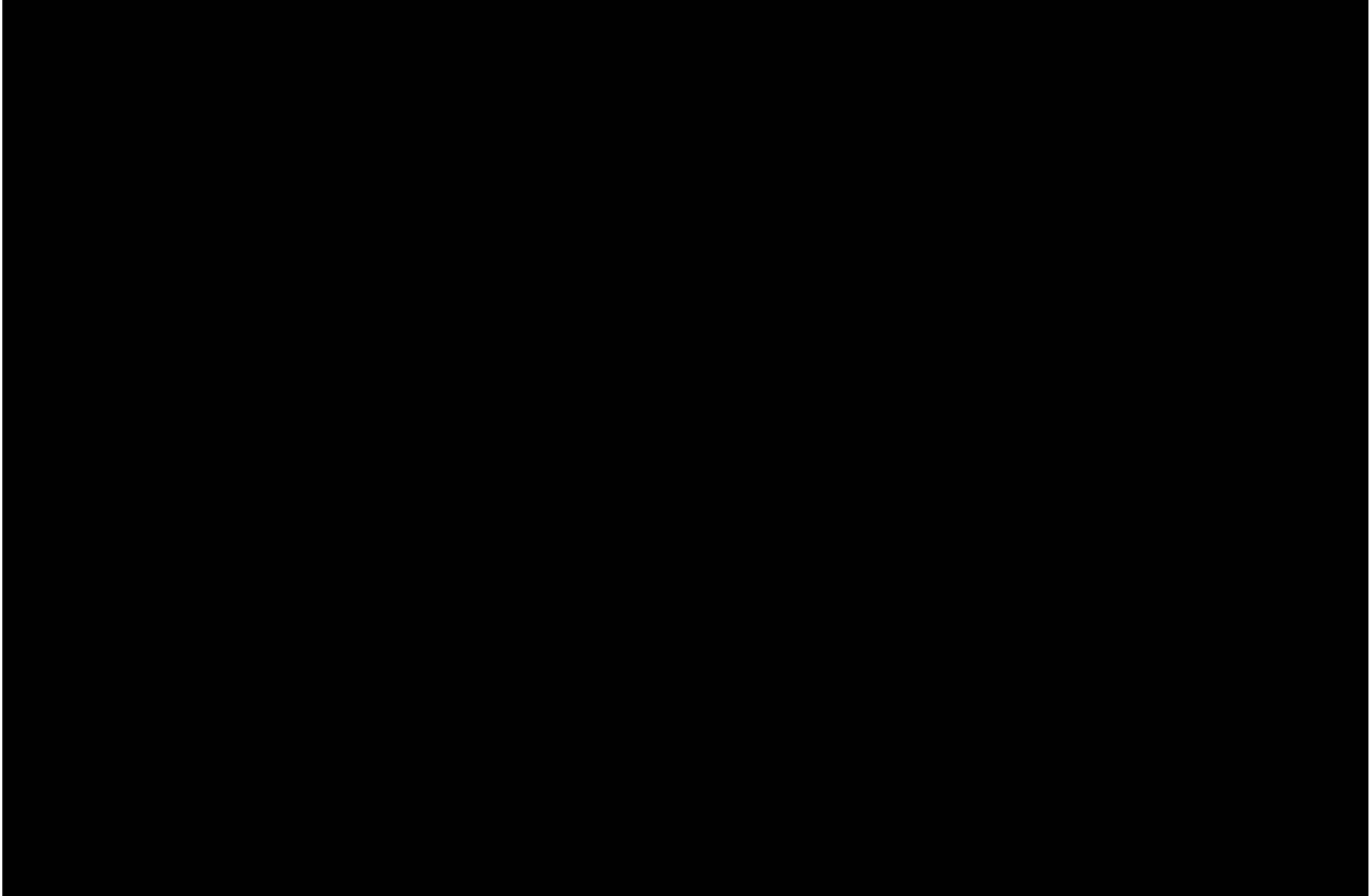
Clerk:	Patricia
[REDACTED]	[REDACTED]
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	[REDACTED]
Account No.:	[REDACTED]
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$500.00
Fees US\$:	\$35.00
Tax US\$:	\$0.00
Total US\$:	\$535.00
Date/Time Trans:	9/12/2022 8:18:30 PM
Trans Time Lapse:	



Customer Signature

Clerk Signature

Cashier Signature



## Raul Suau

---

**From:** Catlin, Craig (Synchrony) <Craig.Catlin@syf.com>  
**Sent:** Wednesday, April 5, 2023 9:02 PM  
**To:** Raul Suau  
**Subject:** RE: Calder Casino fraudulent credit card transactions

**[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.

Hey Raul,

Hope all is good.

The subjects called Synchrony and fraudulently changed the address on existing accounts. Then requested replacement credit cards. The credit cards were mailed to the fraudulent address. I'm meeting with Miami-Dade PD detectives at the end of the month to confirm the details for their arrests.

Let me know if you need anything else.

Stay safe.

Craig

Craig Catlin  
Vice President  
Special Investigations Team  
Synchrony

T: 786-778-9090

E: [craig.catlin@syf.com](mailto:craig.catlin@syf.com)



---

**From:** Suau, Raul <Raul.Suau@fgcc.fl.gov>  
**Sent:** Wednesday, April 5, 2023 10:41 AM  
**To:** Catlin, Craig (Synchrony) <Craig.Catlin@syf.com>  
**Subject:** [External] Calder Casino fraudulent credit card transactions

Good morning sir,

I am an Investigator for the Florida Gaming Control Commission. I am currently working on three cases involving credit card fraud on individuals that used cards issued by Synchrony. They are Carlos Jose Brogdon, Ryan Austin Duarte and Shaniya Branae Murphy. It is not a law enforcement investigation so it will not interfere with what you are doing in any

manner. We are trying to permanently exclude them from all facilities governed by the Florida Gaming Control Commission.

In your e-mail to Iliana Velazquez, the Director of Compliance at Calder Casino, you state that the cards may be stolen. Could you tell me whether the cards were physically stolen or their information was stolen and the cards cloned?

Thank you in advance for your help.



**Raul Suau**

**Investigations Specialist II**

Florida Gaming Control Commission

Division of Pari-Mutuel Wagering

Investigations

954-202-6787 Office 954-202-3930 FAX

954-658-3663 Cell

























CURRENT_ACCOUNT_NBR	TRANSACTION_DATE	TRANSACTION_CODE	PAYMENT_SOURCE_CODE	PAYMENT_MEDIA_TYPE	PI_TYPE_CODE	EXTERNAL_STATUS	EXP_DATE
	08/26/2022	CA			06		202408
	09/12/2022	CA			06		202408
	09/09/2022	CA			06		202608
	09/09/2022	CA			06		202608
	09/09/2022	CA			06		202610
	09/09/2022	CA			06		202506
	09/09/2022	CA			06		202506
	09/09/2022	CA			06		202705
	09/09/2022	CA			06		202705
	09/07/2022	CA			06		202503
	09/06/2022	CA			06		202501
	09/09/2022	CA			06		202404



AUTH_TIME	AUTH_AMT	AUTH_NBR	POINT_OF SALE ENTRY MODE	KEY_SWIPE_FLAG	DAT_ECOM_STTS_CD	CREDIT_LIMIT	AVAILABLE_CREDIT	MERCHANT_NBR
225026	1943.10	02671Y	051			10000.00	7500.00	
191201	1880.25	01215Y	051			19000.00	11421.00	
002038	941.10	00957Y	051			5000.00	3804.00	
004832	836.75	00916Y	051			5000.00	3909.00	
002246	836.75	00947Y	051			4500.00	3657.00	
001327	941.10	00908P	051			15900.00	12625.00	
002517	836.75	00903P	051			15900.00	11789.00	
004717	941.10	00908Y	051			15000.00	12845.00	
001441	941.10	00993Y	051			15000.00	13786.00	
201452	941.10	00752Z	051			5000.00	4059.00	
200519	2402.00	00630B	051			12300.00	8547.00	
004556	836.75	00978P	051			12600.00	11764.00	

MERCHANT CAT_CODE	MERCHANT_NAME	MERCHANT_CITY	MERCHANT_ STATE_ COUNTRY	FRAUD_ SCORE	ADDRESS_ VERIFY	CVV_ VERIFY	CVV2 RESULT_ CODE	CVV2 _SENT_ CODE
6051	EVI* SEMINOLE INDIAN	HOLLYWOOD	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		



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# CRIMINAL JUSTICE ONLINE SYSTEM

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### Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

### ☰ Defendant List

Defendant(S) Found: 4

<a href="#">More Info. (Information)</a>	<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Race</u>	<u>Sex</u>	<u>Date Of Birth</u>
	BROGDON	CARLOS		B	M	[REDACTED]
	BROGDON	CARLOS		B	M	[REDACTED]
	BROGDON	CARLOS	J	B	M	[REDACTED]
	BROGDON	CARLOS	JOSE	B	M	[REDACTED]

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## CRIMINAL JUSTICE ONLINE SYSTEM

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### Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

### ☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	M-03-048906	09/26/2003	10/23/2003	ALCOHOL/CONSUM/STORE

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### Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

### ☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	F-03-031579	11/07/2003	11/26/2003	COCAINE/PURCHASE

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## Q Search Criteria

Court Case No.: F-03-031579

\*\* This case is not eligible to be paid online. For more information, please contact the Clerk's Office at (305) 275-1155 \*\*

## ☰ Case Information

<b>State Case No.:</b>	13-2003-CF-031579-0001-XX	<b>Name:</b>	BROGDON, CARLOS AKAs	<b>Date of Birth:</b>	<span style="background-color: black; color: black;">[REDACTED]</span>
<b>Date Filed:</b>	11/07/2003	<b>Date Closed:</b>	11/26/2003		
<b>Warrant Type:</b>		<b>Warrant Amount:</b>	\$0.00		
<b>Assessment Amount:</b>	\$0.00	<b>Balance Due:</b>	\$0.00	<b>Stay Due Date:</b>	
<b>Judge:</b>	VERDE MARIA ELENA	<b>Defense Attorney:</b>	COHEN, AUDRA		
<b>File Section:</b>	F051	<b>File Location:</b>	DESTROYED	<b>Box No.:</b>	
<b>Defendant in Jail:</b>	N	<b>Defendant Release to:</b>			
<b>Bond Amount:</b>	\$0.00	<b>Bond Status:</b>			
<b>Arresting Agency:</b>	MIAMI DADE POLICE	<b>Arrest Date:</b>	11/06/2003		

## ↩ Hearing

There are no scheduled hearings

## ☰ Charges

Total Of Charges: 2

📄 EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	COCAINE/PURCHASE	FELONY	NO ACTION
2	CANNABIS/PURCHASE	FELONY	NO ACTION

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## CRIMINAL JUSTICE ONLINE SYSTEM

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### Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

### ☰ Case(S) List

Total Of Cases: 2

	Case	Filed Date	Closed Date	First Charge
	M-22-023005	11/28/2022	12/21/2022	BATTERY
	F-14-000483	01/10/2014	02/26/2014	RBRY/STRNGARM/101/19

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### Q Search Criteria

Court Case No.: M-22-023005

### ☰ Case Information

<b>State Case No.:</b>	13-2022-MM-023005-0001-XX	<b>Name:</b>	BROGDON, CARLOS JOSE <u>AKAs</u>	<b>Date of Birth:</b>	[REDACTED]
<b>Date Filed:</b>	11/28/2022	<b>Date Closed:</b>	12/21/2022		
<b>Warrant Type:</b>		<b>Warrant Amount:</b>	\$0.00		
<b>Assessment Amount:</b>	\$50.00	<b>Balance Due:</b>	\$50.00	<b>Stay Due Date:</b>	
<b>Judge:</b>	BANDIN, CHRISTINE	<b>Defense Attorney:</b>	PUBLIC DEFENDER APPOINTMENT, ASSIGN		
<b>File Section:</b>	M089	<b>File Location:</b>	FILE ROOM	<b>Box No.:</b>	
<b>Defendant in Jail:</b>	N	<b>Defendant Release to:</b>	PENA/PSC,		
<b>Bond Amount:</b>	\$1,500.00	<b>Bond Status:</b>	DISCHARGED		
<b>Bond Type:</b>	SURETY	<b>Bond Issue Date:</b>	11/28/2022		
<b>Arresting Agency:</b>	CITY OF MIAMI GARDENS	<b>Arrest Date:</b>	11/27/2022		

### 🔍 Hearing

There are no scheduled hearings

### ☰ Charges

Total Of Charges: 1

[EXPORT TO CSV](#)

Seq No.	Charge	Charge Type	Disposition
1	BATTERY	MISDEMEANOR	NO ACTION

[Dockets](#)

Total Of Dockets: 18

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Seq. No.	Date	Book/Page	Docket
22	12/23/2022		DISCHARGE CERTIFICATE ISSUED PSE251015449
21	12/21/2022		ORDER TERMINATING PRE-TRIAL RELEASE CONDITIONS
20	12/21/2022		PSC AMT/ 1500 DISCHARGED 12/21/2022 POWER/PSE251015449
19	12/21/2022		CLOSING JUDGE BANDIN, CHRISTINE
18	11/30/2022		WAIVER OF PRE-TRIAL CONFERENCE
17	11/30/2022		DEMAND FOR TRIAL BY JURY
16	11/30/2022		NOTICE OF DISCOVERY
15	11/30/2022		WRITTEN PLEA OF NOT GUILTY
14	11/30/2022		ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER
13	12/05/2022		BOND RECEIVED PSE251015449
12	11/28/2022		PSC AMT/ 1500 ISSUED 11/28/2022 POWER/PSE251015449
9	11/29/2022		INTAKE UNIT ASSIGNED: MISD DOMESTIC VIOLENCE
8	11/29/2022		INTAKE PROS. ASSIGNED: CAPOTE, DANIELLA L
6	11/28/2022		AFFIDAVIT FOR INDIGENT STATUS - INDIGENT
4	11/28/2022		ARRAIGNMENT HEARING SCHEDULED FOR 12/21/2022 AT 09:30
3	11/28/2022		STAY AWAY ORDER - PRE TRIAL CONDITIONAL NO CONTACT
2	11/28/2022		CURRENT BOND STATUS \$1500
1	11/28/2022		FIRST APPEARANCE/D.V. JAIL ARRAIGNMENT

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# CRIMINAL JUSTICE ONLINE SYSTEM

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## Q Search Criteria

Court Case No.: F-14-000483

\*\* This case is not eligible to be paid online. For more information, please contact the Clerk's Office at (305) 275-1155 \*\*

## ☰ Case Information

<b>State Case No.:</b> 13-2014-CF-000483-0001-XX	<b>Name:</b> BROGDON, CARLOS JOSE <u>AKAs</u>	<b>Date of Birth:</b> [REDACTED]
<b>Date Filed:</b> 01/10/2014	<b>Date Closed:</b> 02/26/2014	
<b>Warrant Type:</b>	<b>Warrant Amount:</b> \$0.00	
<b>Assessment Amount:</b> \$0.00	<b>Balance Due:</b> \$0.00	<b>Stay Due Date:</b>
<b>Judge:</b> CABARGA, CARMEN R	<b>Defense Attorney:</b>	
<b>File Section:</b> F001	<b>File Location:</b> SCANNED	<b>Box No.:</b>
<b>Defendant in Jail:</b> N	<b>Defendant Release to:</b> MIRANDA/CFI	
<b>Bond Amount:</b> \$0.00	<b>Bond Status:</b> DISCHARGED	
<b>Bond Type:</b> RELEASED OWN RECOGNIZANCE	<b>Bond Issue Date:</b> 02/10/2014	
<b>Arresting Agency:</b> MIAMI DADE POLICE	<b>Arrest Date:</b> 01/08/2014	

## ↩ Hearing

There are no scheduled hearings

## ☰ Charges

Total Of Charges: 2

EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	RBRY/STRNGARM/101/19	FELONY	NO ACTION
2	BATTERY/FELONY	FELONY	NO ACTION

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EXPORT TO CSV

Seq. No.	Date	Book/Page	Docket
24	02/26/2014		CLOSING JUDGE LUCK, ROBERT J
23	02/26/2014		ROR AMT/ 0 DISCHARGED 02/26/2014 POWER/
21	02/18/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/26/2014 AT 09:00
19	02/11/2014		DISCHARGE CERTIFICATE ISSUED C570106364
18	02/11/2014		DISCHARGE CERTIFICATE ISSUED C1070102523
17	02/10/2014		ROR AMT/ 0 ISSUED 02/10/2014 POWER/
16	02/10/2014		CFI AMT/ 7500 DISCHARGED 02/10/2014 POWER/C1070102523
15	02/10/2014		CFI AMT/ 5000 DISCHARGED 02/10/2014 POWER/C570106364
14	02/10/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/18/2014 AT 09:00
13	02/07/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/10/2014 AT 09:00
11	01/10/2014		BOND RECEIVED POWER/RECEIPT# C570106364
10	01/10/2014		BOND RECEIVED POWER/RECEIPT# C1070102523
9	01/08/2014		CFI AMT/ 5000 ISSUED 01/08/2014 POWER/C570106364
8	01/10/2014		INTAKE PROS. ASSIGNED: TARG-PL, ELYSE-LS
7	01/09/2014		INTAKE UNIT ASSIGNED: FELONY DOMESTIC CRIMES
5	01/09/2014		JUDGE LOBREE, FLEUR J ASSIGNED-SECTION F003
4	01/09/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/07/2014 AT 09:00
2	01/09/2014		CFI AMT/ 7500 ISSUED 01/09/2014 POWER/C1070102523
1	01/08/2014		DEFN CITY & STREET CHANGED BY FINALIST PURSUANT TO BOOKING

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EXHIBIT #8  
PAGE #15

Luis G. Montaldo  
Clerk Ad Interim

Miami-Dade County  
Clerk of the Courts

73 W. Flagler Street  
Miami, Florida 33130

305-275-1155

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EXHIBIT # 8  
PAGE # 16

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# Find an inmate.

Locate the whereabouts of a federal inmate incarcerated from 1982 to the present. Due to the First Step Act, sentences are being reviewed and recalculated to address pending Federal Time Credit changes. As a result, an inmate's release date may not be up-to-date. Website visitors should continue to check back periodically to see if any changes have occurred.

Find By Number

Find By Name

First	Middle	Last	Race	Age	Sex
CARLOS	JOSE	BROGDON	<input type="text"/>		Male

0 Results for search **CARLOS JOSE BROGDON**, Sex: **Male** Clear Form Search

About the inmate locator & record availability

- |  |  |   |   |   |  |  |
|--|--|---|---|---|--|--|
| <b>About Us</b>  | <b>Inmates</b>   | <b>Locations</b>  | <b>Careers</b>  | <b>Business</b>   | <b>Resources</b>   | <b>Resources For ...</b>   |
| <ul style="list-style-type: none"> <li>About Our Agency</li> <li>About Our Facilities</li> <li>Historical Information</li> <li>Statistics</li> </ul> | <ul style="list-style-type: none"> <li>Find an Inmate</li> <li>First Step Act</li> <li>Communications</li> <li>Custody &amp; Care</li> <li>Visiting</li> <li>Report a Concern</li> </ul> | <ul style="list-style-type: none"> <li>List of our Facilities</li> <li>Map of our Locations</li> <li>Search for a Facility</li> </ul> | <ul style="list-style-type: none"> <li>Life at the BOP</li> <li>Explore Opportunities</li> <li>Current Openings</li> <li>Application Process</li> <li>Our Hiring Process</li> </ul> | <ul style="list-style-type: none"> <li>Acquisitions</li> <li>Solicitations &amp; Awards</li> <li>Reentry Contracting</li> </ul> | <ul style="list-style-type: none"> <li>Policy &amp; Forms</li> <li>News Stories</li> <li>Press Releases</li> <li>Publications</li> <li>Research &amp; Reports</li> </ul> | <ul style="list-style-type: none"> <li>Victims &amp; Witnesses</li> <li>Employees</li> <li>Volunteers</li> <li>Former Inmates</li> <li>Media Reps</li> </ul> |

**Julio Minaya**

---

**From:** Bradford Jones  
**Sent:** Thursday, June 8, 2023 1:40 PM  
**To:** Julio Minaya  
**Subject:** RE: DOJ SEARCH

Sorry, not finding anything for either of them.



**Bradford D. Jones**  
Chief of Investigations  
Division of Pari-Mutuel Wagering

---

**From:** Julio Minaya <Julio.Minaya@flgaming.gov>  
**Sent:** Thursday, June 8, 2023 1:30 PM  
**To:** Bradford Jones <Bradford.Jones@flgaming.gov>  
**Subject:** RE: DOJ SEARCH

No.



**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

---

**From:** Bradford Jones <Bradford.Jones@flgaming.gov>  
**Sent:** Thursday, June 8, 2023 1:27 PM  
**To:** Julio Minaya <Julio.Minaya@flgaming.gov>  
**Subject:** RE: DOJ SEARCH

Do you have a possible charge date?



**Bradford D. Jones**  
Chief of Investigations  
Division of Pari-Mutuel Wagering

**EXHIBIT #8**  
**PAGE #18**

**From:** Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>  
**Sent:** Thursday, June 8, 2023 12:04 PM  
**To:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Subject:** DOJ SEARCH

Per our conversation;

RYAN AUSTIN DUARTE DOB [REDACTED]

CARLOS JOSE BROGDON DOB [REDACTED]

THANKS



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**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

Closed: 06/14/23  
72 Days

FAQ | Help | Sign Out

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: **nmelvai**

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

Lic Type <b>1098 - Unlicensed Complaints</b>	Status <b>90 Closed</b>	Status Date <b>06/13/2023</b>
Complaint # <b>2023018935</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>BROGDON, CARLOS</b>	Responsible <b>jminaya - MINAYA, JULIO</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>INTR - Internal</b>	Priority		
Class'n <b>UNLI - Unlicensed Activity Investigations</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security <b>STND - Standard</b>	Incident <b>12/26/2022</b>	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Region <b>SR - Southern Region</b>	Received <b>04/03/2023</b>	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Reference <b>550.0251</b>	Entered By <b>icampbell</b>	<input type="checkbox"/> Inspection	
Entered <b>04/03/2023</b>		<input type="checkbox"/> Costs	
Summary	<p><b>285 - Calder Race Course, Inc. - 550.0251 (Powers and duties of the FGCC): According to Synchrony Bank beginning in April of 2022, they have been monitoring a group of individuals that were fraudulently utilizing Synchrony Bank Credit cards to make cash withdrawal at numerous locations. On September 12, 2022, an individual identified as Carlos Jose Brogdon visited Calder Casino using an alias of James Segars and obtained a cash advance in the amount of \$500.00. He then returned on September 26, 2022 and attempted to make another cash advance withdrawal however, the card had been flagged by Synchrony, and Brogdon was unable to complete the cash advance. Synchrony, contacted Calder Casino for information on the transaction at which Calder Casino provided all information relative to the transaction. According to an e-mail from Synchrony Banks Fraud Department, Brogdon was identified using facial recognition by a law enforcement contact working with Synchrony's Fraud Department. Brogdon was permanently excluded by the facility.</b></p>	<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>06/14/2023 10:25:37</b>	By <b>nmelvai</b>		

72 Days	<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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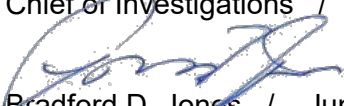
Get Adobe Reader.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>April 3, 2023</b>	Case Number: <b>2023 01 8935</b>
Respondent:  <b>BROGDON, CARLOS JOSE 3845 NW 213 St. MIAMI GARDENS, FL. 33055</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309</b>	
License # and Type: <b>N/A - 1098</b>	Profession: <b>Patron</b>	Report Date: <b>June 6, 2023</b>	
Period of Investigation: <b>From April 3, 2023 through June 6, 2023</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 550.0251 The 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:</b></p> <p><b>(6)</b> 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 permitholder to exclude absolutely a patron in this state.</p>			
<p><b>Synopsis:</b> On September 26, 2022, I received an e-mail from Calder Casino Risk &amp; Communication Manager Melissa Brooks informing me that on September 21, 2022, a patron identified as Carlos Jose <b>BROGDON</b> had been permanently excluded from the facility for fraudulent transactions. When I inquired as to the nature of the transactions, I was informed by Calder Compliance Officer Iliana Velasquez that in April of 2022, Synchrony Bank began monitoring a group of individuals that were fraudulently utilizing stolen Synchrony Bank Credit cards to make cash withdrawals at numerous locations including Calder Casino. On September 12, 2022, <b>BROGDON</b> visited Calder Casino using an alias of "James Segars" and obtained a cash advance in the amount of \$500.00. On September 20, 2022, Synchrony's Fraud Investigator, Craig Catlin visited Calder Casino seeking information into numerous fraudulent credit card transactions involving cash advances that were successfully committed by this group of individuals. During Catlin's visit, several individuals were identified including Carlos Jose <b>BROGDON</b>. <b>BROGDON</b> returned to Calder on September 26, 2022 and attempted to make another cash advance withdrawal however, the credit card he presented had been flagged by Synchrony, and <b>BROGDON</b> was unable to complete the cash advance. Although not present <b>BROGDON</b> was permanently excluded by the facility.</p>			
Related Case: 2023 01 9619, 2023 02 8537			
Investigator / Date   Raul Suau / June 6, 2023		Investigator Supervisor / Date   Julio Minaya / June 13, 2023	
Chief of Investigations / Date   Bradford D. Jones / June 13, 2023			

## CONTINUATION

This case is predicated on a fraudulent transaction that patron Carlos Jose **BROGDON** committed during his visit to Calder Casino on September 12, 2022. Upon further inquiry it was discovered that as of April 2022, Synchrony Bank's Fraud Department has been investigating **BROGDON** and a group of individuals that have been fraudulently using stolen credit cards issued by Synchrony to illegally obtain cash advances impacting numerous local businesses including Calder Casino. During their monitoring of the credit cards in question, Synchrony Bank became aware that several stolen credit cards had been used to obtain cash advances at Calder Casino.

According to Compliance Officer Iliana Velazquez on September 12, 2022, a fraudulent cash advance transaction in the amount of \$500.00 was conducted by **BROGDON** using a stolen credit card issued by Synchrony Bank. The name used to obtain the money was that of the actual card holder, James Segars, an individual with a Jacksonville address. The identification used by **BROGDON** under the name of Segars, turned out to be a bogus Florida Driver's license.

As per Velazquez, on September 20, 2022, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into **BROGDON's** September 12, 2022 cash advance transaction and other transactions. It was during this meeting that Catlin provided Velazquez and Susan Flores, the former Calder Casino Compliance Officer, an Excel sheet containing numerous transaction numbers of cash advances that were completed in Calder Casino by **BROGDON** and others using stolen credit cards. According to Velazquez, Catlin stated that these fraudulent transactions have caused Synchrony Bank over \$500,000.00 in financial losses. With the information provided by Catlin the facility's cage team conducted their own research and confirmed that **BROGDON** and others had committed the transactions. The other subjects were identified as Ryan Austin Duarte and Shaniya Branae Murphy.

While the cage looked through its' own records, the Surveillance Department was reviewing video footage of a fraudulent transactions for September 12, 2022. It was during this review that surveillance noticed a male with Shaniya Branae Murphy. When they compared the image of the male in the video with photos provided by Synchrony's Fraud Investigator, the facility identified the male as "James Segars" based on information contained in the facility FABICASH Transaction Report which included a copy of a Florida driver's license bearing that name. After learning of the identification "Segars", Synchrony's Fraud Investigator responded by stating that his sources in Law Enforcement had determined the license on the FABICASH Report was fraudulent, and the suspect individuals' real name was Carlos Jose **BROGDON (Exhibit #3)**.

On September 21, 2022, after identifying all parties involved, a Be-On-The-Look-Out (BOLO) was issued within Calder for **BROGDON**, Ryan Austin Duarte and Shaniya Branae Murphy. **BROGDON**, Duarte and Murphy were then permanently excluded from the facility (**Exhibit #4**).

On September 26, 2022, **BROGDON** returned to the facility and stood in line at the Casino Cage (apparently intending to conduct yet another fraudulent transaction) when he was identified by Cash Operations Supervisor Alana Thomas and Cash Operations Shift Manager Jose Vargas who proceeded to notify security. As Security Shift Manager Jason Milam approached **BROGDON** while simultaneously calling him by the name of "Segars", **BROGDON** denied being "Segars" and fled from the facility via the south entrance. He was observed running through the parking lot and exiting the facility property; he was not apprehended.



## CONTINUATION

On June 8, 2023, the undersigned investigator conducted a search of the Miami/Dade County Clerk of Courts to see if **BROGDON** has been arrested in relation to this incident. Although **BROGDON** has been arrested in the past, none of the arrests discovered are related to this incident. I also conducted a search of the U.S Bureau of Prisons to determine if **BROGDON** was currently in federal custody; results were negative. I then requested that a check be conducted through the U.S. Department of Justice PACER system to see if any federal indictment had been filed against **BROGDON**. Per Chief of Investigations Bradford D. Jones, results were negative (**Exhibit #8**).

**Conclusion;** Case closed by Investigations and forwarded to Legal for review and possible state-wide exclusion from all Florida Pari-Mutuel Wagering facilities.

CONTINUATION

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## Suau, Raul

---

**From:** Catlin, Craig (Synchrony) <Craig.Catlin@syf.com>  
**Sent:** Tuesday, September 27, 2022 12:15 PM  
**To:** Iliana Velazquez  
**Subject:** FW: Fraudsters at Calder Casino

**\*\*External Email\*\***

***DO NOT* open attachments or click on links from unknown senders or unexpected emails.**

---

FYI

---

**From:** Catlin, Craig (Synchrony)  
**Sent:** Tuesday, September 27, 2022 12:13 PM  
**To:** Richard.Sukhu@caldercasino.com  
**Subject:** Fraudsters at Calder Casino

Good morning Richard,

I would like to give my sincere appreciation to your security team at Calder.

I'm a retired detective from North Miami Beach PD and worked on a federal task force in South Florida my last 10 years of my law enforcement career. I retired in 2017. I've been with Synchrony since 2017. I cover southeast United States for fraud investigations including west thru Texas. Synchrony Bank issues credit cards for numerous retail clients and the credit cards are dual purpose (Visa/Mastercard). Some of our clients are Lowe's, Sam's Club, QVC, Amazon, Ebay etc etc.

These cards are used for legitimate cash advances at Calder but many fraudsters use stolen credit cards for cash advances too.

I have been investigation a fraud ring since April this year. This ring obtains Synchrony issued credit cards and fraudulently use them through out South Florida. I have obtained video of these fraudsters at Marshalls, Lowe's, Macy's and other retail stores. For months, I have not been able to identify this ring. Several of the credit cards were used at Calder Casino.

Last week, I traveled to South Florida for several meetings in federal agents and the US Attorney's Office on different cases. I visited Calder with no appointment because I did not have a contact. I had the pleasure of meeting Iliana Velaquez and Susan Flores. Immediately, they offered to provide any help that they could give. I provided them a list of fraudulent transactions. Later that day, I received a call from Susan that she had a package and to return to Calder in the morning.

The following morning, I met with Iliana and Susan. The prepared package contained the identities of the female that I've been trying to identity for months! A male was identified that did several \$800 cash advances within an hour. Even after I left Calder, Iliana called about another subject that used a Synchrony issued credit card on the same day that was considered suspicious. Iliana provided a copy of the driver's license. The driver's license was a counterfeit Florida license. My law enforcement contacts identified this individual via facial recognition. This is another suspect that I've been trying to identify for months. INCREDIBLE!

Iliana contacted me this morning. This last suspect attempted another cash advance last night at Calder. When security attempted to interview the suspect, he fled.

This fraud ring is responsible for \$500K loss to Synchrony to date. Thanks to Iliana and Susan and the rest of your security team, this case is now being put together for federal prosecution.

Again, I want to thank Susan and Ileana. I can't say enough of how I appreciate their help and working with them. If they ever need anything from Synchrony, I will be more than happy to help.

Thanks and stay safe,

Craig

Craig Catlin  
Vice President  
Special Investigations Team  
Synchrony

T: 786-778-9090

E: [craig.catlin@syf.com](mailto:craig.catlin@syf.com)



Calder Casino & Race Course

21001 NW 27th Avenue  
Miami Gardens, Florida United States  
33056

# Incident Report

Incident Number: SEC-2022-09-00092

Class/Category: Non Criminal/Informational Report

Occurred From Date/Time: 9/26/2022 8:00 PM

Status: Open



## Incident Details

### Incident Details

Incident Number: SEC-2022-09-00092

#### Classification

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/27/2022 3:12 PM

Occurred From Date/Time: 9/26/2022 8:00 PM

#### Business Unit

Business Unit: Non Gaming

#### Summary:

On September 26, 2022 at approximately 2000 hours, Security Shift Supervisor Jason Milam was requested to the main cage to approach one of the suspects in a recent B.O.L.O. Suspect; Carlos J. Brogdon was identified by the Cash Ops department, shortly after an attempt to approach, and inform Mr. Brogdon (AKA James C.) of his ban to this casino was made. This attempt failed as Mr. Brogdon fled property via the South entrance.

#### Physical Location

Site: Casino

Building: Front of House

Location: Cashier

Section: North

### Supplemental Details

Reported to Police: No

## Incident Involvement Section

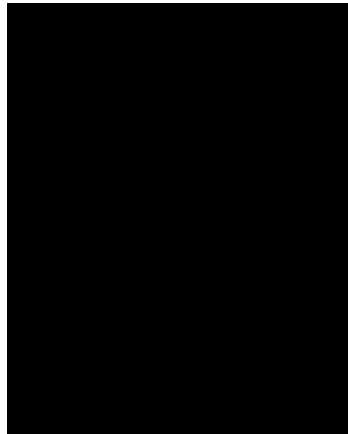
Linked Person

Total = 1

BROGDON, Carlos

Involvement Type:

Suspect



Date of Birth:

Phone Number:

Gender:

Black Male

Address:

Hair Color:

Eye Color:

Height:

00' 00"

Weight:

0lbs

First Aid Administered?: No

Marital Status:

Person Hospitalized?: No

Employee?:

No

Injured: No

Interviewed?:

No

Notes:

Linked To Person:

Brogdon, Carlos

# Incident Narratives

Incident Narratives			Total = 1
---------------------	--	--	-----------

AUTHOR:	Milam, Jason	Narrative Type:	Original Narrative
---------	--------------	-----------------	--------------------

Created By Date/Time	9/27/2022 3:20 PM	Sealed	No
----------------------	-------------------	--------	----

**Narrative:**

Origin of Call: On September 26, 2022 at approximately 2000 hours, Security Shift Supervisor Jason Milam was requested to the main cage to approach one of the suspects in a recent B.O.L.O. Suspect; Carlos J. Brogdon was identified by the Cash Ops department, shortly after an attempt to approach, and inform Mr. Brogdon (AKA James C.) of his ban to this casino was made. This attempt failed as Mr. Brogdon fled property via the South entrance.

Interview: Mr. Brogdon was already in active egress towards the South. S/S Milam, was able to call out to him, but he only stopped long enough to say: "Nah, that ain't me." S/S Milam followed him and confirmed with Surveillance that he was following the right person, which Mr. Brogdon must have heard since he started to run. S/S Milam had called out to inform that he just wanted to talk, but Mr. Brogdon picked up his pace to run out of the South entrance.

Action Taken: Surveillance maintained video coverage and had alerted S/S Milam to attempt the approach. Any attempted criminal activity was denied as all departments involved were prepared to interact with such incidents. Unfortunately, the suspect wears head dressing and a medical mask to conceal his features from fully matching the available picture, yet his actions indicate his knowledge that he is known to the casino for his criminal intent.

Attachment: A copy of the suspect's face photo and one of him at the cash checking window, has been filed with this report.



## Attachments

Selected for Printing

Total = 2

09.26.2022 Carlos Brogdon 1

---

Attachment Type: Picture  
File Name: 09.26.2022 Carlos Brogdon 1.jpg  
File Size: 78 KB  
Description:

Carlos J Brogdon

---



Attachment Type: Picture  
File Name: Carlos J Brogdon.jpg  
File Size: 7 KB  
Description:

## Incident Controls

### Incident Controls

Org Rollup Name	Access Level:	Level 2
Org Level 1:	Status:	Open
Org Level 2:		
Org Level 3:		
Org Level 4:	Locked:	No
	Archive (record not visible):	No
	Record Owner:	Milam, Jason

### Incident Visibility

Owner Workgroup:	Security	Exceptions:	Workgroup Name	Record Rights
All Workgroups:	None			



Incident Record Created By jason.milam, 9/27/2022 7:18 PM GMT

Last Modified By jason.milam, 9/27/2022 9:25 PM GMT

Calder Casino & Race Course

21001 NW 27th Avenue  
Miami Gardens, Florida United States  
33056

# Incident Report

Incident Number: SURV-2022-09-00082

Class/Category: Non Criminal/Informational Report

Occurred From Date/Time: 9/12/2022 8:18 PM

Status: Open



## Incident Details

### Incident Details

Incident Number: SURV-2022-09-00082

#### Classification

---

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/22/2022 10:45 AM

Occurred From Date/Time: 9/12/2022 8:18 PM

#### Business Unit

---

Business Unit: Gaming

Department: Cash Ops

#### Physical Location

---

Site: Casino

Building: Front of House

Location: Cashier

Section: North

#### Summary:

On September 12, 2022 at approximately 8:18 pm, it was observed that the guest named Carlos J. Brogdon was observed requesting a credit cash transaction at our check cashing win.

### Supplemental Details

Reported to Police: No

## Incident Involvement Section

Linked Person Total = 1

BROGDON, Carlos Involvement Type: Suspect



Date of Birth:		Phone Number:	
Gender:	Male	Address:	
Hair Color:			
Eye Color:			
Height:	00' 00"		
Weight:	0lbs	First Aid Administered?:	No
Marital Status:		Person Hospitalized?:	No
Employee?:	No	Injured:	No
Interviewed?:	No	Notes:	
Linked To Person:	Brogdon, Carlos		

## Incident Narratives

Incident Narratives Total = 2

AUTHOR:	39, Surv	Narrative Type:	Follow-up
---------	----------	-----------------	-----------

Created By Date/Time	9/26/2022 8:57 PM	Sealed	No
----------------------	-------------------	--------	----

## Narrative:

Origin of Call: On September 26, 2022 at approximately 20:00 hours, Mr. Brogdon approached the Check Cashing Window. At approximately 20:01 hours Surveillance and Security Shift Supervisor Jason Milan were notified by Cash Operations Supervisor Alana Thomas and Cash Operations Shift Manager Jose Vargas.

Video Coverage: Upon Security Shift Supervisor Jason Milan approaching Mr. Brogdon, he began running down the center of the casino, making his way out through the South entrance. Mr. Brogdon hurried to the C-Lot where he entered a Black Nissan Altima (Tag # unidentified), and left property.

Information Supplied: According to Security Shift Supervisor Jason Milan, Milan had called Mr. Brogdon by his alias "James Segars." At this time, Mr. Brogdon began acting suspiciously, stating, "nah, that ain't me," before running off.

AUTHOR:	3, Surv	Narrative Type:	Original Narrative
---------	---------	-----------------	--------------------

Created By Date/Time	9/27/2022 11:51 AM	Sealed	No
----------------------	--------------------	--------	----

## Narrative:

Greetings,

Craig Catlin, Special Investigations Team with Synchrony Bank is investigating fraudulent transactions that were conducted by a bravo couple at the Check Cashing window.

Attached is an excel spreadsheet which has the date and transaction times (central time). Please add 1 hour to determine the exact visit at the Check Cashing Window.

Could you please research to determine if we have them on video, as well as a copy of their driver's licenses on file?

He is on property but I told him we will research and hopefully provide him some information tomorrow.

Thanks for your research in advance.

Susan

At the time of this review based on the spreadsheet Susan provided Surveillance, it was observed that Mrs. Carlos J. Brogdon was requesting a credit card advance at Calder Casino Check Chasing window on September 12, 2022. Be advised this incident is under investigation by Mr. Craig Catlin(Special Investigation Team with Synchrony Bank)

## Incident Controls

### Incident Controls

Org Rollup Name	Access Level:	Level 2
Org Level 1:	Status:	Open
Org Level 2:		
Org Level 3:		
Org Level 4:	Locked:	No
	Archive (record not visible):	No
	Record Owner:	3, Surv

### Incident Visibility

Owner Workgroup:	Surveillance	Exceptions:	Workgroup Name	Record Rights
All Workgroups:	None			



Incident Record Created By leonides.martinez, 9/22/2022 2:48 PM GMT

Last Modified By leonides.martinez, 9/27/2022 3:52 PM GMT

## Transaction Detail Report

Calder

Date	DXID	Type	Account	Disposition	Clerk	Amount	Fee	Total
<b>Patron: SEGARS, JAMES</b>								
		Credit Sale		APPROVED	Patricia Gibson	500.00	35.00	535.00
<b>Totals Non Inquiry:</b>						<b>500.00</b>	<b>35.00</b>	<b>535.00</b>
<b>Calder Totals Non Inquiry</b>						<b>\$500.00</b>	<b>\$35.00</b>	<b>\$535.00</b>
<b>Grand Totals Non Inquiry</b>						<b>\$500.00</b>	<b>\$35.00</b>	<b>\$535.00</b>

Report data from 9/1/2022 12:00:00 AM to 9/30/2022 11:59:00 PM ; Merchant(s) = Calder ; Clerk(s) = Patricia Gibson ; Player First Name = JAMES ; Player Last Name = SEGars



# Calder

## Transaction Detail Report

Customer:	JAMES SEGARS
Address:	9820 CREEKFRONT RD
City:	JACKSONVILLE
State:	FL
Zip Code:	32256
Telephone:	3058464511
DL No:	[REDACTED]
DL State:	[REDACTED]
DL Exp Date:	[REDACTED]
DOB:	[REDACTED]
Sex:	
Date/Time DL Scanned:	9/12/2022 8:18:30 PM

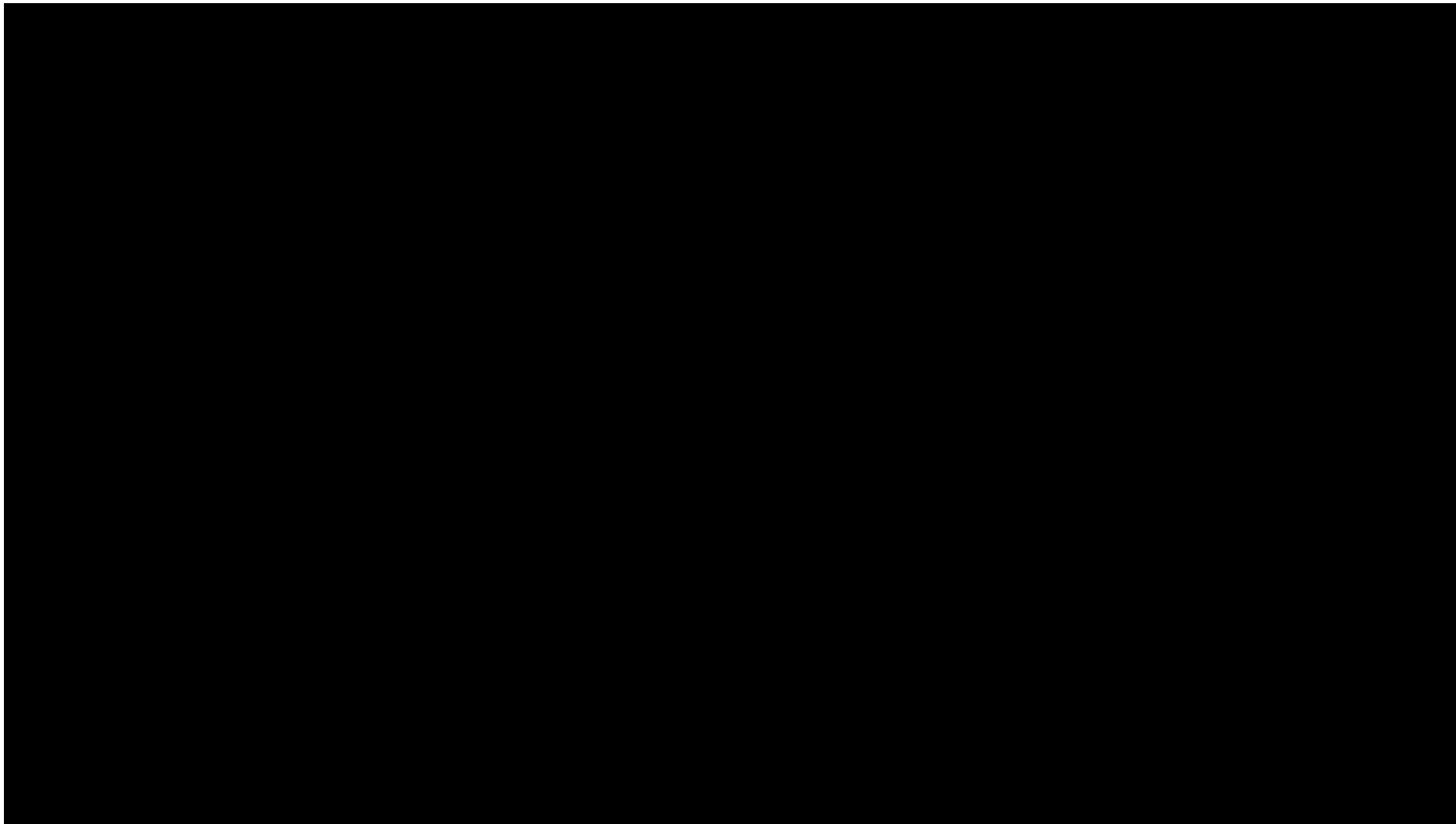


Clerk:	Patricia
Trans ID:	[REDACTED]
DXID:	[REDACTED]
Approval No:	[REDACTED]
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED]
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$500.00
Fees US\$:	\$35.00
Tax US\$:	\$0.00
Total US\$:	\$535.00
Date/Time Trans:	9/12/2022 8:18:30 PM
Trans Time Lapse:	

Customer Signature

Clerk Signature

Cashier Signature



## Raul Suau

---

**From:** Catlin, Craig (Synchrony) <Craig.Catlin@syf.com>  
**Sent:** Wednesday, April 5, 2023 9:02 PM  
**To:** Raul Suau  
**Subject:** RE: Calder Casino fraudulent credit card transactions

**[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.

Hey Raul,

Hope all is good.

The subjects called Synchrony and fraudulently changed the address on existing accounts. Then requested replacement credit cards. The credit cards were mailed to the fraudulent address. I'm meeting with Miami-Dade PD detectives at the end of the month to confirm the details for their arrests.

Let me know if you need anything else.

Stay safe.

Craig

Craig Catlin  
Vice President  
Special Investigations Team  
Synchrony

T: 786-778-9090

E: [craig.catlin@syf.com](mailto:craig.catlin@syf.com)



---

**From:** Suau, Raul <Raul.Suau@fgcc.fl.gov>  
**Sent:** Wednesday, April 5, 2023 10:41 AM  
**To:** Catlin, Craig (Synchrony) <Craig.Catlin@syf.com>  
**Subject:** [External] Calder Casino fraudulent credit card transactions

Good morning sir,

I am an Investigator for the Florida Gaming Control Commission. I am currently working on three cases involving credit card fraud on individuals that used cards issued by Synchrony. They are Carlos Jose Brogdon, Ryan Austin Duarte and Shaniya Branae Murphy. It is not a law enforcement investigation so it will not interfere with what you are doing in any

manner. We are trying to permanently exclude them from all facilities governed by the Florida Gaming Control Commission.

In your e-mail to Iliana Velazquez, the Director of Compliance at Calder Casino, you state that the cards may be stolen. Could you tell me whether the cards were physically stolen or their information was stolen and the cards cloned?

Thank you in advance for your help.



**Raul Suau**

**Investigations Specialist II**

Florida Gaming Control Commission

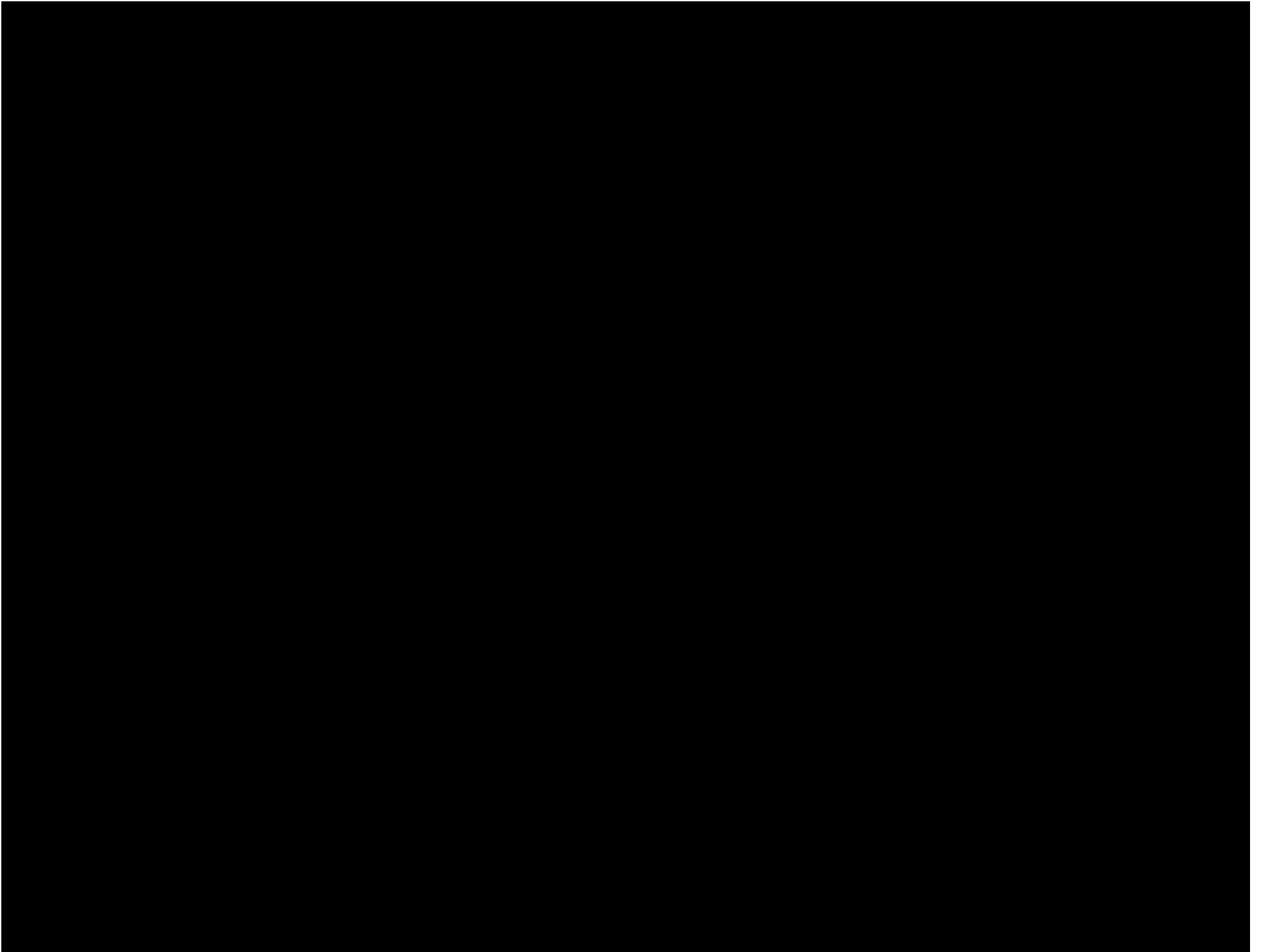
Division of Pari-Mutuel Wagering

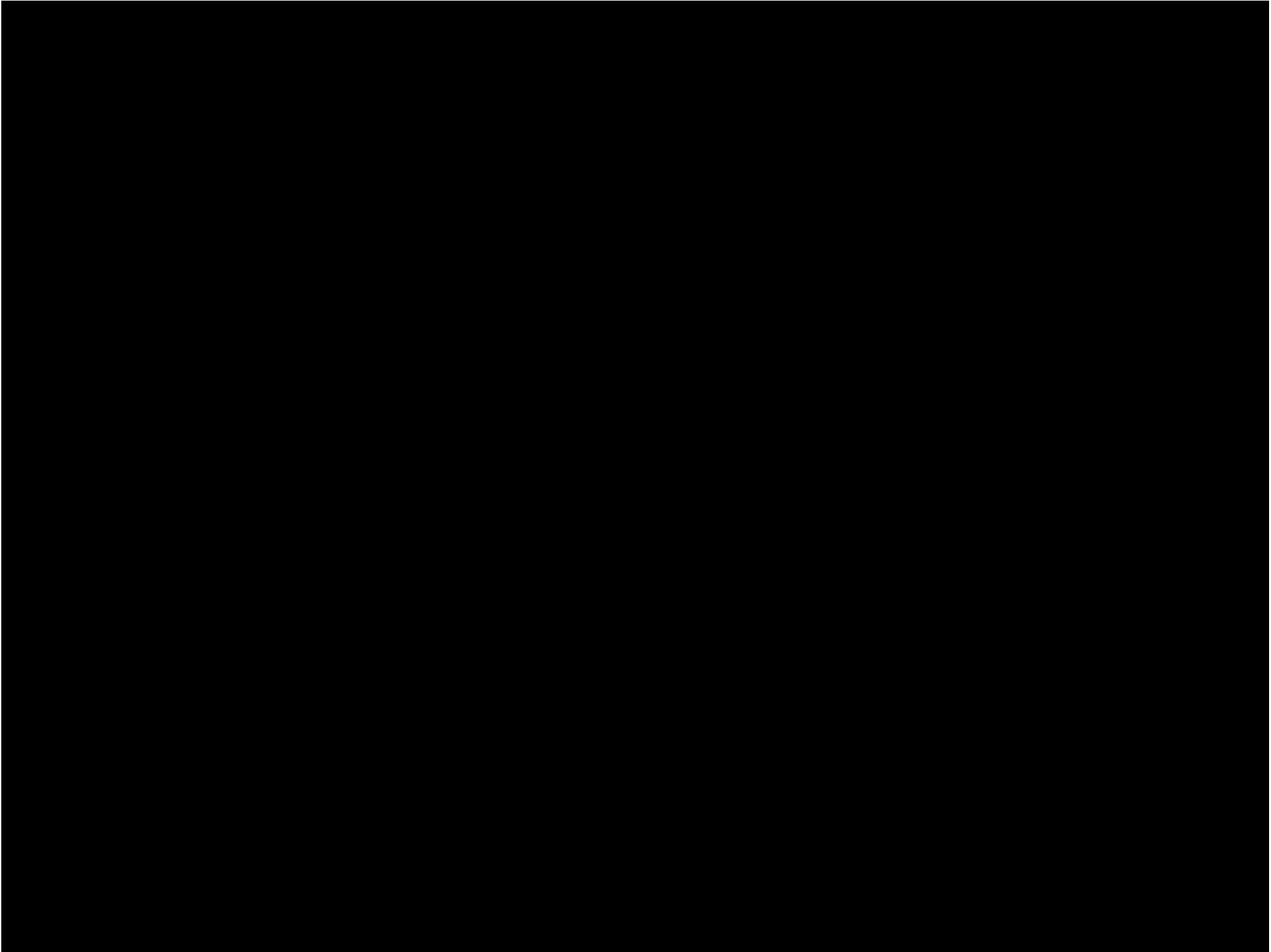
Investigations

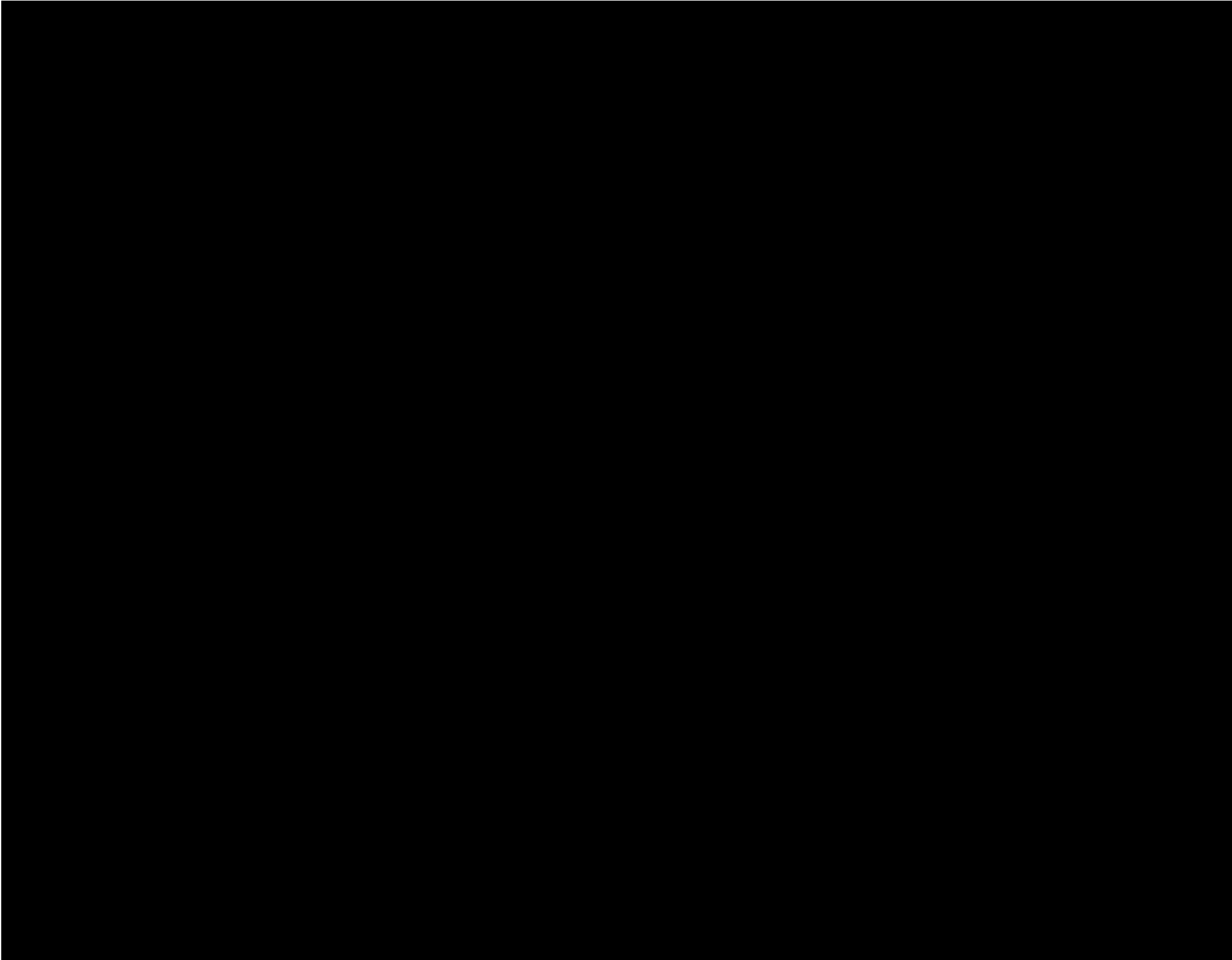
954-202-6787 Office 954-202-3930 FAX

954-658-3663 Cell

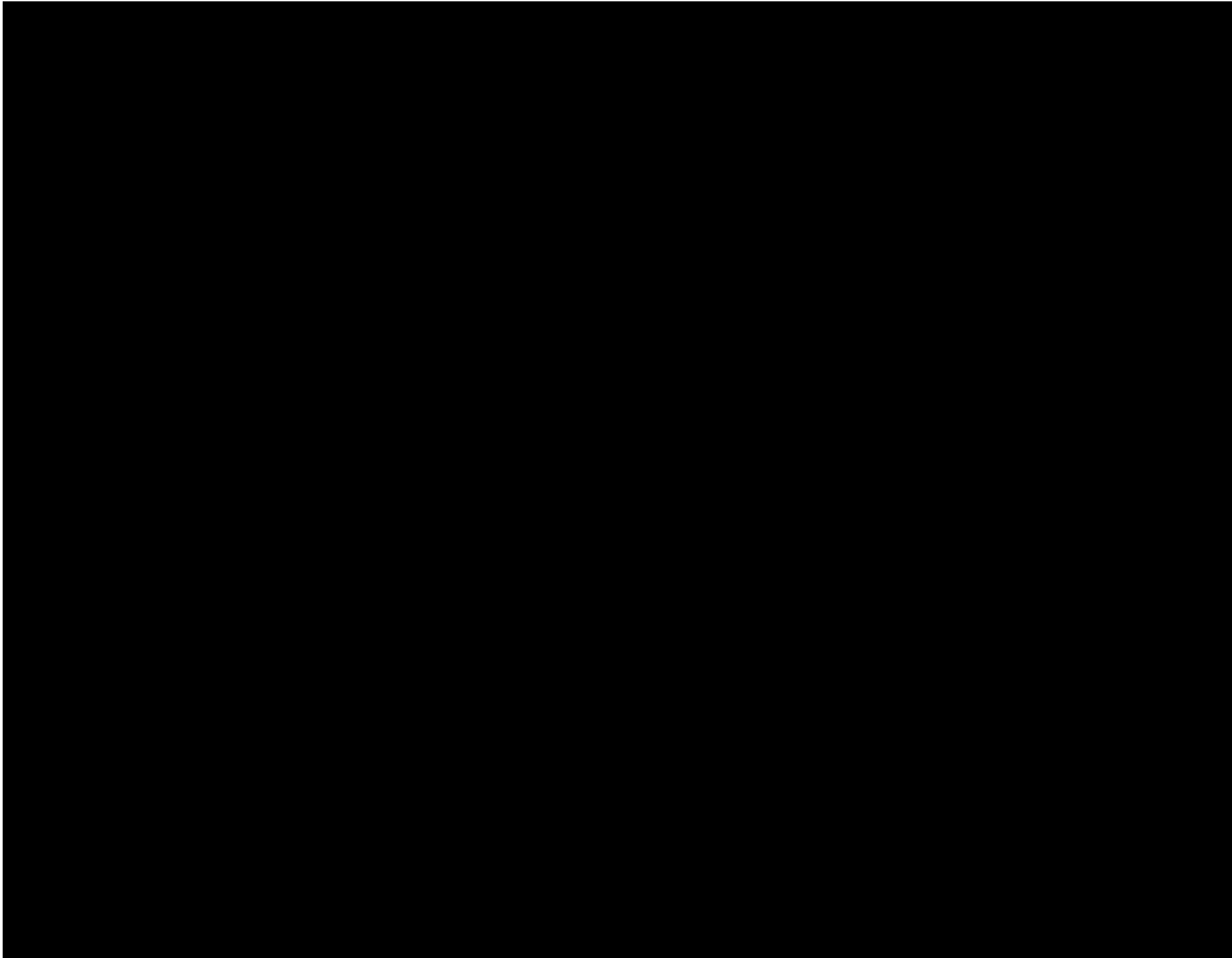
























CURRENT_ACCOUNT_NBR	TRANSACTION_DATE	TRANSACTION_CODE	PAYMENT_SOURCE_CODE	PAYMENT_MEDIA_TYPE	PI_TYPE_CODE	EXTERNAL_STATUS	EXP_DATE
	08/26/2022	CA			06		202408
	09/12/2022	CA			06		202408
	09/09/2022	CA			06		202608
	09/09/2022	CA			06		202608
	09/09/2022	CA			06		202610
	09/09/2022	CA			06		202506
	09/09/2022	CA			06		202506
	09/09/2022	CA			06		202705
	09/09/2022	CA			06		202705
	09/07/2022	CA			06		202503
	09/06/2022	CA			06		202501
	09/09/2022	CA			06		202404



AUTH_TIME	AUTH_AMT	AUTH_NBR	POINT_OF SALE ENTRY MODE	KEY_SWIPE_FLAG	DAT_ECOM_STTS_CD	CREDIT_LIMIT	AVAILABLE_CREDIT	MERCHANT_NBR
225026	1943.10	02671Y	051	I		10000.00	7500.00	
191201	1880.25	01215Y	051	I		19000.00	11421.00	
002038	941.10	00957Y	051	I		5000.00	3804.00	
004832	836.75	00916Y	051	I		5000.00	3909.00	
002246	836.75	00947Y	051	I		4500.00	3657.00	
001327	941.10	00908P	051	I		15900.00	12625.00	
002517	836.75	00903P	051	I		15900.00	11789.00	
004717	941.10	00908Y	051	I		15000.00	12845.00	
001441	941.10	00993Y	051	I		15000.00	13786.00	
201452	941.10	00752Z	051	I		5000.00	4059.00	
200519	2402.00	00630B	051	I		12300.00	8547.00	
004556	836.75	00978P	051	I		12600.00	11764.00	

MERCHANT CAT_CODE	MERCHANT_NAME	MERCHANT_CITY	MERCHANT_ STATE_ COUNTRY	FRAUD_ SCORE	ADDRESS_ VERIFY	CVV_ VERIFY	CVV2 RESULT_ CODE	CVV2 _SENT_ CODE
6051	EVI* SEMINOLE INDIAN	HOLLYWOOD	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		
6051	CALDER CASINO	MIAMI GARDENS	FL	0		Y		



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### Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

### ☰ Defendant List

Defendant(S) Found: 4

<a href="#">More Info. (Information)</a>	<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Race</u>	<u>Sex</u>	<u>Date Of Birth</u>
	BROGDON	CARLOS		B	M	[REDACTED]
	BROGDON	CARLOS		B	M	[REDACTED]
	BROGDON	CARLOS	J	B	M	[REDACTED]
	BROGDON	CARLOS	JOSE	B	M	[REDACTED]

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## Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

## ☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	M-03-048906	09/26/2003	10/23/2003	ALCOHOL/CONSUM/STORE

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### Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

### ☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	F-03-031579	11/07/2003	11/26/2003	COCAINE/PURCHASE

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### Q Search Criteria

Court Case No.: F-03-031579

\*\* This case is not eligible to be paid online. For more information, please contact the Clerk's Office at (305) 275-1155 \*\*

### ☰ Case Information

<b>State Case No.:</b>	13-2003-CF-031579-0001-XX	<b>Name:</b>	BROGDON, CARLOS AKAs	<b>Date of Birth:</b>	[REDACTED]
<b>Date Filed:</b>	11/07/2003	<b>Date Closed:</b>	11/26/2003		
<b>Warrant Type:</b>		<b>Warrant Amount:</b>	\$0.00		
<b>Assessment Amount:</b>	\$0.00	<b>Balance Due:</b>	\$0.00	<b>Stay Due Date:</b>	
<b>Judge:</b>	VERDE MARIA ELENA	<b>Defense Attorney:</b>	COHEN, AUDRA		
<b>File Section:</b>	F051	<b>File Location:</b>	DESTROYED	<b>Box No.:</b>	
<b>Defendant in Jail:</b>	N	<b>Defendant Release to:</b>			
<b>Bond Amount:</b>	\$0.00	<b>Bond Status:</b>			
<b>Arresting Agency:</b>	MIAMI DADE POLICE	<b>Arrest Date:</b>	11/06/2003		

### ↩ Hearing

There are no scheduled hearings

### ☰ Charges

Total Of Charges: 2

[EXPORT TO CSV](#)

Seq No.	Charge	Charge Type	Disposition
1	COCAINE/PURCHASE	FELONY	NO ACTION
2	CANNABIS/PURCHASE	FELONY	NO ACTION

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## Q Search Criteria

Last Name: BROGDON First Name: CARLOS Sex: Male

## ☰ Case(S) List

Total Of Cases: 2

	Case	Filed Date	Closed Date	First Charge
	M-22-023005	11/28/2022	12/21/2022	BATTERY
	F-14-000483	01/10/2014	02/26/2014	RBRY/STRNGARM/101/19

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## Q Search Criteria

Court Case No.: M-22-023005

## ☰ Case Information

<b>State Case No.:</b>	13-2022-MM-023005-0001-XX	<b>Name:</b>	BROGDON, CARLOS JOSE <u>AKAs</u>	<b>Date of Birth:</b>	[REDACTED]
<b>Date Filed:</b>	11/28/2022	<b>Date Closed:</b>	12/21/2022		
<b>Warrant Type:</b>		<b>Warrant Amount:</b>	\$0.00		
<b>Assessment Amount:</b>	\$50.00	<b>Balance Due:</b>	\$50.00	<b>Stay Due Date:</b>	
<b>Judge:</b>	BANDIN, CHRISTINE	<b>Defense Attorney:</b>	PUBLIC DEFENDER APPOINTMENT, ASSIGN		
<b>File Section:</b>	M089	<b>File Location:</b>	FILE ROOM	<b>Box No.:</b>	
<b>Defendant in Jail:</b>	N	<b>Defendant Release to:</b>	PENA/PSC,		
<b>Bond Amount:</b>	\$1,500.00	<b>Bond Status:</b>	DISCHARGED		
<b>Bond Type:</b>	SURETY	<b>Bond Issue Date:</b>	11/28/2022		
<b>Arresting Agency:</b>	CITY OF MIAMI GARDENS	<b>Arrest Date:</b>	11/27/2022		

## 🔍 Hearing

There are no scheduled hearings

## ☰ Charges

Total Of Charges: 1

📄 EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	BATTERY	MISDEMEANOR	NO ACTION

📄 Dockets



Total Of Dockets: 18

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Seq. No.	Date	Book/Page	Docket
22	12/23/2022		DISCHARGE CERTIFICATE ISSUED PSE251015449
21	12/21/2022		ORDER TERMINATING PRE-TRIAL RELEASE CONDITIONS
20	12/21/2022		PSC AMT/ 1500 DISCHARGED 12/21/2022 POWER/PSE251015449
19	12/21/2022		CLOSING JUDGE BANDIN, CHRISTINE
18	11/30/2022		WAIVER OF PRE-TRIAL CONFERENCE
17	11/30/2022		DEMAND FOR TRIAL BY JURY
16	11/30/2022		NOTICE OF DISCOVERY
15	11/30/2022		WRITTEN PLEA OF NOT GUILTY
14	11/30/2022		ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER
13	12/05/2022		BOND RECEIVED PSE251015449
12	11/28/2022		PSC AMT/ 1500 ISSUED 11/28/2022 POWER/PSE251015449
9	11/29/2022		INTAKE UNIT ASSIGNED: MISD DOMESTIC VIOLENCE
8	11/29/2022		INTAKE PROS. ASSIGNED: CAPOTE, DANIELLA L
6	11/28/2022		AFFIDAVIT FOR INDIGENT STATUS - INDIGENT
4	11/28/2022		ARRAIGNMENT HEARING SCHEDULED FOR 12/21/2022 AT 09:30
3	11/28/2022		STAY AWAY ORDER - PRE TRIAL CONDITIONAL NO CONTACT
2	11/28/2022		CURRENT BOND STATUS \$1500
1	11/28/2022		FIRST APPEARANCE/D.V. JAIL ARRAIGNMENT

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## Q Search Criteria

Court Case No.: F-14-000483

\*\* This case is not eligible to be paid online. For more information, please contact the Clerk's Office at (305) 275-1155 \*\*

## ☰ Case Information

<b>State Case No.:</b> 13-2014-CF-000483-0001-XX	<b>Name:</b> BROGDON, CARLOS JOSE <u>AKAs</u>	<b>Date of Birth:</b> [REDACTED]
<b>Date Filed:</b> 01/10/2014	<b>Date Closed:</b> 02/26/2014	
<b>Warrant Type:</b>	<b>Warrant Amount:</b> \$0.00	
<b>Assessment Amount:</b> \$0.00	<b>Balance Due:</b> \$0.00	<b>Stay Due Date:</b>
<b>Judge:</b> CABARGA, CARMEN R	<b>Defense Attorney:</b>	
<b>File Section:</b> F001	<b>File Location:</b> SCANNED	<b>Box No.:</b>
<b>Defendant in Jail:</b> N	<b>Defendant Release to:</b> MIRANDA/CFI,	
<b>Bond Amount:</b> \$0.00	<b>Bond Status:</b> DISCHARGED	
<b>Bond Type:</b> RELEASED OWN RECOGNIZANCE	<b>Bond Issue Date:</b> 02/10/2014	
<b>Arresting Agency:</b> MIAMI DADE POLICE	<b>Arrest Date:</b> 01/08/2014	

## ↩ Hearing

There are no scheduled hearings

## ☰ Charges

Total Of Charges: 2

EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	RBRY/STRNGARM/101/19	FELONY	NO ACTION
2	BATTERY/FELONY	FELONY	NO ACTION

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EXPORT TO CSV

Seq. No.	Date	Book/Page	Docket
24	02/26/2014		CLOSING JUDGE LUCK, ROBERT J
23	02/26/2014		ROR AMT/ 0 DISCHARGED 02/26/2014 POWER/
21	02/18/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/26/2014 AT 09:00
19	02/11/2014		DISCHARGE CERTIFICATE ISSUED C570106364
18	02/11/2014		DISCHARGE CERTIFICATE ISSUED C1070102523
17	02/10/2014		ROR AMT/ 0 ISSUED 02/10/2014 POWER/
16	02/10/2014		CFI AMT/ 7500 DISCHARGED 02/10/2014 POWER/C1070102523
15	02/10/2014		CFI AMT/ 5000 DISCHARGED 02/10/2014 POWER/C570106364
14	02/10/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/18/2014 AT 09:00
13	02/07/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/10/2014 AT 09:00
11	01/10/2014		BOND RECEIVED POWER/RECEIPT# C570106364
10	01/10/2014		BOND RECEIVED POWER/RECEIPT# C1070102523
9	01/08/2014		CFI AMT/ 5000 ISSUED 01/08/2014 POWER/C570106364
8	01/10/2014		INTAKE PROS. ASSIGNED: TARG-PL, ELYSE-LS
7	01/09/2014		INTAKE UNIT ASSIGNED: FELONY DOMESTIC CRIMES
5	01/09/2014		JUDGE LOBREE, FLEUR J ASSIGNED-SECTION F003
4	01/09/2014		ARRAIGNMENT HEARING SCHEDULED FOR 02/07/2014 AT 09:00
2	01/09/2014		CFI AMT/ 7500 ISSUED 01/09/2014 POWER/C1070102523
1	01/08/2014		DEFN CITY & STREET CHANGED BY FINALIST PURSUANT TO BOOKING

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# Find an inmate.

Locate the whereabouts of a federal inmate incarcerated from 1982 to the present. Due to the First Step Act, sentences are being reviewed and recalculated to address pending Federal Time Credit changes. As a result, an inmate's release date may not be up-to-date. Website visitors should continue to check back periodically to see if any changes have occurred.

Find By Number

Find By Name

First	Middle	Last	Race	Age	Sex
CARLOS	JOSE	BROGDON	<input type="text"/>		Male

0 Results for search **CARLOS JOSE BROGDON**, Sex: **Male** Clear Form Search

About the inmate locator & record availability

- |   |  |   |   |  |  |  |
|---|--|---|---|--|--|--|
| <b>About Us</b><br><a href="#">About Our Agency</a><br><a href="#">About Our Facilities</a><br><a href="#">Historical Information</a><br><a href="#">Statistics</a> | <b>Inmates</b><br><a href="#">Find an Inmate</a><br><a href="#">First Step Act</a><br><a href="#">Communications</a><br><a href="#">Custody &amp; Care</a><br><a href="#">Visiting</a><br><a href="#">Report a Concern</a> | <b>Locations</b><br><a href="#">List of our Facilities</a><br><a href="#">Map of our Locations</a><br><a href="#">Search for a Facility</a> | <b>Careers</b><br><a href="#">Life at the BOP</a><br><a href="#">Explore Opportunities</a><br><a href="#">Current Openings</a><br><a href="#">Application Process</a><br><a href="#">Our Hiring Process</a> | <b>Business</b><br><a href="#">Acquisitions</a><br><a href="#">Solicitations &amp; Awards</a><br><a href="#">Reentry Contracting</a> | <b>Resources</b><br><a href="#">Policy &amp; Forms</a><br><a href="#">News Stories</a><br><a href="#">Press Releases</a><br><a href="#">Publications</a><br><a href="#">Research &amp; Reports</a> | <b>Resources For ...</b><br><a href="#">Victims &amp; Witnesses</a><br><a href="#">Employees</a><br><a href="#">Volunteers</a><br><a href="#">Former Inmates</a><br><a href="#">Media Reps</a> |
|---|--|---|---|--|--|--|

**Julio Minaya**

---

**From:** Bradford Jones  
**Sent:** Thursday, June 8, 2023 1:40 PM  
**To:** Julio Minaya  
**Subject:** RE: DOJ SEARCH

Sorry, not finding anything for either of them.



**Bradford D. Jones**  
Chief of Investigations  
Division of Pari-Mutuel Wagering

---

**From:** Julio Minaya <Julio.Minaya@flgaming.gov>  
**Sent:** Thursday, June 8, 2023 1:30 PM  
**To:** Bradford Jones <Bradford.Jones@flgaming.gov>  
**Subject:** RE: DOJ SEARCH

No.



**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

---

**From:** Bradford Jones <Bradford.Jones@flgaming.gov>  
**Sent:** Thursday, June 8, 2023 1:27 PM  
**To:** Julio Minaya <Julio.Minaya@flgaming.gov>  
**Subject:** RE: DOJ SEARCH

Do you have a possible charge date?



**Bradford D. Jones**  
Chief of Investigations  
Division of Pari-Mutuel Wagering

**EXHIBIT #8**  
**PAGE #18**

**From:** Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>  
**Sent:** Thursday, June 8, 2023 12:04 PM  
**To:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Subject:** DOJ SEARCH

Per our conversation;

RYAN AUSTIN DUARTE DO [REDACTED]

CARLOS JOSE BROGDON D [REDACTED]

THANKS



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**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

**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Sections 550.0251(6), and  
551.112, Florida Statutes.

CARLOS BROGDON  
3845 NW 213th Street,  
Miami Gardens, Florida 33055  
CASE NO.: 2023-018935  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Friday, November 24, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
10/27 11/3-9-17 23-29/0000690755M

**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2023-018935  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUELWAGERING -  
CARLOS BROGDON

in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

10/27/2023 11/03/2023 11/09/2023 11/17/2023

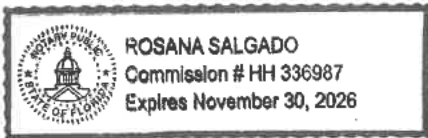
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
17 day of NOVEMBER, A.D. 2023



(SEAL)  
GUILLERMO GARCIA personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**  
IN RE: Sections 550.0251(6), and  
551.112, Florida Statutes.  
CARLOS BROGDON  
3845 NW 213th Street,  
Miami Gardens, Florida 33055  
CASE NO.: 2023-018935  
LICENSE NO.: N/A  
The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.  
If no contact has been made by you concerning the above by Friday, November 24, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.  
In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.  
10/27 11/3-9-17 23-29/0000690755M

**MIAMI-DADE**

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

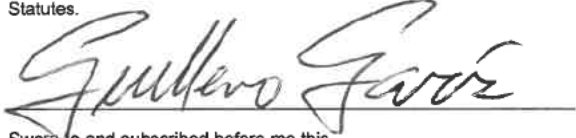
Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

2022-040989  
NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUELWAGERING - IN RE:  
LETTER OF LICENSE DENIAL SHAWN B. BURGESS

in the XXXX Court,  
was published in a newspaper by print in the issues of Miami  
Daily Business Review f/k/a Miami Review on

10/27/2023 11/03/2023 11/09/2023 11/17/2023

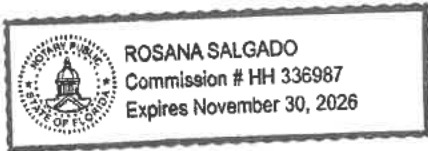
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this  
17 day of NOVEMBER, A.D. 2023



(SEAL)  
GUILLERMO GARCIA personally known to me



**NOTICE OF ACTION  
BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING**

IN RE: Letter of License Denial  
SHAWN B. BURGESS  
2030 NW 68th Street, #203  
Miami, Florida 33147  
CASE NO.: 2022-040989  
LICENSE NO.: N/A

The Florida Gaming Control Commission has filed a Letter of License Denial regarding your application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Friday, December 8, 2023, the Letter of License Denial will become final agency action and your application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License shall be denied.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257-6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.

10/27 11/3-9-17 23-28/0000690753M





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Heather Renee Days Case No. 2023-031855; Default Final Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the revocation of Heather Renee Days' ("Respondent") Cardroom Employee Occupational License based on her conviction. The Division served Respondent with an administrative complaint, alleging that Respondent was convicted of a felony and that Respondent failed to timely inform the Commission of the conviction in violation of Florida law. Respondent failed to timely respond to the properly served administrative complaint and has thus waived her right to request a hearing contesting the allegations of fact and conclusions of law set forth in the administrative complaint. Therefore, the Florida Gaming Control Commission should enter a final order revoking Respondent's Cardroom Employee Occupational License.

### *Background*

On March 10, 2023, Respondent was convicted of 1) Possession of a Controlled Substance Without a Prescription, a felony, 2) Possession of Drug Paraphernalia, a misdemeanor, and 3) Driving While License Suspended, a misdemeanor, in Escambia County, Florida. Respondent did not inform the Division of the convictions within 48 hours nor did Respondent inform the Division of her January 23, 2023 arrest within five days.

The Division filed an administrative complaint and attempted service on Respondent via USPS certified mail on two occasions but failed to achieve service. The Division attempted to serve Respondent via handservice but failed to achieve service. The Division requested that a notice be placed with the Pensacola News Journal.<sup>1</sup> It was published on November 3, 2023, November 10, 2023, November 17, 2023, and

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<sup>1</sup> Section 120.60(5), Florida Statutes, provides, "when personal service cannot be made and the certified mail notice is returned undelivered, the agency shall cause a short, plain notice to the licensee to be published once each week for 4 consecutive weeks in a newspaper published in the county of the licensee's last known address as it appears on the records of the agency. If no newspaper is published in that county, the notice may be published in a newspaper of general circulation in that county."

November 24, 2023. Respondent was given until December 1, 2023, to respond to this notice. She has never responded.

### *Analysis*

Section 550.105(5)(b), Florida Statutes, provides, in pertinent part that “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....”

Section 550.105(10)(d), Florida Statutes, provides that each licensee shall inform the Division, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.” Accordingly, Respondent license can be revoked or suspended based on the felony convictions.

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.”

Rule 75-11.011, Florida Administrative Code, states:

Any cardroom occupational licensee shall provide written notification to the division when the licensee has been arrested, indicted, or charged in any other way with a criminal offense within five days of the arrest, or if not arrested, within five days of the receipt of a charging document. Licensees are not required to report non-criminal traffic offenses.

Because Respondent failed to file a timely response to the publication notice, she waived her right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order revoking Respondent’s Cardroom Employee Occupational License.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order revoking Heather Renee Days’ Cardroom Employee Occupational License.

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.: 2023-031855

HEATHER RENEE DAYS,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

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

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 13073201-1012, issued by Petitioner.
3. On or about March 10, 2023, Respondent entered a plea of nolo contendere and was convicted of Possession of a Controlled Substance Without a Prescription, a felony, Possession of Drug Paraphernalia, a misdemeanor, and Driving While License Suspended, a misdemeanor, in the Circuit Court of the First Judicial Circuit in and for Escambia County, Florida, in case number 2023-CF-000272A.

## COUNT I

4. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

5. Pursuant to section 550.105(5)(b), Florida Statutes:

The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, 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.

6. Section 550.105(5)(d), Florida Statutes, provides 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.”

7. Based on the foregoing, Respondent violated section 550.105(5)(b), Florida Statutes, by entering a plea of nolo contendere and being convicted of Possession of a Controlled Substance Without a Prescription, a felony, in Escambia County, Florida on March 10, 2023.

## COUNT II

8. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

9. Respondent failed to notify Petitioner within 48 hours of her March 10, 2023 conviction for Possession of a Controlled Substance Without a Prescription in Escambia County, Florida.

10. Pursuant to section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.”

11. Based on the foregoing, Respondent violated section 550.105(10)(d), Florida Statutes, by failing to inform the Division of her March 10, 2023 conviction for a disqualifying offense within 48 hours.

### COUNT III

12. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

13. On or about January 23, 2023, Respondent was arrested in Escambia County, Florida, and was charged with Possession of a Controlled Substances, Possession of Drug Paraphernalia, and Driving with a License Cancelled, Suspended, or Revoked.

14. Respondent failed to provide written notification to Petitioner within five days of her January 23, 2023 arrest.

15. Rule 75-11.011, Florida Administrative Code, states:

Any cardroom occupational licensee shall provide written notification to the division when the licensee has been arrested, indicted, or charged in any other way with a criminal offense within five days of the arrest, or if not arrested, within five days of the receipt of a charging document. Licensees are not required to report non-criminal traffic offenses.

16. Based on the foregoing, Respondent violated rule 75-11.011, Florida Administrative Code, by failing to provide written notification to Petitioner within five days of her January 23, 2023 arrest.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in chapters 550 and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-031855 is signed this 28th day of July, 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  
4070 Esplanade Way  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.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.



Closed: 07/24/23  
49 Days

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: nmelvai

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

Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>07/22/2023</b>
Complaint #	<b>2023031855</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#		Respondent	<b>DAYS, HEATHER</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>03/10/2023</b>
Region	<b>NR - Northern Region</b>	Received	<b>06/05/2023</b>
Reference	<b>849.086</b>		
Entered	<b>06/05/2023</b>	Entered By	<b>nmelvai</b>
Summary	<p><b>150--Pensacola Greyhound Racing, LLP-- (849.086) -----Licensee Heather Renee DAYS, a Cardroom Employee (Cashier) at Pensacola Greyhound Track, and who holds a PMW Cardroom Employee Occupational License, (Lic# 13073201 / 1012), was convicted on March 10, 2023, of Possession of a Controlled Substance w/o Prescription (Felony 3rd Degree), Possession of Drug Paraphernalia (Misdemeanor) and Driving While License Cancelled, Suspended or Revoked (Misdemeanor). In addition, DAYS failed to notify the Division of her arrest and subsequent felony conviction as required by Florida Statutes.</b></p>		
Updated	<b>07/24/2023 13:16:26</b>	By	<b>nmelvai</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

49 Days	<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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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>NORTHERN</b>	Date of Complaint: <b>JUNE 5, 2023</b>	Case Number: <b>2023 03 1855</b>
RESPONDENT: <b>DAYS, HEATHER RENEE 10080 HILLSVIEW DRIVE #252 PENSACOLA, FLORIDA 32514 TEL. # (850) 748-7503</b>		COMPLAINANT: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>13073201 - 1012</b>	Profession: <b>CASHIER</b>	Report Date: <b>July 10, 2023</b>	
Period of Investigation: <b>June 5, 2023 – July 10, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation(s): 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines. — (5)(b)</b> The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, 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.</p> <p><b>550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines. — (10) (d)</b> Under penalty of perjury, each person who is licensed or who is fingerprinted as required by this section must agree to inform the division within 48 hours if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.</p> <p><b>75-11.011 Notification of Criminal Conviction or Charge</b> Any cardroom occupational licensee shall provide written notification to the division when the licensee has been arrested, indicted, or charged in any other way with a criminal offense within five days of the arrest, or if not arrested, within five days of the receipt of a charging document. Licensees are not required to report non-criminal traffic offenses.</p>			
<p><b>Synopsis:</b> Licensee Heather Renee <b>DAYS</b>, a Cardroom Employee (Cashier) at Pensacola Greyhound Track, and who holds a PMW Cardroom Employee Occupational License, (Lic# 13073201 / 1012), was convicted on March 10, 2023, of Possession of a Controlled Substance w/o Prescription (Felony 3rd Degree), Possession of Drug Paraphernalia (Misdemeanor) and Driving While License Cancelled, Suspended or Revoked (Misdemeanor). In addition, <b>DAYS</b> failed to notify the Division of this arrest, a prior 2022 arrest for similar charges, and subsequent felony conviction as required by Florida Statutes and the Florida Administrative Code.</p>			
Related Case:			
Investigator Supervisor / Date  /s/  C. Derek Washington / July 10, 2023		Chief of Investigations / Date   Bradford D. Jones / July 22, 2023	

## CONTINUATION

On January 23, 2023, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on January 23, 2023, **DAYS** was arrested by the Pensacola Police Department and charged with the following offenses: **(Exhibit #1)**:

1. Possession of Controlled Substance w/o Prescription (Felony 3rd Degree)
2. Possession of Drug Paraphernalia (Misdemeanor)
3. Driving While License Cancelled, Suspended or Revoked (Misdemeanor)

**DAYS** received her PMW Cardroom Employee Occupational license on January 28, 2022, to work as a Cashier at the Pensacola Greyhound Track. She is currently licensed until June 30, 2024 **(Exhibit #2)**.

On May 24, 2023, PMW Operations Review Specialist Cyntoria Harris placed an Enforcement Alert on **DAYS'** PMW license regarding the above offenses **(Exhibit #2)**. Information obtained from the Florida Comprehensive Case Information System (CCIS) for Escambia County, Florida, indicated that on March 10, 2023, **DAYS** pled Nolo Contendere to all charges listed above. For count 1, Felony Possession of Controlled Substance w/o Prescription, she received Adjudication Withheld and was sentenced to 24 months' probation. For Counts 2 & 3, she was Adjudicated Guilty and sentenced to 12 months' probation to run concurrently with Count 1 **(Exhibit #3)**.

Before the above conviction, **DAYS** was arrested and charged with the same offenses on July 1, 2022. In that case she was placed in a Pretrial Intervention Program (PTI) which was later revoked due to her arrest on January 23, 2023, as noted above **(Exhibit #4)**.

**Conclusion:** **DAYS** is in violation of the above-listed Statute and Rule due to her arrest(s), subsequent felony convictions and for failing to notify the Division of the same.

**Status:** Investigations case closed and forwarded to Legal for review.

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    3. Court Documents form CCIS ..... 1-21

    4. 2022 Prior Arrest ..... 1-16

PMW Occupational License Applicant Hit Routing Slip

RE: Days, Heather LICENSE NO: 13073201  
(LICENSEE NAME)

APPLICANT HIT RECEIVED: 07/01/2022 and 01/23/2023  
(DATE)

Cyntoria Harris

910 - TLH Licensing

Cashier

Applicant Hit ORS

Facility (d/b/a name)

Occupation/Job Title

Pursuant to Section 550.105(5)(a) The division 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; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Section Review	
Did the applicant self-report this conviction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Conviction</b>	
<input checked="" type="checkbox"/> Felony	
<input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking	
<input type="checkbox"/> Animal Cruelty	
Is the applicant currently under suspension, has unpaid fines, or has been refused a license by any racing jurisdiction?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<input type="checkbox"/> Cardroom Licenses, Professions 1012, 1031 and 1032 (Fraud, Larceny, Theft, etc.)	
<input type="checkbox"/> Other:	
<b>Comments:</b>	
<b>07/01/2022- Escambia County, Florida (Case #: 172022CF002714XXXAXX)</b>	
<b>Charge 1-</b> Possession Of Controlled Substance Wo Prescription (F)– Adjudication Withheld	
<b>Charge 2-</b> Drug Equip Possess-And Or Use (M)– Adjudicated Guilty	
<b>Charge 3-</b> Knowingly Driving While License Suspended, Canceled, Revoked (M)– Adjudicated Guilty	
<b>01/23/2023- Escambia County, Florida (Case #: 172023CF000272XXXAXX)</b>	
<b>Charge 1-</b> Possession Of Controlled Substance Wo Prescription (F)– Adjudication Withheld	
<b>Charge 2-</b> Drug Equip Possess-And Or Use (M)– Adjudicated Guilty	
<b>Charge 3-</b> Knowingly Driving While License Suspended, Canceled, Revoked (M)– Adjudicated Guilty	
<input checked="" type="checkbox"/> Referred to Investigations	Initials: <u>CH</u> Date: <u>5/24/2023</u>

License Administrator Review:	<input type="checkbox"/> No Referral Required	<input checked="" type="checkbox"/> Forward to Investigations	Initials: 
-------------------------------	---	---	---





VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

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

Logged in as: **dwashingto**

VR Home > License Search > License Home

<p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">██████████</span> Lic Type <b>1012 - Cardroom Employee Occupational</b> Expires On <b>06/30/2024</b></p> <p>File # <b>13476</b> Name <b>Days, Heather</b> Extended To</p> <p>License # <b>13073201</b> Rank <b>CEMP - Cardroom Employee Occupational</b> Renewed On</p> <p>Entity # <b>13073201</b> Lic Status <b>Current</b></p>	<div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Licensee</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">History</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Notes</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Notes History</div> <div style="border: 1px solid black; padding: 2px; margin-bottom: 2px; text-align: center;">Back</div>																												
<p><b>Address</b></p> <p>Street # <b>10080</b> Street <b>HILLVIEW DR #252</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>PENSACOLA</b> State <b>FL</b> Zip <b>32514</b></p> <p style="text-align: right;">Routing <span style="margin-left: 200px;"><b>850-748-7503</b></span></p>																													
<p><b>Other</b></p> <p>1st License Date <b>01/28/2022</b> Rank Date <b>01/28/2022</b> Certificate #</p> <p>Method <b>I-S-1024</b> Status Date <b>01/28/2022</b> Certificate Date</p> <p>Fee Exempt <b>No</b> Birth Date <span style="background-color: black; color: black;">██████████</span> Renewal Sent</p>																													
<p><b>Select</b></p> <p>Action <input style="width: 150px;" type="text"/></p>																													
<p><b>Modifiers</b></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 10%;">Type</th> <th style="width: 40%;">Modifier</th> <th style="width: 15%;">Effective Date</th> <th style="width: 35%;">Additional Info</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>ENFO - Enforcement Alert</td> <td>07/20/2022</td> <td>Applicant Hit</td> </tr> <tr> <td>C</td> <td>CASH - Cashier</td> <td>01/26/2022</td> <td></td> </tr> <tr> <td>I</td> <td>GHND - Greyhound</td> <td>01/28/2022</td> <td></td> </tr> <tr> <td>I</td> <td>MULT - Multiple Industries</td> <td>01/26/2022</td> <td></td> </tr> <tr> <td>L</td> <td>910 - TLH Licensing</td> <td>01/26/2022</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>01/26/2022</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	A	ENFO - Enforcement Alert	07/20/2022	Applicant Hit	C	CASH - Cashier	01/26/2022		I	GHND - Greyhound	01/28/2022		I	MULT - Multiple Industries	01/26/2022		L	910 - TLH Licensing	01/26/2022		Y	3YR - 3 Year License	01/26/2022	
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<p><b>Alt Keys</b></p> <p style="text-align: center;">BEST LIC NBR <b>13073201</b></p>																													



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)


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

Logged in as: **dwashingto**

VR Home > License Search > **Display Alerts**

Fed Tax # <b>[REDACTED]</b>	Lic Type <b>1012 - Cardroom Employee Occupational</b>	Expires On <b>06/30/2024</b>
File # <b>13476</b>	Name <b>Days, Heather</b>	Extended To
License # <b>13073201</b>	Rank <b>CEMP - Cardroom Employee Occupational</b>	Renewed On
Entity # <b>13073201</b>	Lic Status <b>Current</b>	

Description	Effective	Notes
Enforcement Alert	07/20/2022	

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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: dwashingto

VR Home > License Search > Display Alerts > Maintain License Modifiers - BASE\_CLONE


Search Criteria | Results | Detail

Modifier Type **A - Alert**  
Modifier **ENFO - Enforcement**  
Effective **07/20/2022**  
Expires -  
Additional Info :  
Prompt  
Value **Applicant Hit**  
**Applicant must submit form PMW-3120 and provide**  
Notes **court disposition records for the 07/01/2022 and**  
**01/23/2023 offenses in Escambia County, Florida.**  
Updated **05/24/2023 09:49:14**  
By **charris**

Notes History  
Change  
Delete  
Save  
Cancel  
< >

Add

Back

 Get Adobe Reader.

**RECEIVED**

By Escambia County Clerk of Court at 7:42 am, Jan 24, 2023



**Arrest Report**

PENSACOLA POLICE DEPARTMENT  
711 N HAYNE ST

RECEIVED

23000699

1707017636

1707017636

Report Date / Time 1/23/2023 01:48 AM	Report Number PPDCHG0000364M	Case Number/Cad Number PPD23OFF000627 / PPD23CAD004324	Reporting Officer Name WILLIAMS, BRANDON W.
Originating Agency ORI FL0170100	Occur Date Time Range 01/23/2023 01:01:04 - 01/23/2023 01:02:00	Jurisdiction	
File Number	Other Number	Clearance	

**Location of Occurrence**

County ESCAMBIA	Location Type OTHER	Location Description ROADWAY			
Street Number	Street R Street / Cervantes Street	Apt/Lot/Bldg	City PENSACOLA	State FL	Zip Code 32505

**Suspect**

First Name HEATHER	Middle Name RENEE	Last Name DAYS	Suffix	Race BLACK	Sex FEMALE	Height 503	Weight 120	Hair BLACK	Eyes BROWN
MNI # PPD18MNI013600	SSN	Date of Bldh	Age 20	ID Type E	Drivers License or other ID	State FL	OCA / Agency	214468	
Place of Birth:									
Address * RESIDENCE / 2 KEYS CT , , FL 32505 / 8504656183									

**Arrest Report Data**

Question Domestic Violence	Answer No
-------------------------------	--------------

**Arrest**

Arrest Date/Time 1/23/2023 2:51:44 AM	Arrest Location Type OTHER	Arrest Location Description				
Street Number	Street R Street / Cervantes Street	Apt/Lot/Bldg	County ESCAMBIA	City PENSACOLA	State FL	Zip Code 32505

**Charge :**

Counts 1	Charge 893.13.6a	Bond Amount \$2500.00	<input type="checkbox"/> No Bond
Charge Degree T	Charge Level FELONY		
General Offense Code COMPLETED	Arrest Offense Code DRUGS-POSSESS		
Charge Description CNTRL SUB WO PRESCRIPTION			
Administrative Code - Description			

Report Date / Time 1/23/2023 01:48 AM	Report Number PPDCHG0000364M	Case Number/Cad Number PPD23OFF00627 / PPD23CAD004324	Reporting Officer Name WILLIAMS, BRANDON W.
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OBTs Number	Other Number	Clearance	

**Charge :**

Counts 1	Charge 893.147.1	Bond Amount \$500.00	<input type="checkbox"/> No Bond
Charge Degree F	Charge Level MISDEMEANOR		
General Offense Code COMPLETED	Arrest Offense Code DRUG EQUIP-POSSESS		
Charge Description AND OR USE			
Administrative Code - Description -			

**Charge :**

Counts 1	Charge 322.34.10b1	Bond Amount \$500.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level MISDEMEANOR		
General Offense Code COMPLETED	Arrest Offense Code MOVING TRAFFIC VIOL		
Charge Description DRIVE WITH SUSPENDED REVOKED LICENSE			
Administrative Code - Description -			

**Bond Set by Charges**

Bond Amount \$3500.00	<input type="checkbox"/> No Bond
Bond Type(s)	
Cash, Pro	

**Probable Cause**

On 1/23/2023, around 0100 hours, I was patrolling the area of "R" Street and Cervantes Street. During this, I observed a red Mini Cooper [REDACTED] turning east on Cervantes Street from "R" Street. As I observed the vehicle, I observed it to have no tag lights, violating FSS 316.221(2). I conducted a traffic stop on the vehicle in the parking lot of 2305 W. Cervantes Street.

I approached the vehicle and contacted the driver, Heather Days, and front seat passenger, Alvin Brock. I explained the reason for my traffic stop and requested Days' drivers license. She stated she did not have her drivers license, due to her getting a new wallet. While speaking to Days, I observed her right leg and her hands to be shaking. Days also rarely made eye contact with me. I also observed Days to be rapidly breathing. Due to this, I requested Days to step out of the vehicle. As Days exited the vehicle, I observed a small piece of folded up tin foil on the drivers seat, where Days was sitting. I

Report Date / Time 1/23/2023 01:48 AM	Report Number PPDCHG0000364M	Case Number/Cad Number PPD23OFF000627 / PPD23CAD004324	Reporting Officer Name WILLIAMS, BRANDON W.
Originating Agency ORI FL0170100	Occur Date Time Range 01/23/2023 01:01:04 - 01/23/2023 01:02:00	Jurisdiction	
OBTS Number	Other Number	Clearance	

know that folded up tin foil is often used to smoke various types of narcotics. Due to my observations, I requested a K9 unit to respond to the scene. ECSO Deputy Morris arrived on scene and conducted a exterior narcotics sniff on the vehicle (ECSO 23-001446). After a positive alert from his K9, a probable cause search of the vehicle was conducted, which yielded the following:

A black and white small backpack. This bag was in the lap of Days when I was speaking to her. Inside of the backpack, Officer Leach located a white ring box. Inside of the box, Officer Leach located multiple folded up pieces of tin foil. He also located a small plastic baggie that contained a blue powdered substance (1 gram). This substance was believed to be fentanyl. This substance was not field tested. It will be sent to FDLE for testing. A black digital scale was also located on in the bag. This scale had a white residue present. The white substance did not test positive for methamphetamine.

The tin foil in the drivers seat was collected. The bottom of the tin foil was burnt, indicating it has been used for smoking narcotics.

A pink wallet bag was located in the glove compartment. Inside of this small bag, the following was located:

A wrapped up pieced of tin foil. Inside of the tin foil, Officer Mlinac located a small clear plastic baggie that contained suspected methamphetamine. The suspected methamphetamine later field tested positive and weighed less than a gram.

A glass smoking pipe with residue. This pipe field tested positive for methamphetamine.

All items were collected and turned into property management as evidence.

Days was read her Miranda Warnings from a departmental issued card. Post Miranda, Days claimed the blue substance was fentanyl. She claimed she ran out of her prescribed Suboxone and purchased the fentanyl to stop her from withdrawing. She also claimed she used the burnt tin foil that was located to smoke the fentanyl. At first, Days denied ownership of the pink wallet purse. She claimed that was her mothers purse and her mother does methamphetamine. Later on in the interview, Days claimed she used methamphetamine with her mother and she is a user. Lastly, Days admitted she knew the meth and pipe were in the pink bag and she attempted to hide it from me during the traffic stop.

Days also has a suspended drivers license with notice provided on 1/27/2022.

Days was arrested and transport to the jail.

The vehicle was released to the registered owner of the vehicle.

Days was issued the following citations:

Arrest Report

Report Date / Time 1/23/2023 01:48 AM	Report Number PPDCHG0000364M	Case Number/Cad Number PPD23OFF000627 / PPD23CAD004324	Reporting Officer Name WILLIAMS, BRANDON W.
Originating Agency ORI FL0170100	Occur Date Time Range 01/23/2023 01:01:04 - 01/23/2023 01:02:00	Jurisdiction	
OBTS Number	Other Number	Clearance	

AHADKKE- Tag light  
AHADKLE- DWLS

A affidavit will be sent off for judicial review, pending results for the suspected fentanyl.

**Jail Booking Facility**

Booking Date/Time	Booking County ESCAMBIA	Booking Facility ESCAMBIA COUNTY JAIL	Booking Facility Phone (850) 436-9650
Booking Facility Location 3080 N PACE BLVD PENSACOLA, FLORIDA 32505		Booking Number	
Booking Comments			

**Court**

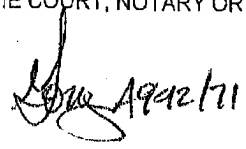
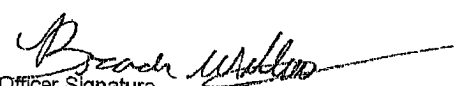
Court County ESCAMBIA	Court Location 190 W. GOVERNMENTAL CENTER PENSACOLA, FL 32502 PAYABLE ONLINE AT: WWW.PAYFLCLERK.COM	Court Phone 850-483-8468	Court Appearance Date / Time 02/17/2023 0830	Court Fine
Court ESCAMBIA CIRCUIT COURT		Comments		

Officer Name Rank / ID # WILLIAMS, BRANDON W. SERGEANT	A952	Involvement On Report / Reporting Role REPORTING OFFICER	Officer Agency Org/Unit PENSACOLA POLICE DEPARTMENT PPDIUPDI/PATROL C
---	------	--	--

Report Date / Time 1/23/2023 01:48 AM	Report Number PPDCHG0000364M	Case Number/Cad Number PPD23OFF000627 / PPD23CAD004324	Reporting Officer Name WILLIAMS, BRANDON W.
Originating Agency ORI FL0170100	Occur Date Time Range 01/23/2023 01:01:04 - 01/23/2023 01:02:00	Jurisdiction	
OBTS Number	Other Number	Clearance	

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

Officer Name WILLIAMS, BRANDON W.	Office Rank SERGEANT	Officer ID No A952	Sworn and subscribed before me, the undersigned authority This the <u>23</u> day of <u>JANUARY</u> , <u>2023</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT
Officer Agency PENSACOLA POLICE DEPARTMENT			
 Officer Signature			

- No Bill / Petition   
 Issue Warrant   
 Prosecution Approved

Signature of Assistant State Attorney

Date

**Clerk Number:** 1723CF000272A-F  
**Arrest Date:** 01/23/2023  
**Agency Number:** PPD23OFF000627

**RACE:** B **SEX:** F  
**DOB:** [REDACTED]

- 1) POSSESSION OF CONTROLLED SUBSTANCE
- 2) POSSESSION OF DRUG PARAPHERNALIA (9829)
- 3) DRIVING WHILE LICENSE CANCELLED, SUSPENDED OR REVOKED - FIRST CONVICTION (EFF 10/01/2019) (9865)

**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA  
IN THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA**

**STATE OF FLORIDA,**  
Plaintiff,

v.

**HEATHER RENEE DAYS,**  
Defendant.

GINGER BOWDEN MADDEN, STATE ATTORNEY FOR THE FIRST JUDICIAL CIRCUIT OF FLORIDA, PROSECUTING FOR THE STATE OF FLORIDA, CHARGES THAT **HEATHER RENEE DAYS, on or about January 23, 2023**, at and in ESCAMBIA County, Florida, did unlawfully and knowingly be in actual or constructive possession of a controlled substance, **methamphetamine**, in violation of Section 893.13(6)(a), Florida Statutes. **(F3-L3)**

COUNT 2: AND YOUR INFORMANT AFORESAID, PROSECUTING AS AFORESAID, ON HER OATH AFORESAID, FURTHER INFORMATION MAKES THAT **HEATHER RENEE DAYS, on or about January 23, 2023**, at and in ESCAMBIA County, Florida, did unlawfully use or possess with intent to use drug paraphernalia, **pipe and/or scale and/or aluminum foil and/or bag**, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance, in violation of Chapter 893, Florida Statutes and in violation of Section 893.147(1), Florida Statutes. **(M-1)**

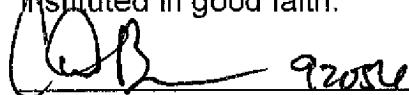
COUNT 3: AND YOUR INFORMANT AFORESAID, PROSECUTING AS AFORESAID, ON HER OATH AFORESAID, FURTHER INFORMATION MAKES THAT **HEATHER RENEE DAYS, on or about January 23, 2023**, at and in ESCAMBIA County, Florida, while **her** driver's license or driving privilege had been cancelled, suspended or revoked as provided by law, or who does not have a driver's license or driving privilege but is under suspension or revocation equivalent as defined in Section 322.01(41), did unlawfully drive a motor vehicle upon the highways of the State of Florida, knowing of



such cancellation, suspension, or revocation, in violation of Section 322.34(2)(a), Florida Statutes. (M-2)

**STATE OF FLORIDA  
COUNTY OF ESCAMBIA**

Before me personally appeared the undersigned designated Assistant State Attorney for the First Judicial Circuit of Florida, being personally known to me, and who first being duly sworn, says that the allegations set forth in the foregoing information are based on facts that have been sworn as true, and which if true, would constitute the offense there charged, that said Assistant State Attorney has received testimony under oath from a material witness or witnesses for the offense and that this prosecution is instituted in good faith.



**JOHN A MOLCHAN** (jmolchan@osa1.org)  
FLORIDA BAR NO.: 0747580  
ASSISTANT STATE ATTORNEY  
PO BOX 12726  
PENSACOLA, FL 32591-2726  
PHONE: (850) 595-4613  
ALT. EMAIL: kbutler@osa1.org



Sworn to and subscribed before me, by means of  physical presence or  online notarization, this 13 day of February, 2023.

  
Notary Public

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

STATE OF FLORIDA,

Case No.: 2023 CF 000272 A

vs.

DIV: F

HEATHER RENEE DAYS,  
DEFENDANT

**ORDER OF JUDGMENT AND SENTENCE**

---

This cause, coming on this day to be heard before the Court, and the Defendant being now present with Counsel, having entered a Plea(s) as follows:

No Contest as to Count(s): 1, 2, 3

No Contest previously on \_\_\_\_\_ as to Count(s): \_\_\_\_\_

The State Attorney announced Nolle Prosequi as to Count(s): \_\_\_\_\_

A Jury of your peers having found you Guilty as to Count(s): \_\_\_\_\_.

The Court hereby:

Adjudicates Defendant Guilty as to Count(s): 2, 3

Withholds Adjudication as to Count(s): 1

Finds Defendant Not Guilty as to Count(s): \_\_\_\_\_

---

Count	Statute	Statute Description	Level	Degree
1	893.13(6a)	POSSESSION OF CONTROLLED SUBSTANCE WO PRESCRIPTION	F	T
2	893.147(1)	DRUG EQUIP POSSESS-AND OR USE	M	F
3	322.34(2a)	DRIVING WHILE LICENSE SUSPENDED FIRST CONVICTION	M	S

EXHIBIT #3  
PAGE 8/21

H. Days

STATE OF FLORIDA

V.

HEATHER RENEE DAYS

2022 CF 002714 A, 2023 CF 000272 A



I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant,  
HEATHER RENEE DAYS

and that they were placed thereon by the defendant in my presence on 3 month 10 day 23 year

Court Officer, Employee of the Court, or  
Employee of Criminal Justice Agency

Deputy #622  
Title and Badge Number

EXHIBIT #3  
PAGE 9/21

Under Authority granted to the Court by Florida law, it is ORDERED and ADJUDGED that:

The following Provisions apply as to Count(s): \_\_\_\_\_

- Habitual Felony Offender (F.S. 775.084(4)(a))
- Habitual Violent Felony Offender:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 775.084(4)(b))
- Three-time Habitual Violent Felony Offender:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 775.084(4)(c))
- Violent Career Criminal:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 775.084(4)(d))
- Dangerous Sexual Felony Offender
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 794.0115(2))
- Prison Release Reoffender (F.S. 775.082(9))
  
- \_\_\_\_\_ Firearm:
  - 3** Year Minimum (F.S. 775.087(2))
  - Possession: **10** Year Minimum (F.S. 775.087(2)(a)1)
  - Discharge: **20** Year Minimum (F.S. 775.087(2)(a)2)
  - Death or Great Bodily Harm: **25** Year Minimum (F.S. 775.087(2)(a)3)
- Drug Trafficking:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 893.13(1)(c)1)
- Controlled Substance within 1,000 Feet of a School: **3** Year Minimum (F.S. 893.13(1)(c)1)
- Assault or Battery on Person 65 years of age or older: **3** Year Minimum (F.S. 748.08(1))
- DUI / Manslaughter: **4** Year Minimum (F.S. 316.193(3))
- Sexual Predator (F.S. 775.21)
- Designated** as a Sexual Offender (F.S. 943.0435)
- Criminal Gang Activity
- Youthful Offender Program (F.S. Ch. 958)
- Downward Departure
- \_\_\_\_\_

As to COUNT(S) 1, the Defendant is sentenced as follows:

**PRISON / JAIL:**

- Time Served
- Serve** \_\_\_\_\_ Years, \_\_\_\_\_ Months, \_\_\_\_\_ Days in **County Jail**
- Credit for time served: \_\_\_\_\_ days
- Time to be **Concurrent with Count** \_\_\_\_\_
- \_\_\_\_\_ days Suspended
- Report to Court on \_\_\_\_\_, at \_\_\_\_\_ to begin your sentence
- Remanded to Custody
- To be followed by **Community Control**

**COMMUNITY CONTROL / PROBATION:**

- Serve \_\_\_\_\_ Year(s), \_\_\_\_\_ Month(s) Community Control to be followed by Probation
- Serve **24** Month(s) Probation
- Time to be **Concurrent with Count** \_\_\_\_\_
- Under same terms and conditions as in **Count** \_\_\_\_\_
- Pay **\$52** per month for Cost of Supervision to Community Corrections
  - COS Waived
- Pay** \$1.00 per month to Circuit One First Step, Inc.
- Standard conditions of supervision imposed
- Probation to Automatically terminate upon completion of County Jail sentence
- Possible early** termination after \_\_\_\_\_ months, if all conditions satisfied & if no violations
- Report to Probation **by no later than 3pm today**

**COMMUNITY SERVICE:**

- You shall complete **50** hours of Community Service Work
- Complete a minimum of **5** hours of Community Service Work per month
- Complete in minimum equal monthly installments
- Complete all hours **over** the 1<sup>st</sup> **10 months** of Supervision
- Begin Community Service Work within \_\_\_\_\_ of Supervision
- You may buy out Community Service Work hours at the rate of \_\_\_\_\_ per hour
- You qualify and may perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$\_\_\_\_\_ per hour
- 

**FINES:**

- \$\_\_\_\_\_ Fine

As to COUNT(S) 2, the Defendant is sentenced as follows:

**PRISON / JAIL:**

- Time Served
- Serve** \_\_\_\_ Years, \_\_\_\_ Months, \_\_\_\_ Days in **County Jail**
- Credit for time served: \_\_\_\_ days
- Time to be **Concurrent with Count** \_\_\_\_
- \_\_\_\_ days Suspended
- Report to Court on \_\_\_\_, at \_\_\_\_ to begin your sentence
- Remanded to Custody
- To be followed by **Community Control**

**COMMUNITY CONTROL / PROBATION:**

- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Community Control to be followed by Probation
- Serve **12** Month(s) Probation
- Time to be **Concurrent with Count 1**
- Under same terms and conditions
- Pay \$ \_\_\_\_ per month for Cost of Supervision to Community Corrections
  - COS Waived
- Pay** \$1.00 per month to Circuit One First Step, Inc.
- Standard conditions of supervision imposed
- Probation to Automatically terminate upon completion of County Jail sentence
- Possible early** termination after \_\_\_\_ months, if all conditions satisfied & if no violations
- Report to Probation

**COMMUNITY SERVICE:**

- You shall complete \_\_\_\_ hours of Community Service Work
- Complete a minimum of \_\_\_\_ hours of Community Service Work per month
- Complete in minimum equal monthly installments
- Complete all hours **over** the 1<sup>st</sup> \_\_\_\_ **days** of Supervision
- Begin Community Service Work within \_\_\_\_ of Supervision
- You may buy out Community Service Work hours at the rate of \_\_\_\_ per hour
- You qualify and may perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$ \_\_\_\_ per hour
- 

**FINES:**

- \$ \_\_\_\_ Fine

As to COUNT(S) 3, the Defendant is sentenced as follows:

**PRISON / JAIL:**

- Time Served
- Serve** \_\_\_\_ Years, \_\_\_\_ Months, \_\_\_\_ Days in **County Jail**
- Credit for time served: \_\_\_\_ days
- Time to be **Concurrent with Count** \_\_\_\_
- \_\_\_\_ days Suspended
- Report to Court on \_\_\_\_, at \_\_\_\_ to begin your sentence
- Remanded to Custody
- To be followed by **Community Control**

**COMMUNITY CONTROL / PROBATION:**

- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Community Control to be followed by Probation
- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Probation
- Time to be **Concurrent with Count** \_\_\_\_
- Under same terms and conditions as in **Count** \_\_\_\_
- Pay \$\_\_\_\_ per month for Cost of Supervision to Community Corrections
  - COS Waived
- Pay** \$1.00 per month to Circuit One First Step, Inc.
- Standard conditions of supervision imposed
- Probation to Automatically terminate upon completion of County Jail sentence
- Possible early** termination after \_\_\_\_ months, if all conditions satisfied & if no violations
- Report to Probation

**COMMUNITY SERVICE:**

- You shall complete \_\_\_\_ hours of Community Service Work
- Complete a minimum of \_\_\_\_ hours of Community Service Work per month
- Complete in minimum equal monthly installments
- Complete all hours **over** the 1<sup>st</sup> \_\_\_\_ **days** of Supervision
- Begin Community Service Work within \_\_\_\_ of Supervision
- You may buy out Community Service Work hours at the rate of \_\_\_\_ per hour
- You qualify and may perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$\_\_\_\_ per hour
- 

**FINES:**

- \$\_\_\_\_ Fine

**The Defendant shall pay the following Court Costs:**

- \$518** Mandatory Felony Court Costs  
(F.S. 938.01, 938.03, 938.05, 938.06, 938.15, 938.19, 938.27, 939.185, 775.083(2),  
Escambia County Ord 34-7, 34-9, and 34-11)
- \$273** Mandatory Misdemeanor Court Costs  
(F.S. 938.01, 938.03, 938.05, 938.06, 938.15, 938.19, 938.27, 939.185, 775.083(2),  
Escambia County Ord 34-7, 34-9 and 34-11)
- \$686** Felony DUI Court Costs  
(F.S. 938.01, 938.03(1), 938.05, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,  
775.083, 318.18(17), 318.18(13)(a)(1), Escambia County Ord 34-6, 34-7, 34-9, 34-10 and 34-11)
- \$653** Felony BUI Court Costs  
(F.S. 938.01, 938.03, 938.05, 938.06, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,  
775.083(2), Escambia County Ord 34-7 and 34-9)
- \$456** Misdemeanor DUI Court Costs  
(F.S. 938.01, 938.03(1), 938.05, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,  
775.083, 318.18(17), 318.18(13)(a)(1), Escambia County Ord 34-6, 34-7, 34-9, 34-10 and 34-11)
- \$201** Domestic Violence Trust Fund (F.S. 938.08)
- \$151** Rape Crisis Trust Fund (F.S. 938.085)
- \$151** Crimes against Minors (F.S. 938.10)
- \$15** Misdemeanor Crimes Involving Drugs/Alcohol (F.S. 938.13)
- \$5,000** Prostitution (F.S. 796.07(6))
- \$65** Reckless Driving / Racing on Highway (F.S. 318.18(20))
- \$ \_\_\_\_\_ County Drug Abuse Trust Fund (F.S. 938.21)
- \$ \_\_\_\_\_ Additional Costs of Prosecution (F.S. 938.27)
- \$50** Public Defender Application (F.S. 27.52)
- \$100** for legal assistance (F.S. 938.29)
- \$100** FDLE (F.S. 938.055)
- \$30** State Facility Surcharge (F.S. 318.18, Escambia County Ord 34-6)
- \$5** EMS Trust Fund (F.S. 316.192/316.061)
- \$3** State Radio (F.S. 318.18(17))
- \$ \_\_\_\_\_ Surcharge on all fines (F.S. 938.04)
- \$ \_\_\_\_\_ Cost of Investigation to \_\_\_\_\_ (F.S. 938.27)
- \$ \_\_\_\_\_

**Court Costs and Fines shall be paid as follows:**

- Pay costs or enter into a Payment Plan with the Clerk of Court within \_\_\_\_\_ days  
 of Sentencing  of Release from Custody  or Reduce to Lien
- You must pay all Court Costs and Fines or enter into a Payment Plan with the Clerk of Court  
by \_\_\_\_\_ or **reduce to lien**.
- Pay **cost** in minimum equal monthly installments to begin **within the first 30 days of Supervision**
-



**The Defendant shall comply with the following Special Conditions:**

- Restitution: \_\_\_\_\_
- Restitution to be determined/The Court reserves jurisdiction \_\_\_\_\_
- Restitution: State Attorney has to file amount within \_\_\_\_\_ days and defense has \_\_\_\_\_ days to object or set hearing, if defense fails to object or set hearing, the amount stands
- Restitution **may** be paid into the court clerk's registry
- Restitution to be paid joint and severally with co-defendants
- Evaluation: Must obtain a/an **Substance Abuse** evaluation **within the first 30 days**
- Counseling/Treatment: Attend and Complete **Alcohol Counseling**
- Must successfully complete recommended **Treatment**
- Complete Shoplifter's Alternative class
- DVIP/BIP: Complete a **Domestic Violence** Intervention Program
- May not **possess or consume any** alcohol any controlled substances **not validly prescribed by physician**
- Do not be in presence of anyone using or possessing illegal drugs or alcohol
- Provide Probation Officer with prescriptions within \_\_\_\_\_ days and within \_\_\_\_\_ days of any new prescription thereafter
- Take **prescriptions** in prescribed dosages
- Alcohol/Drug Testing: **Random breath and urinalysis testing at her own** expense
- Do not test positive for **alcohol**
- No Contact: Have no **contact** with \_\_\_\_\_
- Stay away from \_\_\_\_\_
- Seek/Maintain full time** employment or **full time student status or**
- Perform **10** job searches **per week**
  - if working less than \_\_\_\_\_ hours **per week**;
  - begin within \_\_\_\_\_**days** of starting Supervision;
  - must continue until hired
- Your Driver's License is **revoked** for \_\_\_\_\_
- DUI School: Must complete **1st Offender** DUI School
- Interlock \_\_\_\_\_ month(s)
- Impact Panel: Must attend \_\_\_\_\_ **Drunk Driving** Impact Panel(s)
- Your vehicle will be impounded for \_\_\_\_\_ days
- You may not operate a motor vehicle
- Driver's License: **Obtain a valid driver's license**
  - show proof to Probation Officer
  - Clear Driver's License to extent possible
- Pay all Court Costs and Fines during Probation
- Attend \_\_\_\_\_ **AA** meetings per week. Obtain written verification of attendance and provide proof of attendance to Probation Officer

Other Provisions: \_\_\_\_\_

It is determined that you are unable to pay the amounts due and your monetary obligations, consisting of Court Costs and Fees, are reduced to a Civil Judgment, which shall bear interest at the maximum rate allowed by law. (F.S. 55.03)

- Any remaining balance due on your civil judgment after **90** days from the date of this order will be referred to a collections agency.
- Your driver's license will be suspended.

If you fail to complete the terms of this order, including payment of all costs, fees and fines, as required, you may be subject to Contempt of Court proceedings.

If a bail bond is currently in effect as to this case and has not been forfeited, that bond is hereby cancelled and the surety is discharged from liability on that bond. A cash bond may be applied towards outstanding financial obligations as allowed per F.S. 903.286.

Any active warrants, capias or summons in this case against this Defendant are hereby quashed.

The Defendant has **30** days from the date of this Order and Judgment in which to file an appeal of the findings and sentence in this matter by filing a Notice of Appeal with the Clerk of Court.

DONE AND ORDERED in open court in Escambia County, Florida, on **03/10/2023**.

  
eSigned by CIRCUIT COURT JUDGE LINDA L. NOBLES  
on 03/21/2023 12:22:32 mXxJWYPP

I hereby certify that a true and correct copy of this document was sent via electronic mail to the State Attorney and Defense Counsel of Record or Defendant by US Mail if there is no Defense Counsel of Record.

**PAM CHILDERS, CLERK OF THE CIRCUIT COURT**

By:   
Deputy Clerk



**EXHIBIT #3  
PAGE 16/21**

Jean / 11614 / 015  
STATE OF FLORIDA

Judge Nobles / Div. F / JB  
IN THE FIRST JUDICIAL  
CIRCUIT COURT, IN AND FOR  
ESCAMBIA COUNTY

-VS-

CASE NUMBER **2023 CF 000272 A**  
**2022 CF 002714 A**

**HEATHER RENEE DAYS**  
Defendant

DC NUMBER **H81724**

Local Jurisdiction Identification Number: 17

**ORDER OF PROBATION**

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

- entered a plea of guilty to  been found guilty by jury verdict of
- entered a plea of nolo contendere to  been found guilty by the court trying the case without a jury of

**COUNT 1: POSSESSION OF CONTROLLED SUBSTANCE WO PRESCRIPTION**

**COUNT 2: DRUG EQUIP POSSESS-AND OR USE**

**SECTION 1: JUDGMENT OF GUILT**

- The court hereby adjudges you to be guilty of the above offense(s).

Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation for a period of **Ct 2. (Case No. 23-0272) twelve (12) month, concurrent with Ct. 2 (Case No. 22-2714) twelve (12) months** under the supervision of the Department of Corrections, subject to Florida law.

**SECTION 2: ORDER WITHHOLDING ADJUDICATION**

- Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld and that you be placed on Probation for a period of **Ct. 1 twenty-four (24) months (Case No. 23-0272) concurrent with Ct.2 (Case No. 22-2714) twenty-four (24) months, each count concurrent** under the supervision of the Department of Corrections, subject to Florida law.

**IT IS FURTHER ORDERED** that you shall comply with the following **standard conditions of supervision** as provided by Florida law:

- (1) You will report to the probation officer as directed.
- (2) You will pay the State of Florida the amount of **\$52.00** per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating any law. A conviction in a court of law is not necessary for such a violation of law to constitute a violation of your probation, community control, or any other form of court ordered supervision.
- (6) You will not associate with any person engaged in any criminal activity.

**EXHIBIT #3**  
**PAGE 17/21**

- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician, an advanced practice registered nurse, or a physician assistant. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substances.
- (12) You will submit a DNA sample, as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in Escambia County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 3100 W. Fairfield Dr., Pensacola, FL 32505.

#### SPECIAL CONDITIONS

- 1. You must undergo a Drug and Alcohol evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court.  
Additional instructions ordered: **Must obtain a Substance Abuse evaluation within the first 30 days, and must successfully complete recommended Treatment.**
- 5. You may not **possess/consume** alcohol or controlled substances/illegal drugs without a valid **prescription**, and you will not associate or be in the presence with anyone who is illegally using drugs or consuming alcohol.
- You will submit to **random breath/urine** testing to determine the presence of alcohol or illegal drugs. **You will be required to pay for the tests unless exempt by the court.**
- 8. You will successfully complete **50** hours of Community Service Work at a work site approved by your officer.  
Additional instructions ordered: **Complete a minimum of 5 hours of Community Service Work per month. Complete all hours over the 1<sup>st</sup> 10 months of Supervision.**
- 14. You will **seek/maintain full time employment or be a full time student school/student status or perform 10 job searches per week** during the term of your supervision.
- 27. Other: **Report to Probation by no later than 3pm today.**

**Effective for offenders whose crime was committed on or after September 1, 2005**, there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:

- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
- Are designated as a sexual predator pursuant to s. 775.21; or
- Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.

**You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied**, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

**Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010**, and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(h)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense; the following conditions are imposed in addition to all other conditions:

(a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.

(b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.

**Effective for offenders whose crime was committed on or after October 1, 2014**, and who is placed on probation or community control for a violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, in addition to all other conditions imposed, is prohibited from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program. Visual or auditory material includes, but is not limited to, telephone, electronic media, computer programs, and computer services.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that you pay:  
**Court Costs, Fees, and Fines, as imposed at sentencing, in the total amount of: \$ 768.00**

Payments processed through the Department of Corrections will be assessed a 4% surcharge pursuant to s. 945.31, F.S. Pursuant to s. 948.09, F.S., you will be assessed an amount of \$2.00 per month for each month of supervision for the Training Trust Fund Surcharge.

- Court Costs/Fines Waived
- Court Costs/Fines in the amount of \_\_\_\_\_ converted to \_\_\_\_\_ community service hours
- Court Costs/Fines in the amount of \_\_\_\_\_ reduced to civil judgment.

**SPECIFIC INSTRUCTIONS FOR PAYMENT: Pay all Court Costs and Fines during Probation. Pay cost in minimum equal monthly installments to begin within the first 30 days of Supervision.**

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk's office and provide certified copies of same to the officer for use in compliance with the requirements of law.

**DONE AND ORDERED.**

**NUNC PRO TUNC** \_\_\_\_\_

  
eSigned by CIRCUIT COURT JUDGE LINDA L. NOBLES in 2023 C# 000272 A  
on 05/05/2023 15:07:22 nX7elP15

**Honorable Judge Linda L. Nobles, Circuit Judge**

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

\_\_\_\_\_  
Defendant

Instructed by: \_\_\_\_\_  
Supervising Officer



(<http://www.dc.state.fl.us/index.html>)

**Florida Department of Corrections**  
(<http://www.dc.state.fl.us/index.html>)

"Inspiring Success by Transforming One Life at a Time"



**Ron DeSantis, Governor**  
**Ricky D. Dixon, Secretary**


- Offender Search** (</OffenderSearch/InmateInfoMenu.aspx>)
- Visit an Inmate** (</ci/visit.html>)
- Correctional Institutions** (</ci/index.html>)
- Probation Services** (</cc/index.html>)
- Programs** (</development/index.html>)
- FDC Jobs** (<http://www.fdcjobs.com>)
- Newsroom** (</comm/index.html>)
- Statistics** (</pub/index.html>)
- Contact Us** (<http://www.dc.state.fl.us/citizen/index.html>)

## Corrections Offender Network

### Supervised Population Information Detail

(This information was current as of 5/28/2023)



<b>DC Number:</b>	H81724
<b>Name:</b>	DAYS, HEATHER RENEE
<b>Race:</b>	BLACK
<b>Sex:</b>	FEMALE
<b>Birth Date:</b>	[REDACTED]
<b>Supervision Begin Date:</b>	03/10/2023
<b>Current Location:</b>	<u>PENSACOLA</u> ( <a href="http://prod.fdc.wpws001.fdc.myflorida.com/c">http://prod.fdc.wpws001.fdc.myflorida.com/c</a> )
<b>Current Status:</b>	<u>ACTIVE</u>
<b>Supervision Type:</b>	PROBATION FELONY
<b>Scheduled Termination Date:</b>	03/09/2025
 <a href="https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&amp;agency=900&amp;offenderID=H81724">CLICK HERE for Custody Status Updates</a>	
<b>(<a href="https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&amp;agency=900&amp;offenderID=H81724">https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&amp;agency=900&amp;offenderID=H81724</a>)</b>	

#### Aliases:

HEATHER RENEE DAYS

Note: The offense descriptions are truncated and do not necessarily reflect the crime for which the offender is on supervision. Please refer to the court documents or the Florida Statutes for further information or definition.

#### Current Community Supervision History:

**EXHIBIT #3**  
**PAGE 20/21**

Offense Date	Offense	Sentence Date	County	Case No.	Community Supervision Length
01/23/2023	POSS.CONTROL.SUBS/OTHER	03/10/2023	ESCAMBIA	2300272	0Y 24M 0D
07/01/2022	POSS.DRUG PARAPHERNA.-MISD	03/10/2023	ESCAMBIA	2200272	0Y 12M 0D
07/01/2022	POSS.CONTROL.SUBS/OTHER	03/10/2023	ESCAMBIA	2202714	0Y 24M 0D
07/01/2022	POSS.DRUG PARAPHERNA.-MISD	03/10/2023	ESCAMBIA	2202714	0Y 12M 0D

[First](#)
[Previous](#)
[Next](#)
[Last](#)
[Return to List](#)

[New Search](#)

Record: 1 of 1

The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, scheduled termination date, or other information regarding an offender.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information includes offenders sentenced or released to state supervision or offenders received for supervision from another state as the result of an Interstate Compact transfer. Information contained herein includes current supervision offenses. Offense types include related crimes such as attempts, conspiracies and solicitations to commit crimes. Information on offenders sentenced to county jail, county probation, or any other form of supervision is not contained. The information is derived from court records provided to the Department of Corrections and is made available as a public service to interested citizens. The Department of Corrections makes no guarantee as to the accuracy or completeness of the information contained herein. Any person who believes information provided is not accurate may contact the Department of Corrections.

For questions and comments, you may contact the Department of Corrections, Bureau of Probation and Parole Field Services, at PENSACOLA Circuit Office (<http://prod.fdc-wpws001.fdc.myflorida.com/cc/01.html>). This information is made available to the public and law enforcement in the interest of public safety.

Search Criteria: (/OffenderSearch/search.aspx?TypeSearch=AO) Last Name: day First Name: heather Search Aliases: YES Offense Category: Supervision Type: ALL Supervision Status: ALL County of Supervision: ALL Current Location: ALL

**Current Status Definitions:** **Active** - offender is being actively supervised by the probation officer in the community. **Active Suspense** - offender is temporarily unavailable for direct supervision during the supervision term, due to being in custody in jail or another facility, but is still being monitored by a probation officer for release, arrest, etc. **Absconder** - offender absconds from supervision (his/her whereabouts are unknown and the offender is not available for supervision) and warrant is issued for violation.

[Return to Corrections Offender Information Network \(../OffenderSearch/InmateInfoMenu.aspx\)](#)

### About Us

<http://www.dc.state.fl.us/about.html>

As Florida's largest state agency, and the third largest prison system in the country, FDC employs 24,000 members, incarcerates approximately 80,000 inmates and supervises nearly 146,000 offenders in the community.

### Quick Links

- [Contact an Inmate](#) (<http://www.dc.state.fl.us/ci/ContactInmate.html>)
- [Public Records](#) (<http://www.dc.state.fl.us/comm/PRR.html>)
- [Volunteer](#) (<http://www.dc.state.fl.us/volunteer/index.html>)
- [File a Complaint](#) (<http://www.dc.state.fl.us/apps/IGcomplaint.html>)
- [Organization](#) (<http://www.dc.state.fl.us/org/orgchart.html>)
- [Regulatory Plan](#) (<http://www.dc.state.fl.us/pub/regulatory/2018.pdf>)
- [Victim Services](#) (<http://www.dc.state.fl.us/vict/index.html>)
- [Inmate and Offender](#) ([http://www.dc.state.fl.us/development/index.html](#))
- [Programming](#) ([https://www.correctionsfoundation.org/](#))
- [Corrections Foundation](#) (<https://www.correctionsfoundation.org/>)
- [Parole Information](#) (<https://www.fcor.state.fl.us/index.shtml>)
- [Inspector General](#) (<http://www.dc.state.fl.us/ig/index.html>)
- [Prison Rape Elimination Act](#) (<http://www.dc.state.fl.us/PREA/index.html>)

### Contact Us

<http://www.dc.state.fl.us/citi>

501 South Calhoun Street  
Tallahassee, FL 32399-2500  
Main: (850) 488-7052



**Pensacola Police Department**  
 711 N Hayne St  
 Pensacola, FL 32501  
 850-435-1900

**1707011545**

REPORT NUMBER  
 PPDYYARR17282M  
**ARREST REPORT**

**214468** **1545**

Report Date / Time <b>07/01/2022 02:36 AM</b>	Agency Case/Offense Number <b>PPD22OFF005404</b>
OBTS Number <i>Offender Based Transaction System</i>	Jail Booking Number <b>22-006331</b>
	Other Number <b>PPD22CAD039428</b>

**LOCATION OF OCCURRENCE**

County <b>ESCAMBIA</b>	Address <b>N P ST / W JACKSON ST , PENSACOLA, FL 32505</b>
Range of Occurrence Date/Time <b>07/01/2022 12:17 AM to 07/01/2022 01:23 AM</b>	Latitude <b>30.41875</b>
	Longitude <b>-87.2425</b>

**PERSON: SUSPECT**

First Name <b>HEATHER</b>	Middle Name <b>RENEE</b>	Last Name <b>DAYS</b>	Suffix	Date of Birth [REDACTED]	Age <b>20</b>
Master Name Index Number <b>PPD18MNI013600</b>	SSN [REDACTED]	Race <b>B</b>	Sex <b>F</b>	Height <b>503</b>	Weight <b>0</b>
Place of Birth	Nation	License or Other ID [REDACTED]	State <b>FL</b>	Class or Type <b>E</b>	Phone <b>8507487503</b>
Address <b>10080 HILLVIEW DR # 252D</b>	City <b>PENSACOLA</b>	County	State <b>FL</b>	Zip Code <b>32514</b>	

**CHARGES**

Counts <b>1</b>	Charge Number <b>322.34.10b2</b>	Charge <b>MOVING TRAFFIC VIOL</b>
Charge Degree <b>FIRST DEGREE</b>	Charge Level <b>MISDEMEANOR</b>	General Offense Code <b>NOT APPLICABLE</b>
		Hate Crime <input type="checkbox"/>
		Domestic Violence <input type="checkbox"/>
		Bond <b>\$1,000.00</b>
<b>DWLSR OR REVOCATION EQUIV STATUS SUBSQ OFF</b>		

Counts <b>1</b>	Charge Number <b>893.13.6a</b>	Charge <b>DRUGS-POSSESS</b>
Charge Degree <b>THIRD DEGREE</b>	Charge Level <b>FELONY</b>	General Offense Code <b>NOT APPLICABLE</b>
		Hate Crime <input type="checkbox"/>
		Domestic Violence <input type="checkbox"/>
		Bond <b>\$5,000.00</b>
<b>CNTRL SUB W/O PRESCRIPTION</b>		

Counts <b>1</b>	Charge Number <b>893.147.1</b>	Charge <b>DRUG EQUIP-POSSESS</b>
Charge Degree <b>FIRST DEGREE</b>	Charge Level <b>MISDEMEANOR</b>	General Offense Code <b>NOT APPLICABLE</b>
		Hate Crime <input type="checkbox"/>
		Domestic Violence <input type="checkbox"/>
		Bond <b>\$1,000.00</b>
<b>AND OR USE</b>		

**PROBABLE CAUSE**

On 07/01/2022 at approximately 0017 hours, I was in my marked patrol vehicle at the intersection of N. Pace Blvd. and W. Gadsden St. I observed a white Nissan Altima with FL QJ119, parked in the parking lot of 707 N. Pace Blvd. with the trunk open. I then observed a black female enter the driver seat, and a black male enter the front passenger seat. The vehicle then left the store, driving westbound on W. Gadsden St. I followed the vehicle and observed the license plate lights

**ARREST REPORT**

**PPDYYARR17282M**

Page 1 of 4

**RECEIVED**

By Escambia County Clerk of Court at 1:36 pm, Jul 05, 2022

**EXHIBIT #4  
 PAGE 1/16**



Report Date / Time <b>07/01/2022 02:36 AM</b>	Agency Case/Offense Number <b>PPD22OFF005404</b>	OCA / Agency ID
OBTS Number <i>Offender Based Transaction System</i>	Jail Booking Number	Other Number <b>PPD22CAD039428</b>

were not operational. I conducted a traffic stop on the vehicle at the intersection of N. P St. and W. Jackson St.

I made contact with the driver later identified as Heather Days. I asked Heather for her drivers license, and she stated she did not have it with her. I asked if the vehicle was hers and she stated it was not and it was her friend's. I asked her for the registration, and then asked the passenger if he had his license, to which he stated he did not. I asked Heather for her name and date of birth, then asked for the passenger's name and date of birth. He provided the name "Lawrence Mims" with the birth date of 09/24/1968. My backup Officer, K9 Ofc. Abed, stayed with the vehicle as I began to verify both occupants identity. I was able to find a driver's license for Heather, which was suspended. After multiple attempts to locate positive identification for "Lawrence", I asked K9 Ofc. Abed to double check his name and birthday.

I noticed that K9 Ofc. Abed was shaking her head as she was speaking with "Lawrence". At this point I believed "Lawrence" had provided me with a false identity. I made contact with him again in an attempt to identify his real name. "Lawrence's" breathing became very shallow and he was having trouble speaking. Officers were able to decipher that he had asthma and needed an inhaler. I asked him to exit the vehicle while I had Pensacola Police Dispatch call for an ambulance. While waiting for EMS, "Lawrence" fell to the ground and was wheezing. I monitored his pulse and administered multiple sternum rubs to keep him conscious until EMS arrived. He was stabilized in the ambulance and eventually gave his real name, Edward Grant 09/29/1970. I was then advised by Pensacola Police Dispatch that Edward had an active warrant with the Escambia County Sheriffs Office for domestic violence battery. Edward was transported to Baptist ER, where he was medically cleared. He was then placed under arrest and transported to the Escambia County Jail for booking.

Once the scene was cleared, a K9 sniff was conducted on the vehicle with positive results. I explained to Heather I would be conducting a search of the vehicle. She stated the other property that belonged to her in the vehicle was a white tote bag. I then conducted a probable cause search of the vehicle. I found a white tote bag by the drivers seat and held it up so Heather could clearly see it. I asked if the bag I was holding was her bag and she stated yes. Inside the white bag was a smaller multicolored bag with a pink zipper. Inside the smaller bag I located a crumbled up piece of tinfoil with multiple burn marks. Through my training and experience I knew this to be used to smoke different types of narcotics. I then located 3 plastic straws (white, blue, orange), all with a white residue on the inside. A continued search of the bag lead to the discovery of 2 plastic bags, both containing a small usable amount of powder. Heather was subsequently detained.

Heather was read her Miranda Rights Warning from a department issued card. I showed her all of the evidence found in her purse. I explained to her that I believed the powder to be cocaine and heroin. She stated I was wrong and the powder in the bags were not cocaine and heroin. I then asked what it was and she stated opioids. So I asked if she meant narcotics such as oxycodone or lortabs, and she stated no. I then asked if the drugs found was fentanyl. She paused for a moment and did not say anything. I asked her again if the drugs found were pure fentanyl and she then stated yes. I also asked if she used the straws and burnt tinfoil to ingest the fentanyl,

Report Date / Time <b>07/01/2022 02:36 AM</b>	Agency Case/Offense Number <b>PPD22OFF005404</b>	OCA / Agency ID
OBTS Number <i>Offender Based Transaction System</i>	Jail Booking Number	Other Number <b>PPD22CAD039428</b>

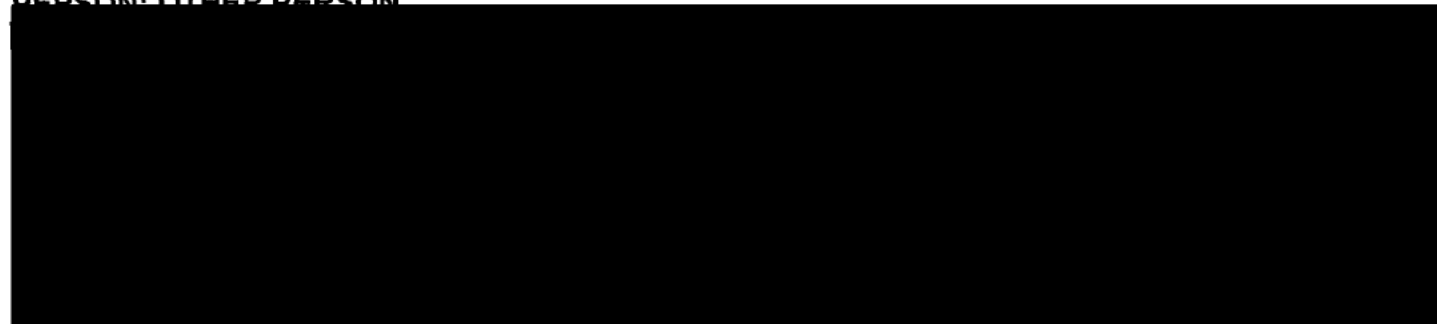
and again she stated yes.

All of the evidence found in Heather's bag was turned into property management, and submitted to FDLE for testing. Her property was turned over to her mother, and the vehicle was towed. A tow receipt and vehicle inventory were turned into records.

Heather was transported to the Escambia County Jail for booking. She was charged with FSS 893.13.6a possession of a controlled substance, FSS 893.147.1 possession of drug paraphernalia, FSS 322.34.10b2 driving with a suspended license subsequent offense, and issued the corresponding uniform traffic citation. Heather was also given a written warning for the faulty equipment violation.

All body cameras and in car cameras were active during the traffic stop and investigation.

PERSON: OTHER PERSON



Bond Amount \$	<input type="checkbox"/> None	<input type="checkbox"/> ROR	<input checked="" type="checkbox"/> Cash	<input type="checkbox"/> Pro
<u>\$7,000.00</u>				

**COURT APPEARANCE INFORMATION**

Court <b>(CIRCUIT) ESCAMBIA COUNTY COURT</b>	Court Phone <b>850-483-8468</b>	Court Date & Time <b>07/22/2022 08:30 AM</b>
Court Address <b>190 W. GOVERNMENTAL CENTER PENSACOLA, FL 32502, PAYABLE ONLINE AT: PAY.ESCAMBIA</b>		
Instructions		

**ARREST INFORMATION**

Arrest Date / Time <b>07/01/2022 12:45 AM</b>	Residency <b>Within jurisdiction</b>	Injured <b>None</b>	Extent of Injury <b>N/A</b>	Resist Arrest <b>No</b>
Prior Arrests <b>Unknown</b>	Arrest Jurisdiction <b>Within jurisdiction</b>	Alcohol <b>Unknown</b>	Drugs <b>Unknown</b>	

**ARREST LOCATION**


County <b>ESCAMBIA</b>	Address <b>N P ST / W JACKSON ST , PENSACOLA, FL 32505</b>
---------------------------	---

Report Date / Time <b>07/01/2022 02:36 AM</b>	Agency Case/Offense Number <b>PPD22OFF005404</b>	OCA / Agency ID
OBTS Number <small>Offender Based Transaction System</small>	Jail Booking Number	Other Number <b>PPD22CAD039428</b>

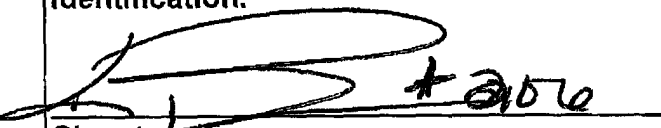
**ARREST DELIVERED TO**

Jail / Booking Facility <b>ESCAMBIA COUNTY JAIL</b>	Phone <b>(850) 436-9650</b>
Location <b>3080 N PACE BLVD, PENSACOLA, FLORIDA 32505</b>	

**ARRESTING OFFICER**

Officer Call Number <b>178</b>	Officer Name <b>LEACH, ZACHARY MARVE</b>	Officer Signature 
-----------------------------------	---	---

Subscribed and sworn to (or affirmed) before me this 1 day of JULY A.D., 2022 by Z. Leach who is      personally known to me or has produced      as identification.

      Notary Public      LEO    CO

Signature

Commission No:      My Commission Expires:     



EXHIBIT #4  
PAGE 4/16

Clerk Number: 1722CF002714A-F  
Arrest Date: 07/01/2022  
Agency Number: PPD22OFF005404

RACE: B SEX: F  
DOB: [REDACTED]

- 1) POSSESSION OF CONTROLLED SUBSTANCE
- 2) POSSESSION OF DRUG PARAPHERNALIA (9829)
- 3) DRIVING WHILE LICENSE CANCELLED, SUSPENDED OR REVOKED - FIRST CONVICTION (EFF 10/01/2019)

**IN THE NAME AND BY THE AUTHORITY OF THE STATE OF FLORIDA  
IN THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA**

**STATE OF FLORIDA,**  
Plaintiff,

v.

**HEATHER RENEE DAYS,**  
Defendant.

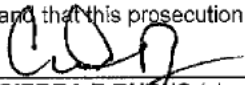
GINGER BOWDEN MADDEN, STATE ATTORNEY FOR THE FIRST JUDICIAL CIRCUIT OF FLORIDA, PROSECUTING FOR THE STATE OF FLORIDA, CHARGES THAT **HEATHER RENEE DAYS, on or about July 1, 2022,** at and in ESCAMBIA County, Florida, did unlawfully and knowingly be in actual or constructive possession of a controlled substance, **fentanyl**, in violation of Section 893.13(6)(a), Florida Statutes. **(F3-L3)**

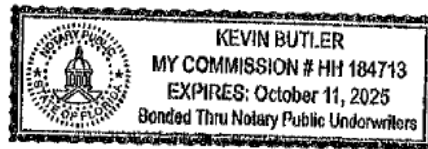
COUNT 2: AND YOUR INFORMANT AFORESAID, PROSECUTING AS AFORESAID, ON HER OATH AFORESAID, FURTHER INFORMATION MAKES THAT **HEATHER RENEE DAYS, on or about July 1, 2022,** at and in ESCAMBIA County, Florida, did unlawfully use or possess with intent to use drug paraphernalia, a **straw and/or bag and/or foil**, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance, in violation of Chapter 893, Florida Statutes and in violation of Section 893.147(1), Florida Statutes. **(M-1)**

COUNT 3: AND YOUR INFORMANT AFORESAID, PROSECUTING AS AFORESAID, ON HER OATH AFORESAID, FURTHER INFORMATION MAKES THAT **HEATHER RENEE DAYS, on or about July 1, 2022,** at and in ESCAMBIA County, Florida, while **her** driver's license or driving privilege had been cancelled, suspended or revoked as provided by law, or who does not have a driver's license or driving privilege but is under suspension or revocation equivalent as defined in Section 322.01(41), did unlawfully drive a motor vehicle upon the highways of the State of Florida, knowing of such cancellation, suspension, or revocation, in violation of Section 322.34(2)(a), Florida Statutes. **(M-2)**

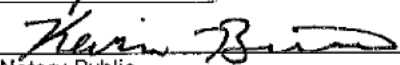
**STATE OF FLORIDA  
COUNTY OF ESCAMBIA**

Before me personally appeared the undersigned designated Assistant State Attorney for the First Judicial Circuit of Florida, being personally known to me, and who first being duly sworn, says that the allegations set forth in the foregoing information are based on facts that have been sworn as true, and which if true, would constitute the offense there charged, that said Assistant State Attorney has received testimony under oath from a material witness or witnesses for the offense and that this prosecution is instituted in good faith.

  
 \_\_\_\_\_  
**CIERRA E BURNS** (cburns@osa1.org)  
 FLORIDA BAR NO.: 0092056  
 ASSISTANT STATE ATTORNEY  
 PO BOX 12726  
 PENSACOLA, FL 32591-2726  
 PHONE: (850) 595-4613  
 ALT. EMAIL: kbutler@osa1.org



Sworn to and subscribed before me, by means of  physical presence or  online notarization, this 19th day of July, 2022.

  
Notary Public

DOC#: H81724

Div: F

**DEFERRED PROSECUTION AGREEMENT (PTI)**  
**FOR ESCAMBIA COUNTY**

It being alleged that you, HEATHER RENEE DAYS, have committed an offense against the State on or about the (date) 7/1/22, to-wit: Dkt.#: 172022CF002714A; CT.1: POCS; CT.2: POSSESSION OF PARAPHERNALIA; CT.3: DWLSR-FIRST CONVICTION and it further appearing that after an investigation of the offense and into your background, that at this time the interest of the State of Florida and your interest will best be served by the following procedures: **THEREFORE:** On the authority of Ginger Bowden Madden, State Attorney in and for the First Judicial Circuit, prosecution of this matter for said violation will be deferred for a period of 10 months from this date, provided you abide by the conditions hereafter specified in this contract and order. Your progress will be reviewed in accordance with F.S. 948.08 to determine if prosecution can be permanently deferred.

The defendant agrees to refrain from violation of any law.

The defendant agrees that he/she will work regularly at a lawful occupation or maintain full-time student status (or have legal income).

The defendant agrees that he/she will participate in and pay for programs established for him/her under the supervision of the Department of Corrections. (Mental Health, Drugs, Alcohol Counseling, Parenting Skills, Anger Management, Anti-Theft).

The defendant agrees to answer truthfully all inquiries by the PTI Program Officer and allow visits at his/her home, employment, school, or elsewhere and carry out any instructions given.

The defendant agrees to report to the PTI office monthly as instructed (if resides out of state then report by mail/email/phone)

The defendant will not possess, carry or own any firearm.

The defendant agrees to pay \$2.00 per month to the DC Education Trust Fund pursuant to F.S. 948.09(1) (2).

The defendant agrees to pay cost of supervision in the amount of \$50.00 plus 4% surcharge per month.

The defendant agrees to submit to and pay for random urinalysis testing plus 4% surcharge.

The defendant agrees to complete Life Skills counseling as directed.

**SPECIAL CONDITIONS:**

- Pay \$150.00 cost of prosecution (PAYABLE 850-595-4067)
- Pay \$100.00 FDLE fee
- Pay court costs in the amount of \_\_\_\_\_
- Pay restitution in the amount of \_\_\_\_\_ to \_\_\_\_\_
- Substance abuse evaluation and recommended treatment; SIGN UP WITHIN 30 DAYS
- Anti-theft counseling
- Anger Management counseling
- Parenting counseling
- DVIP counseling
- Mental Health evaluation and counseling if recommended
- No alcohol or drugs without a valid prescription or be in the presence of illegal drugs
- Abide by DCF/FFN case plan
- No contact with victim \_\_\_\_\_
- No violent contact with victim \_\_\_\_\_
- No contact with co-defendant
- Stay away from \_\_\_\_\_
- Perform \_\_ hours CSW at a minimum of \_\_ hours/month
- Maintain full time employment/full time student status or submit \_\_\_ job apps/weekly
- Mail in status (out of state)
- Verify employment with pay stubs in lieu of personal contact
- 

The State Attorney may, during the period of deferred prosecution revoke or modify the conditions of your Deferred Prosecution by:

- (1) Changing the period of deferred prosecution not to exceed an additional \_\_\_\_\_ days.
- (2) Prosecuting you for this offense if you violate these conditions.
- (3) Void this agreement should it be determined that you have a significant prior record of adult criminal conviction.

If you comply with these conditions during the period of deferred prosecution, no criminal prosecution concerning this charge will be instituted in this county.

By signing this deferred prosecution agreement, the defendant HEATHER RENEE DAYS withdraws and/or waives his/her right to a speedy trial for the period of his/her diversion under the Constitution and Laws of Florida and the United States of America in the cause for which prosecution is being deferred. Further, that he/she understands the contract and will abide by the conditions in the contract.

Defendant's Signature  
C. Patterson  
 Assistant State Attorney  
M. Wallace  
 Project Administrator

Date  
11/17/2022  
 Date  
 \_\_\_\_\_  
 Date  
 \_\_\_\_\_

Recall Date: 11/9/23



FLORIDA  
DEPARTMENT of  
CORRECTIONS

Governor

RON DESANTIS

Secretary

RICKY D. DIXON

501 South Calhoun Street, Tallahassee, FL 32399-2500

www.dc.state.fl.us

January 24, 2023

Circuit Court of Escambia County  
Office of the State Attorney  
Division F

Dear S.A.:

RE: **PRETRIAL INTERVENTION PROGRAM STATUS**

Offender Name: Heather Renee Days DC#: H81724

County Escambia Case #: 1722CF002714A

The following notification is provided regarding the above offender's Pretrial Intervention program status with the Florida Department of Corrections:

- The offender's referral to the Pretrial Intervention program has been accepted. See attached copy of the PTI contract/agreement signed by the officer and offender.
- Extension of the PTI supervision period is recommended due to the following: \_\_\_\_\_
- The offender has completed the terms and conditions of PTI effective \_\_\_\_\_ and the case is being returned for the state to dismiss the charges. The offender is not required to be present in court.
- The offender is in non-compliance with the following condition of supervision and the Department is recommending that the offender be removed from the PTI program effective this date: 1/24/23. The defendant was arrested on 1/23/23 at 3:21 am for Possession of Possession of Controlled Substance w/o Prescription (Fentanyl), Possession of Drug Equipment, and Driving While License Suspended. The corresponding Clerk case is 2023 CF 000272A. This defendant does not appear to be suitable candidate for PTI. She was on PTI for 42 days.
- The offender was charged with the following new offense and the Department is recommending that the offender be removed from the PTI program effective this date: \_\_\_\_\_
- Other Recall (next) Court date set for 2/10/23 Courtroom 401 at 8:30am

If you have any questions regarding the above, please contact me at the following telephone number or address: 462-6363.

Sincerely,

Heather Wallace  
Correctional Probation Senior Officer  
S.A.  
Defense  
Clerk  
File  
Offender

EXHIBIT #4  
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IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

STATE OF FLORIDA,

Case No.: 2022 CF 002714 A

vs.

DIV: F

HEATHER RENEE DAYS,  
DEFENDANT

**ORDER OF JUDGMENT AND SENTENCE**

---

This cause, coming on this day to be heard before the Court, and the Defendant being now present with Counsel, having entered a Plea(s) as follows:

No Contest as to Count(s): \_\_\_\_\_

No Contest previously on 11/02/2022 as to Count(s): 1, 2, 3

The State Attorney announced Nolle Prosequi as to Count(s): \_\_\_\_\_

A Jury of your peers having found you Guilty as to Count(s): \_\_\_\_\_.

The Court hereby:

Adjudicates Defendant Guilty as to Count(s): 2, 3

Withholds Adjudication as to Count(s): 1

Finds Defendant Not Guilty as to Count(s): \_\_\_\_\_

---

Count	Statute	Statute Description	Level	Degree
1	893.13(6a)	POSSESSION OF CONTROLLED SUBSTANCE WO PRESCRIPTION	F	T
2	893.147(1)	DRUG EQUIP POSSESS-AND OR USE	M	F
3	322.34(2)(a)	KNOWINGLY DRIVING WHILE LICENSE SUSPENDED, CANCELED, REVOKED, OR THE EQUIVALENT	M	S

EXHIBIT #4  
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H. Days

STATE OF FLORIDA

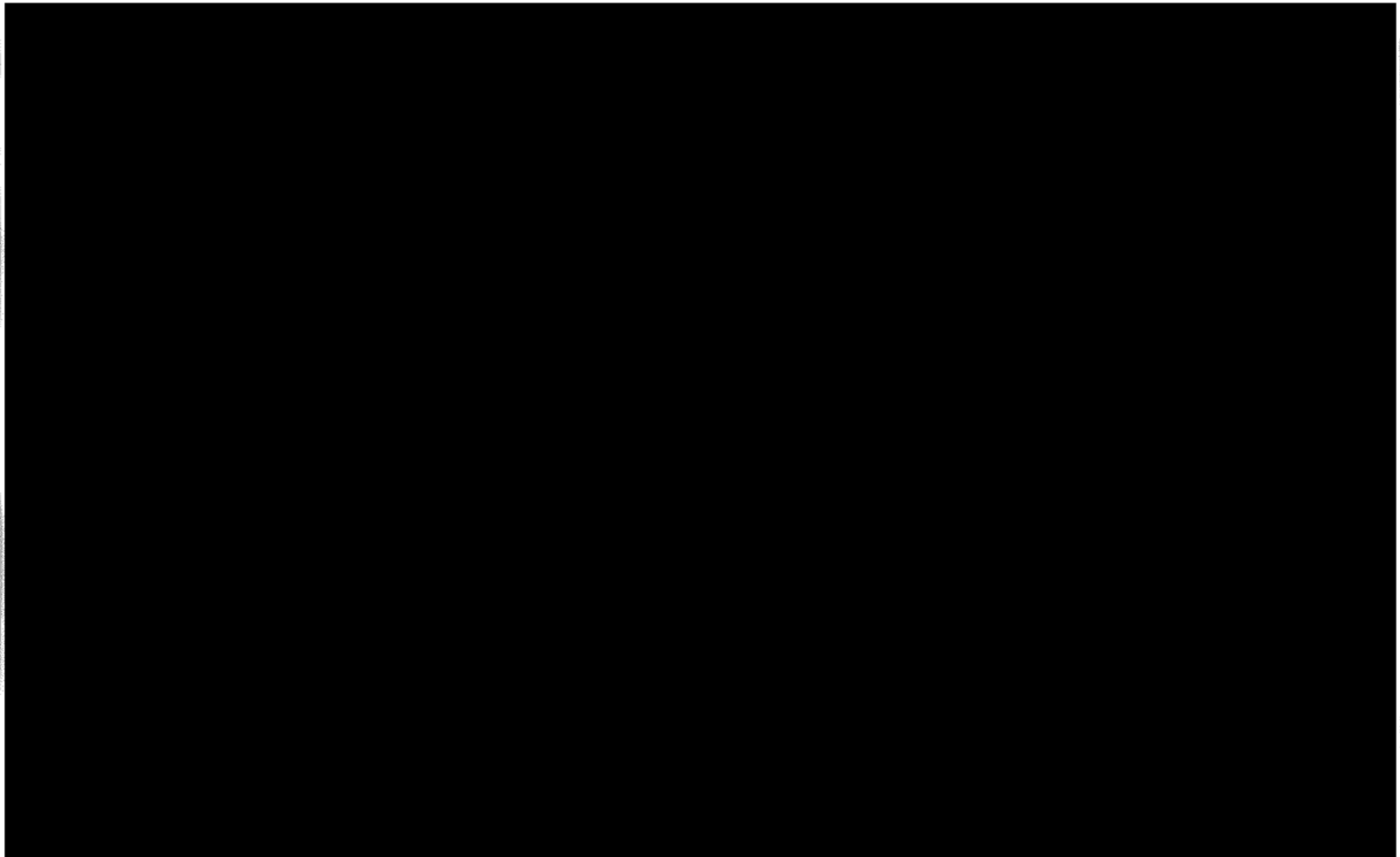
V.

HEATHER RENEE DAYS

2022 CF 002714 A, 2023 CF 000272 A

DEFENDANT.

CASE NUMBERS



I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant,  
HEATHER RENEE DAYS

and that they were placed thereon by the defendant in my presence on 3 month 10 day 23 year.

Court Officer, Employee of the Court, or  
Employee of Criminal Justice Agency

Deputy #622

Title and Badge Number

EXHIBIT #4  
PAGE 9/16



Under Authority granted to the Court by Florida law, it is ORDERED and ADJUDGED that:

The following Provisions apply as to Count(s): \_\_\_\_\_

- Habitual Felony Offender (F.S. 775.084(4)(a))
- Habitual Violent Felony Offender:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 775.084(4)(b))
- Three-time Habitual Violent Felony Offender:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 775.084(4)(c))
- Violent Career Criminal:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 775.084(4)(d))
- Dangerous Sexual Felony Offender
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 794.0115(2))
- Prison Release Reoffender (F.S. 775.082(9))
  
- \_\_\_\_\_ Firearm:
  - 3** Year Minimum (F.S. 775.087(2))
  - Possession: **10** Year Minimum (F.S. 775.087(2)(a)1)
  - Discharge: **20** Year Minimum (F.S. 775.087(2)(a)2)
  - Death or Great Bodily Harm: **25** Year Minimum (F.S. 775.087(2)(a)3)
- Drug Trafficking:
  - \_\_\_\_\_ Mandatory minimum imprisonment (F.S. 893.13(1)(c)1)
- Controlled Substance within 1,000 Feet of a School: **3** Year Minimum (F.S. 893.13(1)(c)1)
- Assault or Battery on Person 65 years of age or older: **3** Year Minimum (F.S. 748.08(1))
- DUI / Manslaughter: **4** Year Minimum (F.S. 316.193(3))
- Sexual Predator (F.S. 775.21)
- Designated** as a Sexual Offender (F.S. 943.0435)
- Criminal Gang Activity
- Youthful Offender Program (F.S. Ch. 958)
- Downward Departure
- \_\_\_\_\_

As to COUNT(S) 1, the Defendant is sentenced as follows:

**PRISON / JAIL:**

- Time Served
- Serve** \_\_\_\_ Years, \_\_\_\_ Months, \_\_\_\_ Days in **County Jail**
- Credit for time served: \_\_\_\_ days
- Time to be **Concurrent with Count** \_\_\_\_
- \_\_\_\_ days Suspended
- Report to Court on \_\_\_\_, at \_\_\_\_ to begin your sentence
- Remanded to Custody
- To be followed by **Community Control**

**COMMUNITY CONTROL / PROBATION:**

- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Community Control to be followed by Probation
- Serve **24** Month(s) Probation
- Time to be **Concurrent with Case Number 2023CF272**
- Under same terms and conditions
- Pay \$\_\_\_\_ per month for Cost of Supervision to Community Corrections
  - COS Waived
- Pay** \$1.00 per month to Circuit One First Step, Inc.
- Standard conditions of supervision imposed
- Probation to Automatically terminate upon completion of County Jail sentence
- Possible early** termination after \_\_\_\_ months, if all conditions satisfied & if no violations
- Report to Probation **by no later than 3pm today**

**COMMUNITY SERVICE:**

- You shall complete \_\_\_\_ hours of Community Service Work
- Complete a minimum of \_\_\_\_ hours of Community Service Work per month
- Complete in minimum equal monthly installments
- Complete all hours **over** the 1<sup>st</sup> \_\_\_\_ **days** of Supervision
- Begin Community Service Work within \_\_\_\_ of Supervision
- You may buy out Community Service Work hours at the rate of \_\_\_\_ per hour
- You qualify and may perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$\_\_\_\_ per hour
- 

**FINES:**

- \$\_\_\_\_ Fine

As to COUNT(S) 2, the Defendant is sentenced as follows:

**PRISON / JAIL:**

- Time Served
- Serve** \_\_\_\_ Years, \_\_\_\_ Months, \_\_\_\_ Days in **County Jail**
- Credit for time served: \_\_\_\_ days
- Time to be **Concurrent with Count** \_\_\_\_
- \_\_\_\_ days Suspended
- Report to Court on \_\_\_\_, at \_\_\_\_ to begin your sentence
- Remanded to Custody
- To be followed by **Community Control**

**COMMUNITY CONTROL / PROBATION:**

- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Community Control to be followed by Probation
- Serve **12** Month(s) Probation
- Time to be **Concurrent with Count 1**
- Under same terms and conditions as in **Count** \_\_\_\_
- Pay \$ \_\_\_\_ per month for Cost of Supervision to Community Corrections
  - COS Waived
- Pay** \$1.00 per month to Circuit One First Step, Inc.
- Standard conditions of supervision imposed
- Probation to Automatically terminate upon completion of County Jail sentence
- Possible early** termination after \_\_\_\_ months, if all conditions satisfied & if no violations
- Report to Probation

**COMMUNITY SERVICE:**

- You shall complete \_\_\_\_ hours of Community Service Work
- Complete a minimum of \_\_\_\_ hours of Community Service Work per month
- Complete in minimum equal monthly installments
- Complete all hours **over** the 1<sup>st</sup> \_\_\_\_ **days** of Supervision
- Begin Community Service Work within \_\_\_\_ of Supervision
- You may buy out Community Service Work hours at the rate of \_\_\_\_ per hour
- You qualify and may perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$ \_\_\_\_ per hour
- 

**FINES:**

- \$ \_\_\_\_ Fine

As to COUNT(S) 3, the Defendant is sentenced as follows:

**PRISON / JAIL:**

- Time Served
- Serve** \_\_\_\_ Years, \_\_\_\_ Months, \_\_\_\_ Days in **County Jail**
- Credit for time served: \_\_\_\_ days
- Time to be **Concurrent with Count** \_\_\_\_
- \_\_\_\_ days Suspended
- Report to Court on \_\_\_\_, at \_\_\_\_ to begin your sentence
- Remanded to Custody
- To be followed by **Community Control**

**COMMUNITY CONTROL / PROBATION:**

- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Community Control to be followed by Probation
- Serve \_\_\_\_ Year(s), \_\_\_\_ Month(s) Probation
- Time to be **Concurrent with Count** \_\_\_\_
- Under same terms and conditions as in **Count** \_\_\_\_
- Pay \$\_\_\_\_ per month for Cost of Supervision to Community Corrections
  - COS Waived
- Pay** \$1.00 per month to Circuit One First Step, Inc.
- Standard conditions of supervision imposed
- Probation to Automatically terminate upon completion of County Jail sentence
- Possible early** termination after \_\_\_\_ months, if all conditions satisfied & if no violations
- Report to Probation

**COMMUNITY SERVICE:**

- You shall complete \_\_\_\_ hours of Community Service Work
- Complete a minimum of \_\_\_\_ hours of Community Service Work per month
- Complete in minimum equal monthly installments
- Complete all hours **over** the 1<sup>st</sup> \_\_\_\_ **days** of Supervision
- Begin Community Service Work within \_\_\_\_ of Supervision
- You may buy out Community Service Work hours at the rate of \_\_\_\_ per hour
- You qualify and may perform Community Service Work hours in lieu of paying court ordered court costs and fines at the rate of \$\_\_\_\_ per hour
- 

**FINES:**

- \$\_\_\_\_ Fine

**The Defendant shall pay the following Court Costs:**

- \$518** Mandatory Felony Court Costs  
(F.S. 938.01, 938.03, 938.05, 938.06, 938.15, 938.19, 938.27, 939.185, 775.083(2),  
Escambia County Ord 34-7, 34-9, and 34-11)
- \$273** Mandatory Misdemeanor Court Costs  
(F.S. 938.01, 938.03, 938.05, 938.06, 938.15, 938.19, 938.27, 939.185, 775.083(2),  
Escambia County Ord 34-7, 34-9 and 34-11)
- \$686** Felony DUI Court Costs  
(F.S. 938.01, 938.03(1), 938.05, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,  
775.083, 318.18(17), 318.18(13)(a)(1), Escambia County Ord 34-6, 34-7, 34-9, 34-10 and 34-11)
- \$653** Felony BUI Court Costs  
(F.S. 938.01, 938.03, 938.05, 938.06, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,  
775.083(2), Escambia County Ord 34-7 and 34-9)
- \$456** Misdemeanor DUI Court Costs  
(F.S. 938.01, 938.03(1), 938.05, 938.07, 938.13, 938.15, 938.19, 938.27, 939.185,  
775.083, 318.18(17), 318.18(13)(a)(1), Escambia County Ord 34-6, 34-7, 34-9, 34-10 and 34-11)
- \$201** Domestic Violence Trust Fund (F.S. 938.08)
- \$151** Rape Crisis Trust Fund (F.S. 938.085)
- \$151** Crimes against Minors (F.S. 938.10)
- \$15** Misdemeanor Crimes Involving Drugs/Alcohol (F.S. 938.13)
- \$5,000** Prostitution (F.S. 796.07(6))
- \$65** Reckless Driving / Racing on Highway (F.S. 318.18(20))
- \$ \_\_\_\_\_ County Drug Abuse Trust Fund (F.S. 938.21)
- \$ \_\_\_\_\_ Additional Costs of Prosecution (F.S. 938.27)
- \$50** Public Defender Application (F.S. 27.52) – previously assessed 7/22/22
- \$100** for legal assistance (F.S. 938.29)
- \$100** FDLE (F.S. 938.055)
- \$30** State Facility Surcharge (F.S. 318.18, Escambia County Ord 34-6)
- \$5** EMS Trust Fund (F.S. 316.192/316.061)
- \$3** State Radio (F.S. 318.18(17))
- \$ \_\_\_\_\_ Surcharge on all fines (F.S. 938.04)
- \$ \_\_\_\_\_ Cost of Investigation to \_\_\_\_\_ (F.S. 938.27)
- \$ \_\_\_\_\_

**Court Costs and Fines shall be paid as follows:**

- Pay costs or enter into a Payment Plan with the Clerk of Court within \_\_\_\_\_ days  
 of Sentencing     of Release from Custody     or Reduce to Lien
- You must pay all Court Costs and Fines or enter into a Payment Plan with the Clerk of Court  
by \_\_\_\_\_ or **reduce to lien**.
- Pay \_\_\_\_\_ in minimum equal monthly installments to begin \_\_\_\_\_
-

**The Defendant shall comply with the following Special Conditions:**

- Restitution: \_\_\_\_\_
- Restitution to be determined/The Court reserves jurisdiction \_\_\_\_\_
- Restitution: State Attorney has to file amount within \_\_\_\_\_ days and defense has \_\_\_\_\_ days to object or set hearing, if defense fails to object or set hearing, the amount stands
- Restitution **may** be paid into the court clerk's registry
- Restitution to be paid joint and severally with co-defendants
- Evaluation: Must obtain a/an **Alcohol** evaluation
- Counseling/Treatment: Attend and Complete **Alcohol Counseling**
- Must successfully complete recommended **Counseling**
- Complete Shoplifter's Alternative class
- DVIP/BIP: Complete a **Domestic Violence** Intervention Program
- May not **consume** alcohol or drugs or any controlled substances without a **prescription**
- Do not be in presence of anyone using or possessing illegal drugs or alcohol
- Provide Probation Officer with prescriptions within \_\_\_\_\_ days and within \_\_\_\_\_ days of any new prescription thereafter
- Take **prescriptions** in prescribed dosages
- Alcohol/Drug Testing: **Random urinalysis testing** at defendant's expense
- Do not test positive for **alcohol**
- No Contact: Have no **contact** with \_\_\_\_\_
- Stay away from \_\_\_\_\_
- Seek full time** employment or
- Perform \_\_\_\_\_ job searches **per** week
  - if working less than \_\_\_\_\_ hours **per** week;
  - begin within \_\_\_\_\_ **days** of starting Supervision;
  - must continue until hired
- Your Driver's License is **revoked** for \_\_\_\_\_
- DUI School: Must complete **1st Offender** DUI School
- Interlock \_\_\_\_\_ month(s)
- Impact Panel: Must attend \_\_\_\_\_ **Drunk Driving** Impact Panel(s)
- Your vehicle will be impounded for \_\_\_\_\_ days
- You may not operate a motor vehicle
- Driver's License: **Obtain a valid driver's license**
  - show proof to Probation Officer
  - Clear Driver's License to extent possible
- Pay all Court Costs and Fines during Probation
- Attend \_\_\_\_\_ **AA** meetings per week. Obtain written verification of attendance and provide proof of attendance to Probation Officer

Other Provisions: \_\_\_\_\_

It is determined that you are unable to pay the amounts due and your monetary obligations, consisting of Court Costs and Fees, are reduced to a Civil Judgment, which shall bear interest at the maximum rate allowed by law. (F.S. 55.03)

- Any remaining balance due on your civil judgment after **90** days from the date of this order will be referred to a collections agency.
- Your driver's license will be suspended.

If you fail to complete the terms of this order, including payment of all costs, fees and fines, as required, you may be subject to Contempt of Court proceedings.

If a bail bond is currently in effect as to this case and has not been forfeited, that bond is hereby cancelled and the surety is discharged from liability on that bond. A cash bond may be applied towards outstanding financial obligations as allowed per F.S. 903.286.

Any active warrants, capias or summons in this case against this Defendant are hereby quashed.

The Defendant has **30** days from the date of this Order and Judgment in which to file an appeal of the findings and sentence in this matter by filing a Notice of Appeal with the Clerk of Court.

DONE AND ORDERED in open court in Escambia County, Florida, on **03/10/2023**.

\_\_\_\_\_  
Circuit Court Judge

I hereby certify that a true and correct copy of this document was sent via electronic mail to the State Attorney and Defense Counsel of Record or Defendant by US Mail if there is no Defense Counsel of Record.

**PAM CHILDERS, CLERK OF THE CIRCUIT COURT**

By: \_\_\_\_\_  
Deputy Clerk





ACCOUNT NAME		ACCOUNT #	PAGE #
Florida Gaming Control Commission		1193634	1 of 1
INVOICE #	BILLING PERIOD	PAYMENT DUE DATE	
0006063900	Nov 1 - Nov 30, 2023	December 20, 2023	
PREPAY (Memo Info)	UNAPPLIED (included in amt due)	TOTAL CASH AMT DUE*	
\$0.00	\$0.00	\$496.26	

BILLING ACCOUNT NAME AND ADDRESS
Florida Gaming Control Commission 4070 Esplanade WAY # 250 Tallahassee, FL 32399-7033

**Legal Entity** Gannett Media Corp  
**Terms and Conditions** Past due accounts are subject to interest at the rate of 18% per annum or the maximum legal rate (whichever is less) Advertiser claims for a credit related to rates incorrectly invoiced or paid must be submitted in writing to Publisher within 30 days of the invoice date or the claim will be waived Any credit towards future advertising must be used within 30 days of issuance or the credit will be forfeited  
**All funds payable in US dollars.**

<b>BILLING INQUIRIES/ADDRESS CHANGES</b> 1 877 736 7612 or smb@ccc.gannett.com	<b>FEDERAL ID</b> 47 2390983
--	------------------------------

To sign-up for E-mailed invoices and online payments please contact [abgspecial@gannett.com](mailto:abgspecial@gannett.com). Previous account number:

Date	Description	Amount
11/1/23	Balance Forward	\$0.00

**Package Advertising:**

Start-End Date	Order Number	Description	PO Number	Package Cost
11/3/23-11/24/23	9443835	9443835	Heather Days	\$496.26

As an incentive for customers, we provide a discount off the total invoice cost equal to the 3.99% service fee if you pay with Cash/Check/ACH. Pay by Cash/Check/ACH and Save!

Total Cash Amount Due	\$496.26
Service Fee 3.99%	\$19.80
*Cash/Check/ACH Discount	\$19.80
*Payment Amount by Cash/Check/ACH	\$496.26
Payment Amount by Credit Card	\$516.06

**PLEASE DETACH AND RETURN THIS PORTION WITH YOUR PAYMENT**

ACCOUNT NAME		ACCOUNT NUMBER		INVOICE NUMBER		AMOUNT PAID
Florida Gaming Control Commission		1193634		0006063900		
CURRENT DUE	30 DAYS PAST DUE	60 DAYS PAST DUE	90 DAYS PAST DUE	120+ DAYS PAST DUE	UNAPPLIED PAYMENTS	TOTAL CASH AMT DUE*
\$496.26	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$496.26

REMITTANCE ADDRESS (Include Account# & Invoice# on check)	TO PAY WITH CREDIT CARD PLEASE FILL OUT BELOW:	TOTAL CREDIT CARD AMT DUE
Gannett Florida LocaliQ PO Box 631244 Cincinnati, OH 45263-1244	<input type="checkbox"/> VISA <input type="checkbox"/> MASTERCARD <input type="checkbox"/> DISCOVER <input type="checkbox"/> AMEX  Card Number _____ Exp Date ____/____/____   CVV Code _____ Signature _____   Date _____	\$516.06

0001193634000000000000060639000004962667171



NOTICE OF ACTION

BEFORE THE DIVISION OF PARI-MUTUEL WAGERING

IN RE: Sections 550.105(5)(b), 550.105(5)(d), Florida Statutes and rule 75-11.011, Florida Administrative Code.

HEATHER RENEE DAYS  
10080 Hillview Drive, #252  
Pensacola, Florida 32514

CASE NO.: 2023-031855

LICENSE NO.: 13073201

The Florida Gaming Control Commission has filed an Administrative Complaint against you, a copy of which may be obtained by contacting Ebonie Lanier, Administrative Assistant III, Office of the General Counsel, Florida Gaming Control Commission, 4070 Esplanade Way, Suite 250, Tallahassee, FL 32399, (850) 794-8072.

If no contact has been made by you concerning the above by Friday, December 1, 2023, the matter of the Administrative Complaint will be presented to the Florida Gaming Control Commission at the next public meeting for final agency action.

In accordance with the Americans with Disabilities Act, persons needing special accommodation to participate in this proceeding should contact the individual or agency sending notice no later than seven days prior to the proceeding at the address given on notice. Telephone: (850) 257- 6097; 1-800-955-8771 (TDD) or 1-800-955-8770 (v), via Florida Relay Service.



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Henry Collazo Case No. 2023-047752; Default Final Order  
Date: December 20, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the suspension of Henry Collazo (“Respondent”) Pari-Mutuel Wagering Professional Individual Occupational License. By failing to respond to the administrative complaint, Respondent waived his right to request a hearing contesting the Division’s decision. Therefore, the Florida Gaming Control Commission should enter a final order suspending Respondent’s Pari-Mutuel Wagering Professional Individual Occupational License.

### *Background*

On July 13, 2022, a default final judgment of \$21,184.61 was entered against Respondent for unpaid financial obligations regarding horse feed products provided on the ground of a pari-mutuel facility in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida in case number COCE22007833. These unpaid financial obligations related to racing conducted at a pari-mutuel facility in the state of Florida.

The Division filed an administrative complaint against Respondent seeking suspension of Respondent’s Pari-Mutuel Wagering Professional Individual Occupational License. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>1</sup> to file a written response to the administrative complaint. The Respondent was served on October 30, 2023, which means the Respondent had until November 20, 2023, to respond. He has never responded.

### *Analysis*

Section 550.105(7), Florida Statutes, provides, that “[t]he Commission may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or

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<sup>1</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.” Respondent defaulted in Seventeenth Circuit on a case relating to horse racing in the state of Florida. Accordingly, Respondent license may be suspended or revoked.

Because Respondent failed to file a timely response to the properly served administrative complaint, he waived his right to request a hearing.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order suspending Henry Collazo’s Pari-Mutuel Wagering Professional Individual Occupational License until the Commission receives confirmation that payment has been satisfied.

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.: 2023-047752

HENRY COLLAZO,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

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

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.

2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, number 98381-1021, issued by Petitioner.

3. On or about July 13, 2022, a default judgment of \$21,184.61 was entered against Respondent for unpaid financial obligations regarding horse feed products in the County Court of the Seventeenth Judicial Circuit in and for Broward County, Florida, in case number COCE22007833.

4. These unpaid financial obligations relate to racing conducted at a pari-mutuel facility in the State of Florida.

5. Pursuant to section 550.105(7), Florida Statutes:

The division may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.

6. Based on the foregoing, Respondent violated section 550.105(7), Florida Statutes, by accumulating unpaid obligations or defaults in obligations that directly related to racing conducted at a pari-mutuel facility in the State of Florida.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-047752 is signed this 11th day of September 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  
4070 Esplanade Way  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.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.

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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

Lic Type	<b>1021 - Pari-Mutuel Wagering Individual Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>09/05/2023</b>
Complaint #	<b>2023047752</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>COLLAZO, HENRY</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>CNSM - Consumer</b>	Security Level	<b>1</b>
Form	<b>PCOM - PMW Complaint</b>	Priority	
Class'n	<b>IV-A - Financial Responsibility</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>07/13/2023</b>
Region	<b>SR - Southern Region</b>	Received	<b>08/23/2023</b>
Reference	<b>F.S.S. 550.105</b>		
Entered	<b>08/23/2023</b>	Entered By	<b>nmelvai</b>
Summary	<p><b>321---Gulfstream Park Racing, Assoc., Inc.---</b>  <b>[[F.S.S. 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines.]]---On August 22, 2023, a copy of an Amended Default &amp; Final Judgment, Case #COCE-22-007833 was received via e-mail from Attorney Mark Gunderson. Per said Amended Default &amp; Final Judgment filed on July 13, 2022, in the County Court For the 17th Judicial Circuit in and For Broward County, FL, in Division 56 Northwest Distributors LLC., shall recover from Henry COLLAZO the sum of \$19,089.91 in principle, filing fees of \$434.70, process server fees of \$160.00, and attorney fees in the amount of \$1,500.00, totaling \$21,184.61, which shall bear interest at the rate of 4.25% per year. Note that a vehicle was given as collateral therefore, the total amount due is \$17,184.71.</b></p>		
Updated	<b>09/06/2023 09:24:04</b>	By	<b>cstubbs1</b>

<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
<input type="checkbox"/>	Inspection		
<input type="checkbox"/>	Costs		
<input type="checkbox"/>	Time Tracking		Auto Assign
<input type="checkbox"/>	Attachments		History
<input type="checkbox"/>	Work Notes		Print Report

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>August 23, 2023</b>	Case Number: <b>2023 04 7752</b>
Respondent:  <b>COLLAZO, HENRY</b> <b>3100 SW 148<sup>TH</sup> AVE.</b> <b>DAVIE, FL. 33331</b> <b>(786) 541-6626</b> <a href="mailto:horseforce@msn.com">horseforce@msn.com</a>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATION</b> <b>1400 W. COMMERCIAL BLVD., SUITE 165</b> <b>FT. LAUDERDALE, FL. 33309</b> <b>(954) 202-3900</b>	
License # and Type: <b>98381 - 1021</b>		Profession: <b>Jockey Agent /</b> <b>Animal Owner &amp; Trainer</b>	Report Date: <b>August 23, 2023</b>
Period of Investigation: <b>August 23, 2023, through August 23, 2023</b>		Type of Report: <b>Final</b>	
<b>Alleged Violation: F.S.S. 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines. –</b> <b>(7) “The commission may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations, or issues drafts or checks that are dishonored or for which payment is refused without reasonable cause, if such unpaid obligations, defaults, or dishonored or refused drafts or checks directly relate to the sport of jai alai or racing being conducted at a pari-mutuel facility within this state.”</b>			
<b>Synopsis:</b> On August 22, 2023, a copy of an Amended Default & Final Judgment against Henry <b>COLLAZO</b> , in favor of Northwest Distributors LLC., Case No. COCE-22-007833, Division 56 in the County Court of the 17 <sup>th</sup> Judicial Circuit in and for Broward County, FL., ordered on July 13, 2022, was received via e-mail from Attorney Mark Gunderson.  Per said judgment, Northwest Distributors LLC., shall recover from <b>COLLAZO</b> the sum of \$19,089.91 in principle, filing fees of \$434.70, process server fees of \$160.00 and attorney fees in the amount of \$1,500.00, totaling \$21,184.61, which shall bear interest at the rate of 4.25% per year. Please note that title to a vehicle valued at \$4,000.00 was given as collateral making the total balance due \$17,184.71 ( <b>EXHIBIT #1</b> ).			
Related Case:			
Investigator / Date		Investigator Supervisor / Date	
		Julio Minaya / August 23, 2023 	
Chief of Investigations / Date			
 Bradford D. Jones / September 5, 2023			

## CONTINUATION

A check of Versa licensing records reflect that Henry **COLLAZO** obtained a 3-year Florida PMW Occupational License as a Jockey Agent, Individual Animal Owner and Trainer on June 16, 2023. This license expires on June 30, 2026. A copy of his licensing information is attached as **EXHIBIT #2**.

In the letter from Gunderson dated August 22, 2023, he states that the original amount due of \$19,089.91, is for horse care products provided by his client at a Florida Pari-Mutuel facility (Gulfstream Park) where **COLLAZO** stables his horses. Additional fees bring the total balance owed to \$21,184.61. Gunderson also provided a copy of a vehicle title showing that a Red, 1979 Fiat, valued at \$4,000.00 was given as collateral to the plaintiff. Gunderson also provided copies of the Original Complaint and invoices related to his case. These documents are attached as **EXHIBITS #1, & 3**.

On August 23, 2023, the undersigned Investigator contacted Attorney Gunderson to get clarification related to the Court division number listed on his letter of complaint which did not match that on the Court Order. Per Gunderson, the division number on the court order is the correct number to utilize on this report.

On August 23, 2023, an Enforcement Alert was placed on **COLLAZO'S** license record in VERSA to reflect this unsatisfied financial obligation. A copy of the License Action Request Form and VERSA alert is attached as **EXHIBIT #4**.

**Conclusion:** **COLLAZO** is in violation of F.S.S. 550.105(7) for failing to satisfy the aforementioned Final Judgment.

**Status:** Case is closed by Investigations and forwarded to Legal for review.

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Law Office of  
**Mark Gunderson, PL**  
Attorney ♦ CPA

2510 SW 18 Street ♦ Fort Lauderdale, Florida 33312  
phone: (954) 288-1001 ♦ fax: (954) 791-6154 ♦ e-mail: [mgunderson@mindspring.com](mailto:mgunderson@mindspring.com)

**DIVISION OF PARI-MUTUEL WAGERING COMPLAINT – HENRY COLLAZO**

August 22, 2023

Via Certified Mail – 7020 1670 0002 2970 9563  
Via Email - [Donna.Fleming@myfloridalicense.com](mailto:Donna.Fleming@myfloridalicense.com)

Via Email - [Julio.Minaya@myfloridalicense.com](mailto:Julio.Minaya@myfloridalicense.com)

Division of Pari-Mutuel Wagering  
DBPR 0070 – Uniform Complaint Form  
2601 Blairstone Rd.  
Tallahassee, Florida 32399

Julio Minaya, Investigation Supervisor  
Division of Pari-Mutuel Wagering  
Office of Investigation  
1400 West Commercial Boulevard #165  
Fort Lauderdale, FL 33065

Re: **Northwest Distributors LLC v Henry Collazo**  
**17<sup>th</sup> Judicial Circuit - State of Florida - COCE-22007833 Division 55 – \$17,184.71**  
(\$21,184.71 less payments of \$4,000.00 which includes \$1,500.00 for liquidation of lien vehicle given as collateral)

Gentlemen:

On July 13, 2022, my client, Northwest Distributors LLC. obtained judgment<sup>1</sup> against Mr. Collazo, a licensee, concerning horse feed products, which my client provided at a Florida pari-mutuel facility where Mr. Collazo stables his horses. Since obtaining the judgment, Mr. Collazo has failed to make agreed upon payments toward his obligation.

Florida statutes state: “the division [pari-mutuel wagering] may deny, revoke, or suspend any occupational license if the applicant therefor or holder thereof accumulates unpaid obligations or defaults in obligations...if such unpaid obligations...directly relate to the sport of ... racing being conducted at a pari-mutuel facility within this state.” 550.105(7) Fla. Stat.

Mr. Collazo holds a Pari-Mutuel Wagering Individual Occupational license issued by the State of Florida, as does my client. Mr. Collazo has accumulated unpaid obligations and has defaulted on an obligation that is directly related to the sport of racing conducted at a pari-mutuel facility.

Accordingly, my client requests that Mr. Collazo’s racing license be suspended or revoked, in accordance with the procedures found at Fla. Admin. Code R. 61D-3.001, states that, “alleged violations of Chapter 550, F.S., or Chapter 61D, F.A.C., in horseracing shall be heard by a board of stewards.”

Thank you for your attention to this matter.

/s/ Mark Gunderson, Esq.

Cc. Client  
Henry Collazo - [horseforce@msn.com](mailto:horseforce@msn.com)

<sup>1</sup> Judgment and payment agreement attached.

**IN THE COUNTY COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. COCE22007833 DIVISION: 56 JUDGE: Benson, Betsy (56)

**Northwest Distributors LLC**

Plaintiff(s) / Petitioner(s)

v.

**Henco Inc, et al**

Defendant(s) / Respondent(s)

\_\_\_\_\_ /

**Amended Default & Final Judgment**

**IT IS ADJUDGED** that Plaintiff, **NORTHWEST DISTRIBUTORS LLC**, Attn: Joe, Iadisernia, P.O. Box 1287, Hallandale Beach, FL 33009, shall recover from defendants, **NILO HENRY COLLAZO aka HENRY COLLAZO and HENCO, INC.** jointly and severally, c/o Gulfstream Park 901 S Federal Hwy, Barn 12, Hallandale, FL 33009 the sum of \$19,089.91 in principal, filing fees of \$434.70, process server fees of \$160.00 and attorney fees in the amount of \$1,500.00, **making a total of \$21,184.61**, which shall bear interest at the rate of 4.25% per year, for which let execution issue forthwith.

**IT IS FURTHER ORDERED AND ADJUDGED** that the defendant shall complete Florida Rules of Civil Procedure Form 1.977 (Fact Information Sheet) and return it to the plaintiff's attorney within 45 days from the date of this final judgment unless the final judgment is satisfied or a motion for new trial or notice of appeal is filed. The defendants should NOT file the completed form 1.977 with the court.

Jurisdiction of this case is retained to enter further orders that are proper to compel the defendants to complete Form 1.977 and return it to the plaintiff's attorney.

**DONE AND ORDERED** in Chambers at Broward County, Florida on 13th day of July, 2022.

*Betsy Benson*  
COCE22007833 07-13-2022 12:12 PM

COCE22007833 07-13-2022 12:12 PM

Hon. Betsy Benson

**COUNTY JUDGE**

Electronically Signed by Betsy Benson

**Copies Furnished To:**

Henco Inc , Address : 19611 East Lake DR Miami Lakes, FL 33015

Joseph A Noa Jr , E-mail : e-service@noalawfirm.com

Mark Gunderson , E-mail : mgunderson@mindspring.com

NORTHWEST DISTRIBUTORS LLC  
Plaintiff,

vs

CASE NO. COCE-22-007833

HENRY COLLAZO and HENCO, INC.  
jointly and severally,  
Defendants.

**STIPULATION FOR PAYMENT OF FINAL JUDGMENT**

The undersigned parties to this action stipulate and agree based on mutual consideration, as follows:

1. Defendants are indebted to Plaintiff via Judgment in the amount of \$21,184.81 plus interest of 4.25% from the Judgment date. Plaintiff acknowledges one (1) payment of \$500.00 reducing that amount to \$20,684.81, before the signing of this agreement.

2. Defendants have agreed to make payments to Plaintiff according to the following payment schedule.

- a. Defendants shall make an initial monthly payment of \$500.00 on or before August 15, 2022.
- b. Defendants shall make remaining monthly payments of \$500.00 per month commencing September 15, 2022, and each month thereafter, until the entire remaining balance (plus interest) is paid in full.
- c. All payments shall be made by pre-authorized debit/credit card, until the total amount (plus interest) is paid in full, time being of the essence.

3. Payments are pre-authorized by Defendants and shall be made to Plaintiff by debit/credit card as follows:

Name on Card \_\_\_\_\_  
 Debit/Credit Card # \_\_\_\_\_  
 Expiration \_\_\_\_\_  
 Sec Code \_\_\_\_\_  
 Zip Code \_\_\_\_\_


4. To secure payment, Defendants shall provide Plaintiff with the original automobile title for the 1979 Fiat - [REDACTED] for Plaintiff to hold until all payments have been made. Defendants shall also sign a lien certificate (attached) related to the 1979 Fiat - Vin# [REDACTED] automobile.

5. Upon Defendants' providing the original title and signing the lien certificate, Plaintiff shall withdraw the complaint that it filed with the Division of Pari-mutuel Wagering concerning Defendants' licensure, and take no additional action to enforce collection so long as payments are timely made.

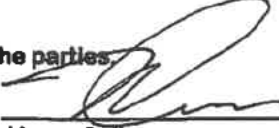
6. If Defendants fail to make timely payments, in clear funds, each month, time being of the essence, in at least the amounts shown in ¶2, Plaintiff is entitled to have Defendants licensure with the Division of Pari-mutuel Wagering revoked without further notice or hearing, be entitled to enforce its lien certificate, and otherwise seek enforcement of the judgment.

7. Upon receipt of the last payment according to ¶2, Plaintiff shall provide Defendant with a satisfaction of judgment, return of the subject automobile title and cancellation of the related lien certificate.

Agreed on the last date signed by the parties

  
 By: Joe Ladisernia  
 As Mgr for Plaintiff

8-11-22  
Date

  
 Henry Collazo  
 Individually and as authorized signatory for  
 Henco Inc.

Date

STATE OF FLORIDA  
 Department of Highway Safety and Motor Vehicles  
 DIVISION OF MOTOR VEHICLES  
 NEIL KIRKMAN BUILDING \* TALLAHASSEE, FL 32399-0600  
**APPLICATION FOR NOTICE OF LIEN/ ASSIGNMENT OF LIEN OR  
 NOTICE TO FIRST LIENHOLDER OF SUBSEQUENT LIEN**

CHECK ONE:  
 MOTOR VEHICLE  
 MOBILE HOME  
 VESSEL

SECTIONS 1 AND 2 SHOULD BE COMPLETED IF ADDING AN ORIGINAL LIEN.  
 SECTIONS 1 AND 3 SHOULD BE COMPLETED IF REASSIGNING A LIEN.  
 SECTIONS 1 2 AND 4 SHOULD BE COMPLETED IF ADDING A SUBSEQUENT LIEN

1 MOTOR VEHICLE, MOBILE HOME OR VESSEL DESCRIPTION			
IDENTIFICATION NUMBER		VESSEL REGISTRATION NUMBER	
MAKE / MANUFACTURER Fiat	YEAR 1979	BODY 2D	Wt.-Lgth.-BHP 2500
COLOR RED	TYPE	USE PVT	
CERTIFICATE OF TITLE NUMBER		PREVIOUS ISSUE DATE 07/08/93	LICENSE PLATE NUMBER

2 NOTICE OF LIEN LIENHOLDER INFORMATION			
DATE OF LIEN 08/08/22	KIND OF LIEN Security - Judgment	LIENHOLDER NAME Northwest Distributors LLC	
LIENHOLDER ADDRESS PO Box 1287	CITY Hallandale Beach	STATE FL	ZIP 33009

If Lienholder authorizes the Department to send title to the owner, check box and countersign. If box above is not checked, title will be mailed to the first lienholder. (Does not apply to vessels)

Signature of Lienholder's Representative

One of the following boxes MUST BE checked:

A security agreement, retain title contract, conditional bill of sale, chattel mortgage or other similar instrument was executed prior to the filing of this notice of lien.

This notice of lien is being filed before a security agreement, retain title contract, conditional bill of sale, chattel mortgage or other similar instrument is being executed.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

DATE: 08/08/22

Nilo H. Collazo  
 Signature of Registered Owner

3100 SW 148th Ave.  
 Street Address (Owner)

Davic, FL 33331  
 City State Zip

\_\_\_\_\_  
 Signature of Registered Co-Owner

n/a  
 Street Address (Co-Owner)

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

**3 APPLICATION FOR ASSIGNMENT OF LIEN**

IF MERGER, A COPY OF THE MERGER PAPERS MUST ACCOMPANY APPLICATION.  
 IF NAME CHANGE, A COPY OF THE CORPORATE CHARTER MUST ACCOMPANY APPLICATION.

The undersigned hereby represents that they are the assignee of that certain  first or  second lien dated the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, covering the motor vehicle, mobile home or vessel described in section one of this form and desires to have the Certificate of Title issued on \_\_\_\_\_, \_\_\_\_\_, show such lien as now being held by the undersigned applicant and represents that on this date there is a balance as principal still due and unpaid.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

\_\_\_\_\_  
 Name of Assignee (New Lienholder)

By: \_\_\_\_\_  
 Signature of Lienholder's Representative

\_\_\_\_\_  
 Title

Hallandale Beach

\_\_\_\_\_  
 Address City State Zip Code

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

\_\_\_\_\_  
 Name of Assignor (Lienholder currently shown on Title)

By: \_\_\_\_\_  
 Signature of Lienholder's Representative

\_\_\_\_\_  
 Title

**EXHIBIT # 1**  
**PAGE # 5**



STATE OF FLORIDA

LIEN SATISFACTION

LIEN RELEASE 1ST LIEN  2ND LIEN  BY \_\_\_\_\_ SIGNATURE TITLE DATE

IDENTIFICATION NUMBER	YR	MAKE	MODEL	BODY	WT-L-BHP	VESSEL REGIS. NO.	TITLE NUMBER
[REDACTED]	79	FIAT		2D	2500		[REDACTED]

REGISTERED OWNER (LAST NAME FIRST) \_\_\_\_\_ DATE OF ISSUE \_\_\_\_\_

COLLAZO NILO H.  
18580 NW 142 CT RD  
WILLISTON FL

32696-4218



ADDITIONAL LIENS \_\_\_\_\_

### CERTIFICATE OF TITLE

SATISFACTORY PROOF OF OWNERSHIP HAVING BEEN SUBMITTED UNDER SECTION 319.23, 319.03, FLORIDA STATUTES, TITLE TO THE MOTOR VEHICLE OR VESSEL DESCRIBED BELOW IS VESTED IN THE OWNER(S) NAMED HEREIN, THIS OFFICIAL CERTIFICATE OF TITLE IS ISSUED FOR SAID MOTOR VEHICLE OR VESSEL.

IDENTIFICATION NUMBER	YR	MAKE	MODEL	BODY	WT-L-BHP	VESSEL REGIS. NO.	TITLE NUMBER
[REDACTED]	79	FIAT		2D	2500		[REDACTED]
ODOMETER-DATE READ	PREV. REG.	COLOR	TYPE	USE	DMV	PREV ISSUE DATE	
ODOMETER - EXEMPT	FL	RED		PVT		07/08/93	
REMARKS				HULL MATERIAL	PROP	DATE OF ISSUE	
						08/06/99	

REGISTERED OWNER (LAST NAME FIRST)

COLLAZO NILO H.  
18580 NW 142 CT RD  
WILLISTON FL 32696-4218

1ST LIENHOLDER DATE

NONE

2ND LIENHOLDER DATE

NONE

LIEN RELEASE

INTEREST IN THE ABOVE DESCRIBED VEHICLE IS HEREBY RELEASED

1ST LIEN  BY \_\_\_\_\_  
2ND LIEN  \_\_\_\_\_

TITLE DATE

ADDITIONAL LIENS \_\_\_\_\_



DIVISION OF MOTOR VEHICLES

TALLAHASSEE



FLORIDA

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

*Charles J. Brantley*  
CHARLES J. BRANTLEY  
DIRECTOR

Control Number

39757744

*Paul O'Hair*  
PAUL O. O'HAIER, III  
EXECUTIVE DIRECTOR

#### TRANSFER OF TITLE BY SELLER

ODOMETER CERTIFICATION - Federal and state law require that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fines and/or imprisonment. This title is warranted and certified to be free from any lien except as noted on the face of this certificate and the motor vehicle or vessel described is hereby transferred to

Purchaser \_\_\_\_\_ Address \_\_\_\_\_

I/We state that this  5 or  6 digit odometer now reads  (no tenths) Selling Price \$ \_\_\_\_\_ Date Sold \_\_\_\_\_

miles, date read \_\_\_\_\_ and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one of the odometer statement blocks is checked.

CAUTION: DO NOT CHECK BOX IF ACTUAL MILEAGE  1. I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.  2. I hereby certify that the odometer reading is not the actual mileage. WARNING - ODOMETER DISCREPANCY.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING DOCUMENT AND THAT THE FACTS STATED IN IT ARE TRUE.

Signature of Purchaser _____	Printed Name of Purchaser _____
Signature of Co-Purchaser _____	Printed Name of Co-Purchaser _____
Signature of Seller _____	Printed Name of Seller _____
Signature of Co-Seller _____	Printed Name of Co-Seller _____

(When Applicable) Selling Dealer's License Number \_\_\_\_\_ Tax No. \_\_\_\_\_ Tax Collected \$ \_\_\_\_\_

Auction Name \_\_\_\_\_ License Number \_\_\_\_\_

EXHIBIT #1  
PAGE #6

VOID IF ALTERED

VOID IF ALTERED



PRIVATE ATTORNEY FOR COMPLAINANT (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
GUNDERSON, MARK, ESQ				
ADDRESS				
Street Address or P.O. Box				
2510 SW 18 STREET				
City		State	Zip Code (+4 optional)	
FORT LAUDERDALE		FL	33312	
County (if Florida address)		Country		
BROWARD				
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		
954-288-1001				

SUBJECT OF COMPLAINT				
Last Name	First	Middle	Title	Suffix
HENRY COLLAZO				
License Number (if known)				
PIN98381				
Company/Occupation				
HORSE TRAINER				
MAILING ADDRESS				
Street Address or P.O. Box				
3100 SW 148TH AVE				
City		State	Zip Code (+4 optional)	
DAVIE		FL	33331	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Primary E-Mail Address		
(352) 528-6993		HORSEFORCE@MSN.COM		
RESIDENCE ADDRESS (IF DIFFERENT THAN MAILING ADDRESS)				
Street Address				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		

PRIVATE ATTORNEY FOR SUBJECT OF COMPLAINT (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		

WITNESS (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
JOE IADISERNIA - MGRM				
ADDRESS				
Street Address or P.O. Box				
C/O NORTHWEST DISTRIBUTORS LLC, PO BOX 1287				
City		State	Zip Code (+4 optional)	
HALLANDALE		FL	33009	
County (if Florida address)		Country		
BROWARD				
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		
561-441-2195				

WITNESS (IF APPLICABLE)				
Last Name	First	Middle	Title	Suffix
ADDRESS				
Street Address or P.O. Box				
City		State	Zip Code (+4 optional)	
County (if Florida address)		Country		
CONTACT INFORMATION				
Primary Phone Number		Alternate Phone Number		

I affirm that I have provided the above information completely and truthfully to the best of my knowledge.

Complainant Sign Here: BY: /S/ MARK GUNDERSON, ESQ. Date: 8/22/23



<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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[License Search](#) | [Entity Search](#) | [Modify License Standing](#) | [Maintain License CE Control](#)

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

Logged in as: **jminaya**

[VR Home](#) > [License Search](#) > [License Home](#)

<p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span> Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2026</b></p> <p>File # <b>1993</b> Name <b>COLLAZO, HENRY</b> Extended To</p> <p>License # <b>98381</b> Rank <b>PIND - Professional Individual Occupational</b> Renewed On <b>06/16/2023</b></p> <p>Entity # <b>98381</b> Lic Status <b>Current</b></p>		<p><input type="button" value="Licensee"/></p> <p><input type="button" value="History"/></p> <p><input checked="" type="checkbox"/> <input type="button" value="Notes"/></p> <p><input type="button" value="Notes History"/></p> <p><input type="button" value="Back"/></p>																											
<p><b>Address</b></p> <p>Street # <b>3100</b> Street <b>SW 148TH AVENUE</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>DAVIE</b> State <b>FL</b> Zip <b>33331</b></p> <p>Routing</p>																													
<p><b>Other</b></p> <p>1st License Date <b>07/01/2020</b> Rank Date <b>06/16/2023</b> Certificate #</p> <p>Method <b>I-S-1024</b> Status Date <b>07/01/2020</b> Certificate Date <b>09/10/2001</b></p> <p>Fee Exempt <b>No</b> Birth Date <span style="background-color: black; color: black;">[REDACTED]</span> Renewal Sent</p>																													
<p><b>Select</b></p> <p>Action <input type="text"/>  </p>																													
<p><b>Modifiers</b></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>JYAG - Jockey Agent</td> <td>06/16/2023</td> <td></td> </tr> <tr> <td>C</td> <td>ONTR - Owner/Trainer</td> <td>06/16/2023</td> <td></td> </tr> <tr> <td>C</td> <td>TRNR - Trainer</td> <td>06/17/2020</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td></td> <td></td> </tr> <tr> <td>L</td> <td>321 - Gulfstream Park</td> <td>06/17/2020</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>06/29/2003</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	JYAG - Jockey Agent	06/16/2023		C	ONTR - Owner/Trainer	06/16/2023		C	TRNR - Trainer	06/17/2020		I	TBRD - Thoroughbred			L	321 - Gulfstream Park	06/17/2020		Y	3YR - 3 Year License	06/29/2003	
Type	Modifier	Effective Date	Additional Info																										
C	JYAG - Jockey Agent	06/16/2023																											
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C	TRNR - Trainer	06/17/2020																											
I	TBRD - Thoroughbred																												
L	321 - Gulfstream Park	06/17/2020																											
Y	3YR - 3 Year License	06/29/2003																											
<p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>PIN98381</b></p>																													

**EXHIBIT #2**  
**PAGE # 1**

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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<a href="#">License Search</a>	<a href="#">Entity Search</a>	<a href="#">Modify License Standing</a>	<a href="#">Maintain License CE Control</a>
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **jminaya**

[VR Home](#) > [License Search](#) > [License Home](#) > **Basic Entity Data**

<b>Basic Entity Data</b>	<a href="#">List of Addresses</a>	<a href="#">List of Names</a>
--------------------------	-----------------------------------	-------------------------------

Lic Type	<b>1021 - PMW Professional Individual Occupational</b>	Entity #	<b>98381</b>
Fed Tax #	<b>[REDACTED]</b>	Fed Tax Type	<b>SSN #</b>
Name	<b>COLLAZO, HENRY</b>		

<b>H</b> Last Name	<b>COLLAZO</b>	First	<b>HENRY</b>	Middle	<input type="checkbox"/>	<a href="#">Notes</a>
Title		Suffix		Qualifier		<a href="#">Notes History</a>
Gender	<b>M</b>	Race	<b>2 - White</b>			<a href="#">Fix</a>
Driver License #		Birth Date	<b>[REDACTED]</b>			<a href="#">Change</a>
Mailing Address	<input checked="" type="checkbox"/>	Private Address	<input type="checkbox"/>	Preferred Name	<input checked="" type="checkbox"/>	<a href="#">Save</a>
Street #	<b>3100</b>	Street	<b>SW 148TH AVENUE</b>			<a href="#">OK</a>
Line 2						<a href="#">Cancel</a>
Line 3						<a href="#">Back</a>
City	<b>DAVIE</b>	County	<b>Broward</b>			
Zip	<b>33331</b>	State	<b>Florida</b>	Country	<b>United States</b>	
Routing						
Phone #	<b>786.514.6626</b>	Ext	<b>E-Mail HORSEFORCE@MSN.COM</b>			
Insp Region		Receive Email	<input type="checkbox"/>			
Updated	<b>03/12/2020 09:41:22</b>	By	<b>dmatthews</b>			

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**EXHIBIT #2**  
**PAGE #2**

IN THE COUNTY COURT FOR THE  
SEVENTEENTH JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

**NORTHWEST DISTRIBUTORS LLC**

Plaintiff,

vs

CASE NO.

**HENRY COLLAZO and HENCO, INC.**

jointly and severally,

Defendant.

---

**COMPLAINT**

Plaintiff, NORTHWEST DISTRIBUTORS LLC ("Plaintiff") sues defendant, HENRY COLLAZO and HENCO INC., jointly and severally ("Defendants") and alleges:

1. This is an action on an open account.
2. This Court has subject matter jurisdiction over this dispute because this complaint seeks damages less than \$30,000 exclusive of interest, attorneys' fees, and costs. §34.01(2) Fla. Stat.
3. Venue is proper in the 17<sup>th</sup> Judicial Circuit, in that Plaintiff's cause of action arose in Broward County Florida. §47.011 Fla. Stat.
4. Plaintiff is a resident of Broward County and otherwise *sui juris*.
5. The Court has jurisdiction over the Defendants in that Plaintiff's cause of action against Defendants arises from Defendants operating, conducting, engaging in, or carrying on a business or business venture in this state, breaching a contract in this state by failing to perform acts required by the contract to be performed in this state, and/or Defendants' substantial and not isolated activity within this state. §48.193 Fla. Stat.
6. Defendants owes Plaintiff \$19,089.91 that is due with interest since February 5, 2020, based on an agreement for goods and services that were sold and delivered at an agreed upon price, directly related to horse racing being conducted at a pari-mutuel facility. See Exhibit A.
7. Plaintiff is entitled to prevailing party attorney fees pursuant to agreement between the parties.

WHEREFORE, Plaintiff demands judgment for damages, attorney fees and costs against Defendant.

MARK GUNDERSON, P.L.  
Attorney for Plaintiff  
2510 SW 18 Street  
Fort Lauderdale Florida 33312  
(954) 288-1001; (954) 791-6154 Fax  
mgunderson@mindspring.com  
/s/ Mark Gunderson  
FBN: 0842141

EXHIBIT #3  
PAGE #1



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 1/11

**Billing Statement**

<b>Date</b>
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
08/30/2019	Henry Collazo- INV #198770. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	108.00	108.00
08/30/2019	INV #198829. Orig. Amount \$378.00. --- Shavings Bag 12FT (Large Flake), 60 @ \$6.30 = 378.00 --- Tax: Broward County @ 7.0% = 0.00	378.00	486.00
09/02/2019	INV #198962. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	252.00	738.00
09/06/2019	INV #199381. Orig. Amount \$378.00. --- Shavings Bag 12FT (Large Flake), 60 @ \$6.30 = 378.00 --- Tax: Broward County @ 7.0% = 0.00	378.00	1,116.00
09/09/2019	INV #199490. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	252.00	1,368.00
09/11/2019	INV #199685. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	252.00	1,620.00
09/13/2019	INV #199866. Orig. Amount \$378.00. --- Shavings Bag 12FT (Large Flake), 60 @ \$6.30 = 378.00 --- Tax: Broward County @ 7.0% = 0.00	378.00	1,998.00
09/16/2019	INV #200012. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	252.00	2,250.00
09/18/2019	INV #200213. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	252.00	2,502.00
09/20/2019	INV #200448. Orig. Amount \$409.50. --- Shavings Bag 12FT (Large Flake), 65 @ \$6.30 = 409.50 --- Tax: Broward County @ 7.0% = 0.00	409.50	2,911.50

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

**Location: 1**  
Northwest Distributors, LLC  
901 S. Federal Highway  
Sullivan Lot Building 800  
Hallandale, FL 33009  
305-396-2028

**Location: 2**  
Northwest Distributors, LLC  
1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT #3  
PAGE #2**





P.O. Box 1287  
Hallandale Beach, FL 33008-1287

Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED

Exhibit A 2/11

**Billing Statement**

Date
2/2/2022

Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
09/23/2019	INV #200521. Orig. Amount \$126.00. --- Shavings Bag 12FT (Large Flake), 20 @ \$6.30 = 126.00 --- Tax: Broward County @ 7.0% = 0.00	126.00	3,037.50
09/25/2019	INV #200754. Orig. Amount \$126.00. --- Shavings Bag 12FT (Large Flake), 20 @ \$6.30 = 126.00 --- Tax: Broward County @ 7.0% = 0.00	126.00	3,163.50
09/26/2019	INV #200849. Orig. Amount \$126.00. --- Shavings Bag 12FT (Large Flake), 20 @ \$6.30 = 126.00 --- Tax: Broward County @ 7.0% = 0.00	126.00	3,289.50
09/27/2019	INV #200997. Orig. Amount \$315.00. --- Shavings Bag 12FT (Large Flake), 50 @ \$6.30 = 315.00 --- Tax: Broward County @ 7.0% = 0.00	315.00	3,604.50
09/30/2019	INV #201070. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	3,825.00

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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305-396-2028

**Location: 2**  
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1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT # 3**  
**PAGE # 3**



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028**

**Fax: 1-305-402-0815**

**Groveland: 352-789-6792**

**Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 3/11

**Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
10/01/2019	INV #FC 4439. Orig. Amount \$223.32. Finance Charge --- Fin Chg \$223.32 --- Invoice #193581 for 217.00 on 06/26/2019 --- Invoice #193786 for 472.50 on 06/28/2019 --- Invoice #193936 for 315.00 on 07/01/2019 --- Invoice #194186 for 315.00 on 07/03/2019 --- Invoice #194389 for 472.50 on 07/05/2019 --- Invoice #194506 for 315.00 on 07/08/2019 --- Invoice #194739 for 315.00 on 07/10/2019 --- Invoice #194922 for 472.50 on 07/12/2019 --- Invoice #195061 for 315.00 on 07/15/2019 --- Invoice #195302 for 315.00 on 07/17/2019 --- Invoice #195575 for 472.50 on 07/19/2019 --- Invoice #195650 for 315.00 on 07/22/2019 --- Invoice #195890 for 315.00 on 07/24/2019 --- Invoice #196101 for 441.00 on 07/26/2019 --- Invoice #196235 for 315.00 on 07/29/2019 --- Invoice #196467 for 315.00 on 07/31/2019	223.32	4,048.32
10/02/2019	INV #201340. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	4,268.82
10/04/2019	INV #201518. Orig. Amount \$346.50. --- Shavings Bag 12FT (Large Flake), 55 @ \$6.30 = 346.50 --- Tax: Broward County @ 7.0% = 0.00	346.50	4,615.32
10/07/2019	INV #201656. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	4,804.32
10/09/2019	INV #201868. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	5,024.82

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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305-396-2028**

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1735 Tally Box Rd  
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352-789-6792**

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT #3  
PAGE #4**



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 4/11

**Billing Statement**

<b>Date</b>
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

**Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015**

Date	Transaction	Amount	Balance
10/11/2019	INV #202136. Orig. Amount \$346.50. --- Shavings Bag 12FT (Large Flake), 55 @ \$6.30 = 346.50 --- Tax: Broward County @ 7.0% = 0.00	346.50	5,371.32
10/14/2019	INV #202242. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	5,591.82
10/16/2019	INV #202474. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	5,812.32
10/18/2019	INV #202720. Orig. Amount \$283.50. --- Shavings Bag 12FT (Large Flake), 45 @ \$6.30 = 283.50 --- Tax: Broward County @ 7.0% = 0.00	283.50	6,095.82
10/21/2019	INV #202822. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	6,284.82
10/23/2019	INV #203024. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	6,473.82
10/25/2019	INV #203273. Orig. Amount \$283.50. --- Shavings Bag 12FT (Large Flake), 45 @ \$6.30 = 283.50 --- Tax: Broward County @ 7.0% = 0.00	283.50	6,757.32
10/28/2019	INV #203382. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	6,946.32
10/30/2019	INV #203608. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	7,135.32
11/01/2019	INV #203876. Orig. Amount \$283.50. --- Shavings Bag 12FT (Large Flake), 45 @ \$6.30 = 283.50 --- Tax: Broward County @ 7.0% = 0.00	283.50	7,418.82
11/04/2019	INV #203975. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	7,607.82

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352-789-6792**

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT #3  
PAGE #5**



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 5/11

**Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
11/06/2019	INV #204268. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	7,796.82
11/08/2019	INV #204478. Orig. Amount \$283.50. --- Shavings Bag 12FT (Large Flake), 45 @ \$6.30 = 283.50 --- Tax: Broward County @ 7.0% = 0.00	283.50	8,080.32
11/11/2019	INV #204608. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	8,269.32
11/13/2019	INV #204845. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	8,458.32
11/15/2019	INV #205062. Orig. Amount \$283.50. --- Shavings Bag 12FT (Large Flake), 45 @ \$6.30 = 283.50 --- Tax: Broward County @ 7.0% = 0.00	283.50	8,741.82
11/18/2019	INV #205167. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	8,930.82
11/20/2019	INV #205461. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	9,119.82
11/22/2019	INV #205715. Orig. Amount \$252.00. --- Shavings Bag 12FT (Large Flake), 40 @ \$6.30 = 252.00 --- Tax: Broward County @ 7.0% = 0.00	252.00	9,371.82
11/25/2019	INV #205852. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	9,560.82
11/27/2019	INV #206124. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	9,718.32
11/29/2019	INV #206314. Orig. Amount \$283.50. --- Shavings Bag 12FT (Large Flake), 45 @ \$6.30 = 283.50 --- Tax: Broward County @ 7.0% = 0.00	283.50	10,001.82

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

<b>Amount Due</b>
<b>\$19,089.91</b>

**Location: 1  
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305-396-2028**

**Location: 2  
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Leesburg, FL 34748  
352-789-6792**



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 6/11

**Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
12/02/2019	INV #206427. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	10,159.32
12/04/2019	INV #206695. Orig. Amount \$126.00. --- Shavings Bag 12FT (Large Flake), 20 @ \$6.30 = 126.00 --- Tax: Broward County @ 7.0% = 0.00	126.00	10,285.32
12/06/2019	INV #206900. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	10,505.82
12/09/2019	INV #207054. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	10,663.32
12/11/2019	INV #207340. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	10,820.82
12/13/2019	INV #207589. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	11,009.82
12/16/2019	INV #207714. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	11,167.32
12/18/2019	INV #208016. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	11,324.82
12/20/2019	INV #208248. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	11,545.32
12/26/2019	INV #208342. Orig. Amount \$94.50. --- Shavings Bag 12FT (Large Flake), 15 @ \$6.30 = 94.50 --- Tax: Broward County @ 7.0% = 0.00	94.50	11,639.82
12/27/2019	INV #208796. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	11,860.32

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

<b>Amount Due</b>
<b>\$19,089.91</b>

**Location: 1  
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901 S. Federal Highway  
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**Location: 2  
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**P.O. Box 1287  
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**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 7/11

**Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
12/30/2019	INV #209046. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	12,017.82
12/31/2019	INV #209278. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	12,175.32
01/03/2020	INV #209579. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	12,395.82
01/06/2020	INV #209752. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	12,553.32
01/08/2020	INV #209985. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	12,710.82
01/10/2020	INV #210327. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	12,931.32
01/13/2020	INV #210423. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	13,088.82
01/15/2020	INV #210686. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	13,246.32
01/17/2020	INV #210914. Orig. Amount \$220.50. --- Shavings Bag 12FT (Large Flake), 35 @ \$6.30 = 220.50 --- Tax: Broward County @ 7.0% = 0.00	220.50	13,466.82
01/20/2020	INV #211143. Orig. Amount \$157.50. --- Shavings Bag 12FT (Large Flake), 25 @ \$6.30 = 157.50 --- Tax: Broward County @ 7.0% = 0.00	157.50	13,624.32
01/22/2020	INV #211362. Orig. Amount \$126.00. --- Shavings Bag 12FT (Large Flake), 20 @ \$6.30 = 126.00 --- Tax: Broward County @ 7.0% = 0.00	126.00	13,750.32

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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305-396-2028

**Location: 2**  
Northwest Distributors, LLC  
1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792

**Amount Due**

**\$19,089.91**

**EXHIBIT # 3  
PAGE # 8**



**P.O. Box 1287  
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Sat - Sun CLOSED**

Exhibit A 8/11

**Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
01/24/2020	INV #211639. Orig. Amount \$189.00. --- Shavings Bag 12FT (Large Flake), 30 @ \$6.30 = 189.00 --- Tax: Broward County @ 7.0% = 0.00	189.00	13,939.32
01/27/2020	INV #211740. Orig. Amount \$126.00. --- Shavings Bag 12FT (Large Flake), 20 @ \$6.30 = 126.00 --- Tax: Broward County @ 7.0% = 0.00	126.00	14,065.32
01/29/2020	INV #212021. Orig. Amount \$117.00. --- Shavings GI 10FT (Large Flake), 20 @ \$5.85 = 117.00 --- Tax: Broward County @ 7.0% = 0.00	117.00	14,182.32
01/31/2020	INV #212277. Orig. Amount \$175.50. --- Shavings GI 10FT (Large Flake), 30 @ \$5.85 = 175.50 --- Tax: Broward County @ 7.0% = 0.00	175.50	14,357.82
02/03/2020	INV #212429. Orig. Amount \$117.00. --- Shavings GI 10FT (Large Flake), 20 @ \$5.85 = 117.00 --- Tax: Broward County @ 7.0% = 0.00	117.00	14,474.82
02/05/2020	INV #212701. Orig. Amount \$117.00. --- Shavings GI 10FT (Large Flake), 20 @ \$5.85 = 117.00 --- Tax: Broward County @ 7.0% = 0.00	117.00	14,591.82
02/07/2020	INV #212980. Orig. Amount \$175.50. --- Shavings GI 10FT (Large Flake), 30 @ \$5.85 = 175.50 --- Tax: Broward County @ 7.0% = 0.00	175.50	14,767.32
03/23/2020	INV #217087. Orig. Amount \$63.00. --- Shavings Bag 12FT (Large Flake), 10 @ \$6.30 = 63.00 --- Tax: Broward County @ 7.0% = 0.00	4.50	14,771.82
05/21/2020	PMT #19504.	-500.00	14,271.82
06/29/2020	PMT #19558.	-500.00	13,771.82
08/11/2020	PMT #19609.	-500.00	13,271.82
02/01/2022	INV #FC 4543. Orig. Amount \$5,818.09. Finance Charge --- Fin Chg \$5,818.09 --- Invoice #198770 for 108.00 on 08/30/2019 --- Invoice #198829 for 378.00 on 08/30/2019 --- Invoice #198962 for 252.00 on 09/02/2019	5,818.09	19,089.91

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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**Location: 1  
Northwest Distributors, LLC  
901 S. Federal Highway  
Sullivan Lot Building 800  
Hallandale, FL 33009  
305-396-2028**

**Location: 2  
Northwest Distributors, LLC  
1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792**

**EXHIBIT #3  
PAGE #9**



**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

Exhibit A 9/11

**Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
	--- Invoice #199381 for 378.00 on 09/06/2019		
	--- Invoice #199490 for 252.00 on 09/09/2019		
	--- Invoice #199685 for 252.00 on 09/11/2019		
	--- Invoice #199866 for 378.00 on 09/13/2019		
	--- Invoice #200012 for 252.00 on 09/16/2019		
	--- Invoice #200213 for 252.00 on 09/18/2019		
	--- Invoice #200448 for 409.50 on 09/20/2019		
	--- Invoice #200521 for 126.00 on 09/23/2019		
	--- Invoice #200754 for 126.00 on 09/25/2019		
	--- Invoice #200849 for 126.00 on 09/26/2019		
	--- Invoice #200997 for 315.00 on 09/27/2019		
	--- Invoice #201070 for 220.50 on 09/30/2019		
	--- Invoice #201340 for 220.50 on 10/02/2019		
	--- Invoice #201518 for 346.50 on 10/04/2019		
	--- Invoice #201656 for 189.00 on 10/07/2019		
	--- Invoice #201868 for 220.50 on 10/09/2019		
	--- Invoice #202136 for 346.50 on 10/11/2019		
	--- Invoice #202242 for 220.50 on 10/14/2019		
	--- Invoice #202474 for 220.50 on 10/16/2019		
	--- Invoice #202720 for 283.50 on 10/18/2019		
	--- Invoice #202822 for 189.00 on 10/21/2019		
	--- Invoice #203024 for 189.00 on 10/23/2019		
	--- Invoice #203273 for 283.50 on 10/25/2019		
	--- Invoice #203382 for 189.00 on 10/28/2019		
	--- Invoice #203608 for 189.00 on 10/30/2019		
	--- Invoice #203876 for 283.50 on 11/01/2019		
	--- Invoice #203975 for 189.00 on 11/04/2019		
	--- Invoice #204268 for 189.00 on 11/06/2019		
	--- Invoice #204478 for 283.50 on 11/08/2019		
	--- Invoice #204608 for 189.00 on 11/11/2019		
	--- Invoice #204845 for 189.00 on 11/13/2019		
	--- Invoice #205062 for 283.50 on 11/15/2019		
	--- Invoice #205167 for 189.00 on 11/18/2019		

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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305-396-2028**

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1735 Tally Box Rd  
Leesburg, FL 34748  
352-789-6792**

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT # 3  
PAGE #10**





**P.O. Box 1287  
Hallandale Beach, FL 33008-1287**

**Office: 1-305-396-2028  
Fax: 1-305-402-0815  
Groveland: 352-789-6792  
Hours of Operation:  
Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED**

**Exhibit A 10/11  
Billing Statement**

Date
2/2/2022

**Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM**

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
	--- Invoice #205461 for 189.00 on 11/20/2019		
	--- Invoice #205715 for 252.00 on 11/22/2019		
	--- Invoice #205852 for 189.00 on 11/25/2019		
	--- Invoice #206124 for 157.50 on 11/27/2019		
	--- Invoice #206314 for 283.50 on 11/29/2019		
	--- Invoice #206427 for 157.50 on 12/02/2019		
	--- Invoice #206695 for 126.00 on 12/04/2019		
	--- Invoice #206900 for 220.50 on 12/06/2019		
	--- Invoice #207054 for 157.50 on 12/09/2019		
	--- Invoice #207340 for 157.50 on 12/11/2019		
	--- Invoice #207589 for 189.00 on 12/13/2019		
	--- Invoice #207714 for 157.50 on 12/16/2019		
	--- Invoice #208016 for 157.50 on 12/18/2019		
	--- Invoice #208248 for 220.50 on 12/20/2019		
	--- Invoice #208342 for 94.50 on 12/26/2019		
	--- Invoice #208796 for 220.50 on 12/27/2019		
	--- Invoice #209046 for 157.50 on 12/30/2019		
	--- Invoice #209278 for 157.50 on 12/31/2019		
	--- Invoice #209579 for 220.50 on 01/03/2020		
	--- Invoice #209752 for 157.50 on 01/06/2020		
	--- Invoice #209985 for 157.50 on 01/08/2020		
	--- Invoice #210327 for 220.50 on 01/10/2020		
	--- Invoice #210423 for 157.50 on 01/13/2020		
	--- Invoice #210686 for 157.50 on 01/15/2020		
	--- Invoice #210914 for 220.50 on 01/17/2020		
	--- Invoice #211143 for 157.50 on 01/20/2020		
	--- Invoice #211362 for 126.00 on 01/22/2020		
	--- Invoice #211639 for 189.00 on 01/24/2020		
	--- Invoice #211740 for 126.00 on 01/27/2020		
	--- Invoice #212021 for 117.00 on 01/29/2020		
	--- Invoice #212277 for 175.50 on 01/31/2020		
	--- Invoice #212429 for 117.00 on 02/03/2020		
	--- Invoice #212701 for 117.00 on 02/05/2020		

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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305-396-2028**

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Leesburg, FL 34748  
352-789-6792**

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT #3  
PAGE #11**



P.O. Box 1287  
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Fax: 1-305-402-0815  
Groveland: 352-789-6792  
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Mon - Fri 7:00 AM - 2:30 PM  
Sat - Sun CLOSED

Exhibit A 11/11  
**Billing Statement**

Date
2/2/2022

Company E-Mail NORTHWESTDISTRIBUTORS1@GMAIL.COM

Henry Collazo  
Henco Inc.  
19611 East Lake Drive  
Miami Lakes, FL 33015

Date	Transaction	Amount	Balance
	--- Invoice #212980 for 175.50 on 02/07/2020 --- Invoice #217087 for 4.50 on 03/23/2020		

A finance charge of 1.5% per month will be assessed on all overdue invoices. Delivery hours are between 10:00am and 4:30pm. The Customer is responsible for having a representative/agent present at the delivery site and time of delivery to sign the delivery receipt. Failure to provide a representative/agent present to sign for deliveries absolves Northwest Distributors LLC of any disputes regarding the delivery. Disputes regarding deliveries must be initiated with 24 hours of delivery.

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305-396-2028

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352-789-6792

<b>Amount Due</b>
<b>\$19,089.91</b>

**EXHIBIT #3**  
**PAGE #12**

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**DIVISION OF PARI-MUTUEL WAGERING  
LICENSE ACTION REQUEST FORM**

To: Licensing Administrator

From: Investigator Minaya

Date: August 23, 2023

<b>X</b>	PLEASE <b>ADD ALERT</b> : Contact Investigations Prior to Licensing
	PLEASE <b>REMOVE ALERT</b> FROM LICENSE RECORD

License number and type: 98381 - 1021

Last Name: COLLAZO

First Name: HENRY

DOB: [REDACTED]

SS#: [REDACTED]

Reason for Addition/Removal of Alert: **DO NOT LICENSE!** Unsatisfied Default Final Judgment pending against Henry **COLLAZO**, in favor of Northwest Distributors LLC., Case # COCE-22-007833, Division 56, in the Circuit Court of the 17<sup>th</sup> Judicial Court in Broward County, Florida, in the amount of \$17,184.71 plus 4.25% interest per year.

Responsible Party: Inv. Sup Minaya

Case Number: 2023 04 7752

Approved by: \_\_\_\_\_ Date \_\_\_\_\_

Added/Removed by:  \_\_\_\_\_ Date August 23, 2023

Revised 12/08

FAQ | Help | Sign Out

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: jminaya

VR Home > License Search > License Home > Maintain License Modifiers - BASE\_CLONE

Search Criteria | Results | Detail

Modifier Type **A - Alert**  
Modifier **ENFO - Enforcemt Alert**  
Effective **08/23/2023**  
Expires -

Additional Info :

Prompt

Value

**DO NOT LICENSE! Unsatisfied Default Final Judgment pending against Henry COLLAZO, in favor of Northwest Distributors LLC., Case # COCE-22-07833, Division 56, in the Circuit Court of the 17th Judicial Court in Broward County, Florida, in the amount of \$17,184.71 plus 4.25% interest per year.**

Notes

Updated **08/23/2023 13:11:39**

By **jminaya**

Notes History

Change

Delete

Save

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<

>

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EXHIBIT # 4  
PAGE # 2

U.S. Postal Service  
Certified Mail Receipt

**OUTBOUND TRACKING NUMBER**  
9414 7118 9956 2038 8344 82

**RETURN RECEIPT TRACKING NUMBER**  
9490 9118 9956 2038 8344 31

**FEEES**

Postage per piece	\$1.590
Certified Fee	\$4.350
Return Receipt Fee	\$3.550
<b>Total Postage &amp; Fees:</b>	<b>\$9.490</b>

**ARTICLE ADDRESS TO:**

AC - 2023047752 - PMW  
Henry Collazo  
3100 Sw 148th Ave  
Davie FL 33331-2635

Postmark  
Here

Tracking Number:

Remove X

## 9414711899562038834482

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

### Latest Update

Your item was picked up at the post office at 8:59 am on October 30, 2023 in FORT LAUDERDALE, FL 33332.

Get More Out of USPS Tracking:

USPS Tracking Plus<sup>®</sup>

Feedback

### Delivered

Delivered, Individual Picked Up at Post Office

FORT LAUDERDALE, FL 33332

October 30, 2023, 8:59 am

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates



USPS Tracking Plus<sup>®</sup>



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

## **Need More Help?**

Contact USPS Tracking support for further assistance.

**FAQs**





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Clemonte Germale Scott Case No. 2023-048277; Default  
Final Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Clemonte Germale Scott (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint, Respondent waived his right to request a hearing contesting the Division’s decision. 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 August 19, 2023, Respondent was a patron at 831 Federal Highway Acquisition, LLC d/b/a Big Easy Casino.<sup>1</sup> Respondent was seen stealing chips from other players during a live poker game. Upon review, Respondent was issued a lifetime trespass from Big Easy Casino, on August 20, 2023.

Based on his ejection from Big Easy Casino, the Division filed an administrative complaint against Respondent seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>2</sup> to file a written response to the administrative complaint. The Respondent was served on November 3, 2023, which means the Respondent had until November 24, 2023, to respond. He has never responded.

### *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

---

<sup>1</sup> Big Easy Casino is operated by a pari-mutuel wagering permit holder that also possesses a slot machine and cardroom license.

<sup>2</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

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.” Big Easy 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.

Because Respondent failed to file a timely response to the properly served administrative complaint seeking to exclude him from all pari-mutuel and slot machine facilities in this state, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order 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 revoking Clemonete Germale Scott from all pari-mutuel and slot machine facilities in this state.

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.: 2023-048277

CLEMONTE GERMALE SCOTT,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Clemonete Germale Scott (“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 2700 West Pensacola Street, Apt 2311 Tallahassee, Florida 32304.
3. At all times material hereto, Big Easy Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida pursuant to chapters 550, 551, and 849, Florida Statutes.
4. On or about August 19, 2023, Respondent was a patron of Big Easy Casino.
5. On or about August 20, 2023, Respondent was issued a lifetime trespass from Big Easy Casino.
6. Respondent was issued a lifetime trespass 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 his lifetime trespass from Big Easy Casino on or about August 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 2023-048277 is signed this 10th day of October 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  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8709  
Primary: Emily.Alvarado@flagaming.gov  
Secondary: Ebonie.Lanier@flgaming.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.

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>					
<a href="#">Mass Status Update</a>	<a href="#">Public Case Info</a>								

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>09/25/2023</b>
Complaint #	<b>2023048277</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>SCOTT, CLEMONT GERMALE</b>	Responsible	<b>bjones - JONES, BRADFORD</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>OTHR - Other</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>IV-E - Other</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>08/19/2023</b>
Region	<b>SR - Southern Region</b>	Received	<b>08/25/2023</b>
Reference	<b>61D-11.005</b>		
Entered	<b>08/25/2023</b>	Entered By	<b>nmelvai</b>
Summary	<b>144----Federal Highway Acquisition Holding (Big Easy Casino)---[61D-11.005(4)]----SCOTT in two instances stole a \$100 Black chip from Players in a live Poker game. The action has been reviewed and verified on Surveillance Video. SCOTT has been Lifetime Excluded from the Big Easy Casino. He should be considered for Statewide Exclusion.</b>		
Updated	<b>09/25/2023 14:51:27</b>	By	<b>cstubbs1</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

<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"/>
---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------


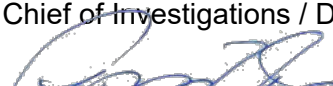
[Get Adobe Reader.](#)

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>AUGUST 25, 2023</b>	Case Number: <b>2023 04 8277</b>
Respondent:  <b>SCOTT, CLEMONTE GERMALE 2700 WEST PENSECOLA ST. APT. #2311 TALLAHASSEE, FLORIDA 32304</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: 1098		Profession: Patron	Report Date: August 29, 2023
Period of Investigation: August 21, 2023 to August 29, 2023		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: F.S.S. 550.0251 (6)</b> Powers and duties of the Florida Gaming Control Commission. 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.</p> <p><b>75-11.005(4)</b> No person shall, either directly or indirectly:</p> <p>(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p>(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>(c) 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 August 19, 2023, Patron Clemente <b>SCOTT</b> visited the Big Easy Casino and sat at Poker Table #22, seat #7. While at the table, <b>SCOTT</b> in two instances stole a \$100.00 Black chip from two other players during a live poker game. The theft has been reviewed and confirmed on surveillance video. <b>SCOTT</b> has been placed on a Lifetime Exclusion from the Big Easy Casino (BEC) and should be considered for Statewide Exclusion.</p>			
<b>Related Case(s):</b>			
Investigator / Date   William Smith / August 29, 2023		Investigator Supervisor / Date  Tyrell D. Smith / August 30, 2023	
Chief of Investigations / Date   Bradford D. Jones / September 25, 2023			



## CONTINUATION

On Saturday August 19, 2023, at approximately 11:47 P.M., Clemonite **SCOTT** visited the Big Easy Casino and was observed playing poker at table #22, seat #7. During play, **SCOTT** was captured on BEC surveillance video footage stealing from two separate patrons who were also playing at table #22. **SCOTT** stole a \$100.00 black chip from the player in seat #8 on his left and a second \$100.00 black chip from the player in seat #6, seated to his right. These actions by **SCOTT** were documented in BEC Surveillance Report #23-1111 which are attached to this case file as **Exhibit #1**. A USB Drive containing video footage of the incident was obtained and vouchered by this investigator as evidence (**Exhibit #2**).

Independent video review by this Investigator corroborates what was documented in Surveillance Report #23-1111 and what was viewed. It appears clear that **SCOTT'S** actions were intentional as he can be observed removing chips from the chip stacks belonging to other patrons when those patrons stepped away from the poker table. In one instance **SCOTT** can be seen cashing in a stolen chip, and then using those funds to game on the BEC slot floor (**Exhibit #2**).

The Big Easy Casino has issued a Lifetime Exclusion on **SCOTT** for theft under **Exhibit #1**.

**Conclusion:** **SCOTT** has violated rule # **75-11.005(4)** by stealing chips from other patrons while participating in a live poker game.

**Case Status:** Closed by Investigations and forwarded to Legal for review.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET ..... 1

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

III. EXHIBITS

    1. Surveillance / Exclusion Report..... 1-4

    2. Video.....1-2



# THE BIG EASY CASINO

The Big Easy Casino

831 N Federal Hwy, Hallandale Beach, FL 33009  
www.thebigeasycasino.com

**SUR-23-1111 - Trespass - Lifetime - Start Time 08/20/2023 00:45**

Author: Joanne Ferguson

Report Number: SUR-23-1111

Start Time: 08/20/2023 00:45

End Time: 08/20/2023 03:10

Report Group: Surveillance Reports

Report Type: Trespass - Lifetime

Note: Guest asked to leave for taking chips from players

Reported: 08/20/2023 00:13

Occurred: 08/20/2023 00:03

General Location: 1st Floor

Secondary Location: Gaming Floor

Specific Location: Poker Room

**Narrative:** On Saturday, August 19, 2023, at approximately 23:47, Poker Shift Manager Tristen Nims contacted the Surveillance Department via phone and stated a guest (identified by Nims as Edgar Varas) reported missing 1 black chip (\$100 value) from Table 22 seat 8.

While reviewing coverage with Nims still on the phone Nims Stated Varas said he found the missing chip and there was no need to look for it.

On Sunday, August 20, 2023, at approximately 00:13 Nims contacted the department a second time and stated Varas reported the player at Table 22 Seat 7 (identified by Nims as Clemonte Scott) had taken 1 black chip from seat 6 (identified by Nims as Vitaliy Kosenyuk).

At approximately 00:21, video footage was reviewed with Nims, Poker Floor Rep Brian Rodriguez and Security Supervisor Marc Arcelin and the following was observed;

On Saturday, August 19, 2023, at approximately 23:33 Varas walked away leaving his chips on Table 22 seat 8. At approximately 23:36 Scott sat at seat 7 while Varas was away from the table. At approximately 23:37 Scott took 1 black chip from the stack at seat 8 and put the chip in his left pants pocket. Varas returned to Table 22 seat 8 at 23:43.

At approximately 23:45 Varas was observed counting his chips then speaking to Nims. While Nims was at the podium on the phone Scott was observed pointing to the ground then putting something in Varas hand.

At approximately 23:48 Varas approached Nims at the podium then returned to Table 22 seat 8.

After returning the chip to Varas, Scott remained at Table 22 seat 7 and was observed interacting with Varas. At approximately 23:53 Varas stepped away from the table and Scott continued to play.

At approximately 23:57, Scott walked away from Table 22 leaving chips and a cell phone on the table. Scott exited the building via the Poker exit at 23:58, approached a white female sitting at a table for a lighter and smoked a cigarette. Scott reentered at 23:59 and returned to Table 22 seat 7.

Scott continued to play at Table 22 when Kosenyuk (seat 6) walked away at 00:01 leaving chips on the table. At approximately 00:03 Scott reached over and took 1 black chip from the stack at seat 6. After Kosenyuk returned at 00:04 Scott continued play until 00:09.

EXHIBIT #1

PAGE # 1

Scott left Table 22, arrived at the Poker Cashier Cage at 00:09 and cashed out one black chip before entering the slot floor at 00:10. Scott was observed playing on slot machine #120-05 until 00:17.

Scott returned to Table 22 at 00:17, retrieved a cell phone from seat 7 and returned to slot machine #120-05 at 00:18. Scott played at machine #120-05 until 00:27 when he returned to the Poker Room.

After reviewing footage with Poker personnel Scott was observed entering the poker room from the slot floor and approaching the podium where Rodriguez was standing at 00:28. Rodriguez walked to the chip podium at 00:29 where Nims and Arcelin were standing followed by Scott.

At approximately 00:30 Scott walked away from the chip podium and exited the building via the Poker exit. Scott stopped outside the poker exit and spoke to a white female wearing a blue shirt sitting at a table.

At approximately 00:31 Scott proceeded to the North lot, got into a white vehicle with gray trim on the doors and drove off property via Pembroke Road at 00:35.

A call was placed to Nims to confirm the names of the players involved. At this time Nims was asked if the black chip had been returned to Kosenyuk. Nims stated he did not know and would have to ask security.

A request was made for Arcelin to contact the Surveillance Department and a call was received at 00:52. Arcelin was asked the outcome of the situation and he stated it was a Lifetime Trespass. Arcelin was asked if the black chip was returned to Kosenyuk and he stated he did not know.

A second call was received from Arcelin at 01:01 and he stated he asked Rodriguez and Rodriguez did not ask Scott to return the black chip to Kosenyuk.

Linked Reports: **SEC-23-0431**

#### Employee

Name: Tristen Nims

Department: Card Room

Position: Poker Shift Manager/Floor Rep.

Employee Num: 911

#### Employee

Name: Brian Rodriguez

Department: Card Room

Position: Poker Floor Rep/ Manager

Employee Num: 2073

#### Employee

Name: Marc Arcelin

Department: Security

Position: Security Supervisor

Employee Num: 1156

#### Patron

**Name:** Clemonete Germale Scott

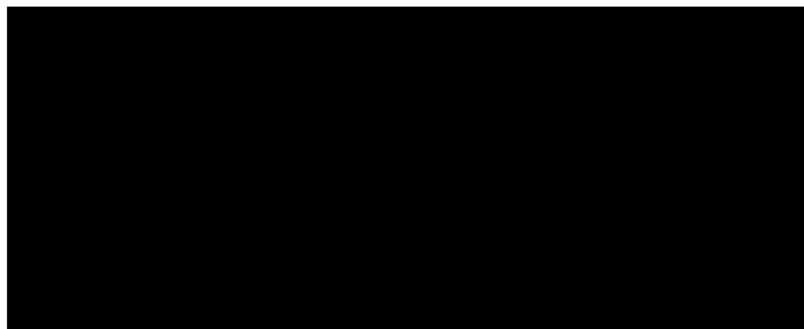
**Alias:**

**Height:** 5'10" Inches

**DOB:** [REDACTED] (35)

**Street Address:** 2700 W Pensacola Street APT. 2311, Tallahassee, Florida 32304-0000

**Players Club #:** 464645



**Patron**

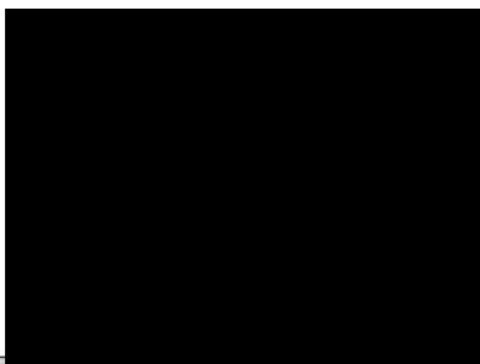
**Name:** Vitaliy Kosenyuk

**Alias:**

**Height:** 5'06" Inches

**DOB:** [REDACTED] (51)

**Street Address:** 7266 Franklin Ave APT 223 Los Angeles, CA 90046



**Patron**

**Name:** Edgar Varas

**Alias:**

**DOB:** [REDACTED] (31)



**EXHIBIT #**

1  
2

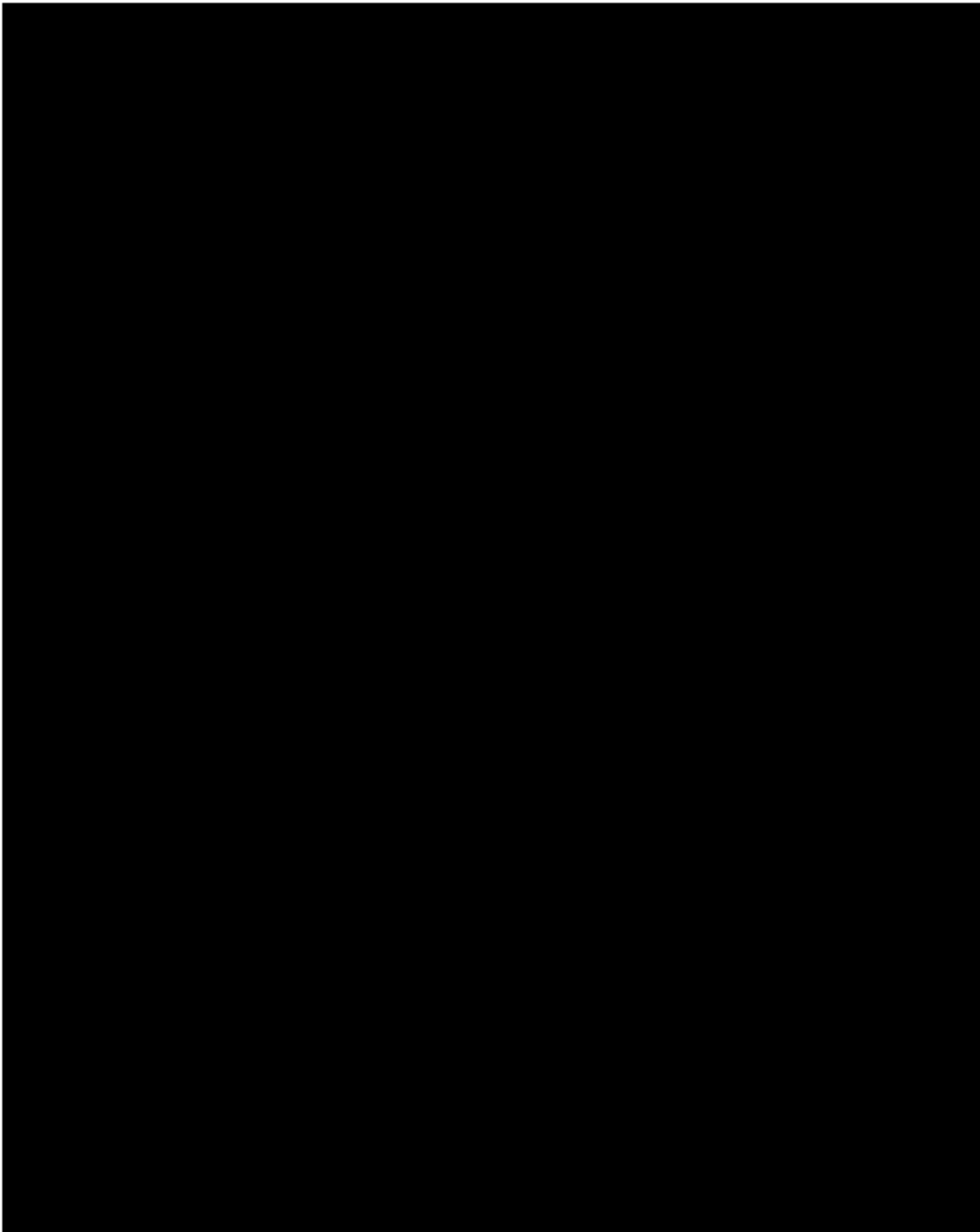


EXHIBIT # 1  
PAGE # 4



**State of Florida  
Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
Investigations Section**

**PROPERTY RECEIPT**


Complaint # 2023048277 Date \_\_\_\_\_ Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	Flash Drive Clemente
		Scott Stealing two(2)
		Black \$100 chip - Big Easy

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

\_\_\_\_\_  
Signature

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.

  
Signature - Impounding Investigator

**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: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt





<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>					
<a href="#">Mass Status Update</a>	<a href="#">Public Case Info</a>								

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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

Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>09/25/2023</b>
Complaint #	<b>2023048277</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	Responsible	<b>SCOTT, CLEMONT GERMALE</b>	<b>bjones - JONES, BRADFORD</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>OTHR - Other</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>IV-E - Other</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>08/19/2023</b>
Region	<b>SR - Southern Region</b>	Received	<b>08/25/2023</b>
Reference	<b>61D-11.005</b>		
Entered	<b>08/25/2023</b>	Entered By	<b>nmelvai</b>
Summary	<p><b>144----Federal Highway Acquisition Holding (Big Easy Casino)---[61D-11.005(4)]----SCOTT in two instances stole a \$100 Black chip from Players in a live Poker game. The action has been reviewed and verified on Surveillance Video. SCOTT has been Lifetime Excluded from the Big Easy Casino. He should be considered for Statewide Exclusion.</b></p>		
Updated	<b>09/25/2023 14:51:27</b>	By	<b>cstubbs1</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

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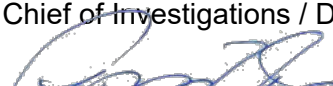
[Get Adobe Reader.](#)

Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>AUGUST 25, 2023</b>	Case Number: <b>2023 04 8277</b>
Respondent:  <b>SCOTT, CLEMONTE GERMALE 2700 WEST PENSECOLA ST. APT. #2311 TALLAHASSEE, FLORIDA 32304</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: 1098	Profession: Patron	Report Date: August 29, 2023	
Period of Investigation: August 21, 2023 to August 29, 2023		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: F.S.S. 550.0251 (6)</b> Powers and duties of the Florida Gaming Control Commission. 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.</p> <p><b>75-11.005(4)</b> No person shall, either directly or indirectly:</p> <p>(a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.</p> <p>(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>(c) 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 August 19, 2023, Patron Clemente <b>SCOTT</b> visited the Big Easy Casino and sat at Poker Table #22, seat #7. While at the table, <b>SCOTT</b> in two instances stole a \$100.00 Black chip from two other players during a live poker game. The theft has been reviewed and confirmed on surveillance video. <b>SCOTT</b> has been placed on a Lifetime Exclusion from the Big Easy Casino (BEC) and should be considered for Statewide Exclusion.</p>			
<b>Related Case(s):</b>			
Investigator / Date  William Smith / August 29, 2023		Investigator Supervisor / Date Tyrell D. Smith / August 30, 2023	
Chief of Investigations / Date  Bradford D. Jones / September 25, 2023			

## CONTINUATION

On Saturday August 19, 2023, at approximately 11:47 P.M., Clemonte **SCOTT** visited the Big Easy Casino and was observed playing poker at table #22, seat #7. During play, **SCOTT** was captured on BEC surveillance video footage stealing from two separate patrons who were also playing at table #22. **SCOTT** stole a \$100.00 black chip from the player in seat #8 on his left and a second \$100.00 black chip from the player in seat #6, seated to his right. These actions by **SCOTT** were documented in BEC Surveillance Report #23-1111 which are attached to this case file as **Exhibit #1**. A USB Drive containing video footage of the incident was obtained and vouchered by this investigator as evidence (**Exhibit #2**).

Independent video review by this Investigator corroborates what was documented in Surveillance Report #23-1111 and what was viewed. It appears clear that **SCOTT'S** actions were intentional as he can be observed removing chips from the chip stacks belonging to other patrons when those patrons stepped away from the poker table. In one instance **SCOTT** can be seen cashing in a stolen chip, and then using those funds to game on the BEC slot floor (**Exhibit #2**).

The Big Easy Casino has issued a Lifetime Exclusion on **SCOTT** for theft under **Exhibit #1**.

**Conclusion:** **SCOTT** has violated rule # **75-11.005(4)** by stealing chips from other patrons while participating in a live poker game.

**Case Status:** Closed by Investigations and forwarded to Legal for review.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET ..... 1

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

III. EXHIBITS

    1. Surveillance / Exclusion Report..... 1-4

    2. Video.....1-2



# THE BIG EASY CASINO

The Big Easy Casino

831 N Federal Hwy, Hallandale Beach, FL 33009  
www.thebigeasycasino.com

**SUR-23-1111 - Trespass - Lifetime - Start Time 08/20/2023 00:45**

Author: Joanne Ferguson

Report Number: SUR-23-1111

Start Time: 08/20/2023 00:45

End Time: 08/20/2023 03:10

Report Group: Surveillance Reports

Report Type: Trespass - Lifetime

Note: Guest asked to leave for taking chips from players

Reported: 08/20/2023 00:13

Occurred: 08/20/2023 00:03

General Location: 1st Floor

Secondary Location: Gaming Floor

Specific Location: Poker Room

**Narrative:** On Saturday, August 19, 2023, at approximately 23:47, Poker Shift Manager Tristen Nims contacted the Surveillance Department via phone and stated a guest (identified by Nims as Edgar Varas) reported missing 1 black chip (\$100 value) from Table 22 seat 8.

While reviewing coverage with Nims still on the phone Nims Stated Varas said he found the missing chip and there was no need to look for it.

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EXHIBIT #1

PAGE # 1

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Linked Reports: **SEC-23-0431**

#### Employee

Name: Tristen Nims

Department: Card Room

Position: Poker Shift Manager/Floor Rep.

Employee Num: 911

#### Employee

Name: Brian Rodriguez

Department: Card Room

Position: Poker Floor Rep/ Manager

Employee Num: 2073

#### Employee

Name: Marc Arcelin

Department: Security

Position: Security Supervisor

Employee Num: 1156

#### Patron

**Name:** Clemonte Germale Scott

**Alias:**

**Height:** 5'10" Inches

**Street Address:** 2700 W Pensacola Street APT. 2311, Tallahassee, Florida 32304-0000

**Players Club #:** 464645



**Patron**

**Name:** Vitaliy Kosenyuk

**Alias:**

**Height:** 5'06" Inches

**Street Address:** 7266 Franklin Ave APT 223 Los Angeles, CA 90046

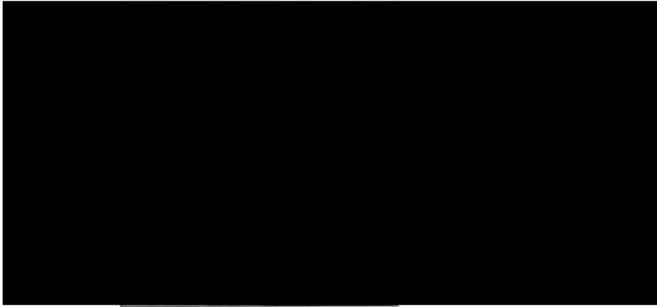


**Patron**

**Name:** Edgar Varas

**Alias:**

**DOB:**



**EXHIBIT #**

1  
2

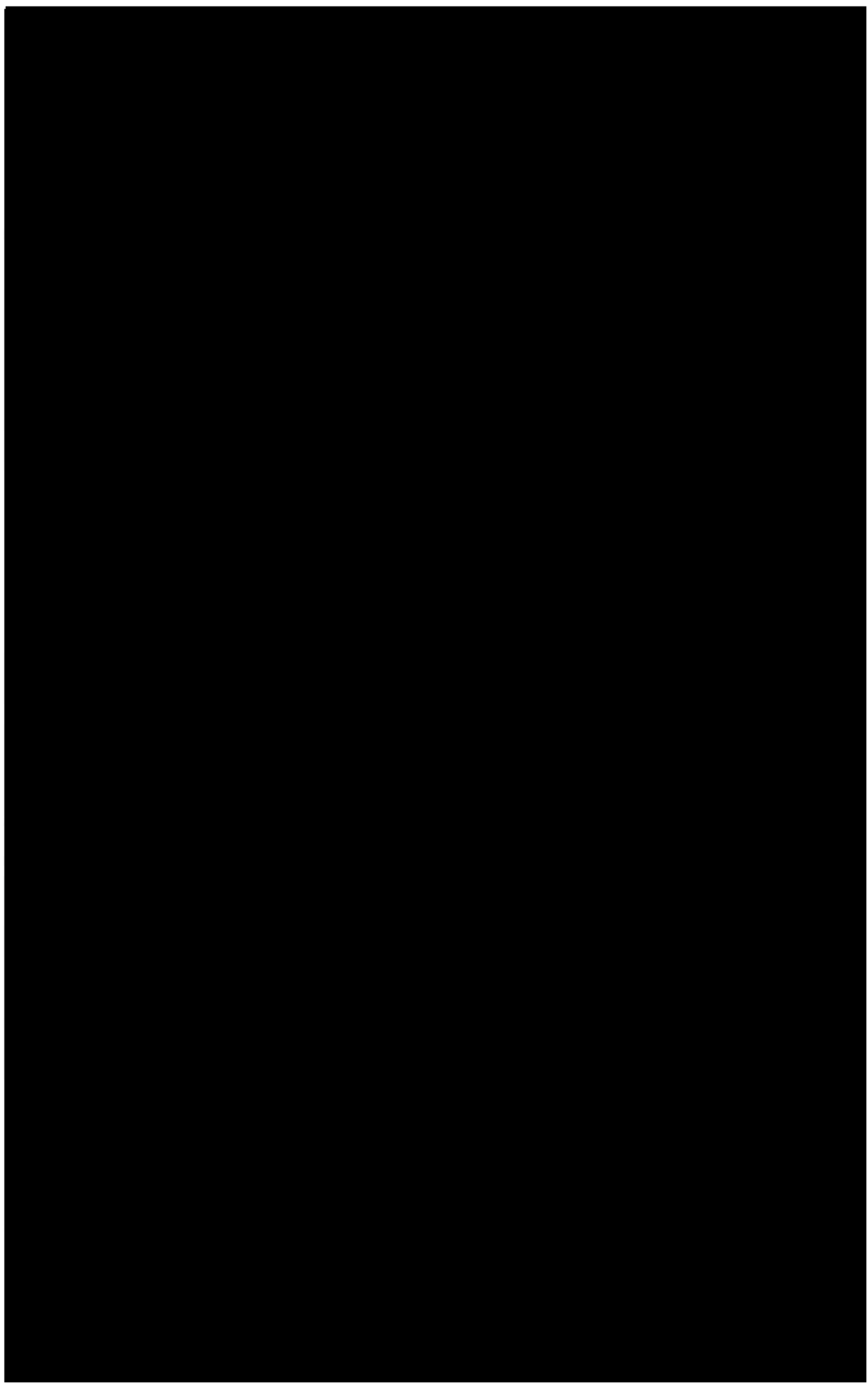


EXHIBIT # 1  
PAGE # 4







SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature: (  Addressee or  Agent)

X *clear dr*  
*Clement*

B. Received By: (Printed name)

C. Date of Delivery

*Clement* *11/3/23*

1. Article Addressed to:

AC - 2023048277 - PMW  
Clemente Germale Scott  
4461 Nw 173rd Dr  
Miami Gardens FL 33055-3707

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

RECEIVED  
2023 NOV 20 PM 10:28  
FLORIDA GAMING  
CONTROL COMMISSION



9490 9118 9956 2624 3250 84

3. Service Type

Registered Mail

2. Article Number (Transfer from service label)

9414 7118 9956 2624 3250 42



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Gretna Racing, LLC d/b/a Creek Entertainment Gretna Case  
No. 2023-050851; Default Final Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the issuance of a \$500 fine to Gretna Racing, LLC d/b/a Creek Entertainment Gretna (“Respondent”). The Division served an administrative complaint on Respondent, alleging that Respondent violated rules 75-11.031(2) and 75-11.015(1), Florida Administrative Code. By failing to respond to the properly served administrative complaint, Respondent waived its right to request a hearing contesting the Division’s allegations of fact and conclusions of law. Therefore, the Florida Gaming Control Commission should enter a final order issuing a \$500 administrative fine.

### *Background*

On or about August 22, 2023, Respondent’s staff was seen using the poker podium as a cashier’s cage in transactions of chips and cash with patrons and opening and closing an unlocked drawer which contained chips not in play in violation of rules 75-11.031(2) and 75-11.015(1), Florida Administrative Code. Respondent has no prior violations of either Rule.

The Division properly served Respondent with an administrative complaint, settlement agreement, and election of rights form. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>1</sup> to file a written response to the administrative complaint. Respondent was served via hand service on November 15, 2023, which means the Respondent was required to respond on or before December 6, 2023. Respondent failed to respond to the Administrative Complaint.

---

<sup>1</sup> See Fla. Admin. Code R. 28-106.111(4) (“Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.”)

## *Analysis*

The Commission has the authority to impose an administrative fine up to \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules promulgated thereunder.<sup>2</sup>

Rule 75-11.031(2), Florida Administrative Code, provides that “[t]he cage shall be constructed to provide security for the materials house and the activities performed therein and shall, at a minimum, be: [f]ully enclosed, except for openings through which cash [and] chips . . . can be exchanged with the public[.]”

Rule 75-11.015(1), Florida Administrative Code, provides in full, “[a]ll chips and tokens not in play or which are not available for play . . . shall be locked in a secure location.”

Because Respondent’s staff was seen using the poker podium as a cashiers cage in transactions of chips and cash with patrons and opening and closing an unlocked drawer which contained chips not in play, it is subject to an administrative fine of up to \$1,000 per count.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order issuing a \$500 administrative fine.

---

<sup>2</sup> § 849.086(14)(c), Fla. Stat.

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.: 2023-050851

GRETNA RACING, LLC d/b/a CREEK  
ENTERTAINMENT GRETNA,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Gretna Racing, LLC, d/b/a Creek Entertainment Gretna (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a pari-mutuel wagering permit pursuant to Section 550.054, and license pursuant to Section 550.0115, both issued by the Commission.
3. At all times material hereto, Respondent held a valid cardroom license number 542 issued by the Commission under section 849.086, Florida Statutes, and operated a cardroom within the meaning of section 849.086(2)(c), Florida Statutes, at its Facility (the “Cardroom”).
4. The Cardroom is a Facility operated by the Respondent at all times material hereto, and is located at 501 Racetrack Drive, Gretna, Florida 32332.

## COUNT I

5. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

6. On August 22, 2023, Respondent's staff was seen using the poker podium as a cashiers cage in transactions of chips and cash with patrons.

7. Rule 75-11.031(2), Florida Administrative Code, provides that "[t]he cage shall be constructed to provide security for the materials house and the activities performed therein and shall, at a minimum, be: [f]ully enclosed, except for openings through which cash [and] chips . . . can be exchanged with the public[.]"

8. Based on the foregoing, Respondent violated rule 75-11.031(2), Florida Administrative Code, by conducting transactions of chips and cash with patrons from a podium, rather than from a secured cashiers cage.

## COUNT II

9. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

10. On August 22, 2023, Respondent's staff was observed opening and closing an unlocked drawer which contained chips not in play.

11. Rule 75-11.015(1), Florida Administrative Code, provides in full, "[a]ll chips and tokens not in play or which are not available for play . . . shall be locked in a secure location."

12. Based on the foregoing, Respondent violated rule 75-11.015(1), Florida Administrative Code, by storing chips not in play in an unlocked location.



WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-050851 is signed this 11th day of October 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  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8709  
Primary: Emily.Alvarado@flagaming.gov  
Secondary: Ebonie.Lanier@flgaming.gov

## NOTICE OF RIGHTS

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.

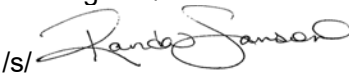
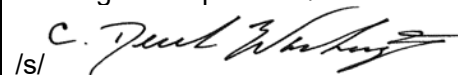

Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>SEPTEMBER 8, 2023</b>	Case Number: <b>2023 05 0851</b>
Respondent: <b>GRETNA RACING, LLC P.O. BOX 1027 ATMORE, ALABAMA 36504 TEL# (850)222-3533</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>542 / 1002</b>	Profession: <b>PERMIT HOLDER</b>	Report Date: <b>SEPTEMBER 12, 2023</b>	
Period of Investigation: <b>AUGUST 22, 2023 – SEPTEMBER 12, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>VIOLATION(S) / TITLE(S): Alleged Violation: 75-11.014 Cards.</b></p> <p>(a) Any card that is taped, cut, shaved, marked, defaced, bent, crimped or deformed in any fashion that may permit covert identification of the card during the course of play must be withdrawn from play. Each time a card is determined to be damaged as described in this section, the entire deck shall be withdrawn from play and replaced with a new deck after that new deck is thoroughly inspected under the requirements of this rule.</p> <p>(b) Any deck of cards in which it is determined damaged cards exist shall be withdrawn from play immediately upon identification of the damage as follows:</p> <p>1. The entire deck of cards containing the damaged card or cards shall be removed from play before card play may resume at the card table and the damaged card or cards shall be placed in a sealed envelope or evidence bag,</p> <p><b>75-11.015 Chips and Tokens.</b></p> <p>(1) All chips and tokens not in play or which are not available for play or use that day shall be locked in a secure location.</p> <p><b>75-11.031 Cashiers' Cage.</b></p> <p>(2) The cage shall be constructed to provide security for the materials housed and the activities performed therein and shall, at a minimum, be:</p> <p>(a) Fully enclosed, except for openings through which cash, chips, records, and documents can be exchanged with the public;</p> <p>(b) Accessible only through a solid reinforced entrance door equipped with locks or electronic access controls.</p> <p><b>Synopsis:</b> On August 22, 2023, during a cardroom inspection at <b>GRETNA RACING, LLC.</b> the following violations were found: 1) An entire deck of cards containing a damaged card or cards was not removed from play. 2) Chips not in play were not locked in a secure location 3) The Facility was using a podium not in compliance per Rule to conduct cage transactions with the public.</p>			
<b>Related Case(s):</b>			
Investigator / Date  /s/  Randa Samson / September 12, 2023		Investigator Supervisor / Date  /s/  C. Derek Washington / September 26, 2023	
Chief of Investigations / Date  /s/  Bradford D. Jones / October 2, 2023			

## CONTINUATION

On August 22, 2023, I conducted a routine Quarterly / Bi-Weekly Cardroom Inspection at **GRETNA RACING, LLC**. As part of my inspection, I reviewed the facility's damaged card procedures, specifically how damaged cards are removed from play, stored, and documented. While reviewing the saved surveillance video of August 19, 2023, I observed Floor Supervisor, Joey L. **COOPER** (LIC# 12241160) fail to replace a damaged deck with a new deck upon discovery of a damaged card. I also discovered while walking the cardroom floor, that **GRETNA** Poker Room Manager, Jeffrey Dale **ARMSTRONG** (PMW LIC #7479143) and Host, Ashley Tomasina **GRANGER** (PMW LIC #10927328) were using the poker podium as a cashier's cage, which is not in compliance with the Rule to conduct cage transactions with the public. Additionally on the day of the inspection, I observed **GRANGER** opening and closing an unlocked drawer that contained chips and cash, which is a violation of the above-stated regulation (**EXHIBIT #2**).

A careful review of the video evidence of **August 19,2023** obtained from **GRETNA RACING, LLC**. shows the following violations: (**EXHIBIT#2**)

- 3:15 AM; Poker dealer Hunter R. Murkerson (PMW LIC # 13352725) removed a damaged card / deck out of play.
- 3:16 AM; Floor Supervisor Joey L. **COOPER** (PMW LIC# 12241160) removed the damaged card off table #10.
- 3:18 AM; Chip Runner Kaden Bruce Horn (PMW LIC# 13692422) brought back the damaged card to table #10.

A careful review of the video evidence of **August 22, 2023**, obtained from **GRETNA RACING, LLC**. shows the following violations: (**EXHIBIT #2**)

- 3:22 PM: A patron approached the poker podium and gave **GRANGER** cash.
- 3:23 PM: **GRANGER** opened an unlocked drawer and exchanged the patron's cash for chips failing to lock the podium drawer.
- 2:50 PM: A patron approached the poker podium and gave **ARMSTRONG** chips and **ARMSTRONG** exchanged the chips for cash.
- 2:50 PM: Another patron approached the poker podium and gave **GRANGER** cash and **GRANGER** opened an unlocked podium drawer exchanged the cash for chips failing to lock the drawer.
- 2:56 PM: A patron approached the poker podium and gave **GRANGER** chip and Granger opened an unlocked podium drawer exchanged the chips for chips failing to lock the drawer.

A review of Versa Regulation Enforcement database revealed **GRETNA RACING, LLC.**, two previous violations involving damage card procedures:

- Case 2020 02 7901, Verbal Warning issued.
- Case 2022 02 9670, Consent Order issued, \$250 fined imposed.

**Case Status:** Closed by Investigations and referred to Legal for review.

CONTINUATION

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# Florida Gaming Control Commission

JULIE L. BROWN, VICE CHAIR  
CHUCK DIARD, COMMISSIONER  
JOHN D'ADULA, COMMISSIONER  
TIKA REPP, COMMISSIONER

FLORIDA GAMING CONTROL COMMISSION,

Petitioner,

v.

FGCC Case No.: 2023-050851

GRETNA RACING, LLC,

Respondent.

### AFFIDAVIT OF SERVICE OR DILIGENT SEARCH

COMES NOW, the Affiant, an employee of the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, State of Florida, who first being duly sworn, deposes and states:

On (date) NOV. 15<sup>th</sup> 2023, Affiant made a diligent effort to locate Respondent, to serve:  License Denial;  Administrative Complaint and related papers;  Subpoena(s);  Final order; ESO and related papers;      (other)     .

### (PLEASE CHECK APPLICABLE ANSWER)

Affiant made personal service on Respondent, on (date), JEFF ARMSTRONG ~~MANAGER~~ at (location) CREEK ENTERTAINMENT GRETNA.

     Affiant was unable to make service after searching for Respondent at: (a) all addresses for Respondent shown in the F.G.C.C. investigation of the case; (b) all official addresses for Respondent shown in his/her licensing records of the Division of Pari-Mutuel Wagering; (c) any others:     

Charles Taylor  
Signature of Affiant

STATE OF FLORIDA  
COUNTY OF ORANGE

Before me, appeared CHARLES TAYLOR;  who is personally known to me or      whose identity I proved on the basis of     ; and who acknowledges that his/her signature appears above.

Sworn to or affirmed by Affiant before me this 17 day of November 2023.

C. Derek Washington  
Notary Public

CLARENCE DEREK WASHINGTON  
Type or Print Name



CLARENCE DEREK WASHINGTON  
Commission # HH 422785  
Expires July 18, 2027



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Michael D. Zarnoch Case No. 2023-053869; Default Final Order  
Date: December 20, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the revocation of Michael D. Zarnoch's ("Respondent") Pari-Mutuel Wagering General Individual Occupational License. The Division served Respondent with an administrative complaint, alleging that Respondent was convicted of a felony and that Respondent failed to timely inform the Commission of the conviction in violation of Florida law. Respondent failed to timely respond to the properly served administrative complaint and has thus waived his right to request a hearing contesting the allegations of fact and conclusions of law set forth in the administrative complaint. Therefore, the Florida Gaming Control Commission should enter a final order revoking Respondent's Pari-Mutuel Wagering General Individual Occupational License.

### *Background*

On July 18, 2023, Respondent was convicted of Lewd or Lascivious Sex Act on a Minor less than 16 Years Old, a felony, in St. Johns County, Florida. Respondent did not inform the Commission of the felony conviction within 48 hours.

Based on the foregoing, the Division served Respondent with an administrative complaint seeking revocation of his Pari-Mutuel Wagering General Individual Occupational License via U.S. certified mail. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days<sup>1</sup> to file a written response to the administrative complaint. The Respondent was served on November 14, 2023, which means the Respondent had until December 5, 2023, to respond. He has never responded.

### *Analysis*

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<sup>1</sup> See Fla. Admin. Code R. 28-106.111(4) ("Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days waives the right to request a hearing on such matters.")



Section 550.105(5)(b), Florida Statutes, provides, in pertinent part that “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....”

Section 550.105(10)(d), Florida Statutes, provides that each licensee shall inform the Commission within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.” Accordingly, Respondent’s license can be revoked or suspended based on the felony conviction.

Because Respondent failed to file a timely response to the properly served administrative complaint, he waived his right to request a hearing. Therefore, the Florida Gaming Control Commission may enter a final order revoking Respondent’s Pari-Mutuel Wagering General Individual Occupational License.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order revoking Michael D. Zarnoch’s Pari-Mutuel Wagering General Individual Occupational License.

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.: 2023-053869

MICHAEL D. ZARNOCH,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Michael D. Zarnoch (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel General Individual Occupational License, number 13163387, issued pursuant to section 550.105(2)(a) Florida Statutes.
3. On or about February 2, 2023, Respondent entered a plea of guilty and was convicted of Lewd or Lascivious Sex Act on a Minor less than 16 Years Old, a felony, in the Circuit Court of the Seventh Judicial Circuit in and for St. Johns County, Florida, in case number 2022-CF-000458.

## COUNT I

4. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

5. Pursuant to section 550.105(5)(b), Florida Statutes:

The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, 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.

6. Section 550.105(5)(d), Florida Statutes, provides 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.”

7. Based on the foregoing, Respondent violated section 550.105(5)(b), Florida Statutes, by entering a plea of guilty and being convicted of Lewd or Lascivious Sex Act on a Minor less than 16 Years Old, a felony, in St. Johns County, Florida on February 2, 2023 and is therefore subject to suspension or revocation of his occupational license.

## COUNT II

8. Petitioner realleges and adopts paragraphs numbered one through three as if set forth fully herein.

9. Respondent failed to notify Petitioner within 48 hours of his February 2, 2023 conviction for Lewd or Lascivious Sex Act on a Minor less than 16 Years Old in St. Johns County, Florida.

10. Pursuant to section 550.105(10)(d), Florida Statutes, each licensee shall inform the Commission, within 48 hours, “if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.”

11. Based on the foregoing, Respondent violated section 550.105(10)(d), Florida Statutes, by failing to inform the Division of his February 2, 2023 conviction for a disqualifying offense within 48 hours.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking or suspending Respondent’s Occupational License, along with any other remedy provided by section 550.105(5), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-053869 is signed this 11th day of October 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  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8709  
Primary: Emily.Alvarado@flagaming.gov  
Secondary: Ebonie.Lanier@flgaming.gov

## NOTICE OF RIGHTS

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.

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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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Lic Type	<b>1022 - Pari-Mutuel General Individual Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>10/04/2023</b>
Complaint #	<b>2023053869</b>	Case Type	<b>CMP - Complaint</b>	Disposition	
Docket#		Respondent	<b>ZARNOCH, MICHAEL D</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

<a href="#">Complaint</a>	<a href="#">Respondent</a>	<a href="#">Complainant</a>	<a href="#">Add'l Info</a>
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Source	<b>INTN - Internal</b>	Security Level	<b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form	<b>INTR - Internal</b>	Priority		<input type="checkbox"/>			
Class'n	<b>CHIS - Criminal History</b>	Complexity	<b>R - Regular</b>	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Security	<b>STND - Standard</b>	Incident	<b>02/02/2023</b>	<input type="checkbox"/>	<b>Violations</b>	<input type="checkbox"/>	<b>Compliance</b>
Region	<b>CR - Central Region</b>	Received	<b>09/25/2023</b>	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Reference	<b>550.105</b>			<input type="checkbox"/>			
Entered	<b>09/25/2023</b>	Entered By	<b>cstubbs1</b>	<input type="checkbox"/>	<b>Inspection</b>		
Summary	<b>143 - Daytona Beach Kennel Club - Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines : Licensee Michael D. ZARNOCH, a Food Service employee at Daytona Beach Kennel Club, and who holds a PMW General Individual Occupational License, (Lic# 13163387 / 1022), was convicted on February 2, 2023, of Lewd or Lascivious Battery Sex Act 12 YOA but less 16 YOA (2nd Degree Felony). Upon his conviction, ZARNOCH failed to notify the Division of his conviction as required by Florida Statutes.</b>			<input type="checkbox"/>	<b>Costs</b>		
				<input type="checkbox"/>	<b>Time Tracking</b>		<b>Auto Assign</b>
				<input type="checkbox"/>	<b>Attachments</b>		<b>History</b>
Updated	<b>10/04/2023 08:45:55</b>	By	<b>cstubbs1</b>	<input type="checkbox"/>	<b>Work Notes</b>		<b>Print Report</b>

<a href="#">Change</a>	<a href="#">Save</a>	<a href="#">OK</a>	<a href="#">Cancel</a>	<a href="#">Back</a>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>Central</b>	Date of Complaint: <b>September 25, 2023</b>	Case Number: <b>2023 05 3869</b>
Respondent:  <b>ZARNOCH, MICHAEL D. 10 FOREST LAKE BLVD. APT. #3001 DAYTONA BEACH, FL. 32119  813-480-0553</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>13163387- 1022</b>		Profession: <b>Food Service</b>	Report Date: <b>October 3, 2023</b>
Period of Investigation: <b>September 25, 2023 – October 3, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation: 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines: (5)(b)</b> The commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, 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.</p> <p><b>(d)</b> For purposes of this subsection, 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.</p> <p><b>(10)(d)</b> Under penalty of perjury, each person who is licensed or who is fingerprinted as required by this section must agree to inform the division within 48 hours if he or she is convicted of or has entered a plea of guilty or nolo contendere to any disqualifying offense, regardless of adjudication.</p>			
<p><b>Synopsis:</b> Licensee Michael D. <b>ZARNOCH</b>, a Food Service Employee at the Daytona Beach Kennel Club, and who holds a PMW General Individual Occupational License, (Lic# 13163387 / 1022), was convicted on February 2, 2023, of Lewd or Lascivious Battery Sex Act 12 YOA but less 16 YOA (2<sup>nd</sup> Degree Felony). Upon his conviction, ZARNOCH failed to notify the Division of his conviction as required by Florida Statutes.</p>			
Related Case:			
Investigator Supervisor / Date  <i>C. Derek Washington</i> /s/ C. Derek Washington / October 3, 2023		Chief of Investigations / Date  <i>Bradford D. Jones</i> Bradford D. Jones / October 3, 2023	

## CONTINUATION

On April 13, 2022, **ZARNOCH** applied for a PMW General Individual Occupational License (1022) to work as a Food Runner at the Daytona Beach Kennel Club. 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 his Criminal History Report, it revealed an arrest on March 23, 2022, in St. Johns County, Florida, for Lewd or Lascivious Battery Victim Age 12 to 16 (2nd Degree Felony). It further showed that the case was still pending (**Exhibit #1**).

On April 25, 2022, **ZARNOCH** received his PMW General Individual Occupational License (1022) with a letter acknowledging his March 23, 2022, arrest in St. Johns County, Florida, which was currently pending judicial review and final disposition. The letter further advised **ZARNOCH** that he needs to forward final court disposition paperwork within 48 hours of the date of disposition, as required by Florida State Statute 550.105(10)(d) (**Exhibit #2**). In addition, PMW Operations Review Specialist Jonathan Dye placed an Enforcement Alert on his VERSA license record regarding his arrest (**Exhibit #3**).

Information obtained from the Florida Comprehensive Case Information System (CCIS) for St. Johns County, Florida, indicated that on February 2, 2023, **ZARNOCH** pled Guilty to the offense of Lewd or Lascivious Battery Sex Act victim 12 YOA but less than 16 YOA (2nd Degree Felony). He was sentenced to 94.5 months in state prison<sup>1</sup>, followed by five (5) years of Sex Offender Probation (**Exhibit #4**).

**ZARNOCH** is currently licensed until June 30, 2024 (**Exhibit #5**).

**Conclusion:** **ZARNOCH** has violated of Florida State Statute 550.105(10)(d) due to his felony conviction and subsequent failure to notify the Division within 48 hours.

**Status:** Closed by Investigations and forwarded to Legal for review.

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<sup>1</sup> **ZARNOCH** is currently being held at the Putnam Correctional Institution (128 Yelvington Road East Palatka, Florida 32131-2112 Tel. # (386) 326-6800 Fax: (386) 312-2219); his anticipated release date is December 14, 2030.



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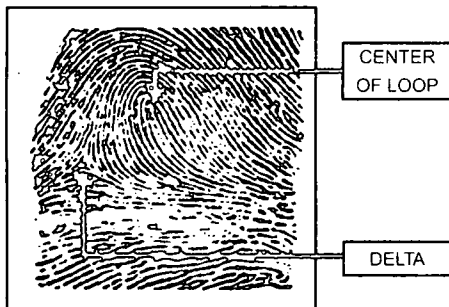
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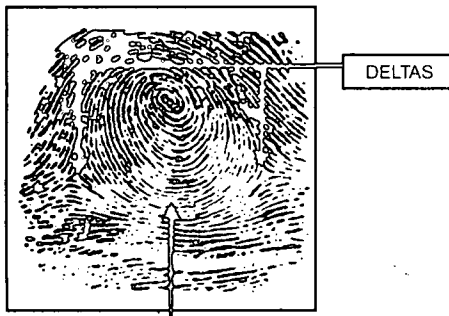
FEDERAL BUREAU OF INVESTIGATION  
 UNITED STATES DEPARTMENT OF JUSTICE  
 CJIS DIVISION/CLARKSBURG, WV 26306

## 1. LOOP



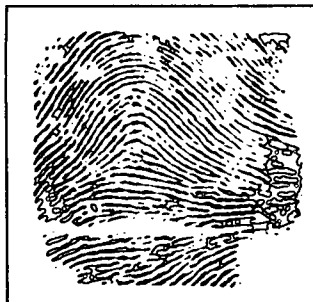
THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

## 2. WHORL



THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

## 3. ARCH



ARCHES HAVE NO DELTAS

# APPLICANT

## THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.\*
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.\*
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.\*\*
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

Please review this helpful information to aid in the successful processing of hard copy criminal and civil fingerprint submissions in order to prevent delays or rejections. Hard copy fingerprint submissions must meet specific criteria for processing by the Federal Bureau of Investigation. **Ensure all information is typed or legibly printed using blue or black ink.**

Enter data within the boundaries of the designated field or block. **Complete all required fields.** (If a required field is left blank, the fingerprint card may be immediately rejected without further processing.)  
 \* The required fields for hard copy fingerprint cards are: originating agency identifier number - date of birth - place of birth - name - sex - criminal fingerprints - any applicable state stamp - Other (race, height, weight, eye color, hair color)

\* criminal fingerprint cards also require an arrest charge and date of arrest.  
 \*\* civil fingerprint cards also require a reason fingerprinted and date fingerprinted

Do not use highlighters on fingerprint cards.  
 Do not enter data or labels within 'Leave Blank' areas.  
 Ensure the 'Reply Desired' field is checked when applicable (criminal only).  
 Ensure fingerprint impressions are rolled completely from nail to nail.  
 Ensure fingerprint impressions are in the correct sequence.  
 Ensure notations are made for any missing fingerprint impression (i.e. amputation).  
 Do not use more than two retabs per fingerprint impression block.  
 Ensure no stray marks are within the fingerprint impression blocks.

Training aids can be ordered online via the Internet by accessing the FBI's website at: [fbi.gov](http://fbi.gov), click on 'Fingerprints', then click on 'Ordering Fingerprint Cards & Training Aids'. Direct questions to the Identification and Investigative Services Section's Customer Service Group at (304) 625-5590 or by e-mail at [liaison@leo.gov](mailto:liaison@leo.gov).

### PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of information requested by this form is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include numerous Federal statutes, hundreds of State statutes pursuant to Pub.L. 92-544, Presidential executive orders, regulations and/or orders of the Attorney General of the United States, or other authorized authorities. Examples include, but are not limited to: 5 U.S.C. 9101; Pub.L. 94-29; Pub.L. 101-604; and Executive Orders 10450 and 12968. Providing the requested information is voluntary; however, failure to furnish the information may affect timely completion or approval of your application.

**Social Security Account Number (SSAN).** Your SSAN is needed to keep records accurate because other people may have the same name and birth date. Pursuant to the Federal Privacy Act of 1974 (5 USC 552a), the requesting agency is responsible for informing you whether disclosure is mandatory or voluntary, by what statutory or other authority your SSAN is solicited, and what uses will be made of it. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

**Principal Purpose:** Certain determinations, such as employment, security, licensing, and adoption, may be predicated on fingerprint-based checks. Your fingerprints and other information contained on (and along with) this form may be submitted to the requesting agency, the agency conducting the application investigation, and/or FBI for the purpose of comparing the submitted information to available records in order to identify other information that may be pertinent to the application. During the processing of this application, and for as long hereafter as may be relevant to the activity for which this application is being submitted, the FBI may disclose any potentially pertinent information to the requesting agency and/or to the agency conducting the investigation. The FBI may also retain the submitted information in the FBI's permanent collection of fingerprints and related information, where it will be subject to comparisons against other submissions received by the FBI. Depending on the nature of your application, the requesting agency and/or the agency conducting the application investigation may also retain the fingerprints and other submitted information for other authorized purposes of such agency(ies).

**Routine Uses:** The fingerprints and information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent as permitted by the Federal Privacy Act of 1974 (5 USC 552a(b)) and all applicable routine uses as may be published at any time in the Federal Register, including the routine uses for the FBI Fingerprint Identification Records System (Justice/FBI-009) and the FBI's Blanket Routine Uses (Justice/FBI-BRU). Routine uses include, but are not limited to, disclosures to: appropriate governmental authorities responsible for civil or criminal law enforcement, counterintelligence, national security or public safety matters to which the information may be relevant; to State and local governmental agencies and nongovernmental entities for application processing as authorized by Federal and State legislation, executive order, or regulation, including employment, security, licensing, and adoption checks; and as otherwise authorized by law, treaty, executive order, regulation, or other lawful authority. If other agencies are involved in processing this application, they may have additional routine uses.

**Additional Information:** The requesting agency and/or the agency conducting the application investigation will provide you additional information pertinent to the specific circumstances of this application, which may include identification of other authorities, purposes, uses, and consequences of not providing requested information. In addition, any such agency in the Federal Executive Branch has also published notice in the Federal Register describing any system(s) of records in which that agency may also maintain your records, including the authorities, purposes, and routine uses for the system(s).

### INSTRUCTIONS:

1. PRINTS MUST GENERALLY BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
  2. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE "EMPLOYER AND ADDRESS". THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI.
  3. FBI NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
- MISCELLANEOUS NO. - RECORD: OTHER ARMED FORCES NO. (P), PASSPORT NO. (FP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).

FD-258 (REV. 3-1-10)

U.S. GOVERNMENT PRINTING OFFICE:  
 02/19/2015 13:07:41

EXHIBIT #1  
 PAGE 2/8

APR 13 2022

BY: .....

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."

Form with sections: DEMOGRAPHIC INFORMATION, Race/Ethnicity, Current Mailing Address, Current Street Address, Type of Occupational License, Facility where employed, Does your position require access to the Cardroom?, Are you a Supervisor, Manager, or Shareholder..., Do you own or lease animals..., TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY, FOR DIVISION USE ONLY.

RECEIVED
2022 APR 21 PM 3:14
DIVISION OF
PARI-MUTUEL WAGERING

**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

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:

---



---


**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

04/13/22  
 Date











April 25, 2022

Michael D. Zarnoch  
10 Forest Lake Blvd. # 3001  
Daytona Beach, FL 32119

RE:

Dear Michael Zarnoch:

Based upon the documentation recently received, we acknowledge your 03/22/2022 arrest in St. Johns County Florida that is currently pending judicial review and final disposition (Case # 552022CF000458XXAXMX).

Once these matters have been resolved in a court of law, you are required to forward the disposition documents to the address above, including your name, license number and contact information within 48 hours of the date of disposition, pursuant to 550.105 (10) (d), Florida Statutes.

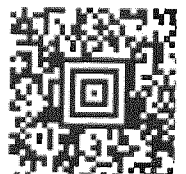
If you have any questions or concerns regarding this matter, please feel free to contact me at 850.488.3211.

Sincerely,

*David Donaldson*

David Donaldson, Licensing Administrator  
Division of Pari-Mutuel Wagering

EXHIBIT #2



[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">License Search</a>   <a href="#">Entity Search</a>   <a href="#">Modify License Standing</a>   <a href="#">Maintain License CE Control</a>									

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: dwashingto

[VR Home](#) > [License Search](#) > **Display Alerts**

Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span>	Lic Type	<b>1022 - PMW General Individual Occupational</b>	Expires On	<b>06/30/2024</b>
File # <b>101114</b>	Name	<b>ZARNOCH, MICHAEL D</b>	Extended To	
License # <b>13163387</b>	Rank	<b>GIND - General Individual Occupational</b>	Renewed On	
Entity # <b>13163387</b>	Lic Status	<b>Current</b>		

Description	Effective	Notes
<a href="#">Enforcement Alert</a>	04/25/2022	<input checked="" type="checkbox"/>

 [Get Adobe Reader.](#)

EXHIBIT #2  
PAGE 1/2

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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[License Search](#) | [Entity Search](#) | [Modify License Standing](#) | [Maintain License CE Control](#)

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

Logged in as: **dwashingto**

[VR Home](#) > [License Search](#) > [Display Alerts](#) > **Maintain License Modifiers - BASE\_CLONE**

<a href="#">Search Criteria</a>	<a href="#">Results</a>	<a href="#">Detail</a>
---------------------------------	-------------------------	------------------------

<p>Modifier Type <b>A - Alert</b>          Modifier <b>ENFO - Alert</b>          Effective <b>04/25/2022</b>          Expires -          Additional Info :          Prompt          Value <b>Open Case: 03/22/2022</b>          Notes <b>Applicant must provide full documentation on the above arrest before changes can be made, or a renewal is fully processed. Open case letter created and sent out 4/25/2022.</b>          Updated <b>04/25/2022 14:19:56</b>          By <b>jdye1</b></p>
---

<a href="#">Notes History</a>
<a href="#">Change</a>
<a href="#">Delete</a>
<a href="#">Save</a>
<a href="#">Cancel</a>
<a href="#">&lt;</a>
<a href="#">&gt;</a>

<a href="#">Add</a>	<a href="#">Back</a>
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**EXHIBIT #2**  
**PAGE 2/2**

**IN THE CIRCUIT COURT OF THE 7th JUDICIAL CIRCUIT  
ST. JOHNS COUNTY, FLORIDA  
C A P I A S**

STATE OF FLORIDA  
PLAINTIFF  
- vs -  
MICHAEL DANAHY ZARNOCH  
10 FOREST LAKE BLVD  
#3001  
DAYTONA BEACH, FL 32119  
(813) 480-0553  
DEFENDANT

CASE NUMBER: 22000458CFMA  
SAO NUMBER:  
DATE OF BIRTH: [REDACTED]  
HT: 6-00 WT: HAIR: BLK EYES: BRN  
RACE: WHITE GENDER: M  
[REDACTED] S/N: [REDACTED]  
SCARS/MARKS:  
EMPLOYER:  
AKA:

To ALL And Singular The Sheriffs of the State of Florida, Greetings:

This is to command you to take **MICHAEL DANAHY ZARNOCH** if he/she be found in your County and him safely keep, so that you have his/her body before one of the Judges of our Circuit/County Court, at St. Johns County, Florida, in St. Augustine, INSTANTER to answer the charges found and now pending in said Circuit/County Court for,

**STATE ATTORNEY FILED**

To the charges of:

Ct	Statute	Charge	Bond Amt.	Release Options	Ext. Radius
1	800.04 4a	LEWD OR LASCIVIOUS BATTERY SEX ACT 12 YOA BUT LESS 16 YOA	\$50,000.00	BOND SET	NATIONWIDE

on 03/22/2022 and have then and there this writ with due return of your action endorsed thereon.

NOTES:

ORDERED BY JUDGE: R. LEE SMITH

Brandon J. Patty,  
Clerk, Circuit Court and County Court  
ST. JOHNS COUNTY, FLORIDA

*Debra Wagner*  
DEPUTY CLERK

WITNESS: Brandon J. Patty, Clerk  
And the Seal of Circuit Court  
This date of March 22, 2022



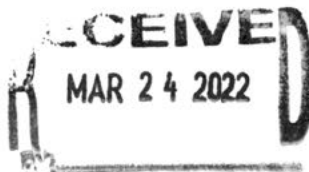
RETURN .....

Received this warrant on the 22 day of March, 2022 and executed the Same by arresting one MICHAEL DANAHY ZARNOCH the within named defendant, in the Circuit/County Court of ST. JOHNS COUNTY, FLORIDA on the 23 day of March, 2022.

**EXHIBIT #4  
PAGE 1/26**

PLACE OF ARREST  
5550 CS

TIME OF ARREST  
1709



*R. Hardcastle*  
SHERIFF, ST. JOHNS COUNTY, FLORIDA

*S. Brannon*  
DEPUTY SHERIFF

**Filed for record 03/22/2022 04:14 PM Clerk of Court St. Johns County, FL**

**Filed for record 03/24/2022 02:16 PM Clerk of Court St. Johns County, FL**



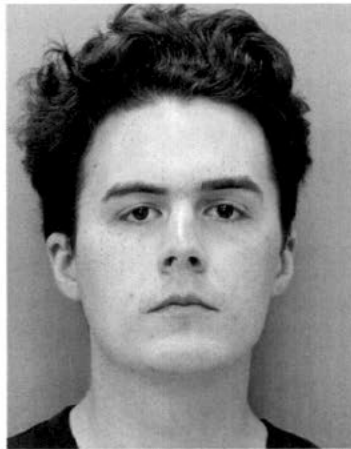
# ST. JOHNS COUNTY SHERIFF'S OFFICE

## ZARNOCH, MICHAEL DANAHY

### Booking Information



High Profile    Suicidal    Escape Risk    Hold For:



**Booking #:** SJSO22JBN001385   **MNI:** SJSO14MNI028472   **Cell:** SJSO\* BKG\*OPN\*001

**Address:** 10 FOREST LAKE BLVD APT. 3001 DAYTONA BEACH, FL 32119

**Phone:** (813)480-0553   **BIRTHPLACE:** DETROIT, WAYNE, MICHIGAN

**CITIZENSHIP:** UNITED STATES   **FBI POB:** MI   **MARITAL STATUS:** Unmarried

**RACE:** W   **SEX:** M   **HGT:** 6'00"   **WGT:** 165   **HAIR:** BRO   **EYES:** BRO   **SSN:** [REDACTED]

**FBI:** [REDACTED]   **SID:** [REDACTED]   **STATE:** FL

**Inmate Phone PIN::**

**Occupation:** STUDENT

**Employer:** EMBRY-RIDDLE

**Phone:**

**Booked:** 3/23/22 17:14

**Booked By:** BROMBERG, MELISSA

**Released:**

**Searched By:** BRANAUM, JOHN L

**Photo By:** BRANAUM, JOHN L

**Print By:** BRANAUM, JOHN L

- I have been advised any property valued over \$100 is to be released or mailed at my own expense within five (5) days.
- I understand that my phone/canteen passcode are confidential and created by me. I will not share this number with anyone. I am fully responsible for all usage and monetary obligations associated with the passcode. SJSO is not responsible for loss of funds to my account.

Inmate Signature

Officer Signature

Witness Signature

**EXHIBIT #4**  
**PAGE 2/26**



# ST. JOHNS COUNTY SHERIFF'S OFFICE



## Case/Charge Report

**Court Case Number: 22-458CF**

**Arrest Information:**

Arrest:	Offense:	OBTS: 5504033900
Agency: ST. JOHNS COUNTY SHERIFF'S OFFICE	Officer: BRANAUM, JOHN L	No: SJSO15PER000088

**Bond Information:**

Court:	Bond: JUDGE	\$50000.00
--------	-------------	------------

**Comments:**

**Sentence Information:**

<input type="checkbox"/> Gain Time	<input type="checkbox"/> Work Time	<input type="checkbox"/> Disability Time	<input checked="" type="checkbox"/> Part Time	<input type="checkbox"/> DOC
Start: -	Length: -			
CTS: -	Credit: -	Worked: -		
End: -	Served: -			

**Charges:**

Counts: 1	Statute: 800.04.4a1	Bond:\$50000.00	Charge Code:LEWD LASCV BEHAVIOR
Status: PENDING			Charge Description:LEWD OR LASCIVIOUS BATTERY VICTIM AGE 12 TO 16

Comments:

\_\_\_\_\_  
Inmate Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Officer Signature

**EXHIBIT #4  
PAGE 3/26**



# Warrant Affidavit

# SCANNED

ST JOHNS COUNTY SHERIFFS OFFICE  
 4015 LEWIS SPEEDWAY  
 ST. AUGUSTINE, FL

Report Date / Time 1/31/2022 07:00 PM	Report Number SJSOCHG0027524S	Case Number/Cad Number SJSO22OFF001030 / SJSO22CAD023450	Reporting Officer Name MISAMORE, SHELBY EL
Originating Agency ORI FL0550000	Occur Date Time Range 01/28/2022 20:30:49 - 01/28/2022 21:30:00	Jurisdiction	Clearance

### Location of Occurrence

County ST. JOHNS	Location Type OTHER	Location Description ROADWAY NEAR [REDACTED]			
Street Number 700	Street BLOCK OF [REDACTED]	Apt/Lot/Bldg	City ST AUGUSTINE	State FL	Zip Code 32086

### Suspect

First Name MICHAEL	Middle Name DANAHY	Last Name ZARNOCH	Suffix	Race WHITE	Sex MALE	Height 6'00"	Weight 0	Hair BLACK	Eyes BROWN
MNI # [REDACTED]	SSN [REDACTED]	Date of Birth 21	Age	ID Type E	Drivers License or other ID [REDACTED]	State FL	OCA / Agency ID		
Place of Birth:	UNITED STATES								
Address * RESIDENCE / 10 FOREST LAKE BLVD 3001, DAYTONA BEACH, FL 32119 / (813)480-0553									

### Warrant Affidavit

Sent to Court Date/Time	Affidavit Status SENT TO RECORDS	Affidavit Disposition	Affidavit Disposition Date/Time
Court County	Court	Court Location	
Comments			

### Charge :

Counts 1	Charge 800.04.4a1	Bond Amount \$0.00	<input type="checkbox"/> No Bond
Charge Degree S	Charge Level FELONY	General Offense Code LEWD LASCIV BEHAVIOR	
Charge Description LEWD OR LASCIVIOUS BATTERY VICTIM AGE 12 TO 16			

### Bond Set by Charges

Bond Amount	<input type="checkbox"/> No Bond
Bond Type(s)	

### Probable Cause

The undersigned certifies and swears that there is probable cause to believe the above-named defendant, who was positively identified by Florida Driver's License, on the 28th day of January, 2022,

Warrant Affidavit

RECEIVED  
 MAR 22 2022

22-458CP  
 RECEIVED

Page 1 of 5

EXHIBIT #4  
 PAGE 4/26



Report Date / Time 1/31/2022 07:00 PM	Report Number SJSOCHG0027524S	Case Number/Cad Number SJSO22OFF001030 / SJSO22CAD023450	Reporting Officer Name MISAMORE, SHELBY EL
Originating Agency ORI FL0550000	Occur Date Time Range 01/28/2022 20:30:49 - 01/28/2022 21:30:00	Jurisdiction	Clearance

at approximately 9:00 [ ] A.M. [XX] P.M. at 700 block of [REDACTED] within St. Johns County, violated the law and did then and there:

Florida State Statute 800.04.4a.1 – Lewd or Lascivious Battery (victim age 12 to 16)

On Friday, January 28, 2022, the St. Johns County Sheriff's Office became involved in an investigation involving a thirteen-year-old victim, and the defendant, who was presumably sixteen-years-old at the date of reporting. The victim's father, Witness 1, notified the Sheriff's Office that he located his daughter (victim) in a vehicle with a male, who indicated he was sixteen-years-old. The victim was reported to have a hickey after the incident; however, no sexual abuse was disclosed at the time.

On Monday, January 31, 2022, the victim reported to her school art teacher that she was sexually battered over the weekend by a sixteen-year-old boy. The school art teacher then notified the victim's parents, Witness 1 and Witness 2.

On the same date, Witness 1 and Witness 2 notified the St. Johns County Sheriff's Office of this incident. Witness 1 conducted a sworn, audio-recorded interview with law enforcement. Witness 1 reported that on Friday, January 28, 2022, the victim was at her friend's house [REDACTED] near his residence in St. Augustine Shores. Witness 1 was originally supposed to pick the victim up from her friend's residence at 9:00PM. The victim asked Witness 1 if he would extend the time and pick her up at 9:30PM. Witness 1 stated at 9:00PM, he checked the victim's location from Find My iPhone and noticed she was down the street from her friend's residence on [REDACTED]. Witness 1 called the victim at 9:10PM, and the victim did not answer the phone. Witness 1 traveled to the residence the victim was supposed to be at and knocked on the door. Once Witness 1 was at the front door, the victim came out of the nearby wooded area. Witness 1 asked the victim where she was, and she ultimately admitted to being in a vehicle with "Mike", who was believed to be sixteen. Witness 1 and the victim entered Witness 1's vehicle, and Witness 1 approached Mike's vehicle as it sat in the area of [REDACTED]. Mike then exited the area at a high rate of speed, and Witness 1 followed him. At some point, Mike pulled his vehicle over near US Highway 1 and State Road 206. Witness 1 spoke to Mike who told him he was sorry, scared, and didn't mean to do anything wrong. Witness 1 stated Mike was driving a white Toyota Tacoma, year 2015 or newer, with a black decal in the lettering of "Tacoma" on the tailgate. Witness 1 stated the Florida license plate displayed on Mike's vehicle was [REDACTED]. Witness 1 described Mike as a "skinny kid", 5'10"-5'11", "scraggly" hair, which was shaved on the bottom. Witness 1 stated he asked the victim what happened while she was with Mike, and she stated they only kissed. Witness 1 observed a hickey on the right side of the victim's neck. Originally, the license plate provided by Witness 1 was incorrectly entered by the deputy involved in the initial call (SJSO22CAD02153) and did not yield the same vehicle description as described above.

Witness 2 conducted a sworn, audio-recorded interview to law enforcement. Witness 2 was made aware of the incident that occurred on Friday, January 28, 2022, by Witness 1. Witness 2 later checked the victim's phone and noticed she told people she was sexually battered. When Witness 2 asked the victim about this disclosure, the victim stated she was forced to have sexual intercourse with a sixteen-

Report Date / Time 1/31/2022 07:00 PM	Report Number SJSOCHG0027524S	Case Number/Cad Number SJSO22OFF001030 / SJSO22CAD023450	Reporting Officer Name MISAMORE, SHELBY EL
Originating Agency ORI FL0550000	Occur Date Time Range 01/28/2022 20:30:49 - 01/28/2022 21:30:00	Jurisdiction	Clearance

year-old boy. On Monday, January 31, 2022, Witness 2 was notified by the victim's art teacher that the victim disclosed she was sexually battered over the weekend. Originally, the victim told Witness 1 and Witness 2 she fabricated this incident and it didn't occur, but she later admitted it happened. The victim stated she was afraid she would be in trouble. Witness 2 stated the victim told her she entered the vehicle, the male was on top of her, he made her get on top of him, and confirmed he used a condom during sexual intercourse. Witness 2 stated the victim advised the male threw the condom out of the vehicle window. Witness 2 stated the victim met the subject through the phone application, Wink. Witness 2 was unable to recover the messages on Wink between the victim and Mike.

On Monday, January 31, 2022, the victim provided a sworn, audio-recorded statement to law enforcement. On Friday, January 28, 2022, the victim met a subject named Mike, who told her he was sixteen-years-old, via the Wink application. The victim was at her friend's house on [REDACTED]. The victim stated the conversation consisted of them meeting each other to hang out. The victim stated she agreed to hang out with Mike, and he told her he was coming from Daytona. The victim provided Mike the address of the residence she was at and stated he arrived around 8:40PM. The victim suggested she and Mike go park down the street from the residence, due to it being more private. The victim stated Mike was skinny, approximately 5'8"- 5'9", with dark brown hair. The victim stated Mike was driving a white pickup truck. Once the victim and Mike were in the vehicle together, they began talking until the encounter turned sexual. The victim stated her intention was not to do any sexual acts when meeting up with Mike. The victim and Mike began kissing each other, and Mike told the victim she should take her clothes off. Mike took the victim's shirt off of her, then took his clothes off, and began taking her pants off. Once Mike pulled the victim's pants down, her underwear came down with her pants, and Mike told the victim, "that's nice". The victim stated she told Mike she did not want to take her pants off; however, he already pulled them down. Mike told the victim to lay down and grabbed a condom from an unknown location within the vehicle. Mike put the condom on and inserted his penis into the victim's vagina. At first, Mike was on top of the victim before he pulled her on top of him. Once the victim was on top of Mike, he grabbed her hips and began moving her back and forth, and up and down. Once Mike ejaculated, he threw the used condom out of the vehicle window. At some point, the victim discovered Witness 1 arrived at her friend's residence. In a panic, Mike and the victim began putting their clothes on. The victim stated she left her grey Calvin Klein bra behind, in addition to a beanie with a red pin on it. The victim grabbed her shoes and exited Mike's vehicle to make contact with Witness 1. The victim told Witness 1 she did not know the person in the vehicle and confirmed Witness 1's statement of following Mike and confronting him roadside. Additionally, the victim stated Mike touched her breasts, "kinda choked" her, slapped her buttocks, and performed oral sex on her. The victim reported Mike grabbed her hair and pushed her head down to his penis for her to perform oral sex on him.

On Monday, January 31, 2022, a canvass of the area the victim and Witness 1 described was canvassed for the condom. This effort was met with negative results.

On Tuesday, February 1, 2022, contact was made with Witness 1 where he verified the license plate number of the vehicle Mike was driving. Witness 1 stated the license plate number was [REDACTED].

Report Date / Time 1/31/2022 07:00 PM	Report Number SJSOCHG0027524S	Case Number/Cad Number SJSO22OFF001030 / SJSO22CAD023450	Reporting Officer Name MISAMORE, SHELBY EL
Originating Agency ORI FL0550000	Occur Date Time Range 01/28/2022 20:30:49 - 01/28/2022 21:30:00	Jurisdiction	Clearance

which was previously written down on an envelope. After conducting a search of the license plate [REDACTED], it was discovered the vehicle was registered to, Michael Danahy Zarnoch DOB [REDACTED], a twenty-one-year-old male. The vehicle was a 2017 white Toyota Tacoma.

On Wednesday, February 2, 2022, a secondary canvass of the area described by Witness 1 and the victim was conducted again to search for the condom thrown out of the vehicle window. The condom was located nearby tire tread marks in the dirt. On the opposite side of the road was an RV lot which was [REDACTED]. The condom was located nearby a yellow hydrant and a square shaped cement block. The condom was photographed, collected, and submitted to SJSO Evidence.

On the same date, a photographic line-up was administered to Witness 1 and the victim by an independent administrator. Witness 1 positively identified subject #4 in the line-up, which was Michael Danahy Zarnoch (defendant). The victim was unable to make an identification. Additionally, the victim's DNA was collected in the form of buccal swabs to be submitted to Florida Department of Law Enforcement (FDLE) to be compared against the swabs collected from the condom.

On Thursday, February 3, 2022, a subpoena was signed and provided to Wink to identify the defendant's account information. On the same date, the content of the subpoena was received. The subpoena verified the defendant created a Wink account on January 28, 2022 and deleted the account the same day. The subpoena provided a photo from the defendant's Wink account where I was able to positively identify he was the same subject selected from the photographic line-up. The defendant listed his date of birth on his profile as 01/30/2005, which inaccurately displayed him as a sixteen-year-old.

On or about the date of February 15, 2022, the condom, swabs of the interior of the condom, exterior of the condom, and buccal swabs from the victim were sent to FDLE for analysis.

On February 10, 2022, search warrants were signed by the Honorable Judge Smith for the defendant's vehicle and DNA. The defendant's vehicle was located at Embry-Riddle Aeronautical University, 1 Aerospace Boulevard Daytona Beach, FL 32114, in the parking lot. The search warrants were executed with the assistance of Volusia County Sheriff's Office. The defendant's DNA was obtained in the form of buccal swabs and later sent to FDLE for analysis.

On March 2, 2022, the FDLE results were received. Regarding the swabs from the exterior of the condom, DNA results obtained demonstrated the presence of a mixture consistent with two donors, including at least one male contributor. The results indicated the defendant and the victim were contributors to the mixed DNA profile.

Regarding the swabs from the interior of the condom, the DNA results obtained demonstrated a presence of a mixture consistent with two donors, including at least one male contributor. The results indicated the defendant and the victim were contributors to the mixed DNA profile. Additionally, the report indicated the DNA profile obtained from "Item 2 (sperm fraction)" matched the defendant with the observed profile being greater than 700 billion times more likely to have originated from the defendant

Report Date / Time 1/31/2022 07:00 PM	Report Number SJSOCHG0027524S	Case Number/Cad Number SJSO22OFF001030 / SJSO22CAD023450	Reporting Officer Name MISAMORE, SHELBY EL
Originating Agency ORI FL0550000	Occur Date Time Range 01/28/2022 20:30:49 - 01/28/2022 21:30:00	Jurisdiction	Clearance

than from an unrelated individual.

Based on the above stated facts, probable cause has been established to charge the defendant in violation of F.S.S. 800.04.4a.1.

Citation No. \_\_\_\_\_

Domestic Violence:

Probation:  Yes [XX] No If yes, Location: \_\_\_\_\_ Sexual Predator:  Yes [XX] No

English: [XX] Yes  No \_\_\_\_\_ Deaf/Mute:  Yes [XX] No

Attachments, Statements: [XX] Traffic Citations:  DUI:

Officer Name Rank / ID #	Involvement On Report / Reporting Role	Officer Agency Org/Unit
MISAMORE, SHELBY EL LE DEPUTY 10939	REPORTING OFFICER	ST JOHNS COUNTY SHERIFFS OFFICE SJSOINVEST/SPECIAL VICTIMS

The undersigned certifies and swears that he/she has just and reasonable grounds to believe that the above named Defendant, committed violation(s), of law, on the below date(s) and time(s), as listed in the probable cause associated with this report:

**Reporting Officer**

Officer Name MISAMORE, SHELBY EL	Office Rank LE DEPUTY	Officer ID No 10939	Sworn and subscribed before me, the undersigned authority This the <u>4<sup>th</sup></u> day of <u>March</u> , <u>2022</u> DEPUTY OF THE COURT, NOTARY OR LAW ENFORCEMENT  <i>Sgt. D. Blate #3547</i>
Officer Agency ST JOHNS COUNTY SHERIFFS OFFICE			
Officer Signature <i>Shelby Misamore 10939</i>			

No Bill / Petition     Issue Warrant     Prosecution Approved

Signature of Assistant State Attorney

Date

CLASSIFICATION: FELONY

STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR ST. JOHNS COUNTY, FLORIDA, IN THE YEAR TWO THOUSAND TWENTY TWO

VS.

MICHAEL DANAHY ZARNOCH

W/M; [REDACTED] SS# [REDACTED]

CASE NO: 22-458 CF

AGENCY: SJSO/22OFF001030

INFORMATION

CHARGE(S):

I) LEWD OR LASCIVIOUS BATTERY SEX ACT. 12 YOA BUT LESS 16 YOA

R.J. LARIZZA, State Attorney for the Seventh Judicial Circuit of the State of Florida and as such prosecuting attorney for this Court, in the name of and by the authority of the State of Florida charges that:

COUNT I: MICHAEL DANAHY ZARNOCH on or about January 28, 2022, in the County of ST. JOHNS and State of Florida, did unlawfully engage in sexual activity with O.S., a person 12 years of age or older but less than 16 years of age by penetrating her vagina with his penis, contrary to Florida Statute 800.04(4)(a). (2 DEG FEL)

FOR THE STATE ATTORNEY

*Rachel C Demers*

RACHEL C DEMERS  
Bar No. 91302  
ASSISTANT STATE ATTORNEY  
SEVENTH JUDICIAL CIRCUIT OF THE  
STATE OF FLORIDA  
4010 LEWIS SPEEDWAY  
ST AUGUSTINE, FL 32084  
(904) 209-1620  
ESERVICESTJOHNS@SAO7.ORG

COUNTY OF ST. JOHNS

STATE OF FLORIDA

Personally appeared before me RACHEL C DEMERS, Assistant State Attorney, for the Seventh Judicial Circuit of the State of Florida, known to me to be the foregoing prosecuting officer, who being duly sworn, says that the allegations set forth in the foregoing information are based upon facts that have been sworn to as true, and which, if true, would constitute the offense therein charged. Subscribed in good faith. Said facts based on testimony of material witnesses.

SWORN to and subscribed before me this 17 day of March, 2022.

Submitted to the Clerk of the CIRCUIT Court, Seventh Judicial Circuit, in and For ST. JOHNS County, Florida, on the 17 day of March, 2022.

*Amy Sweeney*

NOTARY PUBLIC AT LARGE  
STATE OF FLORIDA

RECEIVED  
MAR 22 2022

AMY SWEENEY  
Commission # GG 302242  
Expires April 7, 2023  
Bonded Thru Troy Falm Insurance 800-385-7019

EXHIBIT #4  
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IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT  
IN AND FOR ST JOHNS COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 22000458CFMA

vs.

MICHAEL DANAHY ZARNOCH,  
DEFENDANT

PLEA

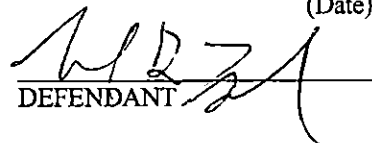
1. I, MICHAEL ZARNOCH, Defendant, withdraw my previously entered plea(s) of Not Guilty, and enter plea(s) of:
2.  Guilty     Nolo Contendere to Lewd or Lascivious Sex Act on Minor less than 16 Years Old, a 2nd degree felony
3. I understand that I have the right to plead Not Guilty or persist in that plea if it has already been made. I also understand that if the Court accepts my plea(s) I give up my right to a trial with the assistance of a lawyer, and at that trial, I would have the following rights: (1) to have a jury determine whether I am guilty or not guilty, or to have a judge make such a determination in a non-jury hearing; (2) to see and hear witnesses testify and to have my lawyer question them for me; (3) to subpoena and present witnesses in my defense to a jury or judge; (4) to testify or remain silent; and (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt before I can be found guilty. I also understand that by pleading Guilty or Nolo Contendere, the judge may ask me questions about the offense(s) to which I have pleaded, and if I answer those questions under oath, on the record, and in the presence of counsel, the answers may later be used against me in a prosecution for perjury. I further understand that without express reservation of the right to appeal I give up my right to appeal all matters except court rulings issued after this plea is entered, an illegal sentence, or the court's authority (jurisdiction) to hear my case, and I agree to pay all costs and attorneys' fees of any appeal which I attempt to pursue on any other subject. My lawyer has explained to me what an appeal is, and I understand that changing my mind about entering this plea, after it is accepted, will not require the court to let me withdraw it, nor will it make the court's sentence illegal or deprive the court of authority to sentence me.
4. I understand that a plea of "Not Guilty" denies that I committed the crime charged and a plea of "Guilty" admits I committed the crime charged. A "Best Interest Guilty" plea or a plea of "Nolo Contendere" mean I do not contest the state's evidence against me. By entering the above plea(s) I am voluntarily submitting myself to the court's sentencing authority. I understand that if the court accepts my plea(s), the sentence(s) imposed will be based on my plea(s). I agree that a factual basis for the court to accept my plea(s) is contained in documents in the court file, including the complaint affidavit(s). I understand that if I am not a citizen of the United States, I will be deported. I understand that the court may impose monetary penalties/assessments to include fines, court costs, restitution (if applicable) and/or other fees.
5. I have read the Information or Indictment in this case, and I understand the charges to which I am pleading. My lawyer has explained to me: the maximum and minimum penalty(ies) for the charges against me, including enhanced sentencing laws for which the state has given my lawyer notice; the essential elements of the crime(s) I am charged with; and all defenses I might have. I understand that if I am on parole or probation in any other case, this plea can cause that parole or probation to be revoked and I can receive a separate sentence up to the maximum allowed by law for that (those) case(s).
6. I understand that if I receive a sentence of probation in this case, I may be required to serve time in the county jail as a condition of probation. Additionally, I understand that if I violate that probation, I can be sentenced to the maximum allowed by law.
7. No one has promised me anything to get me to enter this (these) plea(s), except as stated herein. If entering an open plea: I understand that I am pleading open to the Court. My lawyer and the judge have not promised me that I will receive a specific sentence. I also understand that the judge is not required to follow any state or defense recommendation regarding sentencing. If entering a conditional plea: I understand that I am entering a plea based upon an agreement between the State and myself. My lawyer has not promised me anything more than what has been agreed upon in this conditional plea agreement. If the judge accepts the terms of the agreement, I understand that I will be sentenced in accordance with the agreement.
  - a. I am entering a(n):    Open Plea: \_\_\_\_\_    Conditional Plea: X
  - b. The state recommends the following sentence:

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94.5 months in FSP, Followed by 5 Years sex offender probation, lifetime sex offender registration, no contact with victim, \$100 cost of Prosecution, \$100 cost of Investigation

8. No one has pressured, coerced, or forced me to enter this (these) plea(s). I am entering this (these) plea(s) because I am guilty of the crimes charged or I believe it is in my best interest to do so. I am doing this voluntarily and of my own free will.
9. I understand that my sentence will be imposed under the Sentencing Guidelines that apply to my case, unless I qualify for enhanced penalties under Chapter 775, Florida Statutes, or other statutes. If no enhanced sentence is requested or applies, I understand that the court can impose a sentence exceeding the guideline range only by stating clear and convincing reasons under the guidelines law. If the court imposes a sentence exceeding the guidelines range, I will have the right to withdraw my plea(s) or appeal the sentence, unless enhanced penalties apply and are lawfully imposed. No representations or promises have been made to me regarding "gain time," "good time," "early release," or prison credit toward my sentence, which I understand the court and my lawyer cannot affect. Only the Department of Corrections can calculate a release date.
10. I understand that if I am pleading to a sexually violent or sexually motivated offense, or if I have previously been convicted of such an offense, my plea may subject me to involuntary civil commitment under the Involuntary Civil Commitment of Sexually Violent Predators Act. My lawyer has explained the aspects of civil commitment to me and the mandatory, statutory conditions of sex-offender probation, including the requirement to wear a GPS monitor at all times.
11. I understand and have discussed with my lawyer that if I am entering a plea of Guilty or Nolo Contendere to an offense for which automatic, mandatory driver's license suspension or revocation is required by law to be imposed, by the court or by a separate agency, the plea will provide the basis for the suspension or revocation of my driver's license/privilege.
12. My lawyer has reviewed the nature of the evidence with me and I am not aware of any physical evidence containing DNA that could exonerate me.
13. I understand and agree that if the judge permits me to remain at liberty pending sentencing, I must notify my lawyer, my bondsman and/or pretrial services officer (if any), and the Clerk of Court of any change of my address. I also understand that if a Pre-Sentence Investigation (PSI) is ordered and I fail to appear for an appointment with the Department of Corrections for the PSI interview, the court can revoke my release and place me in jail until the PSI is completed or until sentencing.
14. I understand that if I willfully fail to appear for sentencing, any conditions of a "conditional plea" will no longer be binding upon the judge, and that I may be sentenced to any lawful sentence that could be imposed without the conditions.
15. I can read, write, speak and understand the English language or have had an interpreter read this document to me in my native language with my lawyer present. I have 13 years, or equivalent, of education (example: high school or GED = 12 years). I am not under the influence of any drug, medicine or alcohol at the time I sign this plea form. I am not suffering from any mental problems at this time that affect my understanding of this document, other than as explained to the judge on the record in open court, or as reflected in the court file.
16. I have read and understand every printed or handwritten word in this plea form and have discussed it with my lawyer. I am fully satisfied with the services of my lawyer and have had ample opportunity to discuss this case and my plea(s) with my lawyer. I have told my lawyer everything I know about my case. No one, including my lawyer, has made any promises or representations to me which modify or contradict this plea document, other than what I have told the judge in open court.

SIGNED, or acknowledged, in open court in St. Johns County, Florida on Feb 2, 2023 (Date)

  
DEFENDANT

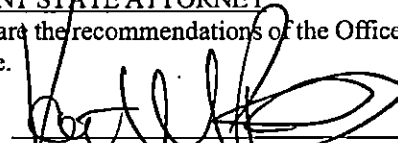
CERTIFICATE OF DEFENDANT'S ATTORNEY

I hereby certify that as counsel for Defendant, I have discussed this case with my client and explained the rights, defenses and evidence relating to it with him/her. I have discussed this written plea form with my client and have answered all of his/her questions regarding it. In my professional opinion, as an officer of the court, Defendant understands everything in this plea form, his/her rights, and the consequences of this (these) plea(s). His/her plea is being made freely, voluntarily and knowingly. I have made no promises or representations to my client which modify or contradict this plea document.

  
COUNSEL FOR DEFENDANT

CERTIFICATE OF ASSISTANT STATE ATTORNEY

I confirm that the recommendations set forth in this plea form are the recommendations of the Office of the State Attorney. The State has complied with the Victim Rights statute, if applicable.

  
ASSISTANT STATE ATTORNEY

ORDER ACCEPTING PLEA

The foregoing plea document was received and accepted in open court. Defendant signed, or acknowledged signing, this document while under oath and subject to the penalties of perjury. The court finds the plea to be freely and voluntarily entered and that a factual basis exists in the record for the court to accept it. By accepting this (these) plea(s), the court is not required to follow any state or defense recommendation stated herein, unless a "Conditional Plea" is fully described in paragraph 6, above.

Accepted by the court  
  
CIRCUIT JUDGE

*Revised 2022*



STATE OF FLORIDA

Plaintiff

IN THE CIRCUIT COURT  
OF THE SEVENTH JUDICIAL CIRCUIT  
IN AND FOR ST. JOHNS COUNTY

-VS-

ZARNOCH, MICHAEL DANAHY

Defendant

CRIMINAL DIVISION: 56

SS NUMBER: [REDACTED]

DC NUMBER: \_\_\_\_\_

**ORDER OF SEX OFFENDER PROBATION**

This cause coming before the Court to be heard, and you, the defendant, being now present before the court, and you having

**ENTERED A PLEA OF GUILTY TO**

The offense(s):

CT	CASE #	OFFENSE (qualifier) (sgs Code)	Degree		F.S. #	SENTENCE	Concurrent (cc) or Consecutive (cs)
1	22000458CFMA	LEWD OR LASCIVIOUS BATTERY SEX ACT 12 YOA BUT LESS 16 YOA	S	F	800.04 4a	94.5 MONTHS DOC FOLLOWED BY 5 YEARS SEX OFFENDER PROBATION	

**SECTION 1: JUDGMENT OF GUILT**

The court hereby adjudges you to be guilty of the above offense(s). \_\_\_\_\_  
Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld.

**SECTION 2: ORDER WITHHOLDING ADJUDICATION**

The adjudication of guilt is hereby withheld. \_\_\_\_\_  
Now, therefore, it is ordered and adjudged that the adjudication of guilt is hereby withheld.

**SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE**

It is hereby ordered and adjudged that you be

committed to the Department of Corrections  
or  
 confined in the County Jail  
for a term of 94.5 MONTHS with credit for 1 days time served. After you have served the balance of the term, you shall be placed on SEX OFFENDER PROBATION for a period of 5 YEARS under the supervision of the Department of Corrections, subject to Florida law.

Or

confined in the County Jail  
for a term of \_\_\_\_\_ with credit for \_\_\_\_\_ days time served, as a special condition of supervision.

**SECTION 4: SPECIAL PROVISIONS**

- While incarcerated in the county jail, if you fit the criteria, you shall be allowed to participate in the work release program.
- You will remain confined in the county jail until bed space becomes available in a residential program as approved by your officer. You shall be released to the program staff.
- Jail time to be served on weekends.  \_\_\_\_\_ consecutive weekends
- Report to the St. Johns County Jail \_\_\_\_\_ by \_\_\_\_\_
- You shall enter in and successfully complete the residential treatment program offered by the St. Johns County Sheriff's Office (S.I.G.H.T.) and complete any follow-up and aftercare programs necessary after release from the incarcerated portion of the program.

**IT IS FURTHER ORDERED** that you shall comply with the following **standard conditions of supervision** as provided by Florida law:

- (1) You will report to the probation officer as directed.
- (2) You will pay the State of Florida the amount of \$50.00 per month, as well as 4% surcharge, toward the cost of your supervision in accordance with s. 948.09, F.S., unless otherwise exempted in compliance with Florida Statutes. If you qualify for the Department of Corrections Interactive Offender Tracking System program (OffenderLink) and you elect to participate in that program, your Cost of Supervision fees may be waived for the duration of time for which you are in that program.
- (3) You will remain in a specified place. You will not change your residence or employment or leave the county of your residence without first procuring the consent of your officer.
- (4) You will not possess, carry or own any firearm. You will not possess, carry, or own any weapon without first procuring the consent of your officer.
- (5) You will live without violating the law. A conviction in a court of law shall not be necessary for such a violation to constitute a violation of your probation/community control.
- (6) You will not associate with any person engaged in any criminal activity.
- (7) You will not use intoxicants to excess or possess any drugs or narcotics unless prescribed by a physician. Nor will you visit places where intoxicants, drugs or other dangerous substances are unlawfully sold, dispensed or used.
- (8) You will work diligently at a lawful occupation, advise your employer of your probation status, and support any dependents to the best of your ability, as directed by your officer.
- (9) You will promptly and truthfully answer all inquiries directed to you by the court or the officer, and allow your officer to visit in your home, at your employment site or elsewhere, and you will comply with all instructions your officer may give you.
- (10) You will pay restitution, court costs, and/or fees in accordance with special conditions imposed or in accordance with the attached orders.
- (11) You will submit to random testing as directed by your officer or the professional staff of the treatment center where you are receiving treatment to determine the presence or use of alcohol or controlled substance. You will be required to pay for the tests unless exempt by the court.
- (12) You will submit a DNA sample as directed by your officer, for DNA analysis as prescribed in ss. 943.325 and 948.014, F.S.
- (13) You will submit to the taking of a digitized photograph by the department. This photograph may be displayed on the department's website while you are on supervision, unless exempt from disclosure due to requirements of s. 119.07, F.S.
- (14) You will report in person within 72 hours of your release from incarceration to the probation office in S. Johns County, Florida, unless otherwise instructed by the court or department. (This condition applies only if section 3 on the previous page is checked.) Otherwise, you must report immediately to the probation office located at 75 King Street, Suite 310, St. Augustine, FL 32084. Office Telephone Number: (904) 825-5038. If sentenced after 2:00 p.m. report the following day at 10:00a.m.

**Community Control & Sex Offender Cases** must report **IMMEDIATELY**. If sentenced after 4:30pm, report at 8:00am the next business day. All regular and special conditions are to be strictly adhered to, including Curfews.

COMMUNITY CONTROL & SEX OFFENDER CASES ARE TO REMAIN AT HOME ON HOUSE ARREST UNTIL REPORTING TO THE OFFICE AS NOTED.

EXHIBIT #4  
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**\*\* OFFENDERS ARE TO BRING IN ALL DOCUMENTS RECEIVED AT SENTENCING TO THE PROBATION OFFICE\*\***

**\*\*Failure to report as instructed is a violation of the terms of supervision, as provided in Section 948.03 Florida Statutes.\*\***

**DRIVING DIRECTIONS TO THE PROBATION OFFICE:**

Upon leaving the Court House, make a right on US 1, go approximately 4 miles, make a left on King Street. Go approximately 1 mile, make a right on Granada and go to the metered parking along the side of Granada or behind the Lightner Museum Building. Go into the courtyard and take the Lobby A elevator to the 3<sup>rd</sup> floor.

- (15) You will participate in self-improvement programs determined by the Court, or your officer.
- (16) You hereby waive all extradition rights and process during your term of supervision and agree to comply and return to the State of Florida, and the Court of Jurisdiction, upon official instruction to do so.
- (17) You will pay \$1.00 Per month during the term of probation or community control to supplement rehabilitative efforts through First Step Funds, pursuant to s. 948.039(2), F.S.
- (18) You will pay \$2.00 Per month surcharge for each month you are under supervision, 948.09(1)(a)(2); (unless cost of supervision is waived)

**SPECIAL CONDITIONS**

- 1. You must undergo a Substance Abuse evaluation and, if treatment is deemed necessary, you must successfully complete the treatment, and be responsible for the payment of any costs incurred while receiving said evaluation and treatment, unless waived by the court. Schedule appointment within 30 days and treatment to begin as instructed. Appointments are NOT to be rescheduled without permission of probation officer.

Additional instructions ordered: \_\_\_\_\_

- 2. You will make restitution as directed by the court, until the obligation is paid in full:
  - Reserved
  - Ordered –  Orders provided in Court,  To be Provided by State Attorney
  - Joint and Several: with \_\_\_\_\_
  - Additional Instructions: \_\_\_\_\_
- 3. You will enter the Department of Corrections Non-Secure Drug Treatment Program or other residential treatment program/Probation and Restitution Center for a period of successful completion as approved by your officer. You are to remain until you successfully complete said Program and Aftercare. You are to comply with all Rules and Regulations of the Program. You shall be confined in the county jail until placement in said program, and if you are confined in the jail, the Sheriff will transport you to said program.  
Additional instructions ordered: \_\_\_\_\_
- 4. You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.
- 5. You will submit to urinalysis testing on a monthly basis to determine the presence of alcohol or illegal drugs. You will be required to pay for the tests unless exempt by the court.
- 6. You will not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.  Exception for employment purposes.
- 7. You will successfully complete \_\_\_ hours of community service at a rate of \_\_\_\_\_, at a work site approved by your officer.  
Additional instructions ordered: \_\_\_\_\_

8. You will remain at your residence between \_\_\_\_\_ p.m. and \_\_\_\_\_ a.m. due to a curfew imposed, unless otherwise directed by the court.
9. You will submit to electronic monitoring (GPS), follow the rules of electronic monitoring, and pay for the cost of the electronic monitoring service. Length: \_\_\_\_\_ To be placed on: \_\_\_\_\_
- You will submit to S.C.R.A.M. (Alcohol Monitoring) follow the rules of electronic monitoring and pay the cost of the monitoring service. Length: \_\_\_\_\_ . To be placed on: \_\_\_\_\_ . (A separate Order will follow for S.C.R.A.M.)
10. You will not associate with \_\_\_\_\_ during the period of supervision.
11. You will have  no contact (direct or indirect) with the  victim or the  victim's family during the period of supervision;  no violent contact (direct or indirect) with the  victim or the  victim's family during the period of supervision.
12. You will have no contact (direct or indirect) with \_\_\_\_\_ during the period of supervision.
13. You will maintain full time employment or attend school/vocational school full time or a combination of school/work during the term of your supervision.
14. You will make a good faith effort toward completing basic or functional literacy skills or a high school equivalency diploma (GED).
15. You will successfully complete the Probation & Restitution Program, abiding by all rules and regulations.
16.  You will attend a support group with a focus on Alcoholics Anonymous or Narcotics Anonymous meetings at least monthly, unless otherwise directed by the court.
- You must complete a minimum of (2) SELF-HELP Groups per week, which may be increased/decreased as determined by your officer. (Drug Offender Condition)
17. You must successfully complete Anger Management, and be responsible for the payment of any costs incurred while receiving said treatment, unless waived. If convicted of a Domestic Violence offense, as defined in s. 741.28, F.S., you must attend and successfully complete a batterer's intervention program, unless otherwise directed by the court.
- Additional instructions ordered: \_\_\_\_\_
- a.  Anger Management – Register within 60 days and must be completed within 6 months.
- b.  Change/Batter – Register within 60 days and must be completed within 12 months.
18. You will attend an HIV/AIDS Awareness Program consisting of a class of not less than two (2) hours or more than four (4) hours in length, the cost for which will be paid by you.
19. You will not operate a motor vehicle without a valid driver's license.
20. You shall register for the R.A.P. class within 60 days and successfully complete it within 90 days.
21. All previously imposed conditions and court cost are to remain in effect, with credit for any monies paid to date, for the violation case(s). The court hereby closes interest in the previously imposed cost of supervision, drug training fees.
22. If you have been found to have committed a crime on or after October 1, 2008 for the purpose of benefitting, promoting, or furthering the interests of a criminal gang, you are prohibited from knowingly associating with other criminal gang members or associates, except as authorized by law enforcement officials, prosecutorial authorities, or the court, for the purpose of aiding in the investigation of criminal activity.
23. You will enter and complete the St. Johns County Adult Treatment program. You will comply with all condition of the program, a violation of which shall be a violation of probation. During the period that you are participating in the program, the costs of supervision are waived. If during the

program you are placed in the Work Release Program or an inpatient treatment facility, you shall comply with all rules and regulations of said program, a violation of which shall constitute a violation of probation.

- 24. You will successfully complete a Post-adjudicatory treatment-based drug court program, as provided in s. 397.334(3), F.S.
- 25. Other: You shall submit your person, property, place of residence, vehicle or personal effects to a warrantless search at any time, by any probation or community control officer, or any law enforcement officer outside the presence of your probation officer when the law enforcement officer has reasonable suspicion for the search.
- 26. If you are a veteran, as defined in s. 1.01, F.S. or service member, as defined in s. 250.01, F.S., you will successfully complete a post-adjudicatory military veterans and service members court program under s. 394.47891, F.S. (VETERANS TREATMENT COURT). You will participate in a treatment program capable of treating mental illness, traumatic brain injury, substance abuse disorder, or psychological problems if directed. You shall comply with all rules and regulations of said program, a violation of which shall constitute a violation of probation.
- 27. You will successfully complete a post-adjudicatory mental health court program under s. 394.47892, F.S.
- 28. Not to purchase or possess Pseudoephedrine.
- 29. Not to trespass/return at or on \_\_\_\_\_.
- 30. The Court will consider early termination if the Defendant has met the following criteria:
  - 1. All monetary obligations have been met
  - 2. Defendant has completed half of his/her sentence without any violations
  - 3. There is no objection from the State Attorney or Department of Corrections
- 31. DUI Conditions/Wet Reck:
  - DUI School (If the DUI program refers the offender to an authorized substance abuse treatment provider for substance abuse treatment, in addition to any sentence of fine imposed under this section, completion of all such education, evaluation, and treatment is a condition of reporting probation. The offender shall assume reasonable costs for such education, evaluation, and treatment. F.S. 316.193 (5))
  - Mothers Against Drunk Driving (MADD)
  - 10 days Vehicle Immobilization
  - 1 year Vehicle Interlock
  - \_\_\_\_\_ hours Community Service  May buy out half
  - Drivers License Suspension 6 months
  - DUI conditions may be completed during the term of supervision of all cases listed on this order.B.A.C. Stipulation:
- 32. Other: \_\_\_\_\_.

**AND, HAVING BEEN PLACED ON DRUG OFFENDER PROBATION, YOU WILL COMPLY WITH THE FOLLOWING CONDITION OF SUPERVISION IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

- (19) You will participate in a specialized drug treatment program, either as an in-patient or out patient, as recommended by the treatment provider. You will attend all counseling sessions, submit to random urinalysis and, if an in-patient, you will comply with all operating rules, regulations and procedures of the treatment facility. You will pay for all costs associated with treatment and testing unless otherwise directed.

EXHIBIT #4  
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Additional instructions ordered: \_\_\_\_\_

- (20) You will remain at your residence between \_\_\_\_\_ p.m. and \_\_\_\_\_ a.m. due to a curfew imposed, unless otherwise directed by the court.
  - (21) You will successfully complete a Post-adjudicatory treatment based drug court program, as provided in s. 397.334(3), F.S.
  - (22) You must complete a minimum of two (2) SELF-HELP Groups per week, which may be increased/decreased as determined by your officer.
  - (23) You will abstain entirely from the use of alcohol and/or illegal drugs, and you will not associate with anyone who is illegally using drugs or consuming alcohol.
  - (24) You will not visit any establishment where the primary business is the sale and dispensing of alcoholic beverages.
  - (25) You will submit to random drug testing at the discretion of your probation officer during the term of your probation. Such testing will occur no less than 1 time per month, but may occur more frequently at the discretion of the probation officer or professional staff member of any treatment program where you may be receiving substance abuse treatment, for the purpose of determining the use of drugs or alcohol. You will be responsible for the cost of said testing.
- OR
- You will submit to a weekly urinalysis for the first three (3) months of probation followed by random urinalysis to be established by your probation officer.

**AND, HAVING BEEN PLACED ON COMMUNITY CONTROL, YOU WILL COMPLY WITH THE FOLLOWING CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

- (26) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (27) You will remain confined to your approved residence except for one half hour before and after your approved employment, public service work, or any other special activities approved by your officer.
- (28) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
- (29) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay for the cost of the electronic monitoring service.

**AND, HAVING BEEN PLACED ON SEX OFFENDER PROBATION OR COMMUNITY CONTROL FOR A SEX OFFENSE PROVIDED IN CHAPTER 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, COMMITTED ON OR AFTER OCTOBER 1, 1995 YOU WILL COMPLY WITH THE FOLLOWING STANDARD SEX OFFENDER CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

- (30) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.
- (31) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, child

care facility, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.

- (32) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the offender's own expense. If a qualified practitioner is not available within a 50-mile radius of the offender's residence, the offender shall participate in other appropriate therapy.
- (33) A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, a qualified practitioner in the sexual offender treatment program, and the sentencing court.
- (34) If the victim was under the age of 18, a prohibition on contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time.
- (35) If the victim was under age 18, a prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to any school, child care facility, park, playground, pet store, library, zoo, theme park, or mall.
- (36) Unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.
- (37) Prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume.
- (38) A requirement that the offender submit a DNA sample to the Florida Department of Law Enforcement to be registered with the DNA data bank.
- (39) A requirement that the offender make restitution to the victim, as ordered by the court under s. [775.089](#), for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.
- (40) Submission to a warrantless search by the community control or probation officer of the offender's person, residence, or vehicle.

**AND, HAVING BEEN PLACED ON PROBATION OR COMMUNITY CONTROL FOR AN OFFENSE YOU WILL COMPLY WITH THE FOLLOWING SEX OFFENDER CONDITIONS, IN ADDITION TO THE STANDARD CONDITIONS LISTED ABOVE AND ANY OTHER SPECIAL CONDITIONS ORDERED BY THE COURT:**

- (41) A mandatory curfew from 10 p.m. to 6 a.m. The court may designate another 8-hour period if the offender's employment precludes the above specified time, and the alternative is recommended by the Department of Corrections. If the court determines that imposing a curfew would endanger the victim, the court may consider alternative sanctions.

- (42) Prohibition on living within 1,000 feet of a school, child care facility, park, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility, park, playground, or other place where children congregate. The distance may not be measured by a pedestrian route or automobile route.
- (43) Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the offender's own expense. If a qualified practitioner is not available within a 50-mile radius of the offender's residence, the offender shall participate in other appropriate therapy.
- (44) Prohibition on intentional, unsupervised contact with a child under the age of 18 except as provided in this paragraph. The court may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The court may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time.
- (45) Prohibition on working for pay or as a volunteer at any place where children regularly congregate, including, but not limited to any school, child care facility, park, playground, pet store, library, zoo, theme park, or mall.
- (46) Prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume.
- (47) Unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program, a prohibition on viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.
- (48) A requirement that the offender submit a DNA sample to the Florida Department of Law Enforcement to be registered with the DNA data bank.
- (49) Prohibition on accessing the Internet or other computer services until a qualified practitioner in the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.
- (50) Submission to a warrantless search by the community control or probation officer of the offender's person, residence, or vehicle.
- (51) A prohibition on visiting schools, childcare facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, childcare facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a childcare facility or school.

**EFFECTIVE FOR PROBATIONER OR COMMUNITY CONTROLEE WHOSE CRIME WAS COMMITTED ON OR AFTER OCTOBER 1, 1997, AND WHO IS PLACED ON COMMUNITY CONTROL OR SEX OFFENDER PROBATION FOR A VIOLATION OF CHAPTER 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145, IN ADDITION TO ANY OTHER PROVISION OF THIS SECTION, YOU**

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**MUST COMPLY WITH THE FOLLOWING CONDITIONS OF SUPERVISION:**

- (52) As part of a treatment program, participation at least annually in polygraph examinations to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. A polygraph examination must be conducted by a polygrapher who is a member of a national or state polygraph association and who is certified as a postconviction sex offender polygrapher, where available, and at the expense of the offender.
- (53) Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.
- (54) A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.
- (55) If there was sexual contact, a submission to, at the offender's expense, an HIV test with the results to be released to the victim and/or the victim's parent or guardian.
- (56) Electronic monitoring when deemed necessary by the probation officer and supervisor, and ordered by the court at the recommendation of the Department of Corrections. If you are placed on electronic monitoring, you must pay the department for the cost of the electronic monitoring service.
- (57) **Effective for an offender whose crime was committed on or after July 1, 2005, and who are placed on supervision for violation of chapter 794, s. 800.04, s. 827.071, s. 847.0135(5), or s. 847.0145,** a prohibition on accessing the Internet or other computer services until a qualified practitioner in the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.
- (58) **Effective for offenders whose crime was committed on or after September 1, 2005,** there is hereby imposed, in addition to any other provision in this section, mandatory electronic monitoring as a condition of supervision for those who:
- Are placed on supervision for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older; or
  - Are designated as a sexual predator pursuant to s. 775.21; or
  - Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim 15 years of age or younger and the offender is 18 years of age or older.
- (59) **Effective for offenders who are subject to supervision for a crime that was committed on or after May 26, 2010,** and who has been convicted at any time of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses listed in s. 943.0435(1)(a)1.a.(I), or a similar offense in another jurisdiction, against a victim who was under the age of 18 at the time of the offense; the following conditions are imposed in addition to all other conditions:
- a) A prohibition on visiting schools, child care facilities, parks, and playgrounds, without prior approval from the offender's supervising officer. The court may also designate additional locations to protect a victim. The prohibition ordered under this paragraph does not prohibit the offender from visiting a school, child care facility, park, or playground for the sole purpose of attending a religious service as defined in s. 775.0861 or picking up or dropping off the offender's children or grandchildren at a child care facility or school.
  - b) A prohibition on distributing candy or other items to children on Halloween; wearing a Santa Claus costume, or other costume to appeal to children, on or preceding Christmas; wearing an Easter Bunny costume, or other costume to appeal to children, on or preceding Easter; entertaining at children's parties; or wearing a clown costume; without prior approval from the court.
- (60) **Effective for offender whose crime was committed on or after October 1, 2014,** and who

is placed on probation or community control for a violation of chapter 794, s. 800.04, s 827.071, s847.0135(5), or s. 847.0145, in addition to all other conditions imposed, is prohibited from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material unless otherwise indicated in the treatment plan provided by a qualified practitioner in the sexual offender treatment program. Visual or auditory material includes, but is not limited to telephone, electronic media, computer programs, and computer services.

**You are hereby placed on notice that should you violate your probation or community control, and the conditions set forth in s. 948.063(1) or (2) are satisfied**, whether your probation or community control is revoked or not revoked, you shall be placed on electronic monitoring in accordance with F.S. 948.063.

**YOU ARE HEREBY PLACED ON NOTICE** that the court may at any time rescind or modify any of the conditions of your probation, or may extend the period of probation as authorized by law, or may discharge you from further supervision. If you violate any of the conditions of your probation, you may be arrested and the court may revoke your probation, adjudicate you guilty if adjudication of guilt was withheld, and impose any sentence that it might have imposed before placing you on probation or require you to serve the balance of the sentence.

**IT IS FURTHER ORDERED** that when you have been instructed as to the conditions of probation, you shall be released from custody if you are in custody, and if you are at liberty on bond, the sureties thereon shall stand discharged from liability. (This paragraph applies only if section 1 or section 2 is checked.)

**IT IS FURTHER ORDERED** that the clerk of this court file this order in the clerk’s office and provide certified copies of same to the officer for use in compliance with the requirements of law.

**IT IS FURTHER ORDERED** that you will pay all charges/costs/fees as ordered on the **Order/Final Judgment for Charges, Costs, & Fees** as assessed per case as required of law.

**DONE AND ORDERED**, on this Thursday, February 2nd, 2023..

**NUNC PRO TUNC** \_\_\_\_\_

  
R. LEE SMITH, Circuit Judge

I acknowledge receipt of a copy of this order and that the conditions have been explained to me and I agree to abide by them.

Date: \_\_\_\_\_

\_\_\_\_\_ Defendant

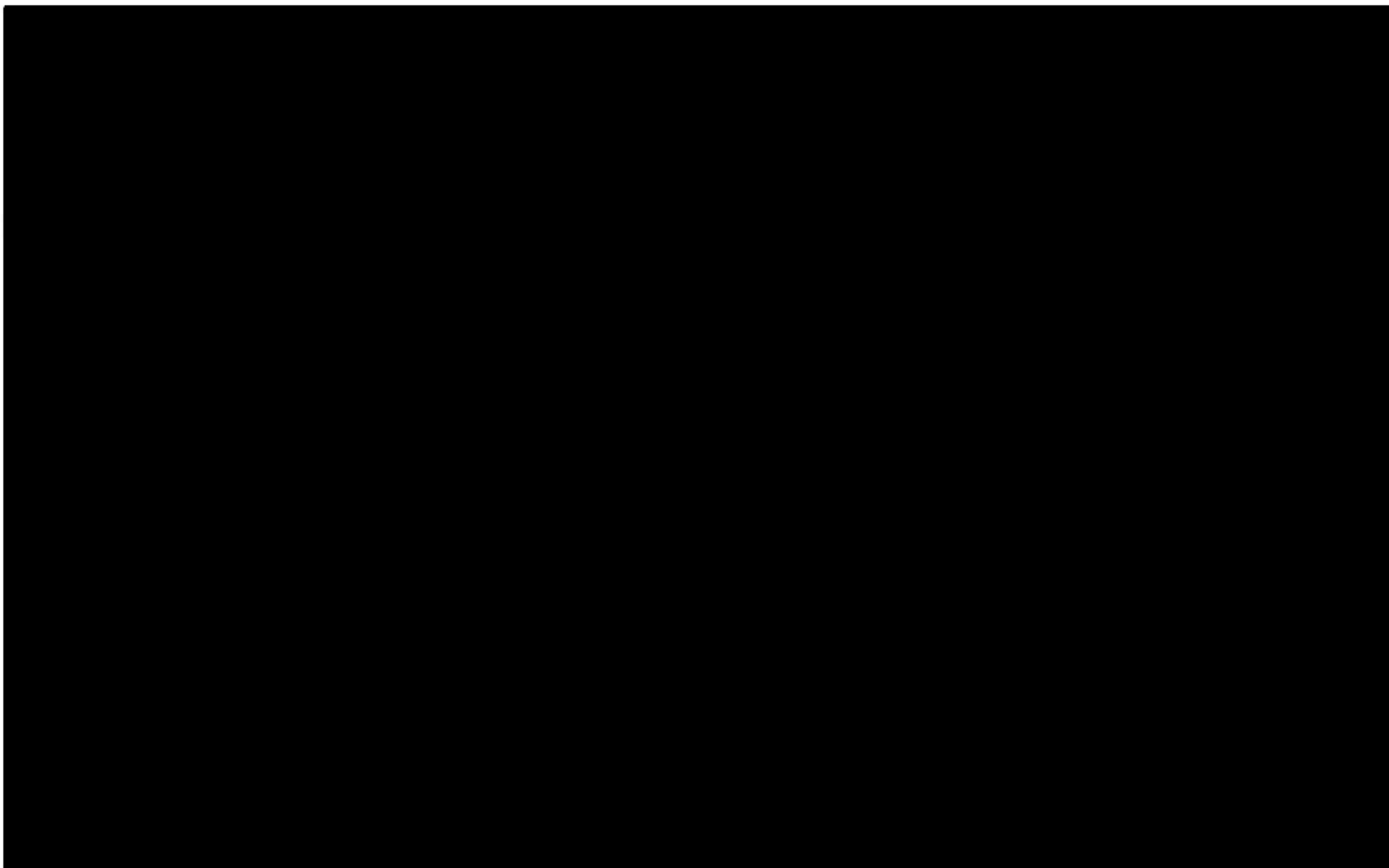
Instructed by: \_\_\_\_\_  
Supervising Officer

THE STATE OF FLORIDA

VS

ZARNOCH, MICHAEL DANAHY

CASE #: 22000458CFMA



FINGERPRINTS TAKEN BY: B. BELOIT, Badge 3531 DEPUTY SHERIFF / COURT OFFICER. I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant, MICHAEL DANAHY ZARNOCH, and that they are placed thereon by said defendant in my presence this 2nd day of February, 2023.

  
Deputy Sheriff / Court Officer

EXHIBIT #4  
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([//www.dc.state.fl.us/index.html](http://www.dc.state.fl.us/index.html))

# FLORIDA DEPARTMENT OF CORRECTIONS

([//www.dc.state.fl.us/index.html](http://www.dc.state.fl.us/index.html))

Ron DeSantis, Governor  
Ricky D. Dixon, Secretary

- OFFENDER SEARCH (</OffenderSearch/InmateInfoMenu.aspx>)
- VISITING INFORMATION (</ci/visit.html>)
- INSTITUTIONS (</ci/index.html>)
- PROBATION SERVICES (</cc/index.html>)
- PROGRAMS (</development/index.html>)
- NEWSROOM (</comm/index.html>)

## CORRECTIONS OFFENDER NETWORK

### Inmate Population Information Detail

(This information was current as of 9/24/2023)



<b>DC Number:</b>	G71811
<b>Name:</b>	ZARNOCH, MICHAEL D
<b>Race:</b>	WHITE
<b>Sex:</b>	MALE
<b>Birth Date:</b>	██████████
<b>Initial Receipt Date:</b>	03/01/2023
<b>Current Facility:</b>	<a href="http://prod.fdc-wpws001.fdc.myflorida.com/org/facility">PUTNAM C.I. (http://prod.fdc-wpws001.fdc.myflorida.com/org/facility)</a>
<b>Current Custody:</b>	MEDIUM
<b>Current Release Date:</b>	12/14/2030



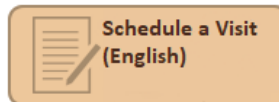
(<https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&agency=900&offenderID=G71811>)

(Release Date subject to change pending award, gain time forfeiture, or review. A Release Date is to be established pending

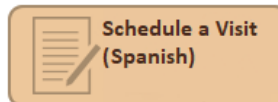
**Confinement Status:** Not in Confinement

*Confinement Status is an internal status used by FDC within a correctional facility.*

**Visitation Status:** NOT SUSPENDED



(<https://fs24.formsite.com/rBvOpW/c7xkomdtls/index.htm>)



(<https://fs24.formsite.com/rBvOpW/pgrlzdt2fv/index.html>)

[Visitation Application Form - Part 1 \(http://prod.fdc-wpws001.fdc.myflorida.com/ci/visit/214.pdf\)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/visit/214.pdf)

[Visitation Application Form - Part 2 \(http://prod.fdc-wpws001.fdc.myflorida.com/ci/visit/DC6-111B.pdf\)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/visit/DC6-111B.pdf)

[How to Apply for Visitation \(http://prod.fdc-wpws001.fdc.myflorida.com/ci/visit.html\)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/visit.html)

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**Aliases:**

MICHAEL D ZARNOCH, MICHAEL DANAHY ZARNOCH

**Current Prison Sentence History:**

Offense Date	Offense	Sentence Date	County	Case No.	Prison Sentence Length
01/28/2022	L/L MOLEST V12-15 OFF 18+	02/02/2023	SAINT JOHNS	2200458	7Y 10M 15D

Note: The offense descriptions are truncated and do not necessarily reflect the crime of conviction. Please refer to the court documents or the Florida Statutes for further information or definition.

**Detainers:**(Further information may be obtained by contacting the detaining agency)

Detainer Date	Agency	Type	Date Canceled
02/02/2023	074 ST AUG P&P	NTFY/P&P	

**Incarceration History:**

Date In-Custody	Date Out-Custody
03/01/2023	Currently Incarcerated

Record: 1 of 1

The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, release date, or other information regarding an inmate.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information only includes offenders sentenced to state prison or state supervision. Information contained herein includes current and prior offenses. Offense types include related crimes such as attempts, conspiracies and solicitations to commit crimes. Information on offenders sentenced to county jail, county probation, or any other form of supervision is not contained. The information is derived from court records provided to the Department of Corrections and is made available as a public service to interested citizens. The Department of Corrections makes no guarantee as to the accuracy or completeness of the information contained herein. Any person who believes information provided is not accurate may contact the Department of Corrections.

For questions and comments, you may contact the Department of Corrections, Bureau of Classification and Central Records, at (850) 488-9859 or go to [Frequently Asked Questions About Inmates for more information \( http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html \)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html). This information is made available to the public and law enforcement in the interest of public safety.

Search Criteria: (/OffenderSearch/search.aspx?TypeSearch=AI) Last Name: zarnoch First Name: Michael Search Aliases: YES Offense Category: County of Commitment: ALL Current Location: ALL

[Return to Corrections Offender Information Network \(../OffenderSearch/InmateInfoMenu.aspx\)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html)



**QUICK LINKS**

- [COURT ORDERED](#)
- [PAYMENTS \(/CC/COPSPAY.HTML\)](#)
- [CONTACT AN INMATE \(/CI/CONTACTINMATE.HTML\)](#)
- [PUBLIC RECORDS \(/COMM/PRR.HTML\)](#)
- [STATISTICS \(/PUB/INDEX.HTML\)](#)
- [PRISON TIPS LINE \(/COMM/NI1-101-ENGLISH-SPANISH.PDF\)](#)
- [ORG CHART \(/ORG/ORGCHART.HTML\)](#)

**EXHIBIT #4  
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<a href="#"><u>FILE A COMPLAINT</u></a>	<a href="#"><u>CORRECTIONS</u></a>
<a href="#"><u>(/APPS/IGCOMPLAINT.ASP)</u></a>	<a href="#"><u>FOUNDATION</u></a>
<a href="#"><u>REGULATORY PLAN</u></a>	<a href="#"><u>(HTTPS://WWW.CORRECTIONSFOUNDATION.ORG/)</u></a>
<a href="#"><u>(/PUB/REGULATORY/2022-</u></a>	<a href="#"><u>PAROLE INFORMATION</u></a>
<a href="#"><u>2023_REGULATORY</u></a>	<a href="#"><u>(HTTPS://WWW.FCOR.STATE.FL.US/INDEX.SHTML)</u></a>
<a href="#"><u>PLAN.PDF)</u></a>	<a href="#"><u>PRISON RAPE</u></a>
<a href="#"><u>FFCE</u></a>	<a href="#"><u>ELIMINATION ACT</u></a>
<a href="#"><u>(HTTPS://FLCORRECTIONALEX(CRIMINALINDEX/HTML)</u></a>	

[CONTACT US \(/citizen/index.html\)](#)

501 SOUTH CALHOUN STREET  
TALLAHASSEE, FLORIDA 32399-2500  
850-488-7052



EXHIBIT #4  
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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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[License Search](#) | [Entity Search](#) | [Modify License Standing](#) | [Maintain License CE Control](#)

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

Logged in as: **dwashingto**

[VR Home](#) > [License Search](#) > [License Home](#)



<p><b>License</b></p> <p>Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1022 - PMW General Individual Occupational</b> Expires On <b>06/30/2024</b></p> <p>File # <b>101114</b> Name <b>ZARNOCH, MICHAEL D</b> Extended To</p> <p>License # <b>13163387</b> Rank <b>GIND - General Individual Occupational</b> Renewed On</p> <p>Entity # <b>13163387</b> Lic Status <b>Current</b></p>		<p><input type="checkbox"/> Licensee</p> <p><input type="checkbox"/> History</p> <p><input type="checkbox"/> Notes</p> <p><input type="checkbox"/> Notes History</p> <p><input type="checkbox"/> Back</p>																							
<p><b>Address</b></p> <p>Street # <b>10</b> Street <b>FORESTLAKE BLVD APT 3001</b></p> <p>Line 2</p> <p>Line 3</p> <p>City <b>DAYTONA BEACH</b> State <b>FL</b> Zip <b>32119</b></p> <p>Routing</p>																									
<p><b>Other</b></p> <p>1st License Date <b>04/25/2022</b> Rank Date <b>04/25/2022</b> Certificate #</p> <p>Method <b>I-S-1024</b> Status Date <b>04/25/2022</b> Certificate Date</p> <p>Fee Exempt <b>No</b> Birth Date <span style="background-color: black; color: black;">XXXXXXXXXX</span> Renewal Sent</p>																									
<p><b>Select</b></p> <p>Action <input type="text"/>  </p>																									
<p><b>Modifiers</b></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>ENFO - Enforcement Alert</td> <td>04/25/2022</td> <td>Open Case: 03/22/2022</td> </tr> <tr> <td>C</td> <td>FOOD - Food Service</td> <td>04/13/2022</td> <td></td> </tr> <tr> <td>I</td> <td>GHND - Greyhound</td> <td>04/13/2022</td> <td></td> </tr> <tr> <td>L</td> <td>143 - Daytona Beach Kennel Club, Inc.</td> <td>04/13/2022</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td></td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	A	ENFO - Enforcement Alert	04/25/2022	Open Case: 03/22/2022	C	FOOD - Food Service	04/13/2022		I	GHND - Greyhound	04/13/2022		L	143 - Daytona Beach Kennel Club, Inc.	04/13/2022		Y	3YR - 3 Year License		
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<p><b>Alt Keys</b></p> <p>BEST LIC NBR <b>13163387</b></p>																									

EXHIBIT #5

SENDER: COMPLETE THIS SECTION

COMPLETE THIS SECTION ON DELIVERY

- Ensure items 1, 2, and 3 are completed.
- Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature: ( Addressee or  Agent)

**X** M. Zarnoch

B. Received By: (Printed Name)

M. Zarnoch

C. Date of Delivery

11/14/23

1. Article Addressed to:

AC - 2023053869 - PMW  
 Michael D. Zarnoch  
 10 Forest Lake Blvd Apt 3001  
 Daytona Beach FL 32119-1497

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3. Service Type

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### 3. Discussion of consent orders

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Nestor Alfredo Cascallares Case No. 2023-008898; Consent Order  
Date: December 20, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Nestor Alfredo Cascallares (“Respondent”) to resolve Case No. 2023-008898. Pursuant to the terms of the proposed order, Respondent would be issued a \$1000 administrative fine for violating section 550.2415(1)(a), Florida Statutes, and 75-6.008(2)(q), Florida Administrative Code.

### *Background*

Respondent was the trainer of record for the racing horse Let’s Be Honest, which was owned by Dianis, LLC. On January 15, 2023, Let’s Be Honest finished 1st place in the 4th race of the performances held by Tampa Bay Downs, Inc. A blood sample was taken from Let’s Be Honest to test for any prohibited substances. The sample was sent to the University of Florida Lab (“UF Lab”) and subsequently tested. The UF Lab detected methocarbamol<sup>1</sup> in the blood. Methocarbamol was detected at a blood serum concentration of 2.80 +/- 0.11 ng/mL.

The Division filed an administrative complaint alleging a violation of section 550.2415(1)(a), Florida Statutes, which makes it a violation of Florida law to race an animal that been determined to have a prohibited substance present in its system.

Rule 75-6.008(2)(q), Florida Administrative Code, provides that it is a violation if methocarbamol exists at a serum concentration greater than 1 ng/mL.

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<sup>1</sup> Methocarbamol is a Class 4 drug. *See* Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. Methocarbamol is used to treat muscle spasms and pain.

The penalty for this violation is a Class C penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”).

*Analysis*

Respondent has no prior violations of section 550.2415(1)(a), Florida Statutes, in the last 365 days. Therefore, Respondent should be issued a \$1,000 administrative fine under Rule 75-6.011(3), Florida Administrative Code, Racing Horse Drug and Substance Classification System and Penalty Schedule.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2023-008898.

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.: 2023-008898

NESTOR ALFREDO CASCALLARES,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”) and Nestor Alfredo Cascallares (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 2016340-1021, issued by the Division.
2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-008898, alleging that Respondent was in violation of section 550.2415, Florida Statutes, and rule 61D-6.008(2)(q), Florida Administrative Code, by racing horse “Let’s Be Honest” with an impermissible amount of **methocarbamol** in its body during the performances held at Tampa Bay Downs, Inc. (“TBD”) on January 15, 2023.
3. On January 15, 2023, Let’s Be Honest participated in the 4th race of the performances held at TBD. Let’s Be Honest finished 1st in the 4th race of the performances held at TBD.

4. This Consent Order was entered into in consideration of Respondent's previous disciplinary history, including no prior violations of section 550.2415, Florida Statutes, in the previous 365 days.

#### STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

5. The Division has jurisdiction over this matter and the Parties.

6. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

7. As the trainer of record, Respondent admits that they are responsible for the condition of the horse they enter into races.

8. Respondent waives his right to a Stewards Hearing in order to settle this matter through this Consent Order.

9. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that they are entitled to the advice of counsel, and have either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.

10. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

11. The Parties acknowledge and agree to waive any further administrative and judicial review.

12. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

13. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

14. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment shall be made payable to the board of relief fund established at Tampa Bay Downs, Inc., and must be in the form of a certified check, cashier's check, or money order (NO PERSONAL CHECKS).**

15. Respondent must execute and mail this Consent Order and payment to: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399, Attention: Donna Fleming Please note FGCC Case Number 2023-008898 on the face of the payment.

16. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

17. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent

Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

18. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

19. This Consent Order may be signed in counterparts, and copies shall be treated as original.

20. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

21. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

22. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, Respondent, NESTOR ALFREDO CASCALLARES, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.


SIGNED this 04 day of 11, 2023.

  
NESTOR ALFREDO CASCALLARES  
Respondent

STATE OF West Virginia  
COUNTY OF Hancock

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 4<sup>th</sup> day of November, 2023, by NESTOR ALFREDO CASCALLARES, who is personally known to me or who produced the following as identification:

Passport

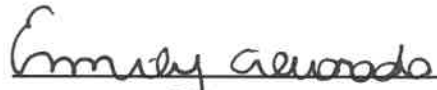
  
Notary Public

My commission expires: November 25 2025





APPROVED this 19 day of December, 2024.

Handwritten signature of Emily Alvarado in cursive script, positioned above a horizontal line.

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

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.: 2023-008898

NESTOR ALFREDO CASCALLARES,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Nestor Alfredo Cascallares (“Respondent”), and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 2016340-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “Let’s Be Honest,” with microchip number 981020021069925.
4. At all times material hereto, “Let’s Be Honest” was owned by Dianis, LLC who holds a Pari-Mutuel Wagering Business Occupational License, 12956742-1020 issued by Petitioner.
5. On January 15, 2023, “Let’s Be Honest” participated in the 4th race of the performances held by Tampa Bay Downs, Inc. (“TBD”).

6. On January 15, 2023, "Let's Be Honest" finished in 1st place in the 4th race of the performances held by TBD.

7. TBD is a facility operated by a permitholder authorized to conduct pari-mutuel wagering in this state under chapter 550, Florida Statutes.

8. On January 15, 2023, blood sample number 314140 was collected from "Let's Be Honest."

9. Blood sample number 314140 was processed and forwarded to the University of Florida Racing Laboratory ("UF Lab"), for analysis.

10. The UF Lab tested the serum extracted from blood sample number 314140 and found that it contained **methocarbamol**.

11. In blood sample number 314140, **methocarbamol** was detected at a serum concentration of 2.80 +/- 0.11 ng/mL.

12. Pursuant to section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

13. According to rule 61D-6.008(2)(q), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **methocarbamol** exists at a serum concentration greater than 1 ng/mL.

14. Section 550.2415(1)(c), Florida Statutes, states, "[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race."

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of record shall be responsible for and be the absolute insurer of the condition of the horses...he/she enters to race."

16. Based on the foregoing, Respondent violated section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(2)(q), Florida Administrative Code, by racing "Let's Be Honest" with an impermissible concentration of a permitted substance in its body on January 15, 2023.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in rule 61D-6.011, Florida Administrative Code, section 550.2415(3)(a), Florida Statutes, and/or any other relief that the Commission is authorized to impose pursuant to chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-008898 is signed this 20th day of February, 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.

### NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use Form DBPR PMW-3290, Notification to Stewards/Judge of Split Sample Request (Form 3290).

You can obtain Form 3290, as well as a list of approved split samples laboratories, at the State Office located in any Florida pari-mutuel facility, or on the Division's website: <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/forms-and-publications/>. You must submit Form 3290 to the state steward, Division hearing officer, or office of the General Counsel, within 10 days from receipt of this Notice, or you will waive your right to request a split sample.

# EXHIBIT A

02-09-23;01:32PM;University of Florida

;352

# 2/ 3



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

February 09, 2023

Mr. Joe Dillmore, Director  
Florida Gaming Control Commission  
2601 Blair Stone Road  
Tallahassee, FL  
32399-1037

RE: Report of Positive Result

Sample 314140 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

**Methocarbamol found in serum**  
Methocarbamol (a skeletal muscle relaxant and Class 4 drug) - the concentration of Methocarbamol is 2.90 +/- 0.11 ng/mL.

<u>E005652-FHB</u>	<u>Horse Serum</u>	<u>3.8 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
Tampa Bay Downs		01/15/2023	01/17/2023
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 02/18/2023, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

23-43

RL 115

Page 1 of 1

University of Florida Racing Lab  
ISO/IEC 17025:2017  
Certificate # AT-1642



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DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY

314140      DATE 1.15.2023

TRACK 320

RACE 4      FINISH 1st

NAME OF ANIMAL LET'S BE Honest  
NOMBRE DEL ANIMAL

COLOR Gx/RO      SEX M      AGE 6

ID NUMBER 981020021069925

MICROCHIP     TATTOO     FREEZE-BRAND

BLOOD Richard Rock AVA  
SAMPLED BY

URINE Janna Wells JV  
SAMPLED BY

TRAINER Nestor Cascales  
ENTRENADOR / ENTRENADORA

WITNESS Hector Perez  
SIGNATURE      FIRMA DE TESTIGO

WITNESS HECTOR PEREZ  
LICENSE #      NÚMERO DE LICENCIA

RL-252-02



College of Medicine  
Department of Pathology, Immunology and Laboratory Medicine  
Racing Laboratory

PO Box 100275  
Gainesville, FL 32610-0275  
352-392-2238  
352-846-1052 Fax

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2601 Blair Stone Road  
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Sample 314140 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

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<u>E005852-FHB</u>	<u>Horse Serum</u>	<u>3.8 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Tampa Bay Downs</u>		<u>01/15/2023</u>	<u>01/17/2023</u>
Collected From		Date Collected	Date Received

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\_\_\_\_\_  
Dirk A Hunt

Associate Director

  
\_\_\_\_\_  
Brooks Nelson

Chemist III

RL 115

Page 1 of 1

23-43





DOCUMENTATION REQUIRED FOR ALL  
DAMAGED OR VOIDED FORMS SECURE  
STORAGE REQUIRED - ISSUE / USE  
SEQUENTIALLY



314140

DATE 1.15.2023

TRACK 320

RACE 4 FINISH 1st

NAME OF ANIMAL LET'S BE Honest  
NOMBRE DEL ANIMAL

COLOR GR/CO SEX M AGE 6

ID NUMBER 981020021069425

MICROCHIP  TATTOO  FREEZE-BRAND

BLOOD Richard Rock Avn  
SAMPLED BY

URINE Jeanne Wells JW  
SAMPLED BY

TRAINER Nestor Cascallares  
ENTRENADOR / ENTRENADORA

WITNESS Hector Perez  
SIGNATURE FIRMA DE TESTIGO

HECTOR PEREZ  
WITNESS 8410239

LICENSE # 8410239  
NÚMERO DE LICENCIA

RL-252-02

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Complaint Search Update	Change Recording License Type Mass Status Update	Application Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > Complaint Search > Maintain Complaint

Lic Type	1021 - Pari-Mutuel Wagering Individual Occupational	Status	10 Initial Review	Status Date	02/16/2023
Complaint #	2023008898	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	CASCALLARES, NESTOR ALFREDO	Responsible	elanier - LANIER, EBONIE	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source	LAB - UF Laboratory	Security Level	1	<input checked="" type="checkbox"/> Parties	<input type="checkbox"/> Activities
Form	FAX - Fax	Priority	1	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	IV-X - Class IV Drug Positive	Complexity	R - Regular	<input checked="" type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	01/15/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	CR - Central Region	Received	02/09/2023	<input type="checkbox"/> Inspection	
Reference	314140			<input type="checkbox"/> Costs	
Entered	02/16/2023	Entered By	gricks	<input type="checkbox"/> Time Tracking	Auto Assign
Summary	— 320 - Tampa Bay Downs, Horse LET'S BE HONEST, Drug Methocarbamol, Lab #314140, Sample #E005852-FHB			<input type="checkbox"/> Attachments	History
Updated	02/16/2023 13:57:26	By	gricks	<input type="checkbox"/> Work Notes	Print Report

Change	Save	OK	Cancel	Back
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<a href="#">License Search</a>	<a href="#">Entity Search</a>	<a href="#">Modify License Standing</a>	<a href="#">Maintain License CE Control</a>
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Domain 10 - Division of Pari-Mutuel Wagering

Logged In as: gricks

[VR Home](#) > [License Search](#) > [License Home](#)

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1021 - PMW Professional Individual Occupational</b> Expires On <b>06/30/2024</b> File # <b>48607</b> Name <b>CASCALLARES, NESTOR ALFREDO</b> Extended To License # <b>2016340</b> Rank <b>Individual Occupational</b> Renewed On Entity # <b>2016340</b> Lic Status <b>Current</b>		<input type="checkbox"/> <table border="1"> <tr><td><a href="#">Licensee</a></td></tr> <tr><td><a href="#">History</a></td></tr> <tr><td><a href="#">Notes</a></td></tr> <tr><td><a href="#">Notes History</a></td></tr> <tr><td><a href="#">Back</a></td></tr> </table>	<a href="#">Licensee</a>	<a href="#">History</a>	<a href="#">Notes</a>	<a href="#">Notes History</a>	<a href="#">Back</a>														
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<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>TRNR - Trainer</td> <td>03/31/2022</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>05/21/2010</td> <td></td> </tr> <tr> <td>L</td> <td>321 - Gulfstream Park</td> <td>02/03/2019</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>05/20/2007</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	TRNR - Trainer	03/31/2022		I	TBRD - Thoroughbred	05/21/2010		L	321 - Gulfstream Park	02/03/2019		Y	3YR - 3 Year License	05/20/2007	
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License Search | Entity Search | Modify License Standing | Maintain License CE Control

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: gricks

VR Home > License Search > License Home

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1020 - Pari-Mutuel Business Occupational</b> Expires On <b>06/30/2024</b> File # <b>12633</b> Name <b>DIANIS LLC</b> Extended To License # <b>12956742</b> Rank <b>PBUS - Pari-Mutuel Business Occupational</b> Renewed On Entity # <b>12956742</b> Lic Status <b>Current</b>		<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back																		
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<b>Other</b> 1st License Date <b>10/08/2021</b> Rank Date <b>10/08/2021</b> Certificate # Method <b>I-S-1024</b> Status Date <b>10/08/2021</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent																									
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<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>C</td> <td>BOWN - Business Animal Owner</td> <td>10/08/2021</td> <td></td> </tr> <tr> <td>C</td> <td>STBL - Stable Name</td> <td>10/02/2021</td> <td></td> </tr> <tr> <td>I</td> <td>TBRD - Thoroughbred</td> <td>10/02/2021</td> <td></td> </tr> <tr> <td>L</td> <td>321 - Gulfstream Park</td> <td>10/02/2021</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>10/02/2021</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	BOWN - Business Animal Owner	10/08/2021		C	STBL - Stable Name	10/02/2021		I	TBRD - Thoroughbred	10/02/2021		L	321 - Gulfstream Park	10/02/2021		Y	3YR - 3 Year License	10/02/2021	
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<b>Alt Keys</b> BEST LIC NBR <b>12956742</b>																									

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# 4 Bayou Melody

**HECTOR R. DIAZ, JR. (52-8-8-8 15%) 46%**  
**\$6,250**  
 Yellow, Black Sash, Black Hoops on Sleeves

Dk B/ Br f. 4 (Apr 10, 2019)  
 Cajun Breeze (\$5,000) (Congrats) - Haunting Melody (Songandaprayer)  
 Br: Pam Ginn, J Kevin Hahn & Darrell Solley (FL)  
 Own: Kathleen O'Connell Racing Stable, Inc.  
 Tr: Kathleen O'Connell (46-5-2-6 11%) 28%

Life: 13 3 0 0 3 \$41,300 Dirt: 5 2 0 1 \$23,450  
 2023: 0 0 0 0 \$0 Wet Dirt: 2 1 0 0 \$10,100  
 2022: 12 3 0 0 3 \$39,900 Turf: 5 0 0 2 \$6,350  
 Tam Dirt: 3 0 0 1 \$3,050 Wet Turf: 0 0 0 0 \$0  
 Distance: 3 1 0 1 \$11,200 Synthetic: 1 0 0 0 \$1,400

12Dec22 Tam2	ft	5x46	:228	:454	1:04.00	31E	Cm	6250	-	42-51	17	32	31	45 $\frac{1}{2}$	61 $\frac{1}{4}$	Diaz, Jr. HR 118	bl	7.00	Foolish Heart120s	Pretty Princess120s	Sweet Penelope120	stalk btwn, 2p, faded	8
23Oct22 Del1	ft	6f56	:245	:485	1:12.75	31E	Cm	7500 (7.5-5hw3/L	---	65	23	31 $\frac{1}{2}$	1 $\frac{1}{2}$	12	15 $\frac{1}{2}$	Diaz, Jr. HR 121	bl	*.80	Bayou Melody121s	The Biggest One112	Coffee Essence118	4-wide turn, drove cir	3
30Oct22 Del2	sy	5x64	:224	:478	1:06.74	31E	Cm	6250 (6.25-5hw2/L	60-71	58	43 $\frac{1}{2}$	43	2 $\frac{1}{2}$	13 $\frac{1}{2}$	13 $\frac{1}{2}$	Diaz, Jr. HR 122	bl	11.60	Bayou Melody122s	Jalebi Baby118s	Beargrease121s	shifted 5w, driving	9
17Sep22 Mth1	ft	5x32	:222	:463	1:06.74	31E	Mcl	12500 (12.5-10.5)	85-61	41	42	31	12	12 $\frac{1}{2}$	12 $\frac{1}{2}$	Diaz, Jr. HR 118	bl	14.10	Bayou Melody118s	Santafe Express118s	Lady Ryan123s	bid 3w, drew clear	8
25Sep22 Mth7	fm	Q24 5f76	:2106	:4521	:57.92	31E	Mcl	16000 (16-14)	120-42	51	1hd	2hd	2hd	79	Lopez P	118	bl	*2.30	Moon Party118s	I'm a Cutie118s	Little Jessie118s	dueled 2w, faded	7
13Aug22 Mth6	fm	Q24 5x16	:2225	:4590	1:04.41	31E	Mcl	16000 (16-14)	78-50	24	56	55	56	47	Diaz, Jr. HR 118	bl	9.80	Tizmet118s	Thats All Showrote123s	Nickys Notion118s	3w into lane, belatedly	9	
14Jul22 Mth3	fm	Q12 5x5	:2220	:4572	1:03.89	31E	Mcl	16000 (16-14)	5-45	53	32	32 $\frac{1}{2}$	22 $\frac{1}{2}$	34 $\frac{1}{2}$	Lopez P	118	bl	3.30	Dahgo118s	Giggling Ghost118s	Bayou Melody118s	chased turn, held 3rd	9
27Jul22 Mth4	fm	Q12 5x5	:2203	:4504	1:02.72	31E	Mcl	25000 (30-25)	6-60	71	21	3 $\frac{1}{2}$	3 $\frac{1}{2}$	66	Lopez P	118	bl	6.30	Only Danielle123s	Queen de La Crema118s	Azardus Hamar118s	chased, bid, tired	9

Works: 31 Dec 22 Tam 4F ft :51.40 b 75/79 3 Dec 22 Tam 4F ft :52.00 b 41/43 16 Nov 22 Tam 4F ft :52.60 b 49/51 18 May 22 Mth 4F ft :49.80 b 26/58 24 Apr 22 Tam 4F ft :51.20 b 41/53  
 Trener (Last 365 days): All: 509 15% \$1.53 Dist/Surf: 219 18% \$1.55 31-60Days: 119 13% \$1.15 Claiming: 165 16% \$1.79 With Jockey: 140 14% \$1.43

# 5 Drill's Valentine

**HUBER VILLA-GOMEZ (20-2-2-3 10%) 35%**  
**\$6,250**  
 White, Blue and Red Quarters, Blue and Red Star Emblems, White Sleeves

Grfo m. 6 (Feb 14, 2017)  
 Drill (\$4,500) (Lawyer Ron) - Ruthies Silver (Cashel Castle)  
 Br: Carl Harnish (FL)  
 Own: Carl Harnish  
 Tr: Jose A. Chavez (3-0-0-1 0%) 33%

Life: 20 3 0 0 3 \$32,098 Dirt: 16 3 0 0 3 \$31,055  
 2023: 0 0 0 0 \$0 Wet Dirt: 2 0 0 0 \$333  
 2022: 7 1 0 1 \$12,145 Turf: 1 0 0 0 \$500  
 Tam Dirt: 13 3 0 2 \$28,498 Wet Turf: 0 0 0 0 \$0  
 Distance: 10 2 0 1 \$20,245 Synthetic: 1 0 0 0 \$210

03Dec22 Tam3	ft	7f46	:2355	:4742	1:24.54	31E	Cm	5000nw1/6m	1-58	47	74	65	43 $\frac{1}{2}$	37 $\frac{1}{2}$	VillaGomez H 123 L	23.20	Real Doozie123s	Moniques Daredevil123s	Drill's Valentine123s	svd gnd, improved	7	
23Nov22 Tam8	ft	6x46	:2342	:4642	1:17.82	31E	Cm	6250	8-56	29	95 $\frac{1}{2}$	87	87 $\frac{1}{2}$	78 $\frac{1}{2}$	VillaGomez H 120 L	42.70	Alizee120s	Lucky Lizzie120s	Voodayoo120s	passed third rival	9	
01Jul22 Tam8	fm	Q30 1m275	:4595	:1:00.8	1:35.48	31E	Cm	16000	75-61	38	87 $\frac{1}{2}$	88 $\frac{1}{2}$	81 $\frac{1}{2}$	81 $\frac{1}{2}$	Diaz S	123 L	23.20	Chick's Shadow123s	Stonela123s	Classy of Course123s	saved ground, no bid	8
27Apr22 Tam1	ft	6f46	:2356	:4742	1:12.32	41E	Cm	8000nw3/L	29-64	21	2 $\frac{1}{2}$	1hd	1 $\frac{1}{2}$	15	Garcia WA	120 L	4.20	Drill's Valentine120s	Lange Lee120s	Royal Athena120s	prompted foe, edged cir	5

Works: 15 Jan 22 Tam 2 ft :6x30 2293 :4689 1:19.03 31E Cm 6250cnd 13-55 62 75 $\frac{1}{2}$  66 56 $\frac{1}{2}$  510 $\frac{1}{2}$  Morrison A 115 $\frac{1}{2}$  L 31.20 Shadlee122s Snacker115s Future Flay122s no menace inside 7  
 11 Nov 22 GP6 ft 5f105 :2244 :4610 :50.86 41E Cm 12500 (12.5-10mw3/L) 70-50 72 85 $\frac{1}{2}$  87 98 $\frac{1}{2}$  99 $\frac{1}{2}$  Vasquez MA 122 bl 113.30 American Tap122s Fillmore East122s Day's Humor122s 3-4wd, no impact 9  
 Trener (Last 365 days): All: 9 11% \$1.16 Dist/Surf: 4 25% \$2.60 31-60Days: 1 0% \$0.00 Claiming: 8 12% \$1.30 With Jockey: 2 0% \$0.00

# 6 Dixieland Dancer

**SAMUEL MARIN (57-5-7-10 9%) 39%**  
**\$6,250**  
 Royal Blue, Red "GP" on White Ball, Blue and Red Chevron on White Sleeves

Dk B/ Br m. 5 (Feb 2, 2018) (OBS SPR 2YO 2020 \$14,000)  
 First Samurai (\$15,000) (Giant's Causeway) - Ready Recall (More Than Ready)  
 Br: Rod Zwigart (KY)  
 Own: Grade 1, LLC  
 Tr: Antonio Machado (32-4-5-4 12%) 41%

Life: 17 4 4 1 \$62,100 Dirt: 12 4 4 1 \$56,205  
 2023: 0 0 0 0 \$0 Wet Dirt: 5 0 0 0 \$5,895  
 2022: 17 4 4 1 \$62,100 Turf: 0 0 0 0 \$0  
 Tam Dirt: 3 0 1 0 \$4,060 Wet Turf: 0 0 0 0 \$0  
 Distance: 2 1 0 0 \$9,125 Synthetic: 0 0 0 0 \$0

22Dec22 Tam6	ft	1 <sup>st</sup> 24	:4940	1:14.10	1:42.52	31E	Cm	6250	47-78	69	84 $\frac{1}{2}$	84 $\frac{1}{2}$	42 $\frac{1}{2}$	22	23 $\frac{1}{2}$	Marin S	121 fl	14.50	Mizzen Air121s	Dixieland Dancer121s	Charge It Jenn121s	3-4p, bid/8, late gain	9
02Dec22 Tam8	ft	7f46	:2306	:4627	1:24.93	31E	Cm	8000 (8-7)	36-46	67	62 $\frac{1}{2}$	61 $\frac{1}{2}$	83 $\frac{1}{2}$	810 $\frac{1}{2}$	Arroyo AS	122 fl	5.90	Magick1115s	Sneaky Cheeky118s	Pure Elegance110s	outside, 3-4p, empty	8	
23Nov22 Tam8	ft	6x46	:2342	:4642	1:17.82	31E	Cm	6250	18-63	18	64 $\frac{1}{2}$	65	45	44 $\frac{1}{2}$	Arroyo AS	120 fl	6.80	Alizee120s	Lucky Lizzie120s	Voodayoo120s	3w, edged for share	9	
19Oct22 Del2	gd	5x64	:2186	:4579	1:04.70	31E	Str	5000	12-63	33	71 $\frac{1}{2}$	65	69 $\frac{1}{2}$	14 $\frac{1}{2}$	Trejos J	125 fl	13.20	Wedonthebeveher122s	Playa122s	Luckbealadytonight111s	away slow, no threat	7	
25Sep22 Del2	ft	5x64	:2207	:4635	1:04.73	31E	Cm	5000cnd-c	21-76	54	67 $\frac{1}{2}$	76 $\frac{1}{2}$	31 $\frac{1}{2}$	14 $\frac{1}{2}$	Trejos J	125 fl	*2.10	Dixieland Dancer125s	Starship Reina123s	Freezer Burn123s	5w, surged, clear late	7	

Works: 16 Nov 22 Tam 4F ft :49.00 b 12/51 19 Aug 22 Del 4F ft :51.40 b 27/30 12 Apr 22 Fal 3F ft :36.60 b 1/7 12 Feb 22 Fal 4F ft :49.00 b 6/32 3 Feb 22 Fal 4F ft :48.80 b g 2/17  
 Scratches: 28 Aug 22 Del1 1M ft Cm 6250 (8.25-5); Re-entered 18 Aug 22 CTR 6F ft Cm 5000 (5-4.5); Stewards  
 Trener (Last 365 days): All: 147 14% \$2.02 Dist/Surf: 51 8% \$0.74 Route/Sprint: 11 18% \$1.27 Claiming: 85 13% \$1.44 With Jockey: 4 0% \$0.00

# 7 Let's Be Honest

**MARCOS MENESES (58-9-6-5 16%) 34%**  
**\$6,250**  
 Black, Black "GB" on White Ball, Green, White and Red Hoop on Sleeves

Grfo m. 6 (Apr 4, 2017) (OBS WNT MIX 18 \$9,500)  
 He's Had Enough (\$5,000) (Tapit) - Need a Reason (Giant's Causeway)  
 Br: Anthony Robinson (FL)  
 Own: Dianis, LLC  
 Tr: Nestor Cascallares (29-3-4-1 10%) 28%

Life: 41 8 6 6 6 \$292,116 Dirt: 33 6 5 5 \$221,406  
 2023: 0 0 0 0 \$0 Wet Dirt: 4 2 1 0 \$63,840  
 2022: 11 3 1 1 \$84,870 Turf: 3 0 0 1 \$6,650  
 Tam Dirt: 2 1 0 1 \$14,850 Wet Turf: 0 0 0 0 \$0  
 Distance: 10 1 1 2 \$39,330 Synthetic: 1 0 0 0 \$220

11Dec22 GP8	ft	1m5	:4629	1:15.55	1:37.57	31E	SOC	12500 - N	80-62	47	73 $\frac{1}{2}$	74 $\frac{1}{2}$	55 $\frac{1}{2}$	71 $\frac{1}{2}$	72 $\frac{1}{2}$	Rios JM	122 fl	24.00	Battle Cry124s	It's So Easy124s	Shes All Woman124s	rated 7p, no threat	8
02Dec22 GP7	ft	6f25	:2252	:4569	1:10.82	31E	Aoc	20000nw1/x	41-72	57	64 $\frac{1}{2}$	43 $\frac{1}{2}$	44	44	Rios JM	122 fl	15.80	Anna's Dream118s	Adios Baby118s	Gitana122s	bmp st, 4p, 6p str, even	7	
04Nov22 GP9	ft	7f25	:2380	:4709	1:24.00	31E	Aoc	20000nw1/x	40-72	71	41	52	65 $\frac{1}{2}$	68 $\frac{1}{2}$	Reyes L	122 fl	17.80	Avow118s	Twirling Grace122s	Kaeko120s	trksp, never a threat	7	

Works: 23 Sep 22 GP8 ft 1m5 :4693 1:10.92 1:36.78 31E Aoc 20000nw1/x 57-54 43nk 33 $\frac{1}{2}$  68 $\frac{1}{2}$  713 722 Reyes L 124 L 4.30 Poema118s Our Fantasy122s Kaeko120s brief speed outside 7  
 12 Aug 22 GP8 ft 7f30 :2244 :4489 1:23.66 31E Aoc 25000nw1s/x-N 70-39 44 64 $\frac{1}{2}$  65 61 $\frac{1}{2}$  62 $\frac{1}{2}$  Rios JM 122 L 2.80 Shes All Woman124s Dem a Wonder124s Bion Magic124s no factor, 3wd 6  
 01 Jul 22 GP6 ft 1m5 :4509 1:10.31 1:36.96 31E Aoc 20000nw1/x-c 93-81 84 31 $\frac{1}{2}$  11 $\frac{1}{2}$  12 11 $\frac{1}{2}$  Reyes L 126 fl \*1.60 Let's Be Honest126s Starship Nugget124s No Decaf124s 3wd, up 5/16, drng 8  
 12 Jun 22 GP12 ft 7f30 :2240 :4569 1:23.99 31E Aoc 20000nw1/x-c 62-81 37 64 $\frac{1}{2}$  63 $\frac{1}{2}$  2hd 11 $\frac{1}{2}$  Reyes L 126 fl 6.40 Let's Be Honest126s American of Course126s Our Fantasy126s 5wd bid, duel, pull cir 10  
 13 May 22 GP6 ft 6x35 :2248 :4496 1:15.33 31E Aoc 20000nw1/x 69-82 15 1 $\frac{1}{2}$  1hd 2 $\frac{1}{2}$  24 $\frac{1}{2}$  Perez E 125 fl 9.10 Shes All Woman123s Let's Be Honest125s Awesome Anzures123s yielded, drifted out 6  
 Trener (Last 365 days): All: 69 7% \$1.63 Dist/Surf: 42 5% \$1.14 31-60Days: 5 0% \$0.00 Route/Sprint: 7 14% \$3.00 Claiming: 16 19% \$4.72 With Jockey: 4 25% \$7.50

11 - First Time on Lestr; L - Lestr; LX - Off Lestr; FL - Florida Bred  
 Equipment Change: Nurse Judy will race with Blinkers On  
 Selections: 7-6-1-4  
 TAM 01/15/23 Race 4.





## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Hamilton Downs Horsetrack, LLC, Case No. 2023-040396  
Consent Order  
Date: December 20, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Hamilton Downs Horsetrack, LLC (“Respondent”) to resolve Case No. 2023-040396. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$3,250 for violating rules 75-11.012(6)(d)1, 75-11.012(6)(a)1, 75-11.025(14)(a), 75-11.019(4)(e)2, 75-11.025(13)(b), 75-11.012(1)(a), and 75-11.012(8), Florida Administrative Code.

### *Background*

On or about May 31, 2023, Respondent failed to record the number of chips in the cardroom vault inventory at the end of the day in violation of rule 75-11.019(4)(e)2, Florida Administrative Code. On or about July 17, 2023, Respondent failed to properly maintain an approved floor plan showing placement of each table and its corresponding number and failed to maintain 14 days of electrician surveillance in violation of rules 75-11.012(6)(d)1 and 75-11.012(6)(a)1, Florida Administrative Code. On or about July 31, 2023, Respondent failed to maintain 14 days of electrician surveillance, failed to record the surveillance malfunctions on the malfunction log, failed to include job titles of employees or the weekly roster, failed to include the positions titles of employees permitted to enter the cashier cage, the count room, the vault, and the surveillance room, and failed to ensure the Chip Vault Inventory form reflected that at least to persons had performed the daily inventor of the vault, in violations of rules 75-11.025(14)(a), 75-11.025(13)(b), 75-11.012(1)(a), 75-11.012(8), and 75-11.019(4)(e)2, Florida Administrative Codde, respectively. Respondent has no prior violations of any of these rules.



## *Analysis*

The Commission may resolve matters informally through a negotiated settlement.<sup>1</sup> The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules promulgated thereunder. Mitigation may be taken into consideration when imposing an administrative fine.

Rule 75-11.012(6)(d)1, Florida Administrative Code, provides that “[c]ardroom operators shall maintain a cardroom floor plan that shall: [b]e submitted to the division for approval any time there are changes to the floor plan[.]”

Rule 75-11.012(6)(a)1, Florida Administrative Code, provides that “[c]ardroom operators shall maintain a cardroom floor plan that shall . . . [s]how the placement or location of . . . [e]ach cardroom table and its corresponding number.”

Rule 75-11.025(14)(a), Florida Administrative Code, provides that “[a]ll electronic surveillance recordings of cardroom activity shall be . . . [m]aintained for at least 14 days[.]”

Rule 75-11.025(13)(b), Florida Administrative Code, provides that “[t]he cardroom licensee shall . . . [m]aintain a log of all malfunctions of the surveillance and recording equipment[.]” Rule 75-11.012(1)(a), Florida Administrative Code, provides that “[a] cardroom operator shall also maintain a weekly listing of all cardroom employees who worked during each week. The list of persons shall include for each employee . . . [t]he job title[.]”

Rule 75-11.012(1)(a), Florida Administrative Code, provides that “[a] cardroom operator shall also maintain a weekly listing of all cardroom employees who worked during each week. The list of persons shall include for each employee . . . [t]he job title[.]”

Rule 75-11.012(8), Florida Administrative Code, provides that “[a] current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.”

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<sup>1</sup> See § 120.57(4), Fla. Stat. (“Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, or consent order.”)

Rule 75-11.019(4)(e)2, Florida Administrative Code, provides that “[a] record shall reflect that the cardroom vault inventories are counted by at least two persons and recorded at the end of each day on inventory documentation[.]”

Because Respondent failed to properly maintain an approved floor plan showing placement of each table and its corresponding number, failed to maintain 14 days of electrician surveillance, failed to record the number of chips in the cardroom vault inventory at the end of the day, failed to record the surveillance malfunctions on the malfunction log, failed to include job titles of employees or the weekly roster, failed to include the positions titles of employees permitted to enter the cashier cage, the count room, the vault, and the surveillance room, and failed to ensure the Chip Vault Inventory form reflected that at least two persons had performed the daily inventory of the vault, it is subject to an administrative fine not to exceed \$1000.00 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case numbers 2023-040396.

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.: 2023-040396

HAMILTON DOWNS HORSETRACK, LLC  
d/b/a HAMILTON DOWNS,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Hamilton Downs Horsetrack, LLC d/b/a Hamilton Downs (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a pari-mutuel wagering permit pursuant to Section 550.054, and license pursuant to Section 550.0115, both issued by the Commission.

2. At all times material hereto, Respondent held a valid cardroom license number 547 issued by the Commission under section 849.086, Florida Statutes, and operated a cardroom within the meaning of section 849.086(2)(c), Florida Statutes, at its Facility (the “Cardroom”).

3. The Cardroom is a Facility operated by the Respondent at all times material hereto, and is located at 2220 Northwest County Road 143, Jennings, Florida 32053.

4. This Consent Order is to be entered in resolution of the twelve-count Administrative Complaint filed in FGCC Case Number 2023-040396, alleging that:

- a. On July 17, 2023, Respondent was in violation of rule 75-11.012(6)(d)1, Florida Administrative Code, by having posted a floor plan that had not previously been approved by the Division.
- b. On July 17, 2023, Respondent was in violation of rule 75-11.012(6)(a)1, Florida Administrative Code, by failing to maintain an approved floor plan showing the placement of each table and its corresponding number.
- c. On July 17, 2023, Respondent was in violation of rule 75-11.025(14)(a), Florida Administrative Code, by failing to maintain 14 days of electronic surveillance recordings.
- d. On July 31, 2023, Respondent was in violation of rule 75-11.025(14)(a), Florida Administrative Code, by failing to maintain 14 days of electronic surveillance recordings.
- e. On May 31, 2023, Respondent was in violation of rule 75-11.019(4)(e)2, Florida Administrative Code, by failing to record the number of chips in the cardroom vault inventory at the end of the day.
- f. On July 31, 2023, Respondent was in violation of rule 75-11.025(13)(b), Florida Administrative Code, by failing to record the surveillance and recording malfunctions in the surveillance malfunction log.
- g. On July 31, 2023, Respondent was in violation of rule 75-11.12(1)(a), Florida Administrative Code, by failing to include the job titles of employees on the weekly roster.

- h. On July 31, 2023, Respondent was in violation of rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the cashiers' cage.
- i. On July 31, 2023, Respondent was in violation of rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the count room.
- j. On July 31, 2023, Respondent was in violation of rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the vault.
- k. On July 31, 2023, Respondent was in violation of rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the surveillance room.
- l. On July 31, 2023, Respondent was in violation of rule 75-11.019(4)(e)2, Florida Administrative Code, by failing to ensure the Chip Vault Inventory form reflected that at least two persons had performed the daily inventory of the vault.

#### STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

- 5. The Division has jurisdiction over this matter and the Parties.
- 6. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
- 7. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and have either sought the advice

of counsel or by execution of this Consent Order, are knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.

8. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

9. The Parties acknowledge and agree to waive any further administrative and judicial review.

10. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

11. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

12. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **THREE THOUSAND TWO HUNDRED AND FIFTY DOLLARS (\$3,250.00) at the time Respondent submits an executed copy of this Consent Order. The fines are assessed as follows:**

- a. Count I: \$250.00**
- b. Count II: \$250.00**
- c. Count III: \$250.00**
- d. Count IV: 500.00**
- e. Count V: \$250.00**
- f. Count VI: \$250.00**

**g. Count VII: \$250.00**

**h. Count VIII: \$250.00**

**i. Count IX: \$250.00**

**j. Count X: \$250.00**

**k. Count XI: \$250.00**

**l. Count XII: \$250.00**

13. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

14. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida, 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-040396 on the face of the payment.

15. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

16. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

17. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

18. This Consent Order may be signed in counterparts, and copies shall be treated as original.

19. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

20. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.flgaming.gov](http://www.flgaming.gov), for the meeting materials, agenda, and contact information.

21. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*



WHEREFORE, **HAMILTON DOWNS HORSETRACK, LLC d/b/a HAMILTON DOWNS**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 22<sup>nd</sup> day of Nov, 2023.

*Robert G. Richards* M.M.  
**HAMILTON DOWNS HORSETRACK, LLC**  
**d/b/a HAMILTON DOWNS, Respondent**

Signed on behalf of Hamilton Downs Horsetrack, LLC  
d/b/a Hamilton Downs by:

*Robert G. Richards*  
Printed Name

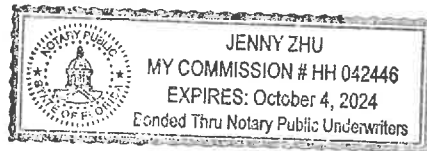
*M.M.*  
Title

STATE OF Florida

COUNTY OF Clay

The foregoing instrument was acknowledged before me, by means of  physical presence  
or  online notarization, this 22 day of Nov, 2023, by  
Robert Richards, who is personally known to me or who produced the  
following as identification: Florida driver license

*Jenny Zhu*  
Notary Public



My commission expires: Oct 04, 2024

APPROVED this 19 day of December, 2024.

Emily Alvarado  
**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

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.: 2023-040396

HAMILTON DOWNS HORSETRACK, LLC  
d/b/a HAMILTON DOWNS,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Hamilton Downs Horsetrack, LLC d/b/a Hamilton Downs (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a pari-mutuel wagering permit pursuant to Section 550.054, and license pursuant to Section 550.0115, both issued by the Commission.
3. At all times material hereto, Respondent held a valid cardroom license number 547 issued by the Commission under section 849.086, Florida Statutes, and operated a cardroom within the meaning of section 849.086(2)(c), Florida Statutes, at its Facility (the “Cardroom”).
4. The Cardroom is a Facility operated by the Respondent at all times material hereto, and is located at 2220 Northwest County Road 143, Jennings, Florida 32053.

## COUNT I

5. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

6. On July 17, 2023, Respondent posted a floor plan that had not been previously approved by the Petitioner.

7. Rule 75-11.012(6)(d)1, Florida Administrative Code, provides that “[c]ardroom operators shall maintain a cardroom floor plan that shall: [b]e submitted to the division for approval any time there are changes to the floor plan[.]”

8. Based on the foregoing, Respondent violated rule 75-11.012(6)(a)1, Florida Administrative Code, by having posted a floor plan that had not previously been approved by the Division.

## COUNT II

9. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

10. On July 17, 2023, Commission staff observed that Respondent had not maintained an approved floor plan showing the placement of each table and its corresponding number.

11. Rule 75-11.012(6)(a)1, Florida Administrative Code, provides that “[c]ardroom operators shall maintain a cardroom floor plan that shall . . . [s]how the placement or location of . . . [e]ach cardroom table and its corresponding number.”

12. Based on the foregoing, Respondent violated rule 75-11.012(6)(a)1, by failing to maintain an approved floor plan showing the placement of each table and its corresponding number.

### COUNT III

13. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

14. On July 17, 2023, Respondent maintained only 4 days of electronic surveillance recordings of cardroom activity.

15. Rule 75-11.025(14)(a), Florida Administrative Code, provides that “[a]ll electronic surveillance recordings of cardroom activity shall be . . . [m]aintained for at least 14 days[.]”

16. Based on the foregoing, Respondent violated rule 75-11.025(14)(a), Florida Administrative Code, by failing to maintain 14 days of electronic surveillance recordings.

### COUNT IV

17. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

18. On July 31, 2023, Respondent maintained only 4 days of electronic surveillance recordings of cardroom activity.

19. Rule 75-11.025(14)(a), Florida Administrative Code, provides that “[a]ll electronic surveillance recordings of cardroom activity shall be . . . [m]aintained for at least 14 days[.]”

20. Based on the foregoing, Respondent violated rule 75-11.025(14)(a), Florida Administrative Code, by failing to maintain 14 days of electronic surveillance recordings.

### COUNT V

21. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

22. On July 31, 2023, Commission staff observed that on May 31, 2023, the number of chips returning to the chip vault at the close of business was not recorded on the Chip Vault Inventory Form.

23. Rule 75-11.019(4)(e)2, Florida Administrative Code, provides that “[a] record shall reflect that the cardroom vault inventories are counted by at least two persons and recorded at the end of each day on inventory documentation[.]”

24. Based on the foregoing, Respondent violated rule 75-11.019(4)(e)2, Florida Administrative Code, by failing to record the number of chips in the cardroom vault inventory at the end of the day.

#### COUNT VI

25. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

26. On July 31, 2023, Commission staff observed that the surveillance malfunction log did not have entries referring to the recording malfunctions at the facility that occurred on July 17, 2023.

27. Rule 75-11.025(13)(b), Florida Administrative Code, provides that “[t]he cardroom licensee shall . . . [m]aintain a log of all malfunctions of the surveillance and recording equipment[.]”

28. Based on the foregoing, Respondent violated rule 75-11.025(13)(b), Florida Administrative Code, by failing to record the surveillance and recording malfunctions in the surveillance malfunction log.

## COUNT VII

29. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

30. on July 31, 2023, Commission staff observed that the roster of employees for the week did not record job titles for all employees.

31. Rule 75-11.012(1)(a), Florida Administrative Code, provides that “[a] cardroom operator shall also maintain a weekly listing of all cardroom employees who worked during each week. The list of persons shall include for each employee . . . [t]he job title[.]”

32. Based on the foregoing, Respondent violated rule 75-11.012(1)(a), Florida Administrative Code, by failing to include the job titles of employees on the weekly roster.

## COUNT VIII

33. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

34. On July 31, 2023, Commission staff observed that the access list for the cashiers’ cage did not include position titles of allowed employees.

35. Rule 75-11.012(8), Florida Administrative Code, provides that “[a] current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.”

36. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the cashiers’ cage.

### COUNT IX

37. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

38. On July 31, 2023, Commission staff observed that the access list for count room did not include position titles of employees permitted to enter the count room.

39. Rule 75-11.012(8), Florida Administrative Code, provides that “[a] current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.”

40. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the count room.

### COUNT X

41. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

42. On July 31, 2023, Commission staff observed that the access list for vault did not include position titles of employees permitted to enter the vault.

43. Rule 75-11.012(8), Florida Administrative Code, provides that “[a] current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.”



44. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the vault.

#### COUNT XI

45. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

46. On July 31, 2023, Commission staff observed that the access list for surveillance room did not include position titles of employees permitted to enter the surveillance room.

47. Rule 75-11.012(8), Florida Administrative Code, provides that “[a] current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.”

48. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by failing to include the position titles of employees permitted to enter the surveillance room.

#### COUNT XII

49. Petitioner realleges and adopts paragraphs numbered one through four as if set forth fully herein.

50. On July 31, 2023, Commission staff observed that the dated entry on the Chip Vault Inventory Form was not signed by two employees.

51. Rule 75-11.019(4)(e)2, Florida Administrative Code, provides that “[a] record shall reflect that the cardroom vault inventories are counted by at least two persons and recorded at the end of each day on inventory documentation[.]”

52. Based on the foregoing, Respondent violated rule 75-11.019(4)(e)2, Florida Administrative Code, by failing to ensure the Chip Vault Inventory form reflected that at least two persons had performed the daily inventory of the vault.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in sections 550.105 and 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-040396 is signed this 1st day of November 2023.

*/s/Emily A. Alvarado*

Emily A. Alvarado  
Deputy Chief Attorney  
FBN: 1025200  
Florida Gaming Control Commission  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8709  
Primary: [Emily.Alvarado@flagaming.gov](mailto:Emily.Alvarado@flagaming.gov)  
Secondary: [Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.gov)

### NOTICE OF RIGHTS

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.

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<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

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Lic Type	1002 - Cardroom License	Status	90 Closed	Status Date	09/11/2023
Complaint #	2023040396	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	HAMILTON DOWNS HORSETRACK, LLC	Responsible	bjones - JONES, BRADFORD	Private Case

Complaint	Respondent	Complainant	Add'l Info
Source	INTN - Internal	Security Level	1
Form	INTR - Internal	Priority	
Class'n	V-C - Cardroom Violations	Complexity	R - Regular
Security	STND - Standard	Incident	07/17/2023
Region	NR - Northern Region	Received	07/19/2023
Reference	75-11.012		
Entered	07/19/2023	Entered By	nmelvai
Summary	547---Hamilton Downs Horsetrack-- (75-11.012 )--- On July 17, 2023, during a Cardroom inspection at HAMILTON DOWNS the following violations were found: 1) Unapproved floor plan was hanging in surveillance 2) Recorded surveillance coverage was only saved for approximately four (4) days. 3) Security failed to have four (4) security guards on per HAMILTON DOWNS' security plan.		
Updated	09/13/2023 13:59:58	By	cstubbs1

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

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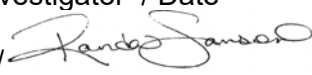
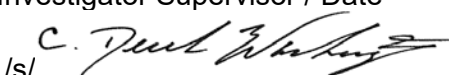
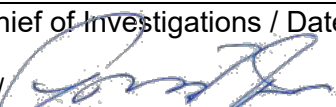
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>JULY 19, 2023</b>	Case Number: <b>2023 04 0396</b>
Respondent: <b>HAMILTON DOWNS HORSETRACK, LLC. 2220 NORTHWEST COUNTY ROAD 143 JENNINGS, FLORIDA 32053 (386) 638-0011</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>547 / 1002</b>		Profession: <b>PERMIT HOLDER</b>	Report Date: <b>AUGUST 7, 2023</b>
Period of Investigation: <b>JULY 17, 2023 – AUGUST 7, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation: 75-11.012 Duties of Cardroom Operators:</b> (1) Cardroom operators shall maintain a roster of all cardroom employees. A cardroom operator shall also maintain a weekly listing of all cardroom employees who worked during each week. The list of persons shall include for each employee: <b>(a) The job title;</b> (b) Full name; and, (c) Occupational license number. (6) Cardroom operators shall maintain a cardroom floor plan that shall: (a) Show the placement or location of the following: 1. Each cardroom table and its corresponding number, (8) Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers' cage(s), count room, vault, and surveillance room. This list shall include <b>the position titles of all employees who have access to these areas.</b> A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.</p> <p><b>75-11.019 Internal Controls:</b> (2) Failure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules. 2. A record shall reflect that the cardroom vault inventories are counted by at least two persons and recorded at the end of each day on inventory documentation.</p> <p><b>75-11.025 Cardroom Electronic Surveillance:</b> (13) The cardroom licensee shall: (b) Maintain a log of all malfunctions of the surveillance and recording equipment; and, (c) Notify the division within 24 hours upon completion of the surveillance equipment repairs. (14) All electronic surveillance recordings of cardroom activity shall be: (a) Maintained for at least 14 days;</p>			
<p><b>Synopsis:</b> On July 17, 2023, during a Cardroom inspection at <b>HAMILTON DOWNS</b> the following violations were found: 1) Unapproved floor plan posted in surveillance 2) Recorded surveillance coverage was only saved for approximately four days. 3) Facility failed to have the minimum number of Security personnel on duty per their Security Plan.</p>			
<b>Related Case(s):</b>			
Investigator / Date  /s/  Randa Samson / August 7, 2023		Investigator Supervisor / Date  /s/  C.Derek Washington / August 18, 2023	
Chief of Investigations / Date  /s/  Bradford D. Jones / September 13, 2023			

## CONTINUED

On July 17, 2023, at approximately 12:00 PM, I conducted a Cardroom inspection at **HAMILTON DOWNS**. During my inspection, I reviewed the facility's Security Plan, which stated that a minimum of four (4) security personnel for each shift are required. I asked the General Manager, Brandon Richards (PMW – LIC.# 8530487) to identify who was currently working as facility security, and he stated, that he "could take that title." I explained that his Security Plan requires a minimum of four (4) Security personnel (**EXHIBIT #2**).

At approximately 1:17 PM, Richards walked me into the surveillance room, and I attempted to review saved recorded surveillance video of cardroom activities, but recorded surveillance contained just four (4) days of saved footage. The only explanation Richards could provide was that "We must have had a power outage." The footage Richards could pull up was for the period of July 14, 2023, through July 17, 2023. I advised Richards to report this surveillance malfunction to F.G.C.C. Cardroom Coordinator La'Kesha Jelks and make a related entry in their Surveillance Malfunction Logbook. While present in the surveillance room, I also noticed that there was not a currently approved floor plan posted as required by Rule. There was an unapproved floor plan posted in the room showing two tables on the cardroom floor (**EXHIBIT #3**).

On July 31, 2023, Investigator Supervisor Derek Washington and I conducted a re-inspection of **HAMILTON DOWNS**. I asked Richards if the issues with the surveillance recordings had been corrected to which he responded in the affirmative. Richards then walked me into the surveillance room, where I again attempted to review saved surveillance recordings, but the surveillance system still contained only four (4) days of retained footage. Richards could only pull up footage from July 28, 2023, thru July 31, 2023. In addition, they failed to document the malfunction which was discovered on July 17, 2023, and the unauthorized floor plan was still posted in the surveillance room (**EXHIBIT #4, page 1-4**).

Upon further inspection, the following additional violations were found.

1. On May 31, 2023, the number of chips returned to the Vault was not noted on the Chip Vault Inventory Form, and on July 31, 2023, the Chip Vault Inventory Form was not signed by at least two persons (**EXHIBIT #4 page 5**).
2. Access lists were not updated and did not have position titles of employees with access to Cashiers' Cage(S), Count Room, Vault, and Surveillance Room (**EXHIBIT #4, page 6-11**).
3. When asked for a roster of employees that worked for the week, the list did not consistently provide job titles as required by the rule (**EXHIBIT #4, page 12**).

**Status:** Closed by Investigations and referred to Legal for review.

CONTINUED

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    4. Re-Inspection photos..... 1-12



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain **10 - Division of Pari-Mutuel Wagering**

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<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2024</b> File # <b>68</b> Name <b>HAMILTON DOWNS HORSETRACK, LLC</b> Extended To License # <b>547</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>547</b> Lic Status <b>Current</b>		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back								
<b>Address</b> Street # <b>1181</b> Street <b>OSPREY POINT</b> Line 2 Line 3 City <b>ORANGE PARK</b> State <b>FL</b> Zip <b>32073</b> Routing										
<b>Other</b> 1st License Date <b>04/05/2023</b> Rank Date <b>04/05/2023</b> Certificate # Method <b>I-S-1020</b> Status Date <b>03/24/2022</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent										
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<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td colspan="4">No items found.</td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	No items found.			
Type	Modifier	Effective Date	Additional Info							
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<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

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Lic Type	1002 - Cardroom License	Status	90 Closed	Status Date	09/11/2023
Complaint #	2023040396	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	HAMILTON DOWNS HORSETRACK, LLC	Responsible	bjones - JONES, BRADFORD	Private Case

Complaint	Respondent	Complainant	Add'l Info
Source	INTN - Internal	Security Level	1
Form	INTR - Internal	Priority	
Class'n	V-C - Cardroom Violations	Complexity	R - Regular
Security	STND - Standard	Incident	07/17/2023
Region	NR - Northern Region	Received	07/19/2023
Reference	75-11.012		
Entered	07/19/2023	Entered By	nmelvai
Summary	547---Hamilton Downs Horsetrack-- (75-11.012 )--- On July 17, 2023, during a Cardroom inspection at HAMILTON DOWNS the following violations were found: 1) Unapproved floor plan was hanging in surveillance 2) Recorded surveillance coverage was only saved for approximately four (4) days. 3) Security failed to have four (4) security guards on per HAMILTON DOWNS' security plan.		
Updated	09/13/2023 13:59:58	By	cstubs1

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

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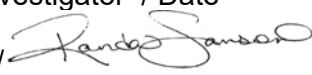
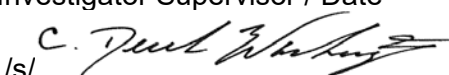
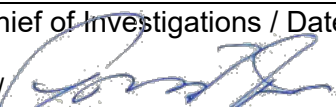
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>JULY 19, 2023</b>	Case Number: <b>2023 04 0396</b>
Respondent: <b>HAMILTON DOWNS HORSETRACK, LLC. 2220 NORTHWEST COUNTY ROAD 143 JENNINGS, FLORIDA 32053 (386) 638-0011</b>		Complainant: <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>547 / 1002</b>		Profession: <b>PERMIT HOLDER</b>	Report Date: <b>AUGUST 7, 2023</b>
Period of Investigation: <b>JULY 17, 2023 – AUGUST 7, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation: 75-11.012 Duties of Cardroom Operators:</b> (1) Cardroom operators shall maintain a roster of all cardroom employees. A cardroom operator shall also maintain a weekly listing of all cardroom employees who worked during each week. The list of persons shall include for each employee: <b>(a) The job title;</b> (b) Full name; and, (c) Occupational license number. (6) Cardroom operators shall maintain a cardroom floor plan that shall: (a) Show the placement or location of the following: 1. Each cardroom table and its corresponding number, (8) Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers' cage(s), count room, vault, and surveillance room. This list shall include <b>the position titles of all employees who have access to these areas.</b> A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.</p> <p><b>75-11.019 Internal Controls:</b> (2) Failure of any cardroom operator to follow the internal controls once approved by the division shall be a violation of these rules. 2. A record shall reflect that the cardroom vault inventories are counted by at least two persons and recorded at the end of each day on inventory documentation.</p> <p><b>75-11.025 Cardroom Electronic Surveillance:</b> (13) The cardroom licensee shall: (b) Maintain a log of all malfunctions of the surveillance and recording equipment; and, (c) Notify the division within 24 hours upon completion of the surveillance equipment repairs. (14) All electronic surveillance recordings of cardroom activity shall be: (a) Maintained for at least 14 days;</p>			
<p><b>Synopsis:</b> On July 17, 2023, during a Cardroom inspection at <b>HAMILTON DOWNS</b> the following violations were found: 1) Unapproved floor plan posted in surveillance 2) Recorded surveillance coverage was only saved for approximately four days. 3) Facility failed to have the minimum number of Security personnel on duty per their Security Plan.</p>			
<b>Related Case(s):</b>			
Investigator / Date  /s/  Randa Samson / August 7, 2023		Investigator Supervisor / Date  /s/  C.Derek Washington / August 18, 2023	
Chief of Investigations / Date  /s/  Bradford D. Jones / September 13, 2023			

## CONTINUED

On July 17, 2023, at approximately 12:00 PM, I conducted a Cardroom inspection at **HAMILTON DOWNS**. During my inspection, I reviewed the facility's Security Plan, which stated that a minimum of four (4) security personnel for each shift are required. I asked the General Manager, Brandon Richards (PMW – LIC.# 8530487) to identify who was currently working as facility security, and he stated, that he "could take that title." I explained that his Security Plan requires a minimum of four (4) Security personnel (**EXHIBIT #2**).

At approximately 1:17 PM, Richards walked me into the surveillance room, and I attempted to review saved recorded surveillance video of cardroom activities, but recorded surveillance contained just four (4) days of saved footage. The only explanation Richards could provide was that "We must have had a power outage." The footage Richards could pull up was for the period of July 14, 2023, through July 17, 2023. I advised Richards to report this surveillance malfunction to F.G.C.C. Cardroom Coordinator La'Kesha Jelks and make a related entry in their Surveillance Malfunction Logbook. While present in the surveillance room, I also noticed that there was not a currently approved floor plan posted as required by Rule. There was an unapproved floor plan posted in the room showing two tables on the cardroom floor (**EXHIBIT #3**).

On July 31, 2023, Investigator Supervisor Derek Washington and I conducted a re-inspection of **HAMILTON DOWNS**. I asked Richards if the issues with the surveillance recordings had been corrected to which he responded in the affirmative. Richards then walked me into the surveillance room, where I again attempted to review saved surveillance recordings, but the surveillance system still contained only four (4) days of retained footage. Richards could only pull up footage from July 28, 2023, thru July 31, 2023. In addition, they failed to document the malfunction which was discovered on July 17, 2023, and the unauthorized floor plan was still posted in the surveillance room (**EXHIBIT #4, page 1-4**).

Upon further inspection, the following additional violations were found.

1. On May 31, 2023, the number of chips returned to the Vault was not noted on the Chip Vault Inventory Form, and on July 31, 2023, the Chip Vault Inventory Form was not signed by at least two persons (**EXHIBIT #4 page 5**).
2. Access lists were not updated and did not have position titles of employees with access to Cashiers' Cage(S), Count Room, Vault, and Surveillance Room (**EXHIBIT #4, page 6-11**).
3. When asked for a roster of employees that worked for the week, the list did not consistently provide job titles as required by the rule (**EXHIBIT #4, page 12**).

**Status:** Closed by Investigations and referred to Legal for review.

CONTINUED

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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">License Search</a>		<a href="#">Entity Search</a>		<a href="#">Modify License Standing</a>		<a href="#">Maintain License CE Control</a>			

Domain **10 - Division of Pari-Mutuel Wagering** Logged in as: nmelvai

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

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2024</b> File # <b>68</b> Name <b>HAMILTON DOWNS HORSETRACK, LLC</b> Extended To License # <b>547</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>547</b> Lic Status <b>Current</b>		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back								
<b>Address</b> Street # <b>1181</b> Street <b>OSPREY POINT</b> Line 2 Line 3 City <b>ORANGE PARK</b> State <b>FL</b> Zip <b>32073</b> Routing										
<b>Other</b> 1st License Date <b>04/05/2023</b> Rank Date <b>04/05/2023</b> Certificate # Method <b>I-S-1020</b> Status Date <b>03/24/2022</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent										
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 [Get Adobe Reader.](#)

**EXHIBIT #1**  
**PAGE 1/1**

# Organization

Hamilton Downs is organized under the executive direction of the company General Manager. The Security Department reports to the General Manager or his/her designee and is led by the Security Supervisor. All positions within the framework are encouraged to communicate freely with other positions and departments as necessary to conduct business. All communication will be done in a respectful and professional manner.

## Security Operations

The Security Department, at a minimum, is comprised of a Security Supervisor and Security Officers. The Security Department is ultimately responsible for the safety, security, and integrity of the complex.

- Security Supervisor-The Security Supervisor is responsible for the operation of the Security Department by creating, implementing and directing safety and security strategies to ensure the protection of all company assets as well as the safety and welfare of guests and employees. Also monitors all security related activity on their respective shift. They ensure all Security personnel are performing their required duties. Security Supervisors report directly to the General Manager or his/her designee.
- Security Officer-The Officer will perform specific duties in accordance with established procedures to ensure the safety and welfare of patrons, employees and the protection of company assets. This position reports to the Security Supervisor

B #

## Security Department Minimum Staffing

The following is the minimum staffing levels<sup>2</sup> which were established by considering the size and layout of the licensed facility as well as the number and configuration of cardroom tables on the gaming floor and must at all times provide for adequate and effective security of the gaming floor and any restricted areas servicing the gaming operation.

In addition to the minimum staffing detailed below, Hamilton Downs Security Department will assign personnel to patrol the perimeter, parking and other non-gaming areas to satisfy operational requirements and ensure the safety of patrons and employees.

### Minimum Staffing

The Security Department will operate at minimum staffing during times when business volume is excessively low and/or during times of extreme inclement weather. The Security Supervisor will ensure staffing will not be allowed to fall below the minimum level. Security staffing may be increased at the discretion of Hamilton Downs Management as business needs dictate.

The minimum staffing requirements are as follows:

- Security Supervisor 1
- Command Center/Surveillance 1
- Entrance 1
- Rover /Escorts 1
- **Total 4**

## Description of Duties<sup>3</sup>

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<sup>2</sup> 61D-11.0251 Security Plan.

(1) (b) The minimum number of security employees to be staffed by shift;

<sup>3</sup>61D-11.0251 Security Plan.

(1)(a) A description by position of each security officer or employee, to include their duties, assignments and























pen+GEAR™

Hamilton Downs

Surveillance  
malfunction

Log

Perforated for Easy Tear

1-SUBJECT NOTEBOOK

LIBRETA PARA 1 MATERIAS

+70 Sheets

+Wide Ruled

10.5 IN x 8 IN (26.7 cm x 20.3 cm)



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EXH BI #4  
AGE 2 2



3.3783mm

1 Search for the model number of your product

2 Click on your product in the search results

3 Click on the Downloads tab

4

### Safety Precautions

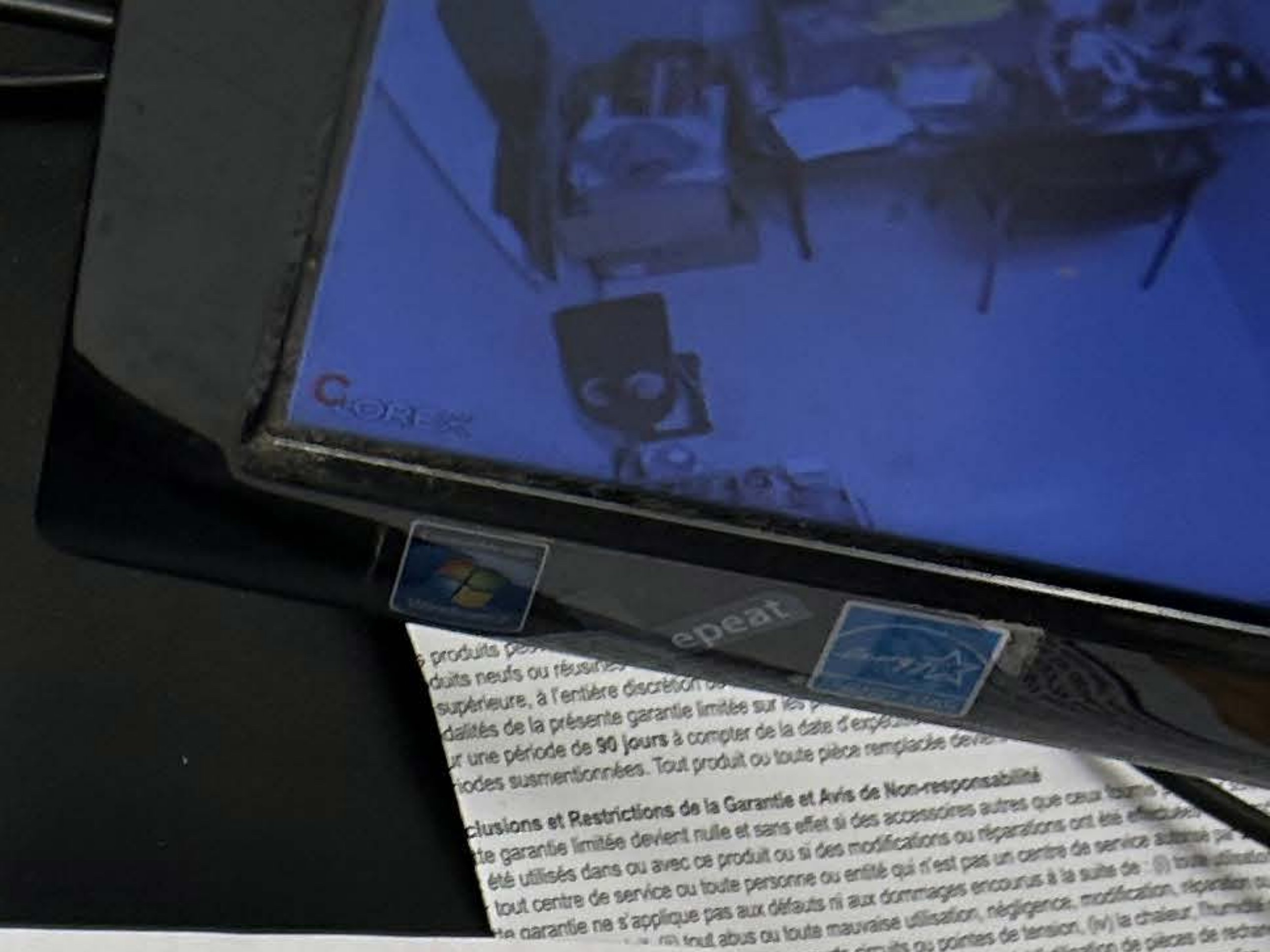
- Read this guide carefully and keep it for future reference.
- Use the camera within given temperature, humidity and voltage levels noted in the camera's specifications.
- Do not disassemble the camera.
- Do not point the camera directly towards the sun or a source of intense light.
- Use only the supplied regulated power supply provided with the product. Use of a non-regulated, non-conforming power supply can damage the product and void the warranty.
- Periodic cleaning may be required. Use a damp cloth only. Do not use any harsh, chemical-based cleaners.
- The supplied cable is rated for surface mounting only. Cables for in-wall and floor-to-floor installations are sold separately (CMR type). These and other cables are available at [lorex.com](http://lorex.com).

Disclaimers

Compatibility

*[Faint handwritten notes on the left page of the spiral notebook, including the word "Disclaimers" and some illegible text.]*

*[A large, mostly blank page from a spiral notebook with horizontal blue lines and a vertical red margin line.]*



produits...  
supplémentaire, à l'entière discrétion...  
délivré de la présente garantie limitée sur...  
une période de 90 jours à compter de la date d'explication...  
cibles susmentionnées. Tout produit ou toute pièce remplacée...  
conclusions et Restrictions de la Garantie et Avis de Non-responsabilité  
la garantie limitée devient nulle et sans effet si des accessoires autres que ceux fournis...  
utilisés dans ou avec ce produit ou si des modifications ou réparations ont été effectuées...  
tout centre de service ou toute personne ou entité qui n'est pas un centre de service agréé...  
la garantie ne s'applique pas aux défauts ni aux dommages encourus à la suite de : (i) toute utilisation...  
ni tout abus ou toute mauvaise utilisation, négligence, modification, réparation...  
les courts-circuits ou pertes de tension, (iv) le châtiment, (v) l'utilisation de pièces de rechange...  
nt les spécifications du produit, (vi) l'utilisation de pièces de rechange...  
un mauvais entretien du produit ou (vii) les accidents, incendies...  
atunés.  
perles de données ni les coûts se rapportant à la récupération de...  
que le logiciel inclus avec le produit fonctionnera sans interruption...  
le virus. Cette garantie ne couvre pas les coûts relatifs au renouvellement...  
de tout produit, peu importe si le produit a été trouvé défectueux...  
sur l'ordinateur de l'utilisateur.  
porter des changements dans la conception et la fabrication du...  
finir ni d'améliorer les produits qui ont déjà été fabriqués. Cette...  
ni survenir ni les dommages causés par tout autre logiciel qui se...  
système de l'utilisateur à la suite de l'installation du logiciel inclus...  
EMPLACEMENT PRÉVU PAR LES PROVISIONS DE CETTE GARANTIE LIMITEE...  
PRETEUR. CETTE GARANTIE REMPLACE TOUTES LES AUTRES GARANTIES...  
GARANTIE EN QUALITE LOYALE ET MARCHANDE ET LES APPLICATIONS...  
L'AUTORISE AUCUNE PERSONNE NI ENTITE A ASSUMER POUR AUCUN...  
AUCUN...

EXH BI #4  
PAGE 4 2



List of Authorized Personnel allowed in  
Cashier Cage/Cash Vault

Name	License Number
1. Cynthia Holbrook	13035351
2. Doreen McLoy	10003635
3. Sammy McLoy	9799164
4. Richard McLoy	9799158
5. Robert Richards	6716594
6. Brandon Richards	<del>550117</del> -8530487
7. Jodie Richards	6721314
8. Adam Cera	7067575
9.	
10.	

EXHIBI #4  
AGE 6 2

List of Authorized Personnel allowed in Chip Vault

Name	License Number
1. Cynthia Holbrook	13035351
2. Doreen Mcloy	10003635
3. Sammy Mcloy	9799164
4. Richard Mcloy	9199158
5. Robert Richards	6716594
6. Blandan Richards	<del>8530487</del> 8530487
7. Jodie Richards	6721314
8. Adam Cenn	7067571
9. Gabby Brown	11832246
10.	

EXH BI #4  
AGE 7 2

## List of Authorized Personnel allowed in Count Room

- | Name                | License Number |
|---------------------|----------------|
| 1. Cynthia Halbrook | 13035351       |
| 2. Doreen Mcloy     | 10003635       |
| 3. Sammy Mcloy      | 9799164        |
| 4. Richard Mcloy    | 9799158        |
| 5. Robert Richards  | 6716594        |
| 6. Brandon Richards | 8530487        |
| 7. Jodie Richards   | 6721314        |
| 8. Adam Cere        | 7067575        |
| 9. Clifford Nestor  | 12486472       |
| 10. Gaby Brown      | 11832246       |
| 11. DAVE MONTU      | 8069554        |

EXHIBI #4  
AGE 8 2

# List of Authorized Personnel allowed in Count Room

Name	License Number
1. <u>Cynthia Halbrook</u>	<u>13035351</u>
2. <u>Sammy McCoy</u>	<u>91799164</u>
3. <u>Robert Richards</u>	<u>8716594</u>
4. <u>Brandon Richards</u>	<u>8530487</u>
5. <u>Jodie Richards</u>	<u>6721314</u>
6. <u>Doreen McCoy</u>	<u>10003635</u>
7. <u>Adam Cerf</u>	<u>7067575</u>
8. _____	
9. _____	
10. _____	

Su veillance Copy



List of Authorized Personnel allowed in Chip Vault

Name	License Number	Su veillance Copy
1. Cynthia Holbrook	13035351	
2. Sammy McCoy	<del>9799164</del> 9799164	
3. Robert Richards	8716594	
4. Brandon Richards	8530487	
5. Jodie Richards	6721314	
6. Doreen McCoy	10003635	
7. Adam Cerf	7067575	
8. _____		
9. _____		
10. _____		

List of Authorized Personnel allowed in  
Cashier Cage/Cash Vault

Su veillance Copy

Name	License Number
1. Cynthia Holbrook	13035351
2. Sammy McCoy	9799164
3. Robert Richards	8716594
4. Branden Richards	8530487
5. <del>John Richards</del>	<del>6721314</del>
6. Doreen McCoy	10003635
7. Jodie Richards	6721314
8. Adam Cerf	7067575
9. _____	
10. _____	

EXHIBI #4  
AGE 2

NAME	LUENETT	JOB	DAY
Adam Cento	7067877	mgr	7/10/23
Cliff Meston	12486472	Deputy	7/10/23
Richard McCoy	9799158	count	7/10/23
Sammy McCoy	9799164	security	7-10-23

Adam Cento	7067877	count	7/17/23
Richard McCoy	9799158	count	7/17/23
Sammy McCoy	9799164	count	7-17-23
Brandon Richards	8530487	security	7-17-23

Adam Cento	7067877		7/24/23
Brandon Richards	8530487		7/24/23
Robert Richards	8716954		7/24/23
Richard McCoy	9799158		7/24/23

Adam Cento	7067877		7/31/23
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EXHIBI #4  
PAGE 2 2

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Tampa Bay Downs, Inc., Case No. 2023-005700; Consent Order  
Date: December 20, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Tampa Bay Downs, Inc. (“Respondent”) to resolve Case No. 2023-005700. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$1,750 for violating rules 75-11.025(18) and 75-11.025(13)(a), Florida Administrative Code.

### *Background*

From about January 26, 2023, to January 30, 2023, Respondent failed to suspend play at a card table and place a sign indicating that the card table was closed while the surveillance system was down. Furthermore, on February 1, 2023, Respondent failed to notify the Division within 24 hours of discovery of the surveillance malfunction. Respondent has two prior violations of rule 75-11.025(18), Florida Administrative Code, which resulted in administrative fines of \$350 and \$1000 and one prior violation of rule 75-11.025(13)(1), Florida Administrative Code, which resulted in an administrative fine of \$250.

### *Analysis*

The Commission may resolve matters informally through a negotiated settlement.<sup>1</sup> The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>2</sup> Mitigation may be taken into consideration when imposing an administrative fine.

Rule 75-11.025(13)(a), Florida Administrative Code, provides “[t]he cardroom

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<sup>1</sup> See § 120.57(4), Fla. Stat. (“Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, or consent order.”)

<sup>2</sup> § 849.086(14)(c), Fla. Stat.

licensee shall: notify the division within 24 hours of discovery of any surveillance equipment malfunction via facsimile transmission or email pursuant to Rule 75-11.0025, F.A.C.”

Rule 75-11.025(18), Florida Administrative Code, provides “[w]hen surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as “closed,” until the quality of the surveillance system is restored to the levels required by this rule.”

Because Respondent failed to suspend play at a card table and place a sign indicating that the card table was closed while the surveillance system was down and failed to notify the Division within 24 hours of discovery of the surveillance malfunction, it is subject to an administrative fine not to exceed \$1000.00 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-005700.

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.: 2023-005700

TAMPA BAY DOWNS, INC.,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of the two-count Administrative Complaint filed in FGCC Case Number 2023-005700, alleging that:
  - a. From about January 26, 2023, to January 31, 2023, Respondent was in violation of rule 75-11.025(18), Florida Administrative Code, by failing to suspend play at a card table and place a sign indicating that the card table was closed while the surveillance system was down.
  - b. On or about February 1, 2023, Respondent was in violation of rule 75-11.025(13)(a), Florida Administrative Code, by failing to notify the Division within 24 hours of discovery of the surveillance malfunction

3. Aggravation: This Consent Order is entered into in consideration of Respondent's disciplinary history including one prior violation of rule 75-11.025(13)(a), Florida Administrative Code, in case number 2016-018499, which resulted in a \$500 fine and two prior violations of rule 75-11.025(18), Florida Administrative Code, in case number 2020-041912, which resulted in a \$350 fine and in case number 2022-010803, which resulted in a \$1000 fine.

#### STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

4. The Division has jurisdiction over this matter and the Parties.
5. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
6. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
7. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
8. The Parties acknowledge and agree to waive any further administrative and judicial review.



9. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

10. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

11. **FINE:** Respondent agrees to, and must pay to the Division, the total sum of **ONE THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS (\$1,750.00)**, at the time Respondent submits an executed copy of this Consent Order. . The fines are assessed as follows:

a. **Count I: \$1,000.00**

b. **Count II: \$750.00**

12. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

13. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-005700 on the face of the payment.

14. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should

this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

15. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

16. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

17. This Consent Order may be signed in counterparts, and copies shall be treated as original.

18. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

19. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

20. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

WHEREFORE, TAMPA BAY DOWNS, INC., requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 29 day of November, 2023.

[Signature]  
TAMPA BAY DOWNS, INC., Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Belyon  
Printed Name

VP FINANCE  
Title

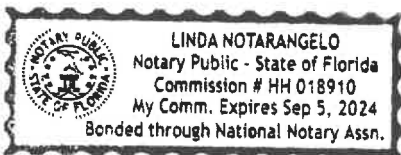
STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 29<sup>th</sup> day of November, 2023, by GREGORY BELYON, who is personally known to me or who produced the following as identification: \_\_\_\_\_

[Signature]  
Notary Public

My commission expires:



APPROVED this 19 day of December, 2024.

*Emily Alvarado*

EMILY ALVARADO

DEPUTY CHIEF ATTORNEY

Division of Pari-Mutuel Wagering

Florida Gaming Control Commission

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

<b>FILED</b>	
FLORIDA GAMING CONTROL COMMISSION	
Date:	<b>3/28/2023</b>
File Number:	_____
BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION	

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

Petitioner,

v.

FGCC Case No.: 2023-005700

TAMPA BAY DOWNS, INC.,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Tampa Bay Downs, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by Petitioner.
3. From about January 26, 2023, to January 31, 2023, Respondent lost sufficient surveillance camera coverage capability over cardroom table 1-2.
4. From about January 26, 2023, to January 31, 2023, Respondent failed to suspend play at cardroom table 1-2 and place a sign indicating that the table was closed.
5. On January 31, 2023, Respondent’s employees were informed about the surveillance issue.

6. On February 4, 2023, Respondent notified the Commission of the surveillance malfunction.

#### COUNT I

7. Petitioner realleges and adopts paragraphs numbered one through five as if set forth fully herein.

8. Rule 75-11.025(18), Florida Administrative Code, provides “[w]hen surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as “closed,” until the quality of the surveillance system is restored to the levels required by this rule.”

9. Based on the foregoing, Respondent violated Rule 75-11.025(18), Florida Administrative Code, by failing to suspend play at the card table and place a sign indicating that the card table was closed while the surveillance system was down.

#### COUNT II

10. Petitioner realleges and adopts paragraphs numbered one through five as if set forth fully herein.

11. Rule 75-11.025(13)(a), Florida Administrative Code, provides “[t]he cardroom licensee shall: [n]otify the division within 24 hours of discovery of any surveillance equipment malfunction via facsimile transmission or email pursuant to Rule 75-11.0025, F.A.C.”

12. Based on the foregoing, Respondent violated Rule 75-11.025(13)(a), Florida Administrative Code, by failing to notify the Division within 24 hours of discovery of the surveillance malfunction.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-005700 is signed this 28th 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  
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Secondary: Ebonie.Lanier@fgcc.fl.gov

### NOTICE OF RIGHTS

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](#)
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- [Mass Activity Update](#)
- [Mass Discipline Update](#)

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

Logged in as: **icampbell**

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Lic Type <b>1002 - Cardroom License</b>		Status <b>90 Closed</b>		Status Date <b>03/13/2023</b>	
Complaint # <b>2023005700</b>	Case Type <b>CMP - Complaint</b>	Disposition	Disposition Date		
Docket#	Respondent <b>TAMPA BAY DOWNS, INC.</b>	Responsible <b>rsamson - SAMSON, RANDA</b>	<b>Private Case</b>		

Complaint	Respondent	Complainant	Addtl Info
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Source <b>INTN - Internal</b>	Security Level <b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form <b>INTR - Internal</b>	Priority				
Class'n <b>V-C - Cardroom Violations</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Security <b>STND - Standard</b>	Incident	<input type="checkbox"/>	<b>Violations</b>	<input type="checkbox"/>	<b>Compliance</b>
Region <b>CR - Central Region</b>	Received <b>01/31/2023</b>	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Reference <b>61D-11.025(18)</b>		<input type="checkbox"/>	<b>Inspection</b>		
Entered <b>01/31/2023</b>	Entered By <b>Imuniz</b>	<input type="checkbox"/>	<b>Costs</b>		
Summary <b>320-Tampa Bay Downs, Inc. ----- / ----- . Cardroom Electronic Surveillance: On January 31, 2023, during a routine Bi-Weekly cardroom inspection at TAMPA BAY DOWNS, it was discovered that camera PT02 over table 1-2 was not operational and disconnected from the server. As a result, the table did not have camera coverage from January 26, 2023 thru January 30, 2023 and the table was open and conducting live games without surveillance coverage.</b>		<input type="checkbox"/>	<b>Time Tracking</b>		<b>Auto Assign</b>
		<input type="checkbox"/>	<b>Attachments</b>		<b>History</b>
			<input type="checkbox"/>	<b>Work Notes</b>	
Updated <b>03/13/2023 13:24:21</b>	By <b>icampbell</b>				

<b>40</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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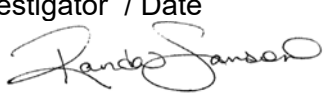
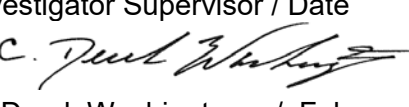

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>JANUARY 31, 2023</b>	Case Number: <b>2023 00 5700</b>
Respondent:  <b>TAMPA BAY DOWNS, INC.</b> <b>P.O. Box 2007,</b> <b>OLDSMAR, FL 34677</b>  <b>TEL # (813) 222-8935</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 W. COMMERCIAL BLVD. SUITE 165</b> <b>FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>320 / 1002</b>		Profession: <b>PERMIT HOLDER</b>	Report Date: <b>FEBRUARY 9, 2023</b>
Period of Investigation: <b>JANUARY 31, 2023 – FEBRUARY 9, 2023</b>		Type of Report: <b>FINAL</b>	
<p>Alleged Violation: <b>61D-11.025 Cardroom Electronic Surveillance.</b></p> <p><b>(13)</b> The cardroom licensee shall:</p> <p><b>(a)</b> Notify the division within 24 hours of discovery of any surveillance equipment malfunction via facsimile transmission or email pursuant to Rule 61D-11.0025, F.A.C.</p> <p><b>(18)</b> When surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as “closed,” until the quality of the surveillance system is restored to the levels required by this rule.</p>			
<p>Synopsis: On January 31, 2023, during a routine Bi-Weekly cardroom inspection at <b>TAMPA BAY DOWNS</b>, I discovered that camera PT02 over table 1-2 (DJ WILD) was not operational and disconnected from the server. As a result, the table did not have camera coverage from January 26, 2023 thru January 30, 2023 and the table was open and conducting live games without surveillance coverage.</p>			
<p>Related Case: Case # 2016 01 8499, Case # 2020 04 1912 &amp; Case # 2022 01 0803</p>			
Investigator / Date  /s/  Randa Samson / February 9, 2023		Investigator Supervisor / Date  /s/  C. Derek Washington / February 16, 2023	
<p>Chief of Investigations / Date  /s/  Steven E. Kogan / March 13, 2023</p>			

## CONTINUATION

On January 31, 2023, I conducted a routine Bi-Weekly cardroom inspection at **TAMPA BAY DOWNS**. During my inspection, I discovered that the overhead camera (PT02) over table #1-2 (DJ WILD) was not operational and disconnected from the server. As a result, the overhead camera for table #1-2 (DJ WILD) did not have camera coverage on January 26, 2023, thru January 30, 2023. Upon further review of saved recorded surveillance footage from camera 6 PTZ, I confirmed that table #1-2 continued to conduct live games on January 26, 2023, thru January 30, 2023, without surveillance coverage from the overhead camera. **(EXHIBIT #2)**

A review of the facility's Surveillance log shows that on January 30, 2023, at 2:45 PM, **MURPHY** conducted a camera review, however no malfunctions were reported. **(EXHIBITS #3)**

On January 31, 2023, at approximately 12:06 PM, I brought this issue to the attention of Compliance Officer Peter James **MURPHY** (PMW LIC# 8101357). **MURPHY** stated he would contact IT Manager **JOHN HERNANDEZ** (PMW LIC# 2853535).

On February 2, 2023, at approximately 11:43 AM, I spoke to **HERNANDEZ** about the issue. He then attempted to pull up the previous five (5) days of surveillance coverage for Poker table #1-2 (DJ WILD) but could not. **HERNANDEZ** was unaware that the camera was not connected to the server but stated that there was a power shortage.

On February 9, 2023, I asked Poker Room Floor Manager Joseph Richard **GERSTEL** (PMW LIC# 7915120) for the drop count sheets for January 26, 2023, thru January 30, 2023, and the table-tracking sheet for January 26, 2023, thru January 30, 2023, and both confirmed that table #1-2 (DJ WILD) was open on January 26, 2023, from approximately 1:25 PM to 3:38 PM on January 30, 2023. **(EXHIBIT #10 & #11)**

On February 4, 2023, at 5:20 PM, the Division received an E-Mail from Food and Beverage Director / Poker Room Director Patrick Edward **MURPHY (PMW LIC#7324550)** reporting the Surveillance malfunction. However the notification was sent after the twenty-four (24) requirement when reporting a malfunction. **(EXHIBIT #8)**

**TAMPA BAY DOWNS** is in violation of Rule 61D-11.025 (13)(a) & (18) for failing to report a surveillance malfunction within twenty-four (24) hours to the Division and for allowing card play to continue on table #1-2 (DJ WILD) during a surveillance malfunction of the table's overhead camera, which also disrupted their recording capability for approximately five (5) days.

CONTINUATION

A check of the Versa Regulation Enforcement database showed one prior violation of Rule **61D-11.025 (13) (a)**, and two prior violations of Rule **61D-11.025 (18)**.

In case #2016 01 8499, the facility accepted a Consent Order and paid a fine of \$500; in case #2020 04 1912, the facility accepted a Consent Order and paid a fine of \$350, and in case #2022 01 0803 the facility accepted a Consent Order and paid a fine of \$250. **(EXHIBIT #3, #4, & #5)**

Status: Investigation case closed and case referred to Legal for review.

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VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **Imuniz**

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 [License Home](#)

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expire On <b>06/30/2023</b> File # <b>40</b> Name <b>TAMPA BAY DOWNS, INC.</b> Extended To License # <b>320</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>320</b> Lic Status <b>Current</b>			<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back		
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<b>Other</b> 1st License Date <b>03/23/2022</b> Rank Date <b>03/23/2022</b> Certificate # Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date Fee Exempt <b>No</b> Birth Date    Renewal Sent										
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<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>320 - Tampa Bay Downs</td> <td>01/09/2004</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	320 - Tampa Bay Downs	01/09/2004	
Type	Modifier	Effective Date	Additional Info							
L	320 - Tampa Bay Downs	01/09/2004								
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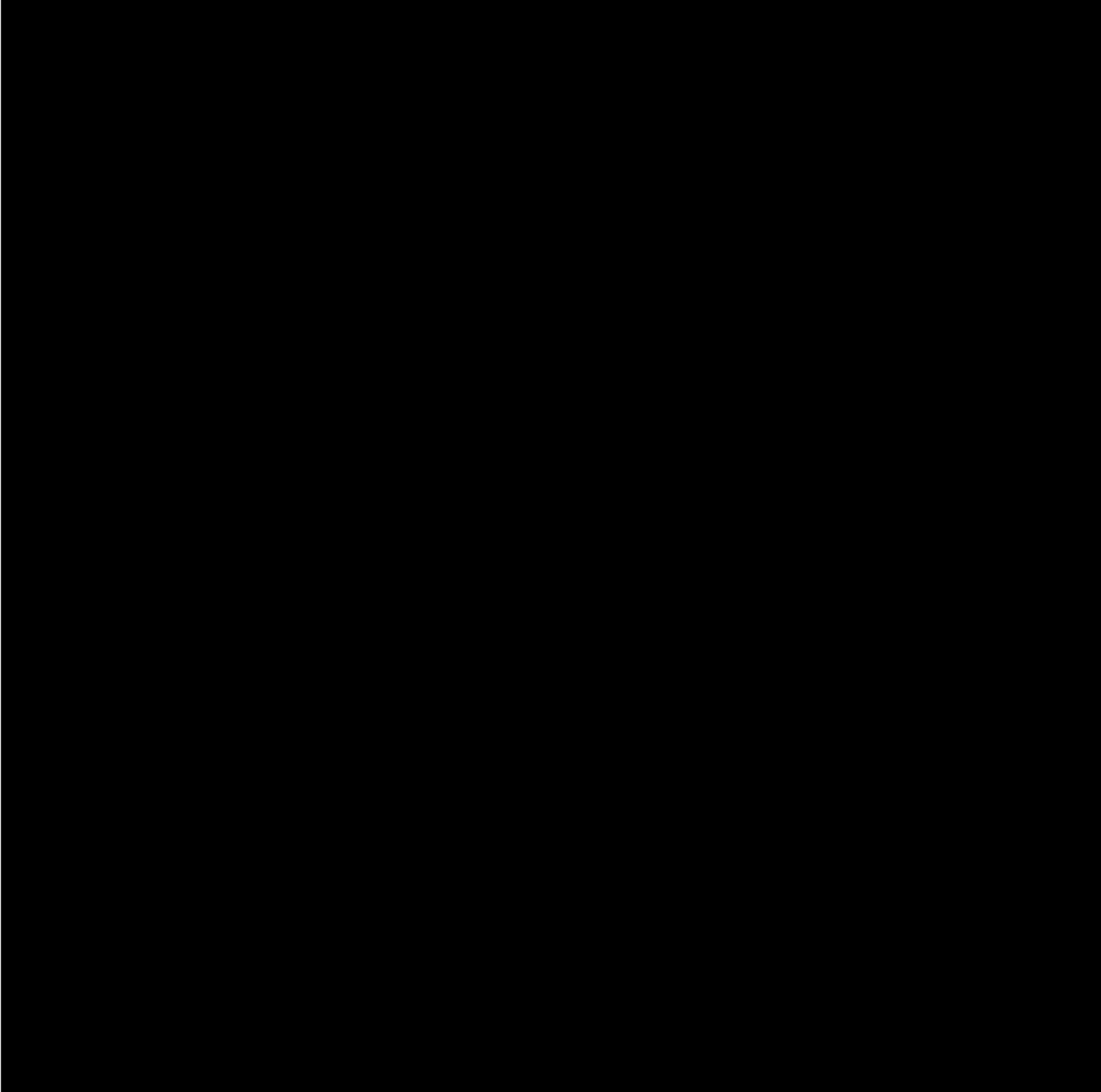
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CAUTION  
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NET WT. 7.07 (199 GRAMS)







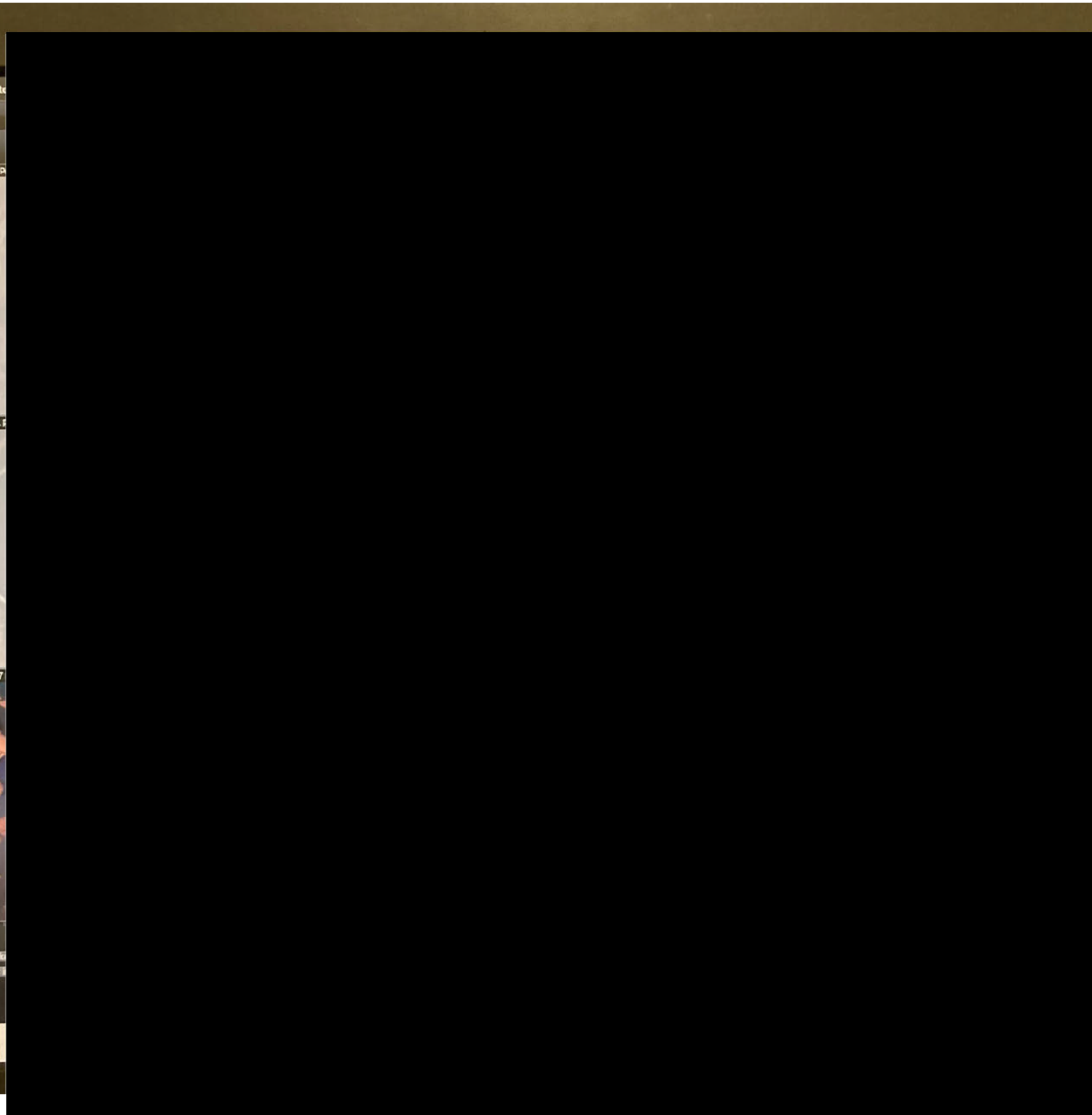




EXHIBIT #2  
PHOTO 6/11





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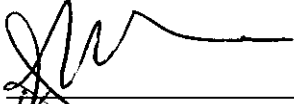



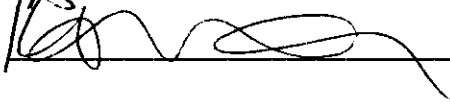
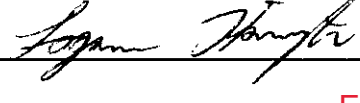


Date: 01/28/2023

	Drop				Jackpot			
	Blue	Pink	Red	Green	Blue	Pink	Red	Green
1-1 (1)								
1-2 (2)	613	329	13					
1-3 (3)	351	206	211		142	319	1	
1-4 (4)	99	49	73		27	98		
1-5 (5)	423	129	358		33	403		
1-6 (6)								
1-7 (7)								
1-8 (8)								
2-1 (9)	326	135						
2-2 (10)	291	238	31					
2-3 (11)	345	242	249		118	369	1	
2-4 (12)	413	168	351		58	436		
2-5 (13)	149	82	120		29	156		
2-6 (14)								
2-7 (15)								
2-8 (16)								
3-4 (17)	297	203	236		62	345		
3-5 (18)	344	244	235		85	370		
3-6 (19)								
3-7 (20)								
3-8 (21)								
4-1 (22)	217	74	186		34	217		
4-2 (23)								
4-3 (24)	395	250						
4-4 (25)	378	178	122					
4-5 (26)								

Total                      Total                      Total                      Total                      Total                      Total

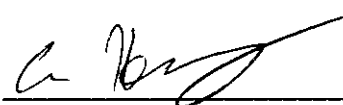
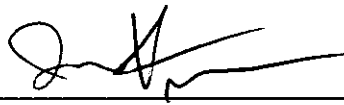
Supervisor:  Drop Team: 


Drop Team:  Drop Team: 

Date: 1/29/23

	Drop				Jackpot			
	Blue	Pink	Red	Green	Blue	Pink	Red	Green
1-1 (1)								
1-2 (2)	703	304	9					
1-3 (3)	282	139	235		38	308		
1-4 (4)								
1-5 (5)	334	166	266		57	368		
1-6 (6)	127	32	130		10	144		
1-7 (7)								
1-8 (8)								
2-1 (9)								
2-2 (10)								
2-3 (11)	226	106	204		26	240	1	
2-4 (12)								
2-5 (13)	161	91	115		44	167		
2-6 (14)	78	41	53		15	82		
2-7 (15)								
2-8 (16)								
3-4 (17)								
3-5 (18)								
3-6 (19)								
3-7 (20)								
3-8 (21)								
4-1 (22)								
4-2 (23)								
4-3 (24)	370	170	47					
4-4 (25)	388	240	15					
4-5 (26)								

Total                      Total                      Total                      Total                      Total                      Total

Supervisor:  Drop Team: 

Drop Team:  Drop Team: \_\_\_\_\_





## Open Tables By Game

for Tampa Bay Downs

from 1/26/2023 9:00 AM through 1/27/2023 3:00 AM

		Thursday, January 26, 2023																					
Game Name	Distinct Tables	Hours Open	9:00 AM	9:30 AM	10:00 AM	10:30 AM	11:00 AM	11:30 AM	12:00 PM	12:30 PM	1:00 PM	1:30 PM	2:00 PM	2:30 PM	3:00 PM	3:30 PM	4:00 PM	4:30 PM	5:00 PM	5:30 PM	6:00 PM	6:30 PM	
Tournament	7	59.0									6	6	6	6	5	3	3					5	6
\$1-\$2 NLH	4	45.0			1	2	2	2	2	2	2	2	2	3	3	4	4	4	4	4	4	4	4
\$1-\$3 NLH	3	34.0			1	1	2	2	2	2	2	3	3	3	3								1
\$1-\$3-\$6 NLH	1	3.0														1	1	1	1	1	1	1	
\$5-\$5-\$10	1	12.0						1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
UTH	1	17.0			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
Three Card	1	17.0			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
D/WILD	1	14.5			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
<b>Total</b>		<b>201.5</b>			<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>14</b>	<b>15</b>	<b>15</b>	<b>16</b>	<b>15</b>	<b>14</b>	<b>14</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>16</b>	<b>15</b>	

Thursday, January 26, 2023											Friday, January 27, 2023				
7:00 PM	7:30 PM	8:00 PM	8:30 PM	9:00 PM	9:30 PM	10:00 PM	10:30 PM	11:00 PM	11:30 PM	12:00 AM	12:30 AM	1:00 AM	1:30 AM	2:00 AM	2:30 AM
7	7	7	7	7	7	6	5	5	4	3	3	2	2		
4	4	4	4	4	3	2	2	2	2	2	2	1	1	1	1
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1
1	1	1	1	1	1	1	1	1							
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1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
1	1	1	1	1	1	1	1	1	1						
17	17	17	17	17	16	14	13	13	11	10	9	7	7	5	4



## Open Tables By Game

for Tampa Bay Downs

from 1/27/2023 9:30 AM through 1/28/2023 3:00 AM

		Friday, January 27, 2023																				
Game Name	Distinct Tables	Hours Open	9:30 AM	10:00 AM	10:30 AM	11:00 AM	11:30 AM	12:00 PM	12:30 PM	1:00 PM	1:30 PM	2:00 PM	2:30 PM	3:00 PM	3:30 PM	4:00 PM	4:30 PM	5:00 PM	5:30 PM	6:00 PM	6:30 PM	7:00 PM
Tournament	9	78.0								5	6	7	7	7	7	6	6	5	5	8	10	8
\$1-\$2 NLH	8	84.0	2	4	5	5	6	6	6	6	6	6	6	6	7	6	6	5	5	5	4	4
\$1-\$3 NLH	6	53.5	1	2	2	3	3	4	3	3	3	3	3	3	3	3	2	2	2	3	3	
UTH	3	33.0		2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Three Card	2	33.0		2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
\$1-\$3-\$6 NLH	1	8.0							1	1	1	1	1	1	1	1	1	1	1	1	1	1
DJWILD	1	16.5		1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<b>Total</b>		<b>306.0</b>	<b>3</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>22</b>	<b>22</b>	<b>23</b>	<b>21</b>	<b>21</b>	<b>18</b>	<b>18</b>	<b>21</b>	<b>23</b>	<b>21</b>	

Friday, January 27, 2023											Saturday, January 28, 2023			
7:30 PM	8:00 PM	8:30 PM	9:00 PM	9:30 PM	10:00 PM	10:30 PM	11:00 PM	11:30 PM	12:00 AM	12:30 AM	1:00 AM	1:30 AM	2:00 AM	2:30 AM
9	8	8	9	7	6	5	4	4	3	2	2			
4	5	5	5	6	6	6	5	5	5	5	4	3	2	2
3	4	4	5	5	5	5	5	5	4	4	3	2	1	1
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
1	1	1												
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
22	23	23	24	23	22	21	19	19	17	16	14	12	8	8

## Open Tables By Game

for Tampa Bay Downs

from 1/28/2023 9:30 AM through 1/29/2023 3:00 AM

		Saturday, January 28, 2023																				
Game Name	Distinct Tables	Hours Open	9:30 AM	10:00 AM	10:30 AM	11:00 AM	11:30 AM	12:00 PM	12:30 PM	1:00 PM	1:30 PM	2:00 PM	2:30 PM	3:00 PM	3:30 PM	4:00 PM	4:30 PM	5:00 PM	5:30 PM	6:00 PM	6:30 PM	7:00 PM
Tournament	9	73.5								5	7	7	7	7	7	6	6	5	4	9	9	8
\$1-\$2 NLH	5	63.5		1	2	2	3	4	4	4	4	4	4	5	5	5	5	5	5	5	5	5
\$1-\$3 NLH	4	38.0		1	1	1	2	2	3	3	3	3	3	3	3	3	4	4	4	3	2	1
DAWILD	3	16.5			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
UTH	2	33.0			2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Three Card	2	33.0			2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
\$1-\$3-\$6 NLH	1	7.0																		1	1	1
\$2-\$5 NLH	1	1.5																				
\$2-\$5 Mixed	1	0.5																				
<b>Total</b>		<b>266.5</b>		2	8	8	10	11	12	17	19	19	19	20	20	19	20	19	18	23	22	20

Saturday, January 28, 2023										Sunday, January 29, 2023				
7:30 PM	8:00 PM	8:30 PM	9:00 PM	9:30 PM	10:00 PM	10:30 PM	11:00 PM	11:30 PM	12:00 AM	12:30 AM	1:00 AM	1:30 AM	2:00 AM	2:30 AM
8	7	7	5	5	4	4	4	3	3	2	2	2	2	2
4	3	4	4	4	4	4	4	3	3	3	2	2	2	2
2	2	2	2	2	2	2	2	2	2	2	2	1	1	1
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
1	1	1	1	1	1	1	1	1	1	1				
											1	1	1	
														1
20	18	19	17	17	16	16	16	15	14	13	13	11	11	11



### Open Tables By Game

for Tampa Bay Downs

from 1/29/2023 9:30 AM through 1/30/2023 3:00 AM

		Sunday, January 29, 2023																				
Game Name	Distinct Tables	Hours Open	9:30 AM	10:00 AM	10:30 AM	11:00 AM	11:30 AM	12:00 PM	12:30 PM	1:00 PM	1:30 PM	2:00 PM	2:30 PM	3:00 PM	3:30 PM	4:00 PM	4:30 PM	5:00 PM	5:30 PM	6:00 PM	6:30 PM	7:00 PM
Tournament	12	17.5																				4
\$1-\$2 NLH	4	37.5			1	2	2	2	2	3	4	4	4	4	4	3	3	3	3	3	2	2
\$1-\$3 NLH	2	15.5							1	1	1	1	1	1	1	2	2	2	2	1	1	
UTH	2	33.0			2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Three Card	1	16.5			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
DJWILD	1	16.5			1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<b>Total</b>		<b>136.5</b>			<b>5</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>9</b>	<b>7</b>	<b>11</b>	

Sunday, January 29, 2023										Monday, January 30, 2023					
7:30 PM	8:00 PM	8:30 PM	9:00 PM	9:30 PM	10:00 PM	10:30 PM	11:00 PM	11:30 PM	12:00 AM	12:30 AM	1:00 AM	1:30 AM	2:00 AM	2:30 AM	
4	4	4	4	4	4	2	1	1	1	1	1				
2	2	2	2	2	2	2	2	2	2	2	1	1			
1	1	1	1	1	1	1	1	1	1	1	1				
2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>9</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>5</b>	<b>4</b>	<b>4</b>	





## Open Tables By Game

for Tampa Bay Downs

from 1/30/2023 9:30 AM through 1/31/2023 3:00 AM

Monday, January 30, 2023

Game Name	Distinct Tables	Hours Open	Monday, January 30, 2023																				
			9:30 AM	10:00 AM	10:30 AM	11:00 AM	11:30 AM	12:00 PM	12:30 PM	1:00 PM	1:30 PM	2:00 PM	2:30 PM	3:00 PM	3:30 PM	4:00 PM	4:30 PM	5:00 PM	5:30 PM	6:00 PM	6:30 PM	7:00 PM	
Tournament	7	47.5									5	5	5	5	4	3	3	2	1	1	7	6	7
\$1-\$3 NLH	3	33.0				1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
\$1-\$2 NLH	2	24.5				1	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1
UTH	2	29.5	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	1
Three Card	2	18.5	1	1	1	1	1	1	1	1	1	1	1	1	1	2	2	2	2	2	2	2	1
DJWILD	1	17.0	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
<b>Total</b>		<b>170.0</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>13</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>11</b>	<b>10</b>	<b>10</b>	<b>16</b>	<b>15</b>	<b>13</b>	

Monday, January 30, 2023						Tuesday, January 31, 2023								
7:30 PM	8:00 PM	8:30 PM	9:00 PM	9:30 PM	10:00 PM	10:30 PM	11:00 PM	11:30 PM	12:00 AM	12:30 AM	1:00 AM	1:30 AM	2:00 AM	2:30 AM
7	7	7	7	4	3	2	2	1	1					
2	2	2	3	3	3	3	3	3	2	2	2	1	1	
1	1	1	1	1	1	1	2	2	2	1	1	1	1	
1	1	1	1	1	2	2	2	2	2	2	1	1	1	
1	1	1	1	1	1	1	1	1	1	1				
1	1	1	1	1	1	1	1	1	1	1	1	1	1	
13	13	13	14	11	11	10	11	10	9	6	5	4	4	

## Samson, Randa

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**From:** Jelks, La'Kesha  
**Sent:** Tuesday, February 7, 2023 9:21 AM  
**To:** Ferree, Kimberly  
**Cc:** Samson, Randa  
**Subject:** FW: Camera coverage outage reported by the state rep.

---

**From:** Patrick E. Murphy  
**Sent:** Saturday, February 4, 2023 5:20 PM  
**To:** La'Kesha.Jelks@fgcc.fl.gov  
**Subject:** FW: Camera coverage outage reported by the state rep.

LaKesha,

- Please see the statement provided to me by our IT Director.

I'm not sure if reporting this is required or not but I figured I'd err on the side of caution and send it just in case. Let me know if you require any additional information.

Thank you,

Patrick Murphy  
Director of F&B and Poker Operations  
Tampa Bay Downs  
11225 Race Track Road  
Tampa, FL 33626  
813-855-4401 Ext. 1499 (Office)  
[pemurphy@tampabaydowns.com](mailto:pemurphy@tampabaydowns.com)

---

**From:** John W. Hernandez  
**Sent:** Saturday, February 4, 2023 3:54 PM  
**To:** Patrick E. Murphy  
**Subject:** Camera coverage outage reported by the state rep.

Patrick,

Spoke to Randa Samson from the state this past Thursday, 2 Feb23 about camera 1-2. I was informed that she found that camera 1-2 had no recorded video from 26 JAN 23 @ 13:25:00.412 thru 30 JAN 23 @15:37:59.950. I have reviewed the camera and found that the camera does not have video for that time frame. Not sure if the video data was lost or corrupted when the failover server transferred the video data files back to the main recording server. I am confident that the camera was displaying video when the system was operating on the failover server. I have reviewed the data files of the other cameras as well as the error logs and I do not see data lose for any other cameras during the outlined time frame. I'm not sure if we need to report this to the state as they reported it to us. please report to the state if required so. Randa has requested coverage of the table in play during the missing coverage time. I do not have coverage due to the video data is not accessible. Please advise the state. I will work on the request and see if I can find coverage from a different camera. Requesting 4 day of coverage will take some space and time.

John W. Hernandez

Director Of Information Technology

Tampa Bay Downs Inc.

11225 Race Track Road, Tampa, FL 33626

813-855-4401.EXT1335

[jwhernandez@tampabaydowns.com](mailto:jwhernandez@tampabaydowns.com)



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STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>2/16/2017</b>
File #	<b>2017-01281</b>

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,	DBPR CASE NOS.: 2014-049657
	2015-009013
v.	2016-050093
	2016-054542
TAMPA BAY DOWNS,	2016-055115
	2016-054220
Respondent.	2016-015001
_____ /	2016-018499

**STIPULATION AND CONSENT ORDER**

COMES NOW, the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, (“Petitioner” or “Division”), and TAMPA BAY DOWNS (“Respondent”), hereby stipulate and agree to the following terms and issuance of this Consent Order, as follows:

1. The Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes, and has jurisdiction over this matter and the parties.
2. The Petitioner is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by Consent Order.
3. At all times material hereto, Respondent has held a pari-mutuel wagering license, number 320-1002, issued by the Division.
4. This Stipulation and Consent Order is to be entered in resolution of the following DBPR case numbers: 2014-049657, 2015-009013, 2016-050093, 2016-054542, 2016-055115, 2016-054220, 2016-015001, 2016-018499. The allegations of each case are as follows:

- a. 2014-049657: On November 29, 2014, and January 6, 2015, while conducting a routine inspection at Respondent facility, a division investigator found three terminals that were not numbered and one terminal that had its number attached to the back of the terminal, not visible to the public, as required.
- b. 2015-009013: An anonymous complaint filed on February 26, 2015, alleged that Respondent's security allowed unlicensed individuals to enter the backstretch area to access the AAA Feed and Track Company store, which is located in the restricted portion of the backstretch area. It was also alleged that there were unlicensed individuals found in a trainer's shed row and in the track's kitchen.
- c. 2016-050093: On October 28, 2016, an unlicensed individual was working on an electric starting gate on the backside of Respondent facility, which is a restricted area.
- d. 2016-054542: On November 29, 2016, during a routine review of the count room logs, it was discovered that on three different dates, the logs failed to include either a count team member's license number and/or name.
- e. 2016-055115: On November 29, 2016, Dealer John Fernandez was permitted to work as a dealer and also participate in the chip count as a count team member at Respondent facility even though his cardroom employee occupational license was expired.
- f. 2016-054220: On November 26, 2016, during a routine facility visit, a division investigator discovered one teller operated mutuel terminal and four portable patron operated mutuel terminals that were either not numbered or the numbers were not visible.

- g. 2016-015001: On March 23, 2016, a division investigator performed a bi-weekly Cardroom Inspection at “The Silks” Poker Room at Respondent facility. The investigator discovered that poker table number 1-1 was not designated with a table number as required by rule.
- h. 2016-018499: On March 31, 2016, a division investigator discovered a database error which resulted in a portion of archived video surveillance footage being corrupted and thus, not viewable from the surveillance room. The malfunction was not reported to the division.

5. Mitigation: This Consent Order has been entered into in consideration of the fact that Respondent has corrected the most serious violations listed above. Respondent has also agreed to take preventative measures to ensure compliance.

#### STIPULATION

WHEREAS the parties wish to resolve this matter, the following terms are stipulated:

- 6. The Division has jurisdiction over this matter and the parties.
- 7. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by Consent Order.
- 8. Each party has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel. Respondent has either sought the advice of counsel or by execution of this Consent Order is knowingly waiving the opportunity to seek the advice of counsel. Respondent acknowledges that the Division has not made any promises nor has it in any way encouraged Respondent to enter into this Consent Order without the advice of counsel.
- 9. This Consent Order is enforceable as final agency action pursuant to section 120.69 and chapter 550, Florida Statutes.

10. Each party shall bear its own costs and legal fees related to this matter, and no financial claim shall be made against the Division in this action.

11. Respondent and the Division acknowledge and agree that this Consent Order and contained stipulation constitute the Final Order of the Division respecting the matters set forth above and that further administrative and judicial review is hereby waived by both parties.

12. Respondent and the Division fully understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

13. Respondent neither admits nor denies committing the violations set forth in this Consent Order.

14. **FINE:** Respondent agrees to and shall pay to the Division the following for each case:

- a. 2014-049657: \$500.00
- b. 2015-009013: \$1,000.00
- c. 2016-050093: \$1,000.00
- d. 2016-054542: \$500.00
- e. 2016-055115: \$1000.00
- f. 2016-054220: \$500.00
- g. 2016-015001: \$500.00
- h. 2016-018499: \$500.00

15. The fine for the above-mentioned cases totals the amount of **five thousand five-hundred dollars and zero cents (\$5,500.00)**, which is to be paid at the time Respondent submits an executed copy of this Consent Order. Said payment shall be made in the form of a cashier's

check or certified check payable to the **Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering**. The Division's adoption of this Consent Order constitutes receipt of payment of the above fine amount.

16. The Consent Order, along with payment, shall be mailed to: **ATTENTION: Gauge Campbell, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Stop Code N21, Tallahassee, Florida 32399-2202.**

17. It is expressly understood that this Stipulation is subject to the approval of the Director of the Division of Pari-Mutuel Wagering ("Director"). In this regard, the Stipulation shall have no force and effect unless this Consent Order, incorporating the terms of this Stipulation, is signed by both parties.

18. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceeding.

19. Upon the Division's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order and the matters addressed hereby. Upon the Division's adoption of this Consent Order, Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this proceeding.

20. This Stipulation and Consent Order is executed by both parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Should this Stipulation not be accepted by the Director, it is agreed that presentation to and consideration of this Consent Order



and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

Respondent, **TAMPA BAY DOWNS**, hereby agrees and consents to the terms and conditions of this Stipulation and Consent Order this 8 day of February 2017.

Pete N B

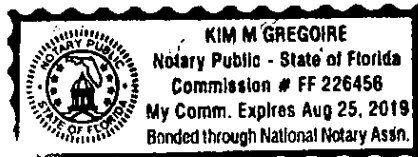
TAMPA BAY DOWNS,  
Respondent

STATE OF Florida

COUNTY OF Hillsborough

Sworn to (or affirmed) and subscribed before me this 8 day of February, 2017, by TAMPA BAY DOWNS, who is personally known to me or who produced the following \_\_\_\_\_ as \_\_\_\_\_ identification:

Kim M Gregoire  
NOTARY PUBLIC  
My Commission Expires:



APPROVED FOR LEGAL SUFFICIENCY on this 9<sup>th</sup> day of 2017, 2017.

William D. Hall

WILLIAM D. HALL  
Florida Bar No. 67936  
Chief Attorney  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
2601 Blair Stone Road, 5<sup>th</sup> Floor  
Tallahassee, Florida 32399-2202  
P: (850) 717-1768 F: (850) 921-1311

IT IS HEREBY ORDERED THAT:

The foregoing Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Petitioner in the aforementioned DBPR Case numbers, once it is filed with the Agency Clerk.

DONE AND ORDERED on this 13 day of February, 2017, in Tallahassee, Florida.



ANTHONY J. GLOVER, DIRECTOR  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Respondent, TAMPA BAY DOWNS, Post Office Box 2007, Oldsmar, Florida 34677 via U.S. Postal mail on this 16<sup>th</sup> day of February, 2017.



AGENCY CLERK'S OFFICE  
Department of Business & Professional Regulation

EXHIBIT #7  
PAGE 7/7

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

DBPR Case Nos.: 2020-041912  
2020-043820

TAMPA BAY DOWNS, INC.,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Cardroom Operating License, number 320-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of:
  - a. DBPR Case Number 2020-041912, alleging that on or about August 24, 2020, Respondent was in violation of Rule 61D-11.025, *Florida Administrative Code*, by failing to suspend card play when the digital surveillance equipment in the cardroom was not viewable on a monitor.
  - b. DBPR Case Number 2020-043820, alleging that on or about September 8, 2020, Respondent was in violation of Rule 61D-11.016(5), *Florida Administrative Code*, by failing to clearly designate poker table #2-1 with the number of the table visible to the surveillance system.

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.
4. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
6. This Consent Order is enforceable under section 120.69, and chapter 550, Florida Statutes, as a final agency action.
7. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
8. The Parties acknowledge and agree that this Consent Order constitutes the final order in this case, and they also acknowledge and agree to waive any further administrative and judicial review.
9. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

10. Respondent neither admits, nor denies committing the violations set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future disciplinary proceedings involving Respondent.

11. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **THREE HUNDRED FIFTY DOLLARS (\$350.00)**, in resolution of DBPR Case No. 2020-041912, and the sum of **THREE HUNDRED FIFTY DOLLARS (\$350.00)** in resolution of DBPR Case No. 2020-043820, for a **TOTAL OF SEVEN HUNDRED DOLLARS (\$700.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check or money order, made payable to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering.** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

12. Respondent must execute and mail this Consent Order and the payment to: **Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Patricia Broadway.** Please note DBPR Case Numbers 2020-041912 and 2020-043820 on the face of the check.

13. The Parties acknowledge and agree that this Consent Order is subject to the approval of the Director of the Division of Pari-Mutuel Wagering or other authorized agent of the Department of Business and Professional Regulation ("Director"). The Consent Order will have no force and effect unless signed by the Parties. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

14. Upon the Division's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent

Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

15. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Director not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

16. This Consent Order may be signed in counterparts, and copies shall be treated as originals.

17. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

Respondent, TAMPA BAY DOWNS, INC., agrees and consents to the terms and conditions of this Stipulation and Consent Order in DBPR Case Numbers 2020-041912 and 2020-043820, this 25 day of Nov, 2020.

[Signature]  
TAMPA BAY DOWNS, INC., Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Gelyon  
Printed Name

VP FINANCE  
Title

STATE OF FL  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 25 day of Nov, 2020, by

Gregory Gelyon, who is personally known to me or who produced the following as identification: \_\_\_\_\_

Linda Notarangelo  
Notary Public

My commission expires

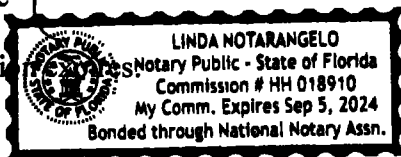


EXHIBIT #8  
PAGE 5/7

This Stipulation and Consent Order in DBPR Case Numbers 2020-041912 and 2020-043820 is APPROVED for legal sufficiency this 8<sup>th</sup> day of December, 2020.



---

**MEGAN S. SILVER, CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation

ORDER

IT IS HEREBY ORDERED THAT:

The foregoing Stipulation and Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Division in DBPR Case Numbers 2020-041912 and 2020-043820 once it is filed with the Agency Clerk.

DONE AND ORDERED this 8 day of December, 2020, in Tallahassee, Florida.



---

**LOUIS TROMBETTA, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035



CERTIFICATE OF SERVICE

I hereby certify this 11<sup>th</sup> day of December, 2020, that a true copy of the foregoing has been furnished by regular U.S. mail to:

**Tampa Bay Downs, Inc.**  
**c/o Robert Clark, Esquire**  
**Clark Mueller Bierley, PLLC**  
710 S. Howard Avenue Suite #106-336  
Tampa, Florida 33606  
rwcassistant@clarkmueller.com



---

**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

J

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

DBPR Case No.: 2022-012203  
2022-006711  
2022-010803  
2022-022328

TAMPA BAY DOWNS, INC,

Respondent.

\_\_\_\_\_ /

STIPULATION AND CONSENT ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering and Cardroom permit and license, number 320, issued by the Division.
2. This Consent Order is to be entered in resolution of:
  - a. DBPR Case Number 2022-012203, alleging that on or about March 5, 2022, Respondent was in violation of Rule 61D-11.012(8), Florida Administrative Code, by allowing an employee to enter the surveillance room who was not on the surveillance access list.
  - b. DBPR Case Number 2022-006711, alleging that on or about January 18, 2022, Respondent was in violation of Rule 61D-11.009(7), Florida Administrative Code, by allowing five horses to be stabled on the grounds of Tampa Bay Downs with expired Coggins Test Certificates.

- c. DBPR Case Number 2022-010803, alleging that on or about March 1, 2022, Respondent was in violation of Rule 61D-11.025(18), Florida Administrative Code, by not suspending card play within the cardroom when surveillance equipment malfunctioned or failed to operate.
- d. DBPR Case Number 2022-022328, alleging that on or about May 3, 2022, Respondent was in violation of Rules 61D-11.015(1) and 61D-11.022(3), Florida Administrative Code, by failing to lock the imprest tray containing cards and chips on table #1-4.

### STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.
4. The Division is authorized by Section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
6. This Consent Order is enforceable under Section 120.69, and Chapter 550, Florida Statutes, as a final agency action.

2022-012203  
2022-006711  
2022-010803  
2022-022328

7. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

8. The Parties acknowledge and agree that this Consent Order constitutes the final order in this case, and they also acknowledge and agree to waive any further administrative and judicial review.

9. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

10. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

11. **FINE:** Respondent agrees to, and must pay to the Division, **the total sum of ONE THOUSAND DOLLARS (\$1,000.00)**, at the time Respondent submits an executed copy of this Consent Order. The fines are assessed as follows:

a. **2022-012203: \$250.00**

b. **2022-006711: \$250.00**

c. **2022-010803: \$250.00**

d. **2022-022328: \$250.00**

12. **The payment must be in the form of a certified check or money order, made payable to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering. (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

2022-012203  
2022-006711  
2022-010803  
2022-022328

13. Respondent must mail this Consent Order and the payment to: **Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note DBPR Case Numbers 2022-012203, 2022-006711, 2022-010803, and 2022-022328 on the face of the check.

14. The Parties acknowledge and agree that this Consent Order is subject to the approval of the Director of the Division of Pari-Mutuel Wagering or other authorized agent of the Department of Business and Professional Regulation (“Director”). The Consent Order will have no force and effect unless signed by the Parties. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

15. Upon the Division’s adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys’ fees or costs from the Division in connection with these proceedings.

16. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Director not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

17. This Consent Order may be signed in counterparts, and copies shall be treated as original.

2022-012203  
2022-006711  
2022-010803  
2022-022328

18. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

2022-012203  
2022-006711  
2022-010803  
2022-022328

Respondent, TAMPA BAY DOWNS, INC, agrees and consents to the terms and conditions of this Stipulation and Consent Order in DBPR Case Numbers 2022-012203, 2022-006711, 2022-010803, and 2022-022328, this 27 day of June, 2022.

[Signature]  
TAMPA BAY DOWNS, INC, Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Gilman  
Printed Name  
VP Finance  
Title

STATE OF Florida  
COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 27 day of June, 2022, by Gregory Gilman, who is personally known to me or who produced the following as identification: \_\_\_\_\_

Linda Notarangelo  
Notary Public

My commission expires:

- 2022-012203
- 2022-006711
- 2022-010803
- 2022-022328

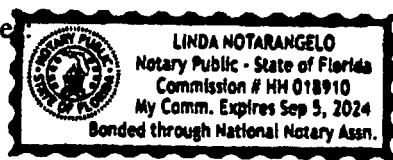



EXHIBIT #9  
PAGE 6/8

This Stipulation and Consent Order in DBPR Case Numbers 2022-012203, 2022-006711, 2022-010803, and 2022-022328 is APPROVED for legal sufficiency this 30<sup>th</sup> day of June, 2022.

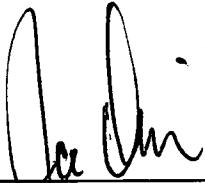
  
\_\_\_\_\_  
**MARC TAUPIER**  
**CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation

ORDER

IT IS HEREBY ORDERED THAT:

The foregoing Stipulation and Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Division in DBPR Case Numbers 2022-012203, 2022-006711, 2022-010803, and 2022-022328, once it is filed with the Agency Clerk.

DONE AND ORDERED this 30 day of JUNE, 2022, in Tallahassee, Florida.

  
\_\_\_\_\_  
**JOE DILLMORE, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035

2022-012203  
2022-006711  
2022-010803  
2022-022328

EXHIBIT #9  
PAGE 7/8



CERTIFICATE OF SERVICE

I hereby certify this \_\_\_\_ day of \_\_\_\_\_, 2022, that a true copy of the foregoing has been furnished by U.S. mail to:

**Tampa Bay Downs, Inc.**  
P.O. Box 2007  
Oldsmar, Florida 34677

---

**EMILY A. ALVARADO**  
Deputy Chief Attorney, Division of Pari-Mutuel  
Wagering  
Department of Business and Professional Regulation

CC: Ebonie Lanier

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

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: Imuniz

VR Home | Complaint Search | Maintain Complaint

Lic Type	1002 - Cardroom License	Status	20 Under Investigation	Status Date	01/31/2023
Complaint #	2023005700	Case Type	CMP Complaint	Disposition	Disposition Date
Docket#	Respondent	TAMPA BAY DOWNS, INC	Responsible	ram on SAMSON, RANDA	Private Case

Complaint | Respondent | Complainant | Add'l Info

Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities	
Form	INTR - Internal	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline	
Class'n	V-C - Cardroom Violations	Complexity	R Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance	
Security	STND - Standard	Incident		<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition	
Region	CR - Central Region	Received	01/31/2023	<input type="checkbox"/> Inspection		
Reference	61D-11.025(18)	Entered	01/31/2023	<input type="checkbox"/> Costs		
		Entered By	Imuniz	<input type="checkbox"/> Time Tracking	Auto Assign	
Summary	<p>320-Tampa Bay Downs, Inc. ----- / ----- . Cardroom Electronic Surveillance: On January 31, 2023, during a routine Bi-Weekly cardroom inspection at TAMPA BAY DOWNS, it was discovered that camera PT02 over table 1-2 was not operational and disconnected from the server. As a result, the table did not have camera coverage from January 26, 2023 thru January 30, 2023 and the table was open and conducting live games without surveillance coverage.</p>				<input type="checkbox"/> Attachments	History
Updated	01/31/2023 13:49:49	By	Imuniz	<input type="checkbox"/> Work Notes	Print Report	

Change | Save | OK | Cancel | Back

Get Adobe Reader.



**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:** 1/26/2023 thru 1/30/2023

<input type="checkbox"/> PMW	<input checked="" type="checkbox"/> Cardroom	<input type="checkbox"/> Slot
------------------------------	--	-------------------------------

<input checked="" type="checkbox"/> Violation	<input type="checkbox"/> Incident	<input type="checkbox"/> Complaint
---	-----------------------------------	------------------------------------

**FACILITY NAME:** TAMPA BAY DOWNS, INC. **LIC #:** 320

**RESPONDENT**

<b>NAME:</b> Tampa Bay Downs, Inc.		
Address: P.O. Box 2007, Oldsmar, FL. 34677		Tel (813)222-8935
<b>LIC #:</b> 320	<b>LIC TYPE:</b> 1002	<b>OCCUPATION:</b> Permit Holder

**COMPLAINANT**

<b>NAME:</b>		Tel #:
Address:		
<b>LIC #:</b>	<b>LIC TYPE:</b>	<b>OCCUPATION:</b>

**VIOLATION(S) / TITLE(S): 61D-11.025 Cardroom Electronic Surveillance.**

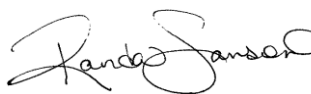
(18) When surveillance equipment malfunctions and fails to operate as required by this rule, play at the table or tables in any area for which there is inadequate monitoring shall be suspended, and designated with signage as "closed," until the quality of the surveillance system is restored to the levels required by this rule.

**DESCRIPTION:** On January 31, 2023, during a routine Bi-Weekly cardroom inspection at **TAMPA BAY DOWNS**, it was discovered that camera PT02 over table 1-2 was not operational and disconnected from the server. As a result, the table did not have camera coverage from January 26, 2023 thru January 30, 2023 and the table was open and conducting live games without surveillance coverage.

**CASE DETAILS FILED BY:**

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

Randa Samson  
(Print Name)

  
(Signature)

January 31, 2023  
(Date)

## Muniz, Luz

---

**From:** Washington, Derek  
**Sent:** Tuesday, January 31, 2023 12:23 PM  
**To:** Muniz, Luz  
**Cc:** Samson, Randa  
**Subject:** OCR TAMPA BAY DOWNS 1.31.2023  
**Attachments:** OCR TAMPA BAY DOWNS 1.31.2023.docx

Luz,  
Attached is an OCR for a cardroom violation, please assign to Randa.

Thanks



**FLORIDA**  
GAMING CONTROL  
COMMISSION

**C. Derek Washington**  
**Investigations Supervisor**

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

407.650.4053 Office 407.481.5651 FAX 407.340.5665 Cell

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



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

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

Logged in as: **Imuniz**

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

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expire On <b>06/30/2023</b> File # <b>40</b> Name <b>TAMPA BAY DOWNS, INC.</b> Extended To License # <b>320</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>320</b> Lic Status <b>Current</b>			<input type="checkbox"/> <table border="1"> <tr><td>Licensee</td></tr> <tr><td>History</td></tr> <tr><td>Notes</td></tr> <tr><td>Notes History</td></tr> <tr><td>Back</td></tr> </table>	Licensee	History	Notes	Notes History	Back		
Licensee										
History										
Notes										
Notes History										
Back										
<b>Address</b> Street #    Street <b>POST OFFICE BOX 2007</b> Line 2 Line 3 City <b>OLDSMAR</b> State <b>FL</b> Zip <b>34677</b> Routing										
<b>Other</b> 1st License Date <b>03/23/2022</b> Rank Date <b>03/23/2022</b> Certificate # Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date Fee Exempt <b>No</b> Birth Date    Renewal Sent										
<b>Select</b> Action <input type="text"/>  										
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>320 - Tampa Bay Downs</td> <td>01/09/2004</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	320 - Tampa Bay Downs	01/09/2004	
Type	Modifier	Effective Date	Additional Info							
L	320 - Tampa Bay Downs	01/09/2004								
<b>Alt Keys</b> BEST LIC NBR <b>320</b>										



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Tampa Bay Downs, Inc., Case No. 2023-037283; Consent Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Tampa Bay Downs, Inc. (“Respondent”) to resolve Case No. 2023-037283 Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$1,250 for violating rules 75-11.012(8) and 75-11.020(5), Florida Administrative Code.

### *Background*

On or about June 30, 2023, Respondent allowed an employee that was not on the authorized list for the surveillance room to enter and observe the count. Furthermore, on June 30, 2023, Respondent failed to document the required information when a key was accessed on the Poker Room Control Log sheet. Respondent has two prior violations of rule 75-11.012(8), Florida Administrative Code, which resulted in administrative fines of \$250 and \$500.

### *Analysis*

The Commission may resolve matters informally through a negotiated settlement.<sup>1</sup> The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>2</sup> Mitigation may be taken into consideration when imposing an administrative fine.

Rule 75-11.012(8), Florida Administrative Code, provides “[c]ardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers’ cage(s), count room, vault, and surveillance room. This list shall

---

<sup>1</sup> See § 120.57(4), Fla. Stat. (“Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, or consent order.”)

<sup>2</sup> § 849.086(14)(c), Fla. Stat.

include the position titles of all employees who have access to these areas.”

Rule 75-11.020(5), Florida Administrative Code, provides:

If access to keys is manually controlled, all access shall be documented in a written log that shall include:

- (a) The justification for access to keys;
- (b) The identity of the key and key box;
- (c) The occupational license number or employee number of the employee removing the key;
- (d) The date and time each key is signed out;
- (e) The date and time each key is returned; and,
- (f) The signatures of at least two persons for each key removed.

Because Respondent allowed an employee that was not on the authorized list for the surveillance room to enter and observe the count and failed to document the required information when a key was accessed on the Poker Room Control Log sheet, it is subject to an administrative fine not to exceed \$1000.00 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-037283.



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.: 2023-037283

TAMPA BAY DOWNS, INC.,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by the Division.

2. This Consent Order is to be entered in resolution of the two-count Administrative Complaint filed in FGCC Case Numbers 2023-037283, alleging that on:

- a. On or about June 30, 2023, it was discovered that Respondent violated rule 75-11.012(8), Florida Administrative Code, by allowing an employee who was not on the authorized list for the surveillance room to enter and observe the count.
- b. On or about June 30, 2023, Respondent was in violation of rule 75-11.020(5), Florida Administrative Code, by failing to document the required information when a key is accessed on the Poker Room Control Log sheet.

3. Aggravation: This Consent Order is entered into in consideration of Respondent's disciplinary history, including two prior violations of rule 75-11.012(8) Florida Administrative Code, in Case Nos. 2022-012203 and 2023-001300.

#### STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

4. The Division has jurisdiction over this matter and the Parties.
5. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
6. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
7. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
8. The Parties acknowledge and agree to waive any further administrative and judicial review.
9. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

10. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

11. **FINE: Respondent agrees to, and must pay to the Division, the total sum of ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00), at the time Respondent submits an executed copy of this Consent Order. The fines are assessed as follows:**

a. **Count I: \$1000.00**

b. **Count II: \$250.00**

12. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (NO PERSONAL CHECKS). Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.**

13. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32311, Attention: Donna Fleming.** Please note FGCC Case Number 2023-037283 on the face of the payment.

14. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

15. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

16. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

17. This Consent Order may be signed in counterparts, and copies shall be treated as original.

18. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

19. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

20. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

WHEREFORE, TAMPA BAY DOWNS, INC. requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 29 day of Nov, 2023.

[Signature]  
TAMPA BAY DOWNS, INC, Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

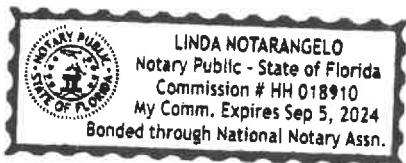
Gregory Gelyon  
Printed Name  
VP FINANCE  
Title

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 29<sup>th</sup> day of November, 2023, by Gregory Gelyon, who is personally known to me or who produced the following as identification: \_\_\_\_\_

[Signature]  
Notary Public

My commission expires:



APPROVED this 19 day of December, 2024.

*Emily Alvarado*

---

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

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.: 2023-037283

TAMPA BAY DOWNS, INC.,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Tampa Bay Downs, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by Petitioner.

COUNT I

3. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.
4. On or about June 30, 2023, it was discovered that Respondent allowed an employee who was not on the authorized list for the surveillance room to enter and observe the count.
5. Rule 75-11.012(8), Florida Administrative Code, provides:  
  
Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers’ cage(s), count

room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas. A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.

6. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by allowing an employee who was not on the authorized list for the surveillance room to enter and observe the count.

#### COUNT II

7. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

8. On or about June 30, 2023, it was discovered that Respondent failed to document the required information when a key is accessed on the Poker Room Control Log sheet.

9. Rule 75-11.020(5), Florida Administrative Code, provides:

If access to keys is manually controlled, all access shall be documented in a written log that shall include:

- (a) The justification for access to keys;
- (b) The identity of the key and key box;
- (c) The occupational license number or employee number of the employee removing the key;
- (d) The date and time each key is signed out;
- (e) The date and time each key is returned; and,
- (f) The signatures of at least two persons for each key removed.

10. Based on the foregoing, Respondent violated rule 75-11.020(5), Florida Administrative Code, by failing to document the required information when a key is accessed on the Poker Room Control Log sheet.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in sections 550.105 and 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.



This Administrative Complaint for FGCC Case Number 2023-037283 is signed this 10th day of August, 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  
4070 Esplanade Way Ste. 250  
Tallahassee, Florida 32399  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8712  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.gov

### NOTICE OF RIGHTS

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.

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>		<a href="#">Mass Activity Update</a>		<a href="#">Mass Discipline</a>		

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

Logged in as: nmelvai

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

Lic Type	<b>1002 - Cardroom License</b>	Status	<b>90 Closed</b>	Status Date	<b>07/29/2023</b>
Complaint #	<b>2023037283</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>TAMPA BAY DOWNS, INC.</b>	Responsible	<b>bjones - JONES, BRADFORD</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>06/30/2023</b>
Region	<b>CR - Central Region</b>	Received	<b>07/05/2023</b>
Reference	<b>75-11.012</b>		
Entered	<b>07/05/2023</b>	Entered By	<b>nmelvai</b>
Summary	<p><b>320-- Tampa Bay Downs---(75-11.012 Duties of Cardroom Operators) On June 30, 2023, during a bi-weekly cardroom inspection at TAMPA BAY DOWNS, the following violations were found: 1) Unauthorized Security Guard (KYLE SJOQUIST) in the surveillance room; 2) Security failed to document the required information (Date, time, justification for access and signature) in their Key access log.</b></p>		
Updated	<b>08/01/2023 12:34:45</b>	By	<b>nmelvai</b>

Parties  Activities  
 Allegations  Discipline  
 Violations  Compliance  
 Related  Disposition  
 Inspection  
 Costs  
 Time Tracking   
 Attachments   
 Work Notes

27 Days	<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: June 30, 2023

PMW     Cardroom     Slot

Violation     Incident     Complaint

FACILITY NAME: TAMPA BAY DOWNS    LIC #: 320

**RESPONDENT**

NAME: Tampa Bay Downs		
Address: P.O. Box 2007 Oldsmar, FL. 34677		Tel (813)222-8935
LIC #: 320	LIC TYPE: 1002	OCCUPATION: Permit Holder

**COMPLAINANT**

NAME:		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

**VIOLATION(S) / TITLE(S): 75-11.012 Duties of Cardroom Operators.**

(8) Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers' cage(s), count room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas. A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.

**75-11.020 Drop Box and Key Control Procedures.**

(5) If access to keys is manually controlled, all access shall be documented in a written log that shall include:


- (a) The justification for access to keys;
- (b) The identity of the key and key box;
- (c) The occupational license number or employee number of the employee removing the key;
- (d) The date and time each key is signed out;
- (e) The date and time each key is returned; and,
- (f) The signatures of at least two persons for each key removed.

**DESCRIPTION:** On June 30, 2023, during a bi-weekly cardroom inspection at **TAMPA BAY DOWNS**, the following violations were found: 1) Unauthorized Security Guard (KYLE SJOQUIST) in the surveillance room; 2) Security failed to document the required information (Date, time, justification for access and signature) in their Key access log.

**CASE DETAILS FILED BY:**

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

Randa Samson  
 (Print Name)

  
 (Signature)

6/30/2023  
 (Date)

- 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: **nmelvai**

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

**License**

Fed Tax # ██████████ Lic Type **1002 - Cardroom License** Expires On **06/30/2024**  
 File # **40** Name **TAMPA BAY DOWNS, INC.** Extended To  
 License # **320** Rank **CLIC - Cardroom Operating License** Renewed On  
 Entity # **320** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # Street **POST OFFICE BOX 2007**  
 Line 2  
 Line 3  
 City **OLDSMAR** State **FL** Zip **34677**  
 Routing

**Other**

1st License Date **04/05/2023** Rank Date **04/05/2023** Certificate #  
 Method **I-S-1020** Status Date **07/14/2008** Certificate Date  
 Fee Exempt **No** Birth Date Renewal Sent

**Select**

Action

**Modifiers**

Type	Modifier	Effective Date	Additional Info
L	320 - Tampa Bay Downs	01/09/2004	

**Alt Keys**

BEST LIC NBR **320**

EXHIBIT#1  
PAGE 1/1

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

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

Petitioner,

v.

FGCC Case No.: 2023-001300

TAMPA BAY DOWNS, INC.,

Respondent.

**FINAL ORDER APPROVING STIPULATION AND CONSENT ORDER**

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting, pursuant to section 120.57(4), Florida Statutes, on May 2, 2023, for consideration of a Stipulation and Consent Order (attached hereto as Exhibit A) entered into between the parties in the above-styled cause. After a complete review of the record in this matter, the Commission approves and adopts the Stipulation and Consent Order.

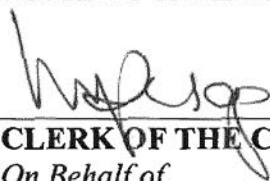
Wherefore it is Ordered and **Adjudged**:

1. The parties shall abide by the agreement attached hereto as Exhibit A.

*This Final Order shall take effect upon being filed with the Clerk of the Commission.*

**DONE AND ORDERED** this 4<sup>th</sup> day of MAY, 2023.

FLORIDA GAMING CONTROL COMMISSION

  
\_\_\_\_\_  
**CLERK OF THE COMMISSION**  
*On Behalf of*  
Charles "C.B." Upton, Chairman  
Julie Brown, Commissioner  
John D'Aquila, Commissioner  
Charles Drago, Commissioner  
Tina Repp, Commissioner

NOTICE OF RIGHT TO APPEAL

Any party to this proceeding 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@flgaming.gov](mailto:clerk@flgaming.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 of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4<sup>th</sup> day of MAY, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**Tampa Bay Downs, Inc.**  
c/o Gary Rutledge  
Rutledge Ecenia, P.A.  
119 South Monroe Street, Suite 202  
Tallahassee, Florida 32301

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

CC: Ebonie Lanier



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.: 2023-001300

TAMPA BAY DOWNS INC,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by the Division.
2. This Consent Order is to be entered in resolution of the one-count Administrative Complaint filed in FGCC Case Number 2023-001300, alleging that on January 2, 2023, Respondent was in violation of rule 61D-11.012(8) Florida Administrative Code, by allowing an employee that was not on the authorized list for the surveillance room to enter and observe the count.

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

3. The Division has jurisdiction over this matter and the Parties.

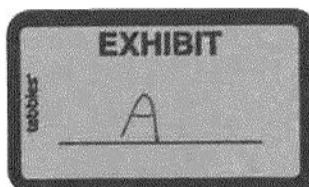


EXHIBIT #5  
PAGE 4/12

4. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.

5. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.

6. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.

7. The Parties acknowledge and agree to waive any further administrative and judicial review.

8. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

9. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

10. **FINE:** Respondent agrees to, and must pay to the Division, the total sum of **FIVE HUNDRED DOLLARS (\$500.00)**, at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-**

**Mutuel Wagering (NO PERSONAL CHECKS).** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

11. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.** Please note FGCC Case Number 2023-001300 on the face of the payment.

12. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

13. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

14. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Consent Order may be signed in counterparts, and copies shall be treated as original.

16. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

17. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.fgcc.fl.gov](http://www.fgcc.fl.gov), for the meeting materials, agenda, and contact information.

18. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

WHEREFORE, TAMPA BAY DOWNS INC, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 15 day of March, 2023.

[Signature]  
TAMPA BAY DOWNS INC, Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Gelyon  
Printed Name

VP FINANCE  
Title

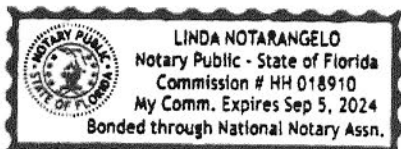
STATE OF FLORIDA

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 15 day of March, 2023, by \_\_\_\_\_, who is personally known to me or who produced the following as identification: \_\_\_\_\_

[Signature]  
Notary Public

My commission expires:



APPROVED this 17 day of April, 2023.

*Emily Alvarado*

EMILY ALVARADO  
DEPUTY CHIEF ATTORNEY  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

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.: 2023-001300

TAMPA BAY DOWNS, INC,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Tampa Bay Downs, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.

2. At all times material hereto, Respondent held a Cardroom permit and license, number 320-1002, issued by Petitioner.

3. On or about January 2, 2023, Respondent allowed an employee that was not on the authorized personnel access list for the surveillance room to enter the room and observe the count.

4. Rule 61D-11.012(8) Florida Administrative Code, provides:

Cardroom operators shall establish, and list in their internal controls, security controls that limit access into the cashiers’ cage(s), count room, vault, and surveillance room. This list shall include the position titles of all employees who have access to these areas. A current list of employees, including full names and license numbers, authorized to enter each secure area and shall be posted on the inside door of the entrance to each specific area, in the security office, and in the surveillance room at all times.

5. Based on the foregoing, Respondent violated rule 61D-11.012(8), Florida Administrative Code, by allowing an employee that was not on the authorized list for the surveillance room to enter and observe the count.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in section 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-001300 is signed this 1st 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

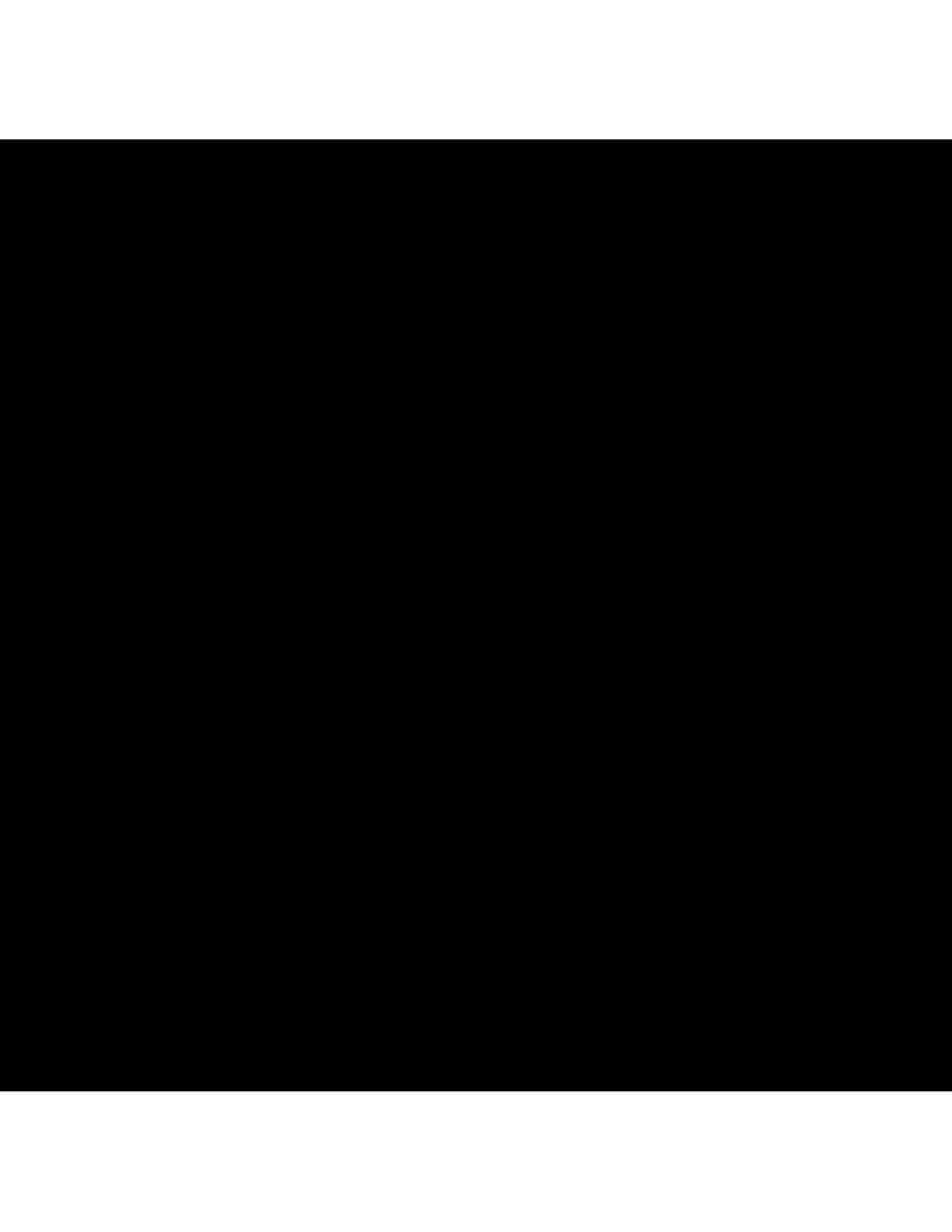


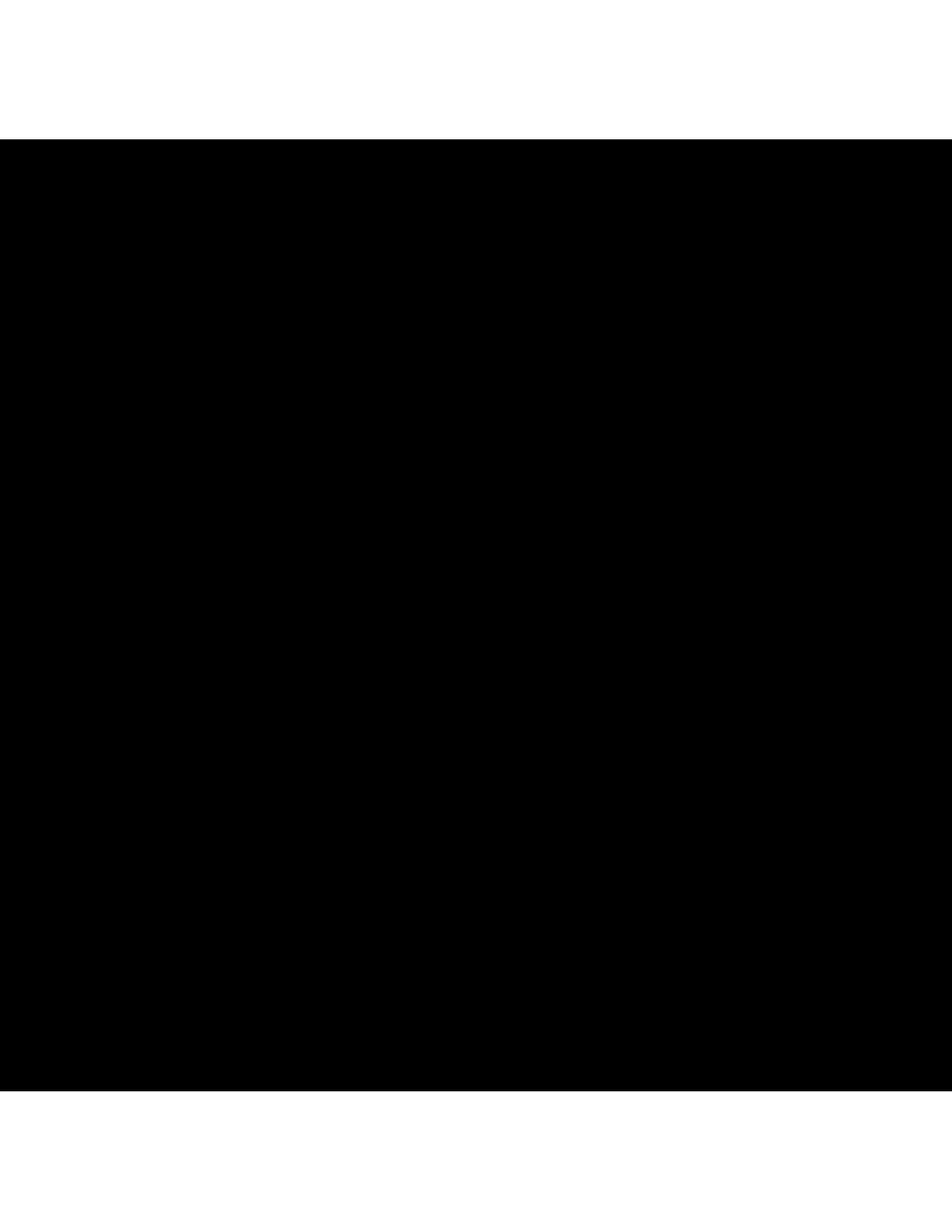
NOTICE OF RIGHTS

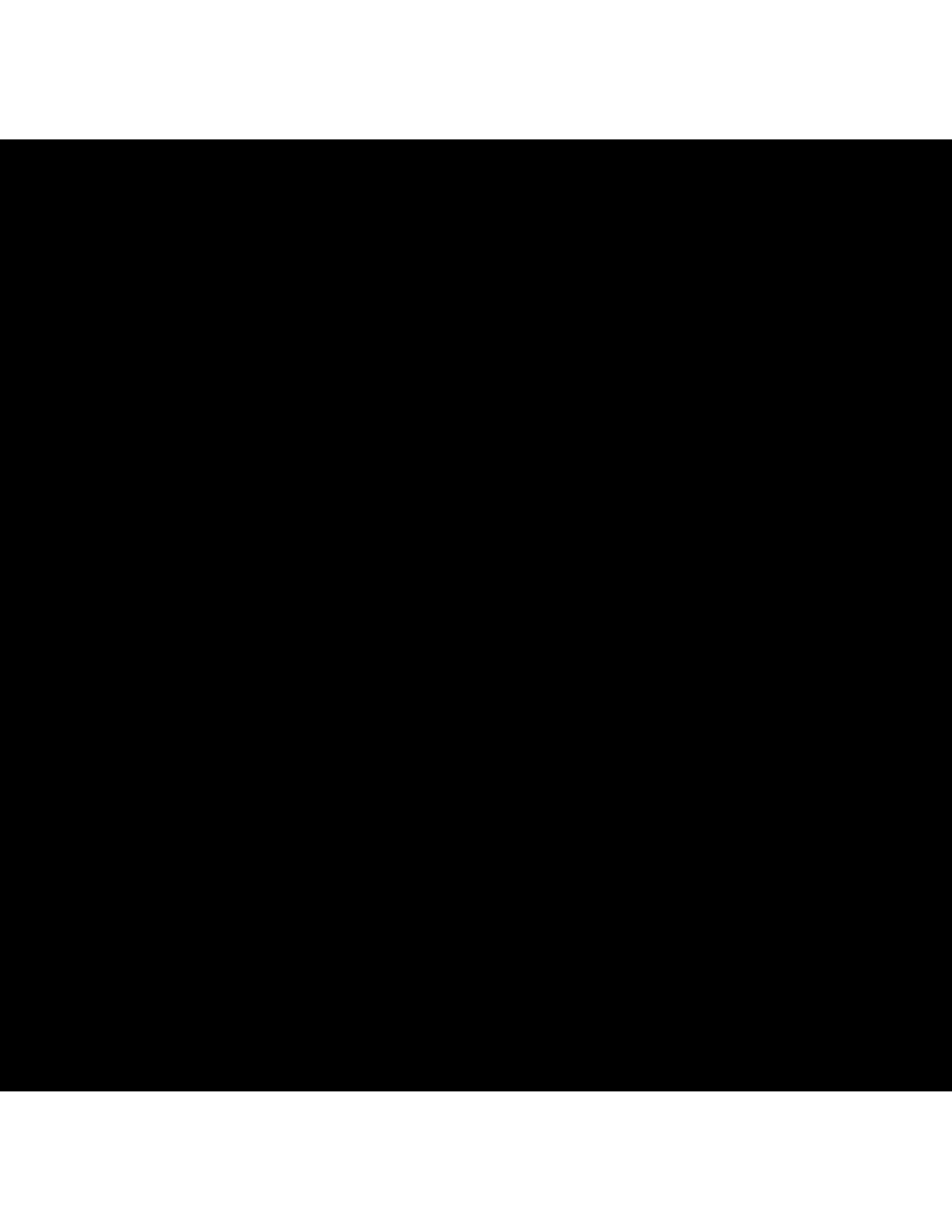
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Any request for an administrative proceeding to challenge or contest the charges contained in this Administrative Complaint must conform to rule 28-106.2015, Florida Administrative Code. Pursuant to rule 28-106.111, Florida Administrative Code, you 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.







TAMPA BAY DOWNS  
SILKS CARD ROOM DROP SURVEILLANCE

DATE	NAME / LICENSE#	REASON FOR SURVEILLANCE	START TIME	END TIME
6/11/23	H. BLAIR 11359100	DROP COUNT	08:16	09:18
6/12/23	H. BLAIR 11359100	DROP COUNT	08:22	09:10
6/13/23	H. BLAIR 11359100	DROP COUNT	08:19	09:08
14 JUN	P. Mage 8630609	DROP COUNT	08:17	09:12
15 JUN	P. Mage 8630609	DROP COUNT	08:18	09:16
16 JUN	P. Mage 8630609	DROP COUNT	08:19	09:20
6-17-23	T. Kelly 8815296	DROP COUNT	08:19	09:20
6-18-23	H. BLAIR 11359100	DROP COUNT	08:23	09:19
6-19-23	H. BLAIR 11359100	DROP COUNT	08:20	08:59
6-20-23	H. BLAIR 11359100	DROP COUNT	08:20	09:13
6-21-23	D. Nicol 1030666	D.C.	08:25	09:19
6-22-23	T. Kelly 8815296	DROP COUNT	08:20	09:24
✓ 6/23/23	Kyle Simpson 13527879	DROP COUNT	08:19	09:16
6-24-23	T. Kelly 8815296	D.C.	08:20	09:29
06/25/23	H. BLAIR 11359100	DROP COUNT	08:24	09:37
06/26/23	H. BLAIR 11359100	DROP COUNT	08:20	09:05
06/27/23	H. BLAIR 11359100	DROP COUNT	08:20	09:11
6-28-23	T. Kelly 8815296	DROP COUNT	08:20	09:11
6-29-23	T. Kelly 8815296	DROP COUNT	08:21	09:16
✓ 6/30/23	Kyle Simpson 13527879	DROP COUNT	08:18	09:14
6/30/23	J. Samson	Bi-weekly	10:40 AM	

EXHIBIT#2  
PHOTO 4/4

# Employees with Access to Security Surveillance Room

06/03/2023

Peter Berube PIN [REDACTED]

Greg Gelyon PIN [REDACTED]

<u>Last/First</u>	<u>License #</u>	<u>Position</u>
Nicol, Deanna	10306060	Director of Security
Reilly, Tim	8815296	Security Supervisor
Gage, Paul	8630609	Security
Nassar, Eddie	2012069	Security
Anthony Peck	13025731	Security
Dolfus, Holly	6150801	Security
Gail Sleeter	10613438	Security
Gary Sweet	11097582	Security
Cynthia Sellers	11592032	Security
James Seibel	12723179	Security
Lucie Herkova	7935688	Security
Pulcini, Pete	11244568	Security
Horan, Kathleen	8631867	Security
Al Klasi	11557169	Security

Heidi Blair 11359100

Taylor Haines 13448090

Kathleen Toler 12212200

Security

Security

EXHIBIT #3  
PAGE 1/2

Pulcini, Pete	11244568	Security
Horan, Kathleen	8631867	Security
Al Klasi	11557169	Security

Heidi Blair	11359100	Security
Taylor Haines	13448090	Security
Kathleen Toler	12312390	Security
Joseph Gerstel	7915120	Poker Supervisor
Miguel Garcia	11986299	Poker Supervisor
Samatha Kuzminski	7615631	Poker Supervisor
Peter Murphy	8101357	Poker Supervisor
Zumpano, Vincent	7617952	Poker Supervisor
Dellacamera, Rob	7852105	Poker Supervisor
Murphy, Patrick	73224558	Poker Director
John Hernandez	8253535	I.T. Director
Corey Williger	9827040	I.T.
Pivitere, Jason	8154100	I.T.

Please use entire sheet.  
 Do not leave last 3 or 4 lines blank.

POKER ROOM CONTROL LOG SIGN IN/OUT

1.4

DATE	POKER EMPLOYEE	LICENSE #	JOB	SEC. EMPLOYEE	LICENSE #	KEY #	TIME OUT	TIME IN
6/13/23	Sam Kuzminski	701523	TD	A. Peck	13025731	O	12:41	10:41
14 JUN	---	---	---	T. Reilly	8815296	WHIP	8:10	9:30
14 JUN	---	---	---	PHARO	8630609	SURV	08:10	09:10
6/14	Vincent Zamparo	7017952	DL	T. Reilly	8815296	2	8:10	3:06
6/14	Sam Kuzminski	701523	TD	T. Reilly	8815296	O	11:19	02:21
15 JUN	---	---	---	T. Reilly	8815296	WHIP	07:50	09:30
15 JUN	---	---	---	PHARO	8630609	SURV	07:50	02:50
6-15	Joe Gestel	7915120	DL	PHARO	8630609	2	8:01	03:24
6-15	Sam Kuzminski	701523	TD	T. Reilly	8815296	O	11:40	12:06
16 JUN	---	---	---	T. Reilly	8815296	WHIP	8:10	9:21
16 JUN	---	---	---	PHARO	8630609	SURV	07:10	07:10
6-16	Joe Gestel	7915120	DL	PHARO	8630609	2	8:01	04:19
6-16	Anthony DeLaso	7913601	TD	T. Reilly	8815296	O	10:30	3:20
17 JUN	---	---	---	A. Peck	13025731	WHIP	7:55A	9:30A
17 JUN	---	---	---	PHARO	8630609	SURV	07:00	07:00
6-17	Joe Gestel	7915120	DL	T. Reilly	8815296	2	8:10	3:55
6-17	---	---	---	T. Reilly	8815296	SURV	08:10	09:30
6-17	Anthony DeLaso	7913601	TD	T. Reilly	8815296	O	10:30	01:46
6-18	---	---	---	Heidi Blair	11359100	WHIP	8:15	9:30
6/18	---	---	---	HEIDI BLAIR	11359100	SURV	09:19	08:23
6/18	Vincent Zamparo	7017952	DL	---	---	2	8:10	7:50
6/18	Courtney Warren	8730650	TD	A. Peck	13025731	O	6:25	2:10
6/19	Vincent Zamparo	7017952	DL	---	---	2	07:40	3:06
6/19/23	✓	✓	✓	HEIDI BLAIR	11359100	SURV	08:59	08:20
6/19/23	---	---	---	Heidi Blair	6150801	WHIP	8:15	9:05
6/19/23	PM worker	810357	DC	A. Peck	13025731	O	4:30	7:30

Keys 1 - 4: Access to Drip Room & Chip Vault; Well Key; Manager's Office Key Lock Box; Token Box; Chip Vault Pad Locks

Job Codes:  
 DC - Dealer Coordinator - Open Poker Room for Daily Operation  
 TD - Tournament Director - Supports DC/Runs Daily Tournament(S)  
 Surv - Surveillance - (Separate Key Access List)

*Always include date*

EXHIBIT #4  
 PHOTO 1/2

*WJ*



## POKER ROOM CONTROL LOG SIGN IN/OUT

DATE	POKER EMPLOYEE	LICENSE #	JOB	SEC. EMPLOYEE	LICENSE #	KEY #	TIME OUT	TIME IN
6/27	Vincent Zamparo	7617952	DL	✓	✓			
6/27	—	—	—	—	—	2	8:10	5:15
6/28	Vincent Zamparo	7617952	DL	H'BLAIR	11359100	—	09:11	8:20
6/28	Sam Kuzminski	7615631	TD	TReilly	8815296	2	8:10	03:16
6-28	—	—	—	TReilly	8815296	0	12:14	11:00
6/29/23	—	—	—	TReilly	8815296	SURV	08:10	09:20
6/29/23	Sam Kuzminski	7615631	DC	KRSioquist	13527879	WHIP	08:10	09:20
6-29-23	—	—	—	TReilly	8815296	2	07:00	07:05
6-29-23	—	—	—	TReilly	8815296	2	7:49 am	03:15
6-29-23	—	—	—	P. Peters	11244568	SURV	08:15	09:15
6-29-23	Anthony Delano	7513501	TD	TReilly	8815296	0	08:15	09:15
6-30-23	—	—	—	Peter P	11244568	WHIP	17:15	2:38
6/30/23	Rob DellaCorte	7852105	DC	Kyle Sioquist	13527879	WHIP	08:15	09:15
9/30/23	Anthony Delano	7513501	TD	TReilly	8815296	SURV	08:00	08:05
						0	10:00	

EXHIBIT #4  
PHOTO 2/2

Keys 1 - 4: Access to Drip Room & Chip Vault; Well Key; Manager's Office Key Lock Box; Token Box; Chip Vault Pad Locks

- Key Codes:
- C - Dealer Coordinator - Open Poker Room for Daily Operation
  - T - Tournament Director - Supports DC/Runs Daily Tournament(S)
  - S - Surveillance - (Separate Key Access List)



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Tampa Bay Downs, Inc., Case No. 2023-047573; Consent Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Tampa Bay Downs, Inc. (“Respondent”) to resolve Case No. 2023-047573. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$1,000 for violating rule 75-7.021(1). Florida Administrative Code.

### *Background*

On or about August 9, 2023, Respondent failed to visibly number a patron operated terminal that was present on the cardroom floor. Respondent has four prior violations of rule 75-7.02(1), Florida Administrative Code, which resulted in administrative fines of \$250, \$500, \$500, and \$500.

### *Analysis*

The Commission may resolve matters informally through a negotiated settlement.<sup>1</sup> The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.<sup>2</sup> Mitigation may be taken into consideration when imposing an administrative fine.

Rule 75-7.021(1), Florida Administrative Code, provides “[e]ach window, patron operated terminal, or portable terminal shall be numbered and the number shall be visible to the public and shall correspond to the internal numbering on all applicable totalisator reports.”

---

<sup>1</sup> See § 120.57(4), Fla. Stat. (“Unless precluded by law, informal disposition may be made of any proceeding by stipulation, agreed settlement, or consent order.”)

<sup>2</sup> § 849.086(14)(c), Fla. Stat.

Because failed to visibly number a patron operated terminal that was present on the cardroom floor, it is subject to an administrative fine not to exceed \$1000.00.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-047573.

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.: 2023-047573

TAMPA BAY DOWNS, INC.,

Respondent.

---

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), and Tampa Bay Downs, Inc. (“Respondent”), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order (“Consent Order”):

1. At all times material hereto, Respondent held a Pari-Mutuel Wagering Cardroom Operating License, number 320-1002, issued by the Petitioner.
2. This Consent Order is to be entered in resolution of FGCC Case Number 2023-047573, alleging that on or about August 9, 2023, Respondent was in violation of rule 75-7.021(1), Florida Administrative Code, by failing to visibly number a patron operated terminal present on the cardroom floor.
3. Aggravation: This Consent Order was entered into in consideration of Respondent’s previous disciplinary history, including four prior violations of rule 75-7.021(1), Florida Administrative Code, in FGCC Case Numbers 2019-016198, 2018-052669, 2016-054220, and 2014-049657.

STIPULATION

WHEREAS the Division and Respondent (“Parties”), desire to resolve this matter, the following terms are stipulated:

4. The Division has jurisdiction over this matter and the Parties.
5. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
6. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise, nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
7. This Consent Order is enforceable under section 120.69, and chapter 550, Florida Statutes, as a final agency action.
8. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Division in this action.
9. The Parties acknowledge and agree that this Consent Order constitute the final order in this case, and they also acknowledge and agree to waive any further administrative and judicial review.
10. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

11. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future proceedings involving Respondent.

12. **FINE:** Respondent agrees to, and must pay to the Division, the sum of **ONE THOUSAND DOLLARS (\$1,000.00)** at the time Respondent submits an executed copy of this Consent Order. **The payment must be in the form of a certified check or money order, made payable to the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering.** Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

13. Respondent must mail this Consent Order and the payment to: **Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Suite 250, Tallahassee, Florida 32399, Attention: Donna Fleming.** Please note FGCC Case Number 2023-047573 on the face of the check.

14. The Parties acknowledge and agree that this Consent Order is subject to approval by the Florida Gaming Control Commission ("Commission"). The Consent Order will have no force and effect unless the Commission files a Final Order adopting this Consent Order. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.

15. Upon the Commission's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

16. This Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Consent Order. Should the Commission not accept this Consent Order, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

17. This Consent Order may be signed in counterparts, and copies shall be treated as original.

18. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

19. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, he/she is responsible for checking the Florida Gaming Control Commission website at [www.flgaming.gov](http://www.flgaming.gov), for the meeting materials, agenda, and contact information.

20. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*



Respondent, TAMPA BAY DOWNS, INC., agrees and consents to the terms and conditions of this Stipulation and Consent Order in FGCC Case Number 2023-047573, this 29 day of November 2023.

[Signature]  
TAMPA BAY DOWNS, INC., Respondent

Signed on behalf of Tampa Bay Downs, Inc. by:

Gregory Galyon  
Printed Name

VP FINANCE  
Title

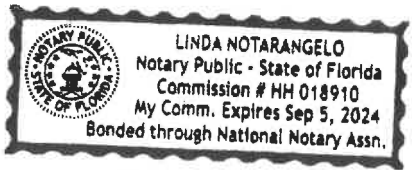
STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me, by means of  physical presence or  online notarization, this 29<sup>th</sup> day of November, 2023, by Gregory Galyon, who is personally known to me or who produced the following as identification: \_\_\_\_\_

[Signature]  
Notary Public

My commission expires:



APPROVED this 19 day of December, 2024.

*Emily Alvarado*

---

**EMILY ALVARADO**  
**DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Florida Gaming Control Commission

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.: 2023-047573

TAMPA BAY DOWNS, INC.,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Tampa Bay Downs, Inc. (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Pari-Mutuel Wagering and Cardroom permit and license, number 320-1002, issued by Petitioner.
3. On or about August 9, 2023, there was a patron operated terminal present on the cardroom floor that was not numbered.
4. Rule 75-7.021(1), Florida Administrative Code, provides in full “[e]ach window, patron operated terminal, or portable terminal shall be numbered, and the number shall be visible to the public and shall correspond to the internal numbering on all applicable totalisator reports.”

5. Based on the foregoing, Respondent violated rule 75-7.021(1), Florida Administrative Code, by failing to visibly number a patron operated terminal present on the cardroom floor.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties specified in sections 550.105 and 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-047573 is signed this 20th day of September 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  
4070 Esplanade Way  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.gov

### NOTICE OF RIGHTS

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.

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Mass Status Update</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>			

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

Logged in as: **cstubbs1**

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

Lic Type	<b>1002 - Cardroom License</b>	Status	<b>90 Closed</b>	Status Date	<b>09/13/2023</b>
Complaint #	<b>2023047573</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent	<b>TAMPA BAY DOWNS, INC.</b>	Responsible	<b>bjones - JONES, BRADFORD</b>	<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>08/09/2023</b>
Region	<b>CR - Central Region</b>	Received	<b>08/15/2023</b>
Reference	<b>75-7.021</b>		
Entered	<b>08/22/2023</b>	Entered By	<b>nmelvai</b>
Summary	<b>320---- Tampa Bay Downs, INC----[75-7.021 Mutuels Tickets, Cashing, Records, and Totalisator Security]----On August 9,2023, during a bi-weekly inspection at TAMPA BAY DOWNS, I found a patron-operated terminal not numbered on the cardroom floor.</b>		
Updated	<b>09/13/2023 15:37:58</b>	By	<b>cstubbs1</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

<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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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>AUGUST 22, 2023</b>	Case Number: <b>2023 04 7573</b>
Respondent:  <b>TAMPA BAY DOWNS, INC.</b> <b>P.O. Box 2007,</b> <b>OLDSMAR, FLORIDA 34677</b>  <b>TEL # (813) 222-8935</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 W. COMMERCIAL BLVD. SUITE 165</b> <b>FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>320 / 1002</b>		Profession: <b>PERMIT HOLDER</b>	Report Date: <b>AUGUST 22, 2023</b>
Period of Investigation: <b>AUGUST 9, 2023 – AUGUST 22, 2023</b>		Type of Report: <b>FINAL</b>	
<b>Alleged Violation: 75-7.021 Mutuels Tickets, Cashing, Records, and Totalisator Security</b> (1) Each window, patron operated terminal, or portable terminal shall be numbered, and the number shall be visible to the public and shall correspond to the internal numbering on all applicable totalisator reports.			
<b>Synopsis:</b> On August 9, 2023, during a bi-weekly cardroom inspection at <b>TAMPA BAY DOWNS</b> , I found a patron-operated terminal not numbered on the cardroom floor.			
Related Cases: <b>2019 01 6198 / 2018 05 2669 / 2016 05 4220 / 2014 04 9657</b>			
Investigator / Date  <i>Randa Samson</i> /s/ Randa Samson / August 22, 2023		Investigator Supervisor / Date  <i>C. Derek Washington</i> /s/ C. Derek Washington / September 13, 2023	
Chief of Investigations / Date  <i>Bradford D. Jones</i> /s/ Bradford D. Jones / September 13, 2023			

## CONTINUATION

On August 9, 2023, I conducted a Bi-Weekly cardroom inspection at **TAMPA BAY DOWNS (TBD)**. During my inspection at approximately 1:12 p.m., I found a patron-operated terminal not numbered as required by the above noted Rule. Photos of the machine were taken.

Upon completion of my inspection, I advised **TBD** Floor Supervisor, Joseph Richard Gerstel (PMW LIC. #7915120) of the violation. Gerstel stated he would inform Cardroom Manager, Robert J. Dellacamera Jr. (PMW LIC. #7852105) of the matter.

A review of the Versa Regulation Enforcement database revealed **TAMPA BAY DOWNS** has five previous violations of the above-cited rule:

- Case # 2019 01 6198, Consent Order issued, with a \$250 fine imposed.
- Case # 2018 05 2669, Consent Order issued, with a \$500 fine imposed.
- Case # 2016 05 4220 & #2014 04 9657, Consent Order issued, with a \$500 fine imposed for each case.

**Status:** Closed by Investigations and forwarded to Legal for review.



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    5. Case# 2016 05 4220 & Case# 2014 04 9657 Consent Order .....1-11



VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **nmelva**

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

<b>License</b> Fed Tax # <span style="background-color: black; color: black;">XXXXXXXXXX</span> Lic Type <b>1002 - Cardroom License</b> Expires On <b>06/30/2024</b> File # <b>40</b> Name <b>TAMPA BAY DOWNS, INC.</b> Extended To License # <b>320</b> Rank <b>CLIC - Cardroom Operating License</b> Renewed On Entity # <b>320</b> Lic Status <b>Current</b>		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back								
<b>Address</b> Street # Street <b>POST OFFICE BOX 2007</b> Line 2 Line 3 City <b>OLDSMAR</b> State <b>FL</b> Zip <b>34677</b> Routing										
<b>Other</b> 1st License Date <b>04/05/2023</b> Rank Date <b>04/05/2023</b> Certificate # Method <b>I-S-1020</b> Status Date <b>07/14/2008</b> Certificate Date Fee Exempt <b>No</b> Birth Date Renewal Sent										
<b>Select</b> Action <input type="text"/>  										
<b>Modifiers</b> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Effective Date</th> <th>Additional Info</th> </tr> </thead> <tbody> <tr> <td>L</td> <td>320 - Tampa Bay Downs</td> <td>01/09/2004</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	320 - Tampa Bay Downs	01/09/2004	
Type	Modifier	Effective Date	Additional Info							
L	320 - Tampa Bay Downs	01/09/2004								
<b>Alt Keys</b> BEST LIC NBR <b>320</b>										

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**EXHIBIT #1**  
**PAGE 1/1**

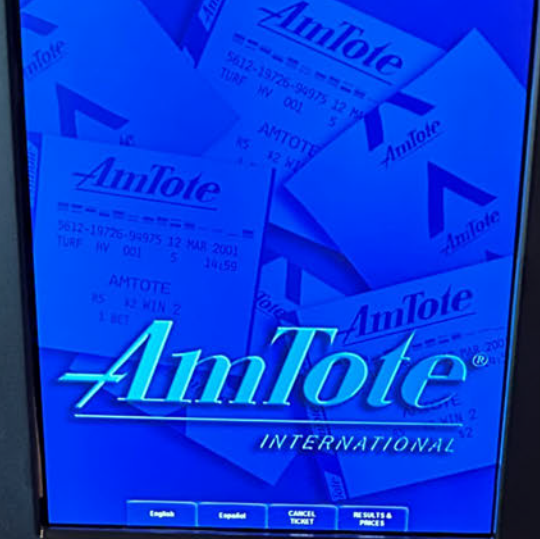


EXHIBIT #2  
PHOTO 1/3



EXHIBIT #2  
PHOTO 2/3

INSERT CREDIT VOUCHER, WINNING  
TKT OR BILL (1,5,10,20,50,100)  
SWIPE CARD FOR ACCOUNT BETTING



Insert Ticket  
FACE-UP  
As Shown

INSERT  
CASH  
\$\$\$

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

DBPR CASE NO. 2019-016198

v.

TAMPA BAY DOWNS,

Respondent.

---

STIPULATION AND CONSENT ORDER

The State of Florida, Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Division”), and Tampa Bay Downs, Inc., (“Respondent”), hereby stipulate and agree to the following terms and issuance of this Consent Order.

1. The Division is charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.
2. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent order.
3. At all times material, Respondent held an Annual Cardroom Operator License, number 320-1002 and a Pari-Mutuel Wagering Operating License, number 320-1001, issued by the Division.
4. This Stipulation and Consent Order is to be entered in resolution of DBPR Case No. 2019-016198, which alleged that on March 28, 2019, Respondent failed to ensure that all of its patron-operated terminals displayed numbers which were visible to the public and

corresponded to Respondent's internal numbering totalisator reports, in violation of Rule 61D-7.021(1), *Florida Administrative Code*.

### STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

5. The Division has jurisdiction over this matter and the Parties.
6. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
7. Each of the Parties has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that he/she is entitled to the advice of counsel, and has either sought the advice of counsel or by execution of this Stipulation and Consent Order, is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that Petitioner has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.
8. This Stipulation and Consent Order is enforceable under section 120.69, and chapter 550, Florida Statutes, as a final agency action.
9. Each of the Parties must bear its own costs and legal fees related to this matter, and no financial claims can be made against the Petitioner in this action.
10. The Parties acknowledge and agree that this Stipulation and Consent Order constitute the final order in this case, and they also acknowledge and agree to waive any further administrative and judicial review.

11. The Parties understand that this Consent Order will in no way preclude additional proceedings by the Petitioner against Respondent for acts or omissions not specifically set forth herein.

12. Respondent neither admits, nor denies committing the violation set forth in this Consent Order, but this Consent Order may be considered in aggravation of any future disciplinary proceedings involving Respondent.

13. **FINE:** Respondent agrees to and shall pay to the Division, **Two Hundred and Fifty Dollars (\$250.00)** for the violations occurring in DBPR Case No. 2019-016198, to be paid at the time Respondent submits an executed copy of this Consent Order. Said payment shall be in the form of a cashier's check or certified check made payable to Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering. The Division's adoption of this Consent Order constitutes acknowledgement of receipt of payment of the above amount.

14. Respondent must mail this Consent Order and payment to: Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Patricia Broadway. Please note DBPR Case Number 2019-016198 on the face of the check.

15. The Parties acknowledge and agree that this Stipulation is subject to the approval of the Director of the Division of Pari-Mutuel Wagering or other authorized agent of the Department of Business and Professional Regulation ("Director"). The Stipulation will have no force and effect unless signed by the Parties. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceedings.



16. Upon the Division's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order, and waives the right to seek attorneys' fees or costs from the Division in connection with these proceedings.

17. This Stipulation and Consent Order is executed by the Parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation. Should the Director not accept this Stipulation, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

18. This Consent Order may be signed in counterparts, and copies shall be treated as original.

19. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

*[Signature pages to follow]*

Respondent, Tampa Bay Downs, Inc., by its duly authorized representative, hereby agrees and consents to the terms and conditions of this Stipulation and Consent Order in DBPR Case No. 2019-016198, this 30 day of May, 2019.

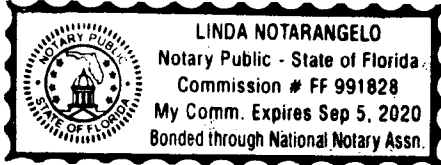
Pete N. B. B...

TAMPA BAY DOWNS, INC.,  
RESPONDENT

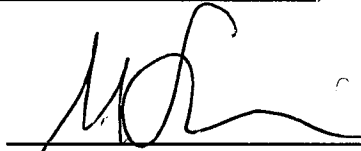
STATE OF FLORIDA,  
COUNTY OF Hillsborough

Sworn to (or affirmed) and subscribed before me this 30 day of May, 2019, by the authorized representative for TAMPA BAY DOWNS, INC., who is personally known to me or who produced the following as identification: \_\_\_\_\_.

Linda Notarangelo  
Notary Public  
My Commission Expires



This Stipulation and Consent Order in DBPR Case No. 2019-016198 is APPROVED for legal sufficiency this 18<sup>th</sup> day of June, 2019.

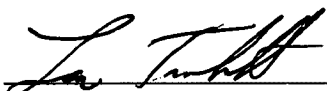
  
\_\_\_\_\_  
**MEGAN SILVER, CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Department of Business and Professional Regulation

ORDER

IT IS HEREBY ORDERED THAT:

The foregoing Stipulation and Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Division in DBPR Case No. 2019-016198 once it is filed with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 18 day of June, 2019, in Tallahassee, Florida.

  
\_\_\_\_\_  
**LOUIS TROMBETTA, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399.

CERTIFICATE OF SERVICE

I hereby certify this 19<sup>th</sup> day of June, 2019, that a true copy of the foregoing has been furnished by regular U.S. mail to:

**Tampa Bay Downs, Inc.**  
c/o Robert W. Clark, Esq.  
Clark Mueller Bierley, PLLC  
5601 Mariner Street, Suite 230  
Tampa, FL 33609  
[rclark@clarkmueller.com](mailto:rclark@clarkmueller.com)  
Counsel for Respondent

*Brandon M. Nichols*

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**AGENCY CLERK'S OFFICE**  
Department of Business and Professional Regulation

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

DEPARTMENT OF BUSINESS &  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,

Petitioner,

DBPR CASE No.:  
2018-052669

v.

TAMPA BAY DOWNS INC.,

Respondent.

---

STIPULATION AND CONSENT ORDER

The State of Florida, Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division"), and Tampa Bay Downs, Inc., ("Respondent"), hereby stipulate and agree to the following terms and issuance of this Consent Order.

1. The Division is charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes.

2. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by Consent Order.

3. At all times material, Respondent held an Annual Cardroom Operator License, number 320-1002 and a Pari-Mutuel Wagering Operating License, number 320-1001, issued by the Division.

4. This Stipulation and Consent Order is to be entered in resolution of DBPR Case No. 2018-052669, which alleged that on September 21, 2018, Respondent failed to ensure that all of its patron-operated terminals displayed numbers which were visible to the public and

corresponded to Respondent's internal numbering totalisator reports, in violation of Rule 61D-7.021(1), *Florida Administrative Code*.

#### STIPULATION

WHEREAS the parties desire to resolve this matter, the following terms are stipulated:

5. The Division has jurisdiction over this matter and the parties.
6. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by Consent Order.
7. Each party has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel. Respondent has either sought the advice of counsel or by execution of this Consent Order is knowingly waiving the opportunity to seek advice of counsel. Respondent acknowledges that the Division has not made any promise nor has it in any other way encouraged Respondent to enter into this Consent Order without the advice of counsel.
8. This Consent Order is enforceable under section 120.69, and chapter 550, Florida Statutes, as final agency action.
9. Each party shall bear its own costs and legal fees related to this matter, and no financial claim shall be made against the Division in this action.
10. Respondent and the Division acknowledge and agree that this Consent Order and contained stipulation constitute the Final Order of the Division respecting the matters set forth above and that further administrative and judicial review is hereby waived by both parties.
11. Respondent and the Division fully understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

12. Respondent neither admits nor denies committing the violations set forth in this Consent Order.

13. FINE: Respondent agrees to and shall pay to the Division, **Five Hundred Dollars (\$500.00)** for the violations occurring in DBPR Case No. 2018-052669, to be paid at the time Respondent submits an executed copy of this Consent Order. Said payment shall be in the form of a cashier's check or certified check made payable to Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering. The Division's adoption of this Consent Order constitutes acknowledgement of receipt of payment of the above amount.

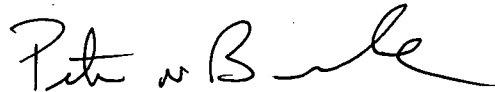
14. **The Consent Order, along with payment, shall be mailed to: Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, Attention: Patricia Broadway. Please note DBPR Case No. 2018-052669 on the face of the check.**

15. It is expressly understood that this Stipulation is subject to the approval of the Director of the Division of Pari-Mutuel Wagering ("Director"). In this regard, the Stipulation shall have no force and effect unless this Consent Order, incorporating the terms of this Stipulation, is signed by both parties. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceeding.

16. Upon the Division's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order and the matters addressed hereby. Upon the Division's adoption of this Consent Order, Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this proceeding.

17. This Stipulation and Consent Order is executed by both parties for the purpose of avoiding further administrative action with respect to the matters addressed hereby. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Should this Stipulation not be accepted by the Director, it is agreed that presentation to and consideration of this Consent Order and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

Respondent, Tampa Bay Downs, Inc., by its duly authorized representative, hereby agrees and consents to the terms and conditions of this Stipulation and Consent Order this 23 day of April, 2018.

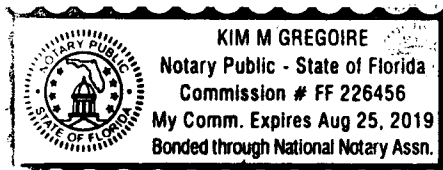


TAMPA BAY DOWNS, INC.,  
RESPONDENT

STATE OF Florida,  
COUNTY OF Hillsborough


Sworn to (or affirmed) and subscribed before me this 23 day of April, 2018, by the authorized representative for TAMPA BAY DOWNS, INC., who is personally known to me or who produced the following as identification: \_\_\_\_\_.

  
Notary Public  
My Commission Expires





This Stipulation and Consent Order in DBPR case number 2018-052669 is APPROVED  
for legal sufficiency this 30<sup>th</sup> day of April, 2019.


  
\_\_\_\_\_  
**MEGAN S. SILVER, DEPUTY CHIEF ATTORNEY**  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation

**ORDER**

IT IS HEREBY ORDERED THAT:

The foregoing Stipulation and Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Division in DBPR Case Number 2018-052669 once it is filed with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 30 day of April, 2019, in Tallahassee, Florida.

  
\_\_\_\_\_  
**LOUIS TROMBETTA, DIRECTOR**  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035

**CERTIFICATE OF SERVICE**

I hereby certify this 2<sup>nd</sup> day of May, 2019 that a true copy of the foregoing "Stipulation and Consent Order" has been furnished by regular U.S. mail to:

**Tampa Bay Downs, Inc.  
c/o Robert W. Clark, Esq.  
Clark Mueller Bierley, PLLC  
5601 Mariner Street, Suite 230  
Tampa, Florida 33609  
rclark@clarkmueller.com  
Counsel for Respondent**

*Brandon M. Nichols*

\_\_\_\_\_  
AGENCY CLERK'S OFFICE  
Department of Business & Professional Regulation

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING

<b>FILED</b>	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	<b>2/16/2017</b>
File #	<b>2017-01281</b>

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION,  
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,  
  
v.  
  
TAMPA BAY DOWNS,  
  
Respondent.

DBPR CASE NOS.: 2014-049657  
2015-009013  
2016-050093  
2016-054542  
2016-055115  
2016-054220  
2016-015001  
2016-018499

**STIPULATION AND CONSENT ORDER**

COMES NOW, the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, (“Petitioner” or “Division”), and TAMPA BAY DOWNS (“Respondent”), hereby stipulate and agree to the following terms and issuance of this Consent Order, as follows:

1. The Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to chapter 550, Florida Statutes, and has jurisdiction over this matter and the parties.
2. The Petitioner is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by Consent Order.
3. At all times material hereto, Respondent has held a pari-mutuel wagering license, number 320-1002, issued by the Division.
4. This Stipulation and Consent Order is to be entered in resolution of the following DBPR case numbers: 2014-049657, 2015-009013, 2016-050093, 2016-054542, 2016-055115, 2016-054220, 2016-015001, 2016-018499. The allegations of each case are as follows:

- a. 2014-049657: On November 29, 2014, and January 6, 2015, while conducting a routine inspection at Respondent facility, a division investigator found three terminals that were not numbered and one terminal that had its number attached to the back of the terminal, not visible to the public, as required.
- b. 2015-009013: An anonymous complaint filed on February 26, 2015, alleged that Respondent's security allowed unlicensed individuals to enter the backstretch area to access the AAA Feed and Track Company store, which is located in the restricted portion of the backstretch area. It was also alleged that there were unlicensed individuals found in a trainer's shed row and in the track's kitchen.
- c. 2016-050093: On October 28, 2016, an unlicensed individual was working on an electric starting gate on the backside of Respondent facility, which is a restricted area.
- d. 2016-054542: On November 29, 2016, during a routine review of the count room logs, it was discovered that on three different dates, the logs failed to include either a count team member's license number and/or name.
- e. 2016-055115: On November 29, 2016, Dealer John Fernandez was permitted to work as a dealer and also participate in the chip count as a count team member at Respondent facility even though his cardroom employee occupational license was expired.
- f. 2016-054220: On November 26, 2016, during a routine facility visit, a division investigator discovered one teller operated mutuel terminal and four portable patron operated mutuel terminals that were either not numbered or the numbers were not visible.

- g. 2016-015001: On March 23, 2016, a division investigator performed a bi-weekly Cardroom Inspection at “The Silks” Poker Room at Respondent facility. The investigator discovered that poker table number 1-1 was not designated with a table number as required by rule.
- h. 2016-018499: On March 31, 2016, a division investigator discovered a database error which resulted in a portion of archived video surveillance footage being corrupted and thus, not viewable from the surveillance room. The malfunction was not reported to the division.

5. Mitigation: This Consent Order has been entered into in consideration of the fact that Respondent has corrected the most serious violations listed above. Respondent has also agreed to take preventative measures to ensure compliance.

#### STIPULATION

WHEREAS the parties wish to resolve this matter, the following terms are stipulated:

- 6. The Division has jurisdiction over this matter and the parties.
- 7. The Division is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by Consent Order.
- 8. Each party has entered into the terms of this Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel. Respondent has either sought the advice of counsel or by execution of this Consent Order is knowingly waiving the opportunity to seek the advice of counsel. Respondent acknowledges that the Division has not made any promises nor has it in any way encouraged Respondent to enter into this Consent Order without the advice of counsel.
- 9. This Consent Order is enforceable as final agency action pursuant to section 120.69 and chapter 550, Florida Statutes.

10. Each party shall bear its own costs and legal fees related to this matter, and no financial claim shall be made against the Division in this action.

11. Respondent and the Division acknowledge and agree that this Consent Order and contained stipulation constitute the Final Order of the Division respecting the matters set forth above and that further administrative and judicial review is hereby waived by both parties.

12. Respondent and the Division fully understand that this Consent Order will in no way preclude additional proceedings by the Division against Respondent for acts or omissions not specifically set forth herein.

13. Respondent neither admits nor denies committing the violations set forth in this Consent Order.

14. **FINE:** Respondent agrees to and shall pay to the Division the following for each case:

- a. 2014-049657: \$500.00
- b. 2015-009013: \$1,000.00
- c. 2016-050093: \$1,000.00
- d. 2016-054542: \$500.00
- e. 2016-055115: \$1000.00
- f. 2016-054220: \$500.00
- g. 2016-015001: \$500.00
- h. 2016-018499: \$500.00

15. The fine for the above-mentioned cases totals the amount of **five thousand five-hundred dollars and zero cents (\$5,500.00)**, which is to be paid at the time Respondent submits an executed copy of this Consent Order. Said payment shall be made in the form of a cashier's

check or certified check payable to the **Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering**. The Division's adoption of this Consent Order constitutes receipt of payment of the above fine amount.

16. The Consent Order, along with payment, shall be mailed to: **ATTENTION: Gauge Campbell, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Stop Code N21, Tallahassee, Florida 32399-2202.**

17. It is expressly understood that this Stipulation is subject to the approval of the Director of the Division of Pari-Mutuel Wagering ("Director"). In this regard, the Stipulation shall have no force and effect unless this Consent Order, incorporating the terms of this Stipulation, is signed by both parties.

18. Should this Consent Order be rejected, no statement made in furtherance of it by Respondent may be used as direct evidence against Respondent in any proceeding.

19. Upon the Division's adoption of this Consent Order, Respondent expressly waives all further procedural steps, including all rights to seek judicial review of this Consent Order and the matters addressed hereby. Upon the Division's adoption of this Consent Order, Respondent waives the right to seek any attorney's fees or costs from the Department in connection with this proceeding.

20. This Stipulation and Consent Order is executed by both parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Director to review and examine all materials concerning Respondent prior to or in conjunction with consideration of the Stipulation. Should this Stipulation not be accepted by the Director, it is agreed that presentation to and consideration of this Consent Order

and other documents and matters by the Director shall not unfairly or illegally prejudice the Director from further participation, consideration, or resolution of these proceedings.

Respondent, **TAMPA BAY DOWNS**, hereby agrees and consents to the terms and conditions of this Stipulation and Consent Order this 8 day of February 2017.

Pete N B

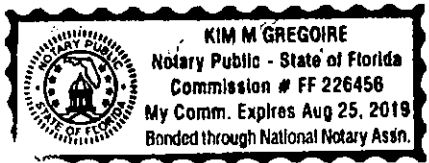
TAMPA BAY DOWNS,  
Respondent

STATE OF Florida

COUNTY OF Hillsborough

Sworn to (or affirmed) and subscribed before me this 8 day of February, 2017, by TAMPA BAY DOWNS, who is personally known to me or who produced the following \_\_\_\_\_ as \_\_\_\_\_ identification:

Kim M Gregoire  
NOTARY PUBLIC  
My Commission Expires:



APPROVED FOR LEGAL SUFFICIENCY on this 9<sup>th</sup> day of 2017, 2017.

William D. Hall


WILLIAM D. HALL  
Florida Bar No. 67936  
Chief Attorney  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
2601 Blair Stone Road, 5<sup>th</sup> Floor  
Tallahassee, Florida 32399-2202  
P: (850) 717-1768 F: (850) 921-1311



IT IS HEREBY ORDERED THAT:

The foregoing Consent Order shall constitute the agreed resolution of this matter and the Final Order of the Petitioner in the aforementioned DBPR Case numbers, once it is filed with the Agency Clerk.

DONE AND ORDERED on this 13 day of February, 2017, in Tallahassee, Florida.



ANTHONY J. GLOVER, DIRECTOR  
Division of Pari-Mutuel Wagering  
Department of Business & Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-1035

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Respondent, TAMPA BAY DOWNS, Post Office Box 2007, Oldsmar, Florida 34677 via U.S. Postal mail on this 16<sup>th</sup> day of February, 2017.



AGENCY CLERK'S OFFICE  
Department of Business & Professional Regulation

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

<b>FILED</b>	
Department of Business and Professional Regulation AGENCY CLERK	
CLERK	Ronda L. Bryan
Date	12/15/2016
File #	

DEPARTMENT OF BUSINESS AND  
PROFESSIONAL REGULATION, DIVISION  
OF PARI-MUTUEL WAGERING,

Petitioner,

v.

DBPR Case No. 2014-049657

TAMPA BAY DOWNS, INC.,

Respondent.

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ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner" or "Division") files this Administrative Complaint against TAMPA BAY DOWNS, INC., ("Respondent") and alleges as follows:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
2. At all times material hereto, Respondent was licensed in the state of Florida with a Permit to Conduct Pari-Mutuel Wagering, having been issued license number 320-1001 by the Division.
3. Respondent's address of record is Post Office Box 2007, Oldsmar, Florida 34677.
4. On or about November 29, 2014, a Division investigator conducted a routine facility inspection at Respondent.
5. During the inspection, the investigator found three terminals that were not numbered.

6. One of the terminals was identified because of its location, in between two other sequentially numbered terminals.

7. The two other terminals were identified because the teller for each advised the investigator of which terminal numbers they were.

8. On December 1, 2014, when the investigator returned, he observed that all three terminals had been re-labeled with its appropriate terminal number.

9. On January 6, 2015, during a facility inspection at Respondent, a Division investigator observed a terminal that was not numbered.

10. The investigator was able to identify which number this terminal was because it had a small sticker behind the terminal, which was not in view of the public.

11. Rule 61D-7.021(1), Fla. Admin. Code, indicates,

(1) Each window, patron operated terminal, or portable terminal shall be numbered and the number shall be visible to the public and shall correspond to the internal numbering on all applicable totalisator reports.

12. Based on the foregoing, Respondent violated Rule 61D-7.021(1), Fla. Admin. Code, on November 29, 2014 and January 6, 2015, by failing to number each window, patron operated terminal, or portable terminal and by failing to ensure that each number is visible to the public.

WHEREFORE, Petitioner respectfully requests the Division enter an Order imposing any or all penalties delineated within Section 550.0251, Florida Statutes, and/or any other relief that the Division is authorized to impose pursuant to Chapter 550 Florida Statutes, and/or the rules promulgated thereunder.

(SIGNATURE PAGE TO FOLLOW)

Signed this 13th day of December, 2016.

KEN LAWSON, Secretary  
Department of Business and  
Professional Regulation

*/s/ Chevonne Christian*

---

Chevonne T. Christian  
Assistant General Counsel  
Florida Bar No. 109055  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2202  
Telephone: (850) 717-1768  
Facsimile: (850) 921-1311

*/s/ William Hall*

---

William D. Hall III  
Chief Attorney  
Florida Bar No. 67936  
Office of the General Counsel  
Division of Pari-Mutuel Wagering  
Department of Business and  
Professional Regulation

### NOTICE OF RIGHTS

Please be advised that mediation under section 120.573, Florida Statutes, is not available for administrative disputes involving this type of agency action.

Please be advised that Respondent has the right to request a hearing to be conducted in accordance with Sections 120.569 and 120.57, Florida Statutes, 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 his or her behalf if a hearing is requested. Any request for an administrative proceeding to challenge or contest the charges contained in the administrative complaint must conform to Rule 28-106.2015, Florida Administrative Code. Rule 28-106.111, Florida Administrative Code, provides in part that if Respondent fails to request a hearing within 21 days of receipt of an agency pleading, Respondent waives the right to request a hearing on the facts alleged.

## 4. Discussion of recommended orders

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Carlos Martinez v. FGCC; Case No. 2023-008508  
Date: January 10, 2024

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### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to adopt the hearing officer's recommended order denying Carlos Martinez's ("Petitioner") application for a Pari-Mutuel Wagering General Individual Occupational License (the "Application"). Following review of the Application submitted by Petitioner on February 8, 2023, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's felony convictions. Petitioner requested an informal hearing, which was held on October 12, 2023. The informal hearing officer recommended denying the Application. Therefore, the Florida Gaming Control Commission should adopt the hearing officer's recommended order and deny Petitioner's application for a Pari-Mutuel Wagering General Individual Occupational License.

### *Pertinent Facts*

On May 4, 2023, the Commission issued a Letter of License Denial, notifying Petitioner of its intent to deny the Application based on Petitioner's felony convictions in the state of Florida. Specifically, Petitioner was convicted of the following:

- Grand Theft in 2014; and
- Dealing in Stolen Property in 2014.

On August 25, 2023, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes. At the informal hearing held on October 12, 2023, Petitioner testified to the circumstances that led to these convictions. On January 9, 2024, the hearing officer issued a recommended order denying the Application. The Hearing Officer found that Petitioner failed to establish good moral character or rehabilitation as set out in section 550.105(5)(c), Florida Statutes.

*Relevant Law*

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

“. . . 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.”

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 75-5.006(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 recommends the Florida Gaming Control Commission adopt the hearing officer’s recommended order in case number 2023-008508.



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

CARLOS MARTINEZ,

Petitioner,

v.

FGCC Case No.: 2023-008508

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 October 12, 2023, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of Carlos Martinez’s (“Petitioner”) petition for a hearing in response to the Commission’s Letter of License Denial filed in FGCC Case Number 2023-008505. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held via video conference. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about December 22, 2022, the Commission received an application from Petitioner for a Pari-Mutuel Wagering Individual Occupational License.
2. On or about January 30, 2023, the Commission received a Request for Waiver from Petitioner.
3. On or about February 8, 2023, Commission received from Petitioner an amended Pari-Mutuel Wagering Individual Occupational License application that listed Petitioner’s

disqualifying felony convictions.

4. On or about May 4, 2023, the Commission filed a Letter of License Denial, seeking to deny Petitioner's license application based on his criminal record, which includes two felony convictions.

5. On or about August 25, 2023, Petitioner requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The October 12, 2023, Informal Hearing

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

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

a. Petitioner testified that he wants to work as an exercise rider so that he can support his family.

b. Petitioner currently works at a farm but stated that it's not the same as being an exercise rider.

c. When asked to explain the circumstances that led to his disqualifying felony convictions for Grand Theft and Dealing in Stolen Property, Respondent stated that he was around people that he wasn't supposed to be around, and he ended up doing things that he wasn't supposed to be doing because of his alcohol use.

d. Petitioner testified that he worked for Invicta filling orders for watches.

e. Petitioner testified that he was involved in a scheme where a customer would order a watch, and instead of sending the watch to the customer, Petitioner would change the shipping address and have the watch sent somewhere else. Petitioner would use the stolen watches to pay back people that he owed money, and to buy alcohol.

- f. Petitioner testified that he doesn't recall the number of watches that he took but stated that it was no more than 20 watches.
- g. Petitioner stated that his 2014 Grand Theft conviction was related to this scheme and could have been because the police found five watches at his home.
- h. Petitioner stated that he had not paid any of the fees associated with this case, and that he would not know how to do so.
- i. When asked about his 2022 conviction for Petit Theft, Respondent testified that it was a mistake. Petitioner testified that one of his kids put a video game in their shopping cart and they walked out of the store with it. When approached by store staff, Petitioner stated that he tried to pay for the video game but was not allowed to do so.
- j. Petitioner testified that he has not completed the court ordered shop lifting program but stated that he recently paid the court ordered restitution with help from his wife.
- k. Petitioner stated that he attends church two times a week and has his wife and kids as a support system.
- l. Petitioner testified that he wants to be an exercise rider to provide for his family and to be somebody for his kids.

#### FINDINGS OF FACT

8. On or about January 22, 2014, Petitioner was convicted of Dealing in Stolen Property, a felony, in Broward County, Florida in Case No. 2011-CF-002375.

9. On or about January 22, 2014, Petitioner was convicted of Grand Theft, a felony, in Broward County, Florida in Case No. 2011-CF-002375.

## CONCLUSIONS OF LAW

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

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

12. 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.

13. Pursuant to section 550.105(d), Florida Statutes, when determining whether an applicant has a disqualifying conviction, “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.”

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

15. Section 550.105(5)(b), Florida Statutes, states “the Commission may deny...any occupational license if the applicant for such license has been convicted” of certain crimes.

16. 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.”

17. 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).

18. 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).

19. In the present case, Petitioner has two disqualifying criminal convictions that occurred in 2014.

20. As recently as June 22, 2022, Petitioner pled *nolo contendere* to Petit Theft in Broward County, Florida.

21. While Petitioner has paid the fees associated with his Petit Theft conviction, Petitioner has not paid the restitution associated with his two disqualifying felony convictions and, as of the date of the informal hearing, has not completed the court ordered shop lifting program associated with his 2022 Petit Theft conviction.


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

23. 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 DENYING Petitioner's application for a Pari-Mutuel Wagering Individual Occupational License.

This Recommended Order in FGCC Case Number 2023-008508 is submitted this 9th day of January 2024.

  
\_\_\_\_\_  
Elizabeth K. Stinson,  
Hearing Officer  
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 10th y of January 2024, that a true copy of the foregoing “Hearing Officer’s Recommended Order” has been provided by mail and email to:

**Carlos Martinez**  
12237 SW 50<sup>th</sup> Street  
Cooper City, Florida 33330  
[Carlos.Martinez0731@gmail.com](mailto:Carlos.Martinez0731@gmail.com)

/s/ Melba L. Apellaniz  
Agency Clerk

MARTINEZ, CARLOS  
Case No. 2023-008508  
Informal Hearing  
Packet

**Documents Included in Case File**

- Exhibit 1 ..... Notice of Hearing
- Exhibit 2 ..... Letter of License Denial
- Exhibit 3.....Election of Rights
- Exhibit 4 ..... Report of Investigation



# FLORIDA

## GAMING CONTROL COMMISSION

JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER  
TINA REPP, COMMISSIONER

September 14, 2023

Carlos Martinez  
12237 SW 50<sup>th</sup> Street  
Cooper City, FL 33330

RE: FGCC v. Carlos Martinez  
Case No.: 2023-008508

Dear Mr. Martinez:

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, October 12, 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: (954) 830-5289**. 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 850-794-8071 or [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov).

Sincerely,

/s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II

Enclosures: Notice of Hearing and Case File

OFFICE OF THE GENERAL COUNSEL  
4070 ESPLANADE WAY  
TALLAHASSEE, FLORIDA 32399



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.: 2023-008508

CARLOS MARTINEZ,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Carlos Martinez  
12237 SW 50th Street  
Cooper City, FL 33330

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, October 12, 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 (954) 830-5289 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 [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov) or telephone at (850) 794-8071, 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 (hearing officer email) and Opposing Counsel at (opposing counsel email) 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 14th day of September, 2023.

By: /s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II  
Florida Gaming Control  
Commission Office of the General  
Counsel Division of Pari-Mutuel  
Wagering  
4070 Esplanade Way  
Tallahassee, Florida 32399  
Telephone: (850) 794-8071  
Facsimile: (850) 921-1311  
[Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@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 Melinda Bristow at (850) 794-8071. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.



May 4, 2023

**5/04/2023**

Mr. Carlos Martinez  
1188 Northwest 44th Avenue  
Lauderhill, Florida 33313

Letter of License Denial

Dear Mr. Martinez:

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

1. 01/22/2014 – Dealing in Stolen Property (F-2) – Adjudicated Guilty – Broward County, Florida (Case No. 2011-CF-002375)
2. 01/22/2014 – Grand Theft (F-3) – Adjudicated Guilty – Broward County, Florida (Case No. 2011-CF-002375)

These convictions are disqualifying offenses under section 550.105(5), 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.

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 Right

CERTIFICATE OF SERVICE

I hereby certify this 4<sup>th</sup> day of MAY, 2023, that a true copy of the foregoing has been furnished by certified U.S. mail to:

**Mr. Carlos Martinez**  
1188 Northwest 44th Avenue  
Lauderhill, Florida 33313



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

Case No. 2023-008508

7020 2450 0000 5094 3636

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL® RECEIPT</b>	
Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee	\$ <u>5/4/2023</u>
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	
<input type="checkbox"/> Return Receipt (electronic)	
<input type="checkbox"/> Certified Mail Restricted 1	
<input type="checkbox"/> Adult Signature Required	
<input type="checkbox"/> Adult Signature Restricted	
Postage	\$
Total Postage and Fees	\$
Sent To	\$
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for 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@flgaming.gov](mailto:Clerk@flgaming.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.



**FLORIDA**  
GAMING CONTROL  
COMMISSION

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

May 4, 2023

Mr. Carlos Martinez  
12237 SW 50th Street  
Cooper City, Florida 33330

**FILED**  
**FLORIDA GAMING CONTROL COMMISSION**  
Date: 5/04/2023  
File Number: \_\_\_\_\_  
**BY: MELBA L. APELLANIZ**  
**CLERK OF THE COMMISSION**

Letter of License Denial

Dear Mr. Martinez:

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These convictions are disqualifying offenses under section 550.105(5), 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.

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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

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Sincerely,



Melba Apellaniz  
Clerk of the Commission

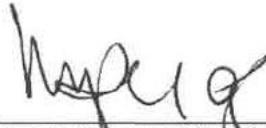
Attachment: Notice of Right



CERTIFICATE OF SERVICE

I hereby certify this 4<sup>th</sup> day of MAY, 2023, that a true copy of the foregoing has been furnished by certified U.S. mail to:

**Mr. Carlos Martinez**  
12237 SW 50th Street  
Cooper City, Florida 33330



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

Case No. 2023-008508

7020 2450 0000 5093 2816

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
OFFICIAL USE	
Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail	
<input type="checkbox"/> Adult Signat.	
<input type="checkbox"/> Adult Signat.	
Postage	\$
Total Postage	\$
Sent To	7/18/23
Street and Apt.	<b>Carlos Martinez</b> 12237 SW 50 <sup>th</sup> Street Cooper City, Florida 33330
City, State, ZIP+4®	<b>NOID – 2023008508 – PMW</b>
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

## NOTICE OF RIGHTS

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

## Donna Fleming

---

**From:** carlos martinez <carlos.martinez0731@gmail.com>  
**Sent:** Friday, August 25, 2023 11:48 AM  
**To:** Donna Fleming  
**Subject:** Case No.: 2023-008508

[You don't often get email from carlos.martinez0731@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To whom this may concern,

I would like request an informal hearing regarding my denial for license.

Please advise on how we could put this request in and for next steps.

Thank you for your consideration,

Carlos Martinez  
954.830.5289

Sent from my iPhone

## Donna Fleming

---

**From:** Donna Fleming  
**Sent:** Friday, August 25, 2023 1:25 PM  
**To:** Emily Alvarado  
**Cc:** Ebonie Lanier; Melinda Bristow  
**Subject:** FW: Case No.: 2023-008508

Good Afternoon,

I just received this request for an informal hearing. I received a call from Kathy Florez on his behalf on 7/28/23. He doesn't speak English very well. She stated that he had just received the letter and wanted to request a hearing. I explained that he must submit a request in writing and it must include what type of hearing he is requesting. I explained the two types of hearings and told them that it must be received within 21 days of the date he received the Notice of Intent to Deny Letter. I gave him my email address and our Southwood address. I also gave him my phone # if they had any questions. This is the only contact I have had since then.

Best,

Donna Fleming  
Administrative Assistant III, Division Clerk Florida Gaming Control Commission Division of Pari-Mutuel Wagering Office of the Director  
850.794.8113 Office

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**

-----Original Message-----

**From:** carlos martinez <carlos.martinez0731@gmail.com>  
**Sent:** Friday, August 25, 2023 11:48 AM  
**To:** Donna Fleming <Donna.Fleming@flgaming.gov>  
**Subject:** Case No.: 2023-008508

[You don't often get email from carlos.martinez0731@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

To whom this may concern,

I would like request an informal hearing regarding my denial for license.

Please advise on how we could put this request in and for next steps.

Thank you for your consideration,

Carlos Martinez  
954.830.5289

Sent from my iPhone

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>1022 - Pari-Mutuel General Individual Occupational</b>	Status <b>90 Closed</b>	Status Date <b>03/16/2023</b>
Complaint # <b>2023008508</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>MARTINEZ, CARLOS</b>	Responsible <b>bjones - JONES, BRADFORD</b>
		<b>Private Case</b>

Complaint	Respondent	Complainant	Addt'l Info
-----------	------------	-------------	-------------

Source <b>LIC - Licensee</b>	Security Level <b>1</b>	<input type="checkbox"/>	<b>Parties</b>	<input checked="" type="checkbox"/>	<b>Activities</b>
Form <b>WALK - Walk-in</b>	Priority <b>1</b>	<input checked="" type="checkbox"/>	<b>Allegations</b>	<input type="checkbox"/>	<b>Discipline</b>
Class'n <b>IIIB - Waivers</b>	Complexity <b>R - Regular</b>	<input checked="" type="checkbox"/>	<b>Violations</b>	<input type="checkbox"/>	<b>Compliance</b>
Security <b>STND - Standard</b>	Incident <b>12/22/2022</b>	<input type="checkbox"/>	<b>Related</b>	<input checked="" type="checkbox"/>	<b>Disposition</b>
Region <b>SR - Southern Region</b>	Received <b>02/09/2023</b>	<input type="checkbox"/>	<b>Inspection</b>		
Reference		<input type="checkbox"/>	<b>Costs</b>		
Entered <b>02/15/2023</b>	Entered By <b>gricks</b>	<input type="checkbox"/>	<b>Time Tracking</b>		<b>Auto Assign</b>
Summary <b>321 - Gulfstream Park Racing Association</b>		<input type="checkbox"/>	<b>Attachments</b>		<b>History</b>
Updated <b>03/16/2023 12:33:01</b>	By <b>icampbell</b>	<input type="checkbox"/>	<b>Work Notes</b>		<b>Print Report</b>

28	<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: MARTINEZ, CARLOS – 2011966  
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 00 8508

1022 – Exercise Rider  
Occupation Code and Job Title

Gulfstream Park  
Facility (d/b/a name)


**90-DAY RESPONSE DEADLINE:**

**MAY 29, 2023**  
(DATE)

---

### Investigations Section:

Reviewed by Bradford D. Jones for  
Steven E. Kogan

 March 16, 2023  
\_\_\_\_\_  
(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:




February 8, 2011 Hollywood Police Department, FL. – Grand Theft – Dealing in Stolen Property - Felonies – Adjudicated Guilty on both charges and sentenced on January 22, 2014 to 16 months State Prison, \$4,977.00 in restitution, and \$1,243.15 in Court costs and Fines of which \$1,227.15 remains unpaid.

\*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>Southern</b>	Date of Complaint: <b>February 9, 2023</b>	Case Number: <b>2023 00 8508</b>
Respondent:  <b>MARTINEZ, CARLOS</b> <b>1188 NW 44 AVENUE</b> <b>LAUDERHILL, FLORIDA 33313</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING</b> <b>OFFICE OF INVESTIGATIONS</b> <b>1400 W. COMMERCIAL BLVD. SUITE 165</b> <b>FORT LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>2011966-1022 (Temporary)</b>	Profession: <b>Exercise Rider</b>	Report Date: <b>March 6, 2023</b>	
Period of Investigation: <b>February 17-February 28, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Basis of Investigation:</b> This investigation is based upon submission of <b>MARTINEZ'</b> Florida Pari-Mutuel Application dated December 22, 2022, his amended application dated February 8, 2023 and his Waiver Request Form, which he signed on January 28, 2023.</p> <p>On his amended application, <b>MARTINEZ</b> answered "Yes" to the questions concerning prior criminal convictions and noted a Felony Grand Theft conviction in 2011 and a Misdemeanor theft in 2022, both of which occurred in Broward County, Florida.</p> <p>As confirmed per FDLE Criminal History Report (<b>EXHIBIT #3</b>), <b>MARTINEZ</b> was arrested for Grand Theft in 2011. He was also arrested for a Petit Theft charge in 2022.</p> <p>Application(s) and Request for Waiver are attached herein and are as assigned (<b>EXHIBIT #1</b>).</p>			
Investigations Specialist II / Date   Lisa Vila / March 1, 2023		Approved by Investigator Supervisor / Date   Bradford D. Jones / March 16, 2023	
Chief of Investigations / Date   Bradford D. Jones for Steven E. Kogan / March 16, 2023			



**CRIMINAL HISTORY**

Arrest 1					
<b>Date of Arrest:</b> 02/08/2011		<b>Arresting Agency:</b> Hollywood Police Department, Florida			
OFFENSE					
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Grand Theft	Felony	Not Guilty	Adj. Guilty	01/22/2014	
2 Dealing /Stolen Property	Felony	Not Guilty	Adj. Guilty	01/22/2014	
3					
4					

SENTENCE
18 months State prison (36 days CTS - after failing to appear in court on 2 occasions <b>MARTINEZ</b> was held without bond when ultimately apprehended), - \$ 1,243.15 Court fees (\$1,227.15 currently unpaid) – \$4,977.46 restitution to Invicta Watch.

Arrest 2					
<b>Date of Arrest:</b> 02/18/2022		<b>Arresting Agency:</b> Davie Police Department			
OFFENSE					
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1 Petit Theft	Misdemeanor	Guilty	Guilty	06/22/2022	
2					
3					
4					

SENTENCE
ACF Shoplifters Program – 12 Hours, \$293.00 - No return to Wal-Mart, 6-month probation.

**FGCC INVESTIGATIVE REPORT  
CRIMINAL HISTORY**

**Case Number - 2023 00 8508**

<b>Arrest 3</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				

<b>SENTENCE</b>

<b>Arrest 4</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
<b>1</b>				
<b>2</b>				
<b>3</b>				
<b>4</b>				

<b>SENTENCE</b>

<b>Arrest 5</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
<b>1</b>				
<b>2</b>				
<b>3</b>				

<b>SENTENCE</b>

**CRIMINAL HISTORY**

<b>Arrest 6</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

<b>SENTENCE</b>				
<b>Arrest 7</b>				
<b>Date of Arrest:</b>	<b>Arresting Agency:</b>			
<b>OFFENSE</b>				
Charge(s)	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				
<b>SENTENCE</b>				

**ADDITIONAL LICENSES**

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

<b>1. License Type: Exercise Person</b>				
Date Licensed: 05/22/2010	Expiration Date: 06/30/2011	License #: 2011966	Agency or Jurisdiction: Florida Division of PMW	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				<b>X</b>
Was any derogatory information received?				<b>X</b>
<b>2. License Type: Exercise Person</b>				
Date Licensed: 08/01/2008	Expiration Date: 07/31/2009	License #: 1374823	Agency or Jurisdiction: New York Racing & Wagering Board	
			<b>YES</b>	<b>NO</b>
Has License ever been suspended or revoked?				<b>X</b>
Was any derogatory information received?				<b>X</b>
Additional Comments:				

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

**WAIVER INTERVIEW**

	<b>YES</b>	<b>NO</b>
Was a Waiver Interview Conducted?	<b>X</b>	
Date of Interview: February 28, 2023	Location of Interview: Telephone	
	<b>YES</b>	<b>NO</b>
Was the applicant cooperative?	<b>X</b>	
<b>Additional Comments:</b>		

**SUMMARY OF INTERVIEW:**

After a few contact attempts with negative results, **MARTINEZ**' waiver interview was conducted via telephone on February 28, 2023. I introduced myself to him and explained the nature of my call; **MARTINEZ** provided the following information.

During the interview, **MARTINEZ** was asked about his criminal history, he stated that he was arrested for a felony theft charge (Arrest #1) in 2011. **MARTINEZ** did not recall any specific details other than he was working at the Invicta Watch headquarters in Hollywood, Florida. During his employment, he was asked by a coworker to "store" several discontinued watches and other merchandise at his residence. Subsequently a group of his business associates were investigated for taking merchandise and they indicated **MARTINEZ** had also taken merchandise. An investigation of that allegation was launched and **MARTINEZ** was later arrested.

**MARTINEZ** admitted he missed a few court dates; however he ultimately appeared in court where he pled guilty and was placed on probation for sixteen months. According to information obtained from the Comprehensive Case Information System (CCIS) and the Florida Department of Corrections, (**EXHIBIT 2**) after failing to appear in court on 2 occasions **MARTINEZ** was apprehended on a warrant in 2013 and held without bond until his January, 2014 sentencing. **MARTINEZ** received 18 months in state prison with 36 days credit for time served in jail prior to the sentencing hearing.

**MARTINEZ** also stated he was arrested for a shopping lifting charge in 2022, because he forgot to pay for groceries that were underneath his shopping cart. He was given a Promise to Appear Summons and was later found guilty. **MARTINEZ** could not provide any specific details or information concerning this arrest either.

**MARTINEZ** further advised he was recently working as an Exercise Rider at Gulfstream Park under his temporary PMW license. **MARTINEZ** also held a license from the New York Racing & Wagering Board, which expired on July 31, 2009. A search of the Association of Racing Commissioners International (ARCI) database (**EXHIBIT #5**), also indicates **MARTINEZ** previously held a prior Florida PMW license which expired in 2011. ARCI also shows that **MARTINEZ** has no rulings against him.

On February 28, 2023, I spoke to Assistant Trainer Lilian Klesaris, at Gulfstream Park, who verified **MARTINEZ** has been working for her intermittently over the past few years. She further stated she was aware of issues with **MARTINEZ**' license, however he is a hard worker and a valuable member of her team. She went on to say **MARTINEZ** is a family man and believes while he may have had issues in the past, he deserves a chance to provide for his family. PMW license information for Klesaris is attached herein as **EXHIBIT #4**.

Based on the representations on his initial application, **MARTINEZ** was issued a temporary PMW license-#2011966/1021 that expires on March 22, 2023.

**MARTINEZ** is requesting his waiver be granted so he can obtain permanent work as an Exercise Rider at Gulfstream Park. **MARTINEZ** further stated that he has not had any encounters with law enforcement since his last arrest (February, 2022) in Florida<sup>1</sup>.

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

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<sup>1</sup> *Comprehensive Case Information System (CCIS) shows that MARTINEZ has (4) traffic violations from 2005 through 2022 as well as a misdemeanor Domestic Violence charge in 2021.*

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

2023 JAN 30 AM 7:17  
FLORIDA GAMING  
CONTROL COMMISSION

TO: Carlos Ambulco Martinez  
Full Legal Name of Applicant



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

01/28/23  
Date

TO BE CONSIDERED FOR A WAIVER, APPLICANTS MUST COMPLETE FORM DBPR PMW-3185 -- REQUEST FOR RELEASE OF INFORMATION AND AUTHORIZATION TO RELEASE INFORMATION, AND SCHEDULE A WAIVER INTERVIEW WITH THE OFFICE OF INVESTIGATIONS.



EXHIBIT # 1  
PAGE # 2

SIGN & DATE

INITIAL HERE

# 2031966

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DEC 22

CM

2/6/23

**EMPLOYER INFORMATION**

Yes  
 No Have you ever been convicted of, or had adjudication without fine, a felony or misdemeanor involving fraud, embezzlement, conspiracy to defraud, or filing false reports to a governmental agency, trading 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 without fine for any crime, or pled guilty to any misdemeanor 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	INDICATION OR FELONY	SENTENCE
2/8/2011	Alachua	FL	gross TC/CP		
2/18/2023	Alachua	FL	Deceit in stolen property	Felony	18 months
			Theft	misd	12 months

Yes  
 No Have you ever had a trading 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 trading or gaming license you held ever suspended or subject to other discipline, such as, an order of suspension? If yes, you must list the state(s) or jurisdiction(s) of licensure and give details the orders and discipline.

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

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COMMISSION  
FEB 09 11 21

**PLEASE READ THIS INFORMATION CAREFULLY**

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 41, United States Code, Sections 653, 654, and Sections 400, 401, 402, 403, 404, 405, 406, 407, Florida Statute. Social Security numbers are used to allow efficient processing of applications and issuance by a Title IV-D child support agency to ensure compliance with child support obligations. Social Security numbers must also be recorded on all occupational license applications and are used for license identification purposes pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act), 104 Public Law, Sec. 917.

I hereby authorize the Department of Business and Professional Regulation, Division of Professional Weights, 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 2009, Section 16.95-16.94. I understand that my fingerprints may be retained at FDLE and the FBI for the purpose of providing any subsequent event 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 P.R. 643.008 and Title 28, C.F.R. Section 16.94. I may obtain a prompt determination as to the validity of my challenge from the Division under a final determination about my status as a licensee. A copy of the National Justice System'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 officer 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 604.70, 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 Professional Weights and the laws of the State of Florida. Under penalty of perjury, I agree to inform the Director, within 60 days of being convicted of or entering a plea of guilty or nolo contendere to any charge involving ethics, reputation or a violation.

[Signature]  
Date: 12/23/22

FD-204 (Rev. 11/15/2010) (Instructions September 2008) Pub 610-6801, PAC.

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FEB 06 2023

EXHIBIT # 3  
PAGE #

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

RECEIVED  
 BY: DEC 22 2022

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."

BIOGRAPHIC INFORMATION			
[Redacted]		Age (YY)	Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
First	Middle	Suffix	
Martinez		Cardo	
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 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 checked="" type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other			
Current Mailing Address		Email Address (optional)	
1189 NW 44th Ave.			
City	State	Zip Code (+4 optional)	Country, if other than USA
Lauderhill	FL	33313	
Primary Phone Number		Secondary/Cell Phone Number (optional)	
954 830 5289			
Current Street Address			
Some			
City	State	Zip Code (+4 optional)	Country, if other than USA
Type of Occupational License applying for: <input checked="" type="checkbox"/> Pari-Mutuel General Individual <input type="checkbox"/> Pari-Mutuel Professional Individual <input type="checkbox"/> Cardroom Employee		Facility where employed and/or doing business:	
Occupation: <u>Ex Rider</u>		Gulfstream	
Does your position require access to the Cardroom? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Is this your first time applying for a racing/gaming license in Florida? <input type="checkbox"/> Yes <input checked="" 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 <u>1022</u>	License # <u>2011966</u>	File # <u>60874</u>	App # <u>190853</u>
Association Code <u>321</u>	Date Received <u>12-22-22</u>	Entered By <u>[Signature]</u>	License Year <u>2025</u>
License Fee <u>15</u>	FP Date _____	FP Fee <u>37.25</u>	Total Fee <u>52.25</u>
Off Temp	Waiver Requested	<input checked="" type="checkbox"/> ARC	<input type="checkbox"/> Enforcement <input type="checkbox"/> Minor

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 FLORIDA GAMING  
 CONTROL COMMISSION

RECEIVED  
 BY: DEC 22

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

- 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:

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 FLORIDA GAMING  
 CONTROL COMMISSION

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. 943.068 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]  
 Signature of Applicant

12/22/23  
 Date









# BRENDA D. FORMAN CLERK OF THE COURTS

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Menu ☰

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## Case Detail - Public

Print

### State of Florida Vs Martinez Ambulo, Carlos

**Broward County Case Number:** 21003979MM10A  
**State Reporting Number:** 062021MM003979A88810  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Domestic Violence  
**Filing Date:** 07/07/2021  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Avalos - MV, Catalina  
**Magistrate Id / Name:** N/A  
**BCCN:** 0723373

### - Party(ies)

Total: 3

Party Type

Party Name

Address

Attorneys / Address

★ Denotes Lead Attorney

EXHIBIT # 2  
PAGE # 4



<b>Party Type</b>	<b>Party Name</b>	<b>Address</b>	<b>Attorneys / Address</b>
Defendant	<b>Martinez Ambulo, Carlos</b>  <i>Alias Name</i> <b>Martinez, Alvaro</b> <b>Martinez, Carlos</b> <b>Martinez, Carlos A</b> <b>Martinezambulo, Carlos</b>  <b>Gender: Male</b> <b>Race: White</b> <b>Language: English (American)</b> <b>Complexion: Medium</b> <b>Height: 5'7"</b> <b>Weight: 155</b> <b>Eye: Brown</b> <b>Hair: Brown</b> <b>DOB: [REDACTED]</b> <b>Birth City: Panama City</b>	1188 NW 44th Ave Lauderhill, FL 33313	<b>★ Segal, Kimberly</b> Public Defender Bar ID: 11422 201 SE 6th ST Fort Lauderdale, FL 33301-3303 <b>Status: Active</b>
<b>State</b>	<b>State of Florida</b>		
<b>Bond Company</b>	<b>Jon The Bondsman</b>		

**- Charge(s)** Total: 1

Offense Date	Charge	Degree	Detail
07/06/2021	1	(M1)	<b>Battery</b> Date Filed: 07/06/2021 Current Statute: (M1)784.03(1) Filing Type: No Information Filing Agency: Davie PD Original Statute: (M1)784.03(1)-Battery

**- Warrant(s)** Total: 0

There is no Warrant information available for this case.

**- Bond(s)** Total: 1

Posted Date	Charge(s)	Detail	Status

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Posted Date	Charge(s)	Detail	Status
07/07/2021	1	<b>Bond# 1604481</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Jon the Bondsman Insurance Company: Palmetto Surety Bond Amount: \$1500.00	07/07/2021 POSTED 07/23/2021 DISCHARGED (NO INFO)

**- Arrest(s) Total: 1**

Arrest Date	Charge	Arrest Number	Detail
07/06/2021	1	DV21000459	<b>Arrest</b> Name At Arrest: MartinezAmbulo, Carlos Offense: Battery Degree: (M1) Bond Amount: \$ Statute: 784.03(1) OBTS Number: 0607291622

**- Disposition(s) Total: 1**

Offense Date	Charge	Disposition(s)
07/06/2021	1	<b>Disposition(s)</b> <b>07/23/2021 Disposition</b> No Information

**- Collection(s) Total: 1**

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
08/27/2021	1		\$0.00	\$50.00	\$0.00	\$50.00	-	\$0.00	-	\$0.00

**- Event(s) & Document(s) Total: 11**

Date	Description	Additional Text	Pages

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Date	Description	Additional Text	View	Pages
07/28/2021	File Copy of Bond Discharge Slip(s)			1
07/23/2021	File State's Instruction Sheet			1
07/23/2021	File States Notice/Release of Domestic Viol Bond Conditions			1
07/14/2021	File Defense Demand For Discovery			4
07/14/2021	Demand for Disclosure of Impeaching Information			3
07/14/2021	File Notice/Assistant PD Assignment			1
07/08/2021	Bond Posted			2
07/07/2021	Electronic Case			
07/07/2021	Hrg Held / Magistrate Findings/Order - Probable Cause Found	07/08/2021 Signed By: Judge Blackmon		1
07/07/2021	Arrest Paperwork			3
07/07/2021	File Notice Of Confidential Info Within Court Filing			1

- Hearing(s) Total: 0

There is no Disposition information available for this case.

- Related Case(s) Total: 0

There is no related case information available for this case.

**Brenda D. Forman**

Clerk of Court

Broward County  
17th Judicial Circuit

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## Main Courthouse Location

201 SE 6th Street  
Fort Lauderdale  
Florida, US 33301  
Phone: (954) 831-6565

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# BRENDA D. FORMAN CLERK OF THE COURTS

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## Case Detail - Public

Print

### State of Florida Vs Martinez Ambulo, Carlos

**Broward County Case Number:** 21003979MM10A  
**State Reporting Number:** 062021MM003979A88810  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Domestic Violence  
**Filing Date:** 07/07/2021  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Avalos - MV, Catalina  
**Magistrate Id / Name:** N/A  
**BCCN:** 0723373

### - Party(ies)

Total: 3

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
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Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Martinez Ambulo, Carlos</b>  <i>Alias Name</i> <b>Martinez, Alvaro</b> <b>Martinez, Carlos</b> <b>Martinez, Carlos A</b> <b>Martinezambulo, Carlos</b>  <b>Gender: Male</b> <b>Race: White</b> <b>Language: English (American)</b> <b>Complexion: Medium</b> <b>Height: 5'7"</b> <b>Weight: 155</b> <b>Eye: Brown</b> <b>Hair: Brown</b> <b>DOB: [REDACTED]</b> <b>Birth City: Panama City</b>	1188 NW 44th Ave Lauderhill, FL 33313	★ Segal, Kimberly Public Defender Bar ID: 11422 201 SE 6th ST Fort Lauderdale, FL 33301-3303 <b>Status: Active</b>
State	<b>State of Florida</b>		
Bond Company	<b>Jon The Bondsman</b>		

**- Charge(s)** Total: 1

Offense Date	Charge	Degree	Detail
07/06/2021	1	(M1)	<b>Battery</b> Date Filed: 07/06/2021 Current Statute: (M1)784.03(1) Filing Type: No Information Filing Agency: Davie PD Original Statute: (M1)784.03(1)-Battery

**- Warrant(s)** Total: 0

There is no Warrant information available for this case.

**- Bond(s)** Total: 1

Posted Date	Charge(s)	Detail	Status

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Posted Date	Charge(s)	Detail	Status
07/07/2021	1	<b>Bond# 1604481</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Jon the Bondsman Insurance Company: Palmetto Surety Bond Amount: \$1500.00	07/07/2021 POSTED 07/23/2021 DISCHARGED (NO INFO)

**- Arrest(s) Total: 1**

Arrest Date	Charge	Arrest Number	Detail
07/06/2021	1	DV21000459	<b>Arrest</b> Name At Arrest: MartinezAmbulo, Carlos Offense: Battery Degree: (M1) Bond Amount: \$ Statute: 784.03(1) OBTS Number: 0607291622

**- Disposition(s) Total: 1**

Offense Date	Charge	Disposition(s)
07/06/2021	1	<b>Disposition(s)</b> <b>07/23/2021 Disposition</b> No Information

**- Collection(s) Total: 1**

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
08/27/2021	1		\$0.00	\$50.00	\$0.00	\$50.00	-	\$0.00	-	\$0.00

**- Event(s) & Document(s) Total: 11**

Date	Description	Additional Text

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 Pages

Date	Description	Additional Text	View	Pages
07/28/2021	File Copy of Bond Discharge Slip(s)			1
07/23/2021	File State's Instruction Sheet			1
07/23/2021	File States Notice/Release of Domestic Viol Bond Conditions			1
07/14/2021	File Defense Demand For Discovery			4
07/14/2021	Demand for Disclosure of Impeaching Information			3
07/14/2021	File Notice/Assistant PD Assignment			1
07/08/2021	Bond Posted			2
07/07/2021	Electronic Case			
07/07/2021	Hrg Held / Magistrate Findings/Order - Probable Cause Found	07/08/2021 Signed By: Judge Blackmon		1
07/07/2021	Arrest Paperwork			3
07/07/2021	File Notice Of Confidential Info Within Court Filing			1

- Hearing(s) Total: 0

There is no Disposition information available for this case.

- Related Case(s) Total: 0

There is no related case information available for this case.

**Brenda D. Forman**

**Clerk of Court**

Broward County  
17th Judicial Circuit

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## Case Detail - Public

Print

### State of Florida Vs. Martinezambulo, Carlos

**Broward County Case Number:** 11002375CF10A  
**State Reporting Number:** 062011CF002375A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 02/09/2011  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Duffy - FD, Barbara R.  
**Magistrate Id / Name:** N/A  
**BCCN:** 0723373

### - Party(ies)

Total: 8

Party Type

Party Name

Address

Attorneys / Address

★ Denotes Lead Attorney

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Party Type

Party Name

? Address

? Attorneys / Address

★ Denotes Lead Attorney

Defendant

**Martinezambulo, Carlos**

1188 NW 44th Ave  
Lauderhill, FL 33313

★ *Ansara, Richard*  
Bar ID: 27429  
400 Southeast Eighth Street  
Fort Lauderdale, FL 33316  
**Status: Removed 01/22/2014**

*Alias Name*

**Martinez Ambulo, Carlos**  
**Martinez, Alvaro**  
**Martinez, Carlos**  
**Martinez, Carlos A**

*Klein, John Nicholas, IV*  
Bar ID: 26320  
Office of the Public Defender 17th Circuit  
201 SE 6th St Ste 3872  
Fort Lauderdale, FL 33301-3332  
**Status: Removed 12/17/2013**

**Gender: Male**  
**Race: White**  
**Language: English (American)**  
**Complexion: Medium**  
**Height: 5'7"**  
**Weight: 155**  
**Eye: Brown**  
**Hair: Brown**  
**DOB: [REDACTED]**  
**Birth City: Panama City**

*Public Defender*  
*Public Defender*  
Bar ID: 88888888

**Status: Removed 12/10/2013**

*Ansara, Richard*  
Bar ID: 27429  
400 Southeast Eighth Street  
Fort Lauderdale, FL 33316  
**Status: Removed 12/05/2013**

State

State of Florida

Bond Company

**Fire Line Bail Bonds**

Bond Insurance Company

**United States Fire Insurance Company**

Bond Company

**Jesus Gonzalez**

Bond Insurance Company

**Accredited Surety & Casualty Co.**

Bond Company

**Bail Bonds Now**

Bond Insurance Company

**US Specialty Insurance Co**

- Charge(s)

Total: 2

Offense Date	Charge	Degree	Detail
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Offense Date	Charge	Degree	Detail
02/08/2011	1	(F2)	<b>Dealing in Stolen Property</b> Date Filed: 02/08/2011 Current Statute: (F2)812.019(1) Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F2)812.019(1)-Dealing in Stolen Property
02/08/2011	2	(F3)	<b>Grand Theft in the 3rd Degree</b> Date Filed: 02/08/2011 Current Statute: (F3)812.014(2)(c) Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)812.014(2)(c)-Grand Theft in the 3rd Degree

- Warrant(s)

Total: 2

Issue Date	Charge(s)	Detail	Status
11/14/2011	1, 2	<b>Warrant# 11002375CF10A2</b> <b>(InActive)</b> Type: Capias - No Show At Jury Trial - Bonded Bond Type: No Bond Hold Date Served: 11/21/2013 Hold Without Bail Bond: Yes	11/21/2013 Capias Served 11/14/2011 Active
05/17/2011	1, 2	<b>Warrant# 11002375CF10A1</b> <b>(InActive)</b> Type: Capias - No Show at Arraignment - Bonded Bond Type: No Bond Hold Date Served: 06/18/2011 Hold Without Bail Bond: Yes	06/18/2011 Capias Served 05/17/2011 Active

- Bond(s)

Total: 6

Posted Date	Charge(s)	Detail	Status
02/09/2011	1	<b>Bond# 20317663</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Fire Line Bail Bonds Insurance Company: US Fire Insurance Company Bond Amount: \$3500.00	02/09/2011 POSTED 05/17/2011 ESTREATED <b>(\$3500)</b> 06/24/2011 VACATED - ORDER GRANTING 06/24/2011 SURRENDERED - DISCHARGED (Actual Surrender Date: 062011)

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Posted Date	Charge(s)	Detail	Status
02/09/2011	2	<b>Bond# 20317410</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Fire Line Bail Bonds Insurance Company: US Fire Insurance Company Bond Amount: \$1000.00	02/09/2011 POSTED 05/17/2011 ESTREATED (\$1000) 06/24/2011 VACATED - ORDER GRANTING 06/24/2011 SURRENDERED - DISCHARGED (Actual Surrender Date: 062011)
06/24/2011	1	<b>Bond# 02527496</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: SEGUI Insurance Company: Accredited Surety and Casualty Company Bond Amount: \$3500.00	06/24/2011 POSTED 11/14/2011 ESTREATED (\$3500) 01/09/2012 ESTREATURE PAID (3500.00)
06/24/2011	2	<b>Bond# 02527495</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: SEGUI Insurance Company: Accredited Surety and Casualty Company Bond Amount: \$1000.00	06/24/2011 POSTED 11/14/2011 ESTREATED (\$1000) 01/09/2012 ESTREATURE PAID (1000.00)
12/17/2013	1	<b>Bond# 0014778</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Bail Bonds Now Insurance Company: US Specialty Insurance Co Bond Amount: \$15000.00	12/17/2013 POSTED 01/22/2014 DISCHARGED
12/17/2013	2	<b>Bond# 0025733</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Bail Bonds Now Insurance Company: US Specialty Insurance Co Bond Amount: \$10000.00	12/17/2013 POSTED 01/22/2014 DISCHARGED

- Arrest(s)

Total: 8

Arrest Date	Charge	Arrest Number	Detail
01/22/2014	1	CH14000195	<b>Rearrest</b> Offense: Dealing in Stolen Property Degree: (F2) Bond Amount: \$ Statute: 812.019(1) OBTS Number: 0608202852 Rearrest Reason: Sentenced

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Arrest Date	Charge	Arrest Number	Detail
01/22/2014	2	CH14000195	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(C ) OBTS Number: 0608202852 Rearrest Reason: Sentenced
11/21/2013	1	AP13000190	<b>Rearrest</b> Offense: Dealing in Stolen Property Degree: (F2) Bond Amount: \$ Statute: 812.019(1) OBTS Number: 0608200690 Rearrest Reason: 5001 Capias Trial Bond
11/21/2013	2	AP13000190	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(C ) OBTS Number: 0608200690 Rearrest Reason: 5001 Capias Trial Bond
06/18/2011	1	BS11006000	<b>Rearrest</b> Offense: Dealing in Stolen Property Degree: (F2) Bond Amount: \$ Statute: 812.019(1) OBTS Number: 0607132094 Rearrest Reason: !!!!!!!!!!!!!!!!!!!!!!!!!!!!!
06/18/2011	2	BS11006000	<b>Rearrest</b> Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(c ) OBTS Number: 0607132094 Rearrest Reason: !!!!!!!!!!!!!!!!!!!!!!!!!!!!!
02/08/2011	1	HW11000347	<b>Arrest</b> Name At Arrest: Martinezambulo, Carlos Offense: Dealing in Stolen Property Degree: (F2) Bond Amount: \$1000.00 Bond Type: Not Applicable Statute: 812.019(1) OBTS Number: 0609135942

Arrest Date	Charge	Arrest Number	Detail
02/08/2011	2	HW11000347	<b>Arrest</b> Name At Arrest: Martinezambulo, Carlos Offense: Grand Theft in the 3rd Degree Degree: (F3) Bond Amount: \$3500.00 Bond Type: Not Applicable Statute: 812.014(2)(c ) OBTS Number: 0609135942

- Disposition(s)

Total: 2

Offense Date	Charge	Disposition(s)
02/08/2011	1	<b>Plea(s)</b> 12/17/2013 Amended Plea (Reason: Change of Plea,) Change of Plea-Nolo Contendere 06/24/2011 Plea Arraignment Not Guilty-Jury  <b>Disposition(s)</b> 01/22/2014 Disposition Adjudicated  <b>Sentence(s)</b> 01/22/2014 (5) Incarceration BCJ or FSP (Judicial Officer(s): Bober, Bernard I) Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines) Comment (Total Amount Imposed \$517.00 ) Confinement (Effective 01/22/2014, Min. Not Applicable, Max. 18 Month(s), Florida State Prison, Credit Time Served: 36 Day(s) ) Sentence Status (Concurrent) Restitution (\$4,977.46, Comment: Restitution converted to a civil lien.)

Offense Date	Charge	Disposition(s)
02/08/2011	2	<b>Plea(s)</b> <b>12/17/2013 Amended Plea</b> (Reason: Change of Plea,) Change of Plea-Nolo Contendere <b>06/24/2011 Plea</b> <i>Arraignment Not Guilty-Jury</i>  <b>Disposition(s)</b> <b>01/22/2014 Disposition</b> Adjudicated  <b>Sentence(s)</b> <b>01/22/2014 (5) Incarceration BCJ or FSP</b> (Judicial Officer(s): Bober, Bernard I) Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines) Comment (Total Amount Imposed \$142.00 ) Confinement (Effective 01/22/2014, Min. Not Applicable, Max. 18 Month(s), Florida State Prison, Credit Time Served: 36 Day(s) ) Sentence Status (Concurrent)

**- Collection(s) Total: 2**

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
11/20/2021	1		\$517.00	\$903.11	\$16.00	\$887.11	11/22/2013	\$3.00	-	\$0.00
11/20/2021	2		\$142.00	\$321.86	\$0.00	\$321.86	-	\$0.00	-	\$0.00

**- Event(s) & Document(s) Total: 85**

Date	Description	Additional Text	View	Pages
11/20/2021	Sent To Law Firm For Collections	AllianceOne		
10/03/2021	Collection Agency/Waive Fee			
02/28/2015	Sent To Law Firm For Collections	Penn Credit		
04/26/2014	Sent To Law Firm For Collections			
02/24/2014	Felony Letter - 30 Days Past Due	\$909.00		
01/23/2014	Arrest Paperwork			
01/22/2014	File Commitment			

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Date	Description	Additional Text	View	Pages
01/22/2014	<b>File And Record Judgment</b>			2
01/22/2014	<b>File Order Of Sentence</b>			6
01/22/2014	<b>File Sentencing Guidelines</b>			4
01/22/2014	<b>File Restitution Order</b>			2
01/22/2014	<b>File Victim Information Report</b>			1
01/22/2014	<b>Court Disposition with AC Costs Converted to Civil Lien</b>			3
12/19/2013	<b>Release Status</b>	AP13000190		
12/17/2013	<b>File Order Granting Withdraw Public Defender</b>			
12/17/2013	<b>File Defense Demand For Trial By Jury</b>			
12/17/2013	<b>File Defense Written Plea Of Not Guilty</b>			
12/17/2013	<b>File Waiver Of Arraignment</b>			
12/17/2013	<b>File Notice Of Appearance</b>	Richard Ansara		
12/17/2013	<b>Sentencing - Deferred</b>			
12/17/2013	<b>File Acknowledgement -Waiver Of Rights</b>			
12/17/2013	<b>Hearing Held / Change Of Plea</b>	I/CT RPT L CHINN		
12/10/2013	<b>Demand for Disclosure of Impeaching Information</b>			
12/10/2013	<b>File Notice/Assistant PD Assignment</b>			
12/10/2013	<b>File Defense Demand For Discovery</b>			
12/10/2013	<b>Hearing Held / Status Conference</b>	I/CT RPT L CHINN		
12/10/2013	<b>File Order Granting Def Motion For Continuance</b>	verbal		
12/09/2013	<b>File Def Affidavit Indigency/Declared Indigent</b>			
12/09/2013	<b>Review of Motor Vehicles - Property Records</b>			
12/09/2013	<b>File St's Response Def's Demand/Disc Imp Info/Suppl Corresp</b>			
12/05/2013	<b>Hearing Held / Status Conference</b>	I/CT RPT L CHINN		

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Date	Description	Additional Text	View	Pages
12/05/2013	<b>File Order Granting Def Motion For Continuance</b>	verbal		
12/05/2013	<b>File Order Granting Motion For Attorney To Withdraw</b>			
12/03/2013	<b>File Defense Motion To Withdraw As Atty Of Record</b>			
11/26/2013	<b>Hearing Held / Status Conference</b>	I/CT RPT S FERRUCHO		
11/22/2013	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>			
11/21/2013	<b>Capias Served</b>			
09/18/2013	<b>Hrg Held On Defense Motion To Withdraw Capias</b>	I/CT RPT L CHINN		
09/18/2013	<b>File Order Denying Def Motion To Withdraw Capias</b>	The Court hereby sets a bond on the outstanding capias as follows- Count I -\$15,000 Count II-\$10,000		
09/17/2013	<b>File Notice Of Appearance</b>			
09/17/2013	<b>File Waiver Of Arraignment</b>			
09/17/2013	<b>File Defense Written Plea Of Not Guilty</b>			
09/17/2013	<b>File Defense Demand For Trial By Jury</b>			
09/17/2013	<b>File Defense Demand For Discovery</b>			
09/17/2013	<b>File Defense Notice Of Hearing</b>	091813/motion to vacate capias or in the alternative to set bond		
09/04/2013	<b>File Defense Motion</b>	Vacate Capias		
11/08/2012	<b>Release Status</b>	BS11006000		
11/14/2011	<b>Trial Not Held</b>	F/CT REPT V MILLER/DEF. NO SHOW		
11/14/2011	<b>Capias Issued</b>			
11/14/2011	<b>Certificate Of Clerk - Bond Estreature Due Date</b>			
11/14/2011	<b>Order Estreating Bond</b>			
11/14/2011	<b>Certificate Of Clerk - Bond Estreature Due Date</b>			
11/14/2011	<b>Order Estreating Bond</b>			

EXHIBIT #  
PAGE #

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Date	Description	Additional Text	View	Pages
09/06/2011	<b>Reset Jury Trial</b>	F/CT REPT V MILLER		
09/06/2011	<b>File Order Granting Def Motion For Continuance</b>	verbal		
09/06/2011	<b>File Waiver Of Speedy Trial</b>	verbal		
06/30/2011	<b>File Sheriff's Affidavit Of Payment Of Costs</b>	Bond 20317410 Bond 20317663		
06/29/2011	<b>File Notice Of Filing</b>	Corrected Court Notice		
06/27/2011	<b>File States Discovery Submission</b>			
06/27/2011	<b>File State Demand For Notice Of Alibi</b>			
06/27/2011	<b>Bond Posted</b>	2 Jesus Gonzalez Bail Binds, Inc.		
06/24/2011	<b>File Def Not Of Intent To Participate In Discovery</b>			
06/24/2011	<b>File Defense Demand For Trial By Jury</b>			
06/24/2011	<b>File Defense Written Plea Of Not Guilty</b>			
06/24/2011	<b>File Notice Of Appearance</b>			
06/24/2011	<b>Order Granting Defense Motion To Vacate Bond Estreature</b>			
06/24/2011	<b>Order Granting Defense Motion To Vacate Bond Estreature</b>			
06/24/2011	<b>Arraignment Held</b>	F/CT REPT V MILLER		
06/24/2011	<b>Defendant Allowed 15 Days to File Motions</b>			
06/24/2011	<b>File Order Granting Def Motion To Set Bond</b>	Bond is set at \$3500 on count I and \$1000 on Count II.		
06/24/2011	<b>Order Granting Defense Motion To Vacate Bond Estreature</b>			
06/24/2011	<b>File Defense Motion</b>	to set aside capias & reinstate bond		
06/23/2011	<b>File Defense Notice Of Hearing</b>	RE: Motion to Set aside Capias & reinstate Bond 06/24/11 @ 8:30am		
06/20/2011	<b>File Surrender Slip</b>	(2) Fire Line Bail Bonds: 20317663 & 20317410		
06/18/2011	<b>Capias Served</b>			
05/17/2011	<b>Capias Issued</b>			

**EXHIBIT #**  
**PAGE #**

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Date	Description	Additional Text	View	Pages
05/17/2011	<b>Arraignment Not Held</b>	f/crt rept v miller/Capias Issued/Def. No Show		
05/17/2011	<b>Certificate Of Clerk - Bond Estreature Due Date</b>			
05/17/2011	<b>Order Estreating Bond</b>			
05/17/2011	<b>Certificate Of Clerk - Bond Estreature Due Date</b>			
05/17/2011	<b>Order Estreating Bond</b>			
05/05/2011	<b>Court Date Notice</b>	Def., Bonds Co., SAO		
04/08/2011	<b>File Notice Of Confidential Info Within Court Filing</b>			
03/29/2011	<b>File States Information</b>			
02/10/2011	<b>Bond Posted</b>	2 Fire Line Bail Bond		

- Hearing(s)

Total: 11

Date	Description	Additional Text
01/22/2014	<b>Sentencing</b>	Hearing Time: 11:00 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
12/17/2013	<b>Hearing/Status Conference</b>	Hearing Time: 9:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
12/10/2013	<b>Hearing/Status Conference</b>	Hearing Time: 9:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
12/05/2013	<b>Hearing/Status Conference</b>	Hearing Time: 10:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
11/26/2013	<b>Hearing/Status Conference</b>	Hearing Time: 9:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900 <i>per icc</i>
11/25/2013	<b>Hearing/Set New Dates</b>	Hearing Time: 9:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900 <i>*(defendant arrested</i>

**EXHIBIT #**  
**PAGE**

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Date	Description	Additional Text
09/18/2013	Hearing/Defense Motion To Withdraw Capias	Hearing Time: 9:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
11/14/2011	Jury Trial	Hearing Time: 10:00 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
09/06/2011	Jury Trial	Hearing Time: 10:00 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
06/24/2011	Arraignment	Hearing Time: 8:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900
05/17/2011	Arraignment	Hearing Time: 8:30 AM Judicial Officer(s):Duffy - FD, Barbara R. Location: Room 5900

- Related Case(s) Total: 0

There is no related case information available for this case.

## Brenda D. Forman

### Clerk of Court

Broward County  
17th Judicial Circuit

MORE ABOUT THE CLERK (/ABOUTUS/ABOUTTHEOFFICE#ABOUTTHECLERK) >



### Connect with Us

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## Accessibility & Support

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[FREQUENTLY ASKED QUESTIONS \(HTTPS://WWW.BROWARDCLERK.ORG//WEB2/CASESEARCHECA/FREQUENTQUESTIONS/\)](https://www.browardclerk.org/web2/caserearcheca/frequentquestions/)



[GLOSSARY OF TERMS \(HTTPS://WWW.BROWARDCLERK.ORG//WEB2/CASESEARCHECA/GLOSSARY/\)](https://www.browardclerk.org/web2/caserearcheca/glossary/)



## Main Courthouse Location

201 SE 6th Street

Fort Lauderdale

Florida, US 33301

Phone: (954) 831-6565

[PUBLIC RECORDS CUSTODIAN \(/GENERALINFORMATION/MISCELLANEOUS#PUBLICRECORDSCUSTODIAN\)](#) > *PURSUANT TO 119.12(2), F.S.*

[PUBLIC ACCESS TO JUDICIAL RECORDS \(/GENERALINFORMATION/MISCELLANEOUS#JUDICIALRECORDRULE\)](#) > *PURSUANT TO RULE 2.420*

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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EXHIBIT #  
PAGE #

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(//www.dc.state.fl.us/index.html)

Florida Department of Corrections  
(//www.dc.state.fl.us/index.html)



Ron DeSantis, Governor  
Ricky D. Dixon, Secretary

"Inspiring Success by Transforming One Life at a Time"

[Offender Search \(/OffenderSearch/InmateInfoMenu.aspx\)](#)    [Visit an Inmate \(/ci/visit.html\)](#)

[Correctional Institutions \(/ci/index.html\)](#)    [Probation Services \(/cc/index.html\)](#)    [Programs \(/development/index.html\)](#)

[FDC Jobs \(http://www.fldcjobs.com\)](http://www.fldcjobs.com)    [Newsroom \(/comm/index.html\)](#)    [Statistics \(/pub/index.html\)](#)

[Contact Us \(http://www.dc.state.fl.us/citizen/index.html\)](http://www.dc.state.fl.us/citizen/index.html)

## Corrections Offender Network

### Inmate Release Information Detail

(This information was current as of 3/28/2015)



DC Number:	I41916
Name:	AMBULO, CARLOS M
Race:	BLACK
Sex:	MALE
Birth Date:	[REDACTED]
Custody:	CLOSE
Release Date:	03/28/2015

### Stated Residence Upon Release:

Available to Law Enforcement

### Aliases:

CARLOS M AMBULO, CARLOS MARTINEZ AMBULO, CARLOS MARTINEZAMBULO

### Current Prison Sentence History:

Offense Date	Offense	Sentence Date	County	Case No.	Prison Sentence Length
09/30/2010	TRAFFIC IN STOLEN PROPERTY	01/22/2014	BROWARD	1102375	1Y 6M oD
09/30/2010	GRAND THEFT,300 L/5,000	01/22/2014	BROWARD	1102375	1Y 6M oD

Note: The offense descriptions are truncated and do not necessarily reflect the crime of conviction. Please refer to the court documents or the Florida Statutes for further information or definition.

**Detainers:**(Further information may be obtained by contacting the detaining agency)

Detainer Date	Agency	Type	Date Canceled
03/12/2015	ICE MIAMI	DETAIN	03/24/2015

EXHIBIT # 2  
PAGE # 21/2

**Incarceration History:**

Date In-Custody	Date Out-Custody
01/30/2014	03/28/2015

[First](#)
[Previous](#)
[Next](#)
[Last](#)
[Return to List](#)
[New Search](#)
Record: 1 of 71

The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, release date, or other information regarding an inmate.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information only includes offenders sentenced to state prison or state supervision. Information contained herein includes current and prior offenses. Offense types include related crimes such as attempts, conspiracies and solicitations to commit crimes. Information on offenders sentenced to county jail, county probation, or any other form of supervision is not contained. The information is derived from court records provided to the Department of Corrections and is made available as a public service to interested citizens. The Department of Corrections makes no guarantee as to the accuracy or completeness of the information contained herein. Any person who believes information provided is not accurate may contact the Department of Corrections.

For questions and comments, you may contact the Department of Corrections, Bureau of Admission and Release, at (850) 488-9167 or go to [Frequently Asked Questions About Inmates for more information \( http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html \)](http://prod.fdc-wpws001.fdc.myflorida.com/ci/index.html). This information is made available to the public and law enforcement in the interest of public safety.

**Search Criteria:** (/OffenderSearch/search.aspx?TypeSearch=IR) Last Name: martinez First Name: carlos Search Aliases: YES Offense Category: Release Facility: ALL Stated County of Residence Upon Release: ALL County of Commitment: ALL

[Return to Corrections Offender Information Network \(../OffenderSearch/InmateInfoMenu.aspx\)](#)

**About Us**

<http://www.dc.state.fl.us/about.html>

*As Florida's largest state agency, and the third largest prison system in the country, FDC employs 24,000 members, incarcerates approximately 80,000 inmates and supervises nearly 146,000 offenders in the community.*

**Quick Links**

- [Contact an Inmate](http://www.dc.state.fl.us/ci/ContactInmate.aspx)
- [Public Records](http://www.dc.state.fl.us/ci/ContactInmate.aspx)
- [Volunteer](http://www.dc.state.fl.us/volunteer/index.html)
- [File a Complaint](http://www.dc.state.fl.us/apps/IGComplaint.aspx)
- [Organization](http://www.dc.state.fl.us/org/orgchart.html)
- [Regulatory Plan](http://www.dc.state.fl.us/pub/regulatory/)
- [Victim Services](http://www.dc.state.fl.us/ci/ContactInmate.aspx)
- [Inmate and Offender Programming](http://www.dc.state.fl.us/vict/index.html)
- [Development](http://www.dc.state.fl.us/development/index.html)
- [Corrections Foundation](https://www.correctionsfoundation.org/)
- [Florida Correctional Institute](https://www.fcor.state.fl.us/index.shtml)
- [Inspector General](http://www.dc.state.fl.us/ig/index.html)
- [Prison Rape Elimination Act 2018.pdf](http://www.dc.state.fl.us/PREA/index.html)

**Contact Us**

<http://www.dc.state.fl.us/ci>

501 South Calhoun Street  
Tallahassee, FL 32399-2500  
Main: (850) 488-7052  
Phone Directory  
<http://www.dc.state.fl.us/org/contact.html>

**EXHIBIT # 2**  
**PAGE # 20**

































FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE  
CJIS DIVISION/CLARKSBURG, WV 26306

1110-0046

RECEIVED  
BY: DEC 22 2012

1. LOOP



CENTER OF LOOP

DELTA

THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL



DELTA

THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH



ARCHES HAVE NO DELTAS

APPLICANT

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

Please review this helpful information to aid in the successful processing of hard copy civil fingerprint submissions in order to prevent delays or rejections. Hard copy fingerprint submissions must meet specific criteria for processing by the Federal Bureau of Investigation.

- Ensure all information is typed or legibly printed using blue or black ink.
- Enter data within the boundaries of the designated field or block.
- Complete all required fields. (If a required field is left blank, the fingerprint card may be immediately rejected without further processing.)
- The required fields for hard copy civil fingerprint cards are: ORI, Date of Birth, Place of Birth, NAM, Sex, Date fingerprinted, Reason fingerprinted, and proper completion of fingerprint impression boxes.

Do not use highlighters on fingerprint cards.  
Do not enter data or labels within 'Leave Blank' areas.  
Ensure fingerprint impressions are rolled completely from nail to nail.  
Ensure fingerprint impressions are in the correct sequence.  
Ensure notations are made for any missing fingerprint impression (i.e. amputation).  
Do not use more than two retabs per fingerprint impression block.  
Ensure no stray marks are within the fingerprint impression blocks.

Training aids can be ordered online via the Internet by accessing the FBI's website at: [fbi.gov](http://fbi.gov), click on 'Fingerprints', then click on 'Ordering Fingerprint Cards & Training Aids'. Direct questions to the Biometric Services Section's Customer Service Group at (304) 625-5590 or by e-mail at [identity@fbi.gov](mailto:identity@fbi.gov).

**Social Security Account Number (SSAN):** Pursuant to the Privacy Act of 1974, any Federal, state, or local government agency that requests an individual to disclose his or her SSAN, is responsible for informing the person whether disclosure is mandatory or voluntary, by what statutory or other authority the SSAN is solicited, and what uses will be made of it. In this instance, the SSAN is solicited pursuant to 28 U.S.C. 534 and will be used as a unique identifier to confirm your identity because many people have the same name and date of birth. Disclosure of your SSAN is voluntary; however, failure to disclose your SSAN may affect completion or approval of your application.

PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities include Federal statutes, State statutes pursuant to Pub.L. 92-544, Presidential Executive Orders, and federal regulations. Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprints repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

PAPERWORK REDUCTION ACT NOTICE

According to the Paperwork Reduction Act of 1995, no persons are required to provide the information requested unless a valid OMB control number is displayed. The valid OMB control number for this information collected is 1110-0046. The time required to complete this information collection is estimated to be 10 minutes, including time reviewing instructions, gathering, completing, reviewing and submitting the information collection. If you have any comments concerning the accuracy of this time estimate or suggestions for reducing this burden, please send to: Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Washington, DC 20530.

INSTRUCTIONS:

- \* 1. PRINTS MUST GENERALLY BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
2. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE 'EMPLOYER AND ADDRESS'. THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI. UNIVERSAL CONTROL NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
- \*\* 3. MISCELLANEOUS NO. RECORD: OTHER ARMED FORCES NO. PASSPORT NO. (FP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).

FD-258 (REV. 5-15-17)

U.S. GOVERNMENT PUBLISHING OFFICE:  
07/05/2016 12:11:07

EXHIBIT #  
PAGE #

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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: Ivila

VR Home > License Search > License Home

**License**

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2025**

File # **9193** Name **KLESARIS, LILLIAN** Extended To

License # **644756** Rank **PIND - Professional Individual Occupational** Renewed On **10/19/2022**

Entity # **644756** Lic Status **Current**

- 
- 
- 
- 
- 

**Address**

Street # **19801** Street **EAST COUNTRY CLUB DRIVE**

Line 2 **APT #404**

Line 3

City **AVENTURA** State **FL** Zip **33180**

Routing



**Other**

1st License Date **05/07/2019** Rank Date **10/19/2022** Certificate #

Method **I-S-1024** Status Date **10/19/2022** Certificate Date **01/31/2000**

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	ATRN - Asst. Trainer	10/19/2022	
C	TRNR - Trainer	05/02/2019	
I	TBRD - Thoroughbred		
L	321 - Gulfstream Park	05/02/2019	
Y	3YR - 3 Year License		

**Alt Keys**

BEST LIC NBR **PIN644756**

 Get Adobe Reader.

EXHIBIT # 4  
PAGE # 1





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

January 6, 2023

Mr. Carlos Martinez  
1188 Northwest 44th Avenue  
Lauderhill, Florida 33313

RE: Application No. 191253, Entity 2011966  
1022 - PMW General Individual Occupational

Dear Mr. Martinez:

Your application for an occupational license with the Office of Operations 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 3 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:**

- Broward County, Florida Arrest - 2/8/2011, 2/18/2022
- Any individual or business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - Request for Waiver and DBPR PMW-3195 - Request for Release of Information and Authorization to Release Information (forms enclosed). The Division will process a request for waiver upon receipt of a complete application.

**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 4/21/2023, your application shall lapse and no longer be processed by the Florida 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**

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

**EXHIBIT # 5**  
**PAGE # 1**

**reapply by submitting all materials and fees required for that license in Florida Gaming Control Commission Rule. Please note that your Temporary License will expire on: 03/22/2023.**

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,

MA/  
Operations Analyst II

EXHIBIT # 5  
PAGE # 2



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

January 30, 2023

Mr. Carlos Martinez  
1188 Northwest 44th Avenue  
Lauderhill, Florida 33313

RE: Application No. 191253, Entity 2011966  
1022 - PMW General Individual Occupational

Dear Mr. Martinez:

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). **You must initial and date any changes made to your application.**

**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 4/21/2023, your application shall lapse and no longer be processed by the Florida 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. Please note that your Temporary License will expire on: 03/22/2023.**

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,

MA/  
Operations Analyst II

OFFICE OF OPERATIONS  
2601 BLAIR STONE ROAD  
TALLAHASSEE, FLORIDA 32399

EXHIBIT # 5  
PAGE # 3

RECEIVED

2023 FEB -9 AM 11:47

FLORIDA GAMING  
CONTROL COMMISSION

DBPR FWR-3160 - Request for Release of Information and Authorization to Release Information



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

2023 FEB -6 AM 8:48  
FLORIDA GAMING  
CONTROL COMMISSION

RECEIVED

**PERSONAL INFORMATION**

Social Security Number/Federal Employer ID Number: [REDACTED]

**INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION**

Last Name: MARTINEZ  
First: CARLOS  
Middle: [REDACTED]  
Title: [REDACTED]  
Suffix: [REDACTED]

**BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION**

Representative's Name: Last [REDACTED] First [REDACTED] Middle [REDACTED] Title [REDACTED] Suffix [REDACTED]

Permit holder Name: [REDACTED]  
Official Capacity: [REDACTED]

**ATTEST STATEMENT**

I, Carlos Martinez Ambulo, do hereby instruct all law enforcement 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.

*[Signature]*  
(If individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: *[Signature]* Date: 1/28/23

**NOTARIZATION**

The foregoing application was sworn to and subscribed before me this 28 Day of Jan, 20 23, by Carlos Ambulo Martinez *[Signature]* as identification.

*[Signature]*  
Signature of person taking acknowledgment  
Notary Seal (Rubber Stamp and Expiration)

MARTHA PACHECO  
Notary Public - State of Florida  
Commission # NH 886430  
My Commission Expires July 28, 2026

CM  
INITIAL HERE  
CM

*[Signature]*  
2/8/23

EXHIBIT #  
PAGE #

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Florida Gaming Control Commission

Licensing Administrator Review – PMW Occupational License

RE: **MARTINEZ, CARLOS- E# 2011966**  
 (APPLICANT'S NAME- LICENSE #)

Case No: \_\_\_\_\_

INITIAL APPLICATION RECEIVED:	12/22/2022
COMPLETE APPLICATION RECEIVED:	2/8/2023
<b>90-DAY DEADLINE:</b>	<b>5/9/2023</b>

**Miriam Achens**  
 Application Processor

**321 - Gulfstream Park**  
 Facility (d/b/a name)

**EXRD - Exercise Rider/ 1022**  
 Occupation/Job Title/ Lic Type

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division 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; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review

**Conviction**

Did the application accurately reflect the Criminal History Record?  Yes  No

- Felony : 2 Count(s)
- Misdemeanor – Industry Related/Gambling Related/Bookmaking
- Animal Cruelty
- Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

**Comments:**

Arrest Date	Location	Charge	Level	Disposition
2/8/2011	Broward Co, FL	Case 06211CF002375A88810 -Dealing in Stolen Property	F2	Adjudicated
		-Grand Theft in the 3 <sup>rd</sup> Degree	F3	Adjudicated

**Disposition Unknown**

- Felony Arrest(s) :
- Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
- Animal Cruelty

**Enforcement/Jurisdiction Offenses**

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

**Related Licenses**

**Check VR License Relations to Determine if Applicant is Related to a Business.**

Is the individual applicant related to a business? Yes  No  If yes, complete sections below.

Business License Number: \_\_\_\_\_ Business Name: \_\_\_\_\_

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No

Date Deficiency Letter Issued: \_\_\_\_\_ Initials: \_\_\_\_\_

Licensing Administrator Review

**Disposition Confirmation**

Disqualifying Convictions/Arrests Confirmed? Yes  No  Approval

Forward to  Investigations  Legal  Director Initials:  2/9/23

Comments:





licenses



RECEIVED  
DEC 22 2022  
BY: .....

Licensee Search

# Licensee: CARLOS MARTINEZ

No Picture Available

## Reports on CARLOS MARTINEZ

- Comprehensive Ruling Report
- Drug Ruling Report (Last 5 Years)
- Comprehensive Licensee Report

### Identification Information

Add a New Identification Record

Date of Birth

Federal ID/SSN

Country

Sex

### Name Information

Add a New Name Record

Name Type

Prefix

First Name

Middle Name

Last Name

Suffix

Current Legal Name

CARLOS

MARTINEZ

### Address Information

Address Type

Street Address

City

State

Zip Code

### Phone Information

Phone Number Type

Phone Number

### License Information

Add a New License Record

License Number

License Type

Issued Date

Expiration Date

Licensing Commission

1374823

Exercise Person

8/1/2008

7/31/2009

New York Racing & Wagering Board

### Fingerprint Information

Add a New Fingerprint Record

Processing Commission

Date Taken

Status

Notes

RCI Card Submitted Date

Ruling Number

Ruling Type

Ruling Date

Fine

Fine Paid?

Suspension Start

Suspension End

### Applicable Reports

- Comprehensive Ruling Report
- Comprehensive Licensee Report

EXHIBIT #  
PAGE #

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LICENSER



RECEIVED  
DEC 22 2022  
BY: ..... Licensee Search

# Licensee: CHARLIE MARTINEZ



## Reports on CHARLIE MARTINEZ

- Comprehensive Ruling Report
- Drug Ruling Report (Last 5 Years)
- Comprehensive Licensee Report

### Identification Information

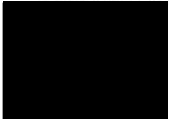
Date of Birth

Federal ID/SSN

Add a New Identification Record

Country

Sex



### Name Information

Name Type

Current Legal Name

Previous Legal

Prefix

First Name

Middle Name

Add a New Name Record

Last Name

Suffix

CHARLIE

CHARLIE

MARTINEZ

MARTINEZ

### Address Information

Address Type

Street Address

City

State

Zip Code

### Phone Information

Phone Number Type

Phone Number

### License Information

License Number

License Type

Issued Date

Expiration Date

Add a New License Record

Licensing Commission

2011966

Exercise Person

5/22/2010

6/30/2011

Florida Division of Pari-Mutuel Wagering

Exercise Person

5/13/2010

6/12/2010

Florida Division of Pari-Mutuel Wagering

Exercise Person

7/11/2005

6/30/2008

Florida Division of Pari-Mutuel Wagering

Exercise Person

2/24/2005

6/30/2005

Florida Division of Pari-Mutuel Wagering

1281910

Exercise Person

10/12/2001

1/31/2003

New York Racing & Wagering Board

\*N\*1151916

Exercise Person

10/12/2001

1/31/2003

New York Racing & Wagering Board

2011966

Other/OTB/Casino

2/16/2001

6/30/2001

Florida Division of Pari-Mutuel Wagering

\*N\*1111818

Miscellaneous/Permittee

2/16/2001

6/30/2001

Florida Division of Pari-Mutuel Wagering

00-1082-2011966

Unknown

11/23/2000

6/30/2001

Florida Division of Pari-Mutuel Wagering

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PAGE # 10

**Fingerprint Information**

Processing Commission  
Florida Division of Pari-Mutuel Wagering

Date Taken  
11/23/2000

Status  
Unknown

**Add a New Fingerprint Record**  
Notes RCI Card Submitted Date

Ruling Number	Ruling Type	Ruling Date	Fine	Fine Paid?	Suspension Start	Suspension End
---------------	-------------	-------------	------	------------	------------------	----------------

**Applicable Reports**

Comprehensive Ruling Report  
Comprehensive Licensee Report

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[Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT #  
PAGE #

5  
11

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	<b>1022 - Pari-Mutuel General Individual Occupational</b>	Status	<b>20 Under Investigation</b>	Status Date	<b>02/15/2023</b>
Complaint #	<b>2023008508</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>MARTINEZ, CARLOS</b>	Responsible	<b>Ivira - VILA, LISA</b>		<b>Private Case</b>

Complaint | Respondent | Complainant | Add'l Info

Source **LIC - Licensee** Security Level **1**  
 Form **WALK - Walk-in** Priority **1**  
 Class'n **IIIB - Waivers** Complexity **R - Regular**  
 Security **STND - Standard** Incident **12/22/2022**  
 Region **SR - Southern Region** Received **02/09/2023**  
 Reference  
 Entered **02/15/2023** Entered By **gricks**  
 Summary **321 - Gulfstream Park Racing Association**  
 Updated **02/15/2023 10:56:57** By **gricks**

- Parties  Activities
- Allegations  Discipline
- Violations  Compliance
- Related  Disposition
- Inspection
- Costs
- Time Tracking  Auto Assign
- Attachments  History
- Work Notes  Print Report

Change | Save | OK | Cancel | Back

[Get Adobe Reader.](#)

EXHIBIT # **3**  
 PAGE # **12**



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Beatrice Gillispie Case Number 2023-031192; Final Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering requests the Commission to adopt the hearing officer's recommended order recommending permanent exclusion of Beatrice Gillispie ("Respondent") from all pari-mutuel and slot facilities in the state of Florida. The Division served Respondent with an administrative complaint, seeking Respondent's exclusion from all pari-mutuel and slot facilities in Florida. Respondent requested an informal hearing, which was held on October 12, 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 May 24, 2023, Respondent was a patron of Miami Casino, LLC d/b/a Casino Miami.<sup>1</sup> Respondent was issued a trespass warning and was barred from entering Casino Miami on June 12, 2023, due to allegations that she had stolen money that was in another patron's wallet.

Based on Respondent's ejection from Casino Miami, 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 October 12, 2023. The hearing officer issued their recommended order on January 9, 2024, recommending permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee.

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<sup>1</sup> Casino Miami is operated by a pari-mutuel wagering permit holder that also possesses a slot machine and cardroom license.

## *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 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.” Casino Miami is both a pari-mutuel facility and slot machine licensee in this state, and Respondent was ejected from it. Accordingly, by law, 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 2023-031192.

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.: 2023-031192

BEATRICE GILLISPIE,

Respondent.

\_\_\_\_\_ /

HEARING OFFICER’S RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission (“Commission”), on October 12, 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 Beatrice Gillispie (“Respondent”) in FGCC Case Number 2023-031192. The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent was represented by Larry R. Handfield and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about July 18, 2023, the Commission filed an Administrative Complaint against Respondent alleging that on June 12, 2023, Respondent was issued a trespass warning and is barred from entering Casino Miami, 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 or about August 9, 2023, Respondent requested an informal hearing pursuant



to section 120.57(2), Florida Statutes.

3. Included with Respondent's request for an informal hearing was a Mitigation Report of Mrs. Beatrice Gillispie ("Report").

4. The Report stated that Mrs. Gillispie was issued a Casino Miami Trespass Statement on June 12, 2023, and was barred from the Casino Miami property.

The October 12, 2023, Informal Hearing

5. At the informal hearing held on October 12, 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 admitted the investigative report into the record.

6. At the hearing, Respondent testified about a variety of topics:

- a. Respondent explained the circumstances surrounding Casino Miami issuing her a trespass warning and barring her from the property.
- b. Respondent testified that she took money from a wallet that was left at a slot machine at Casino Miami because she considered it to be abandoned property.
- c. Respondent testified that she only took \$105 from the wallet but the facility said that \$500 was missing. Petitioner testified that she has repaid the \$500 to the facility.
- d. Respondent stated in the informal hearing that taking the money was not malicious or intentional.
- e. Respondent testified that she has never had any problems with law enforcement, and that she is sorry.

### FINDINGS OF FACT

7. On or about May 24, 2023, Respondent was a patron of Casino Miami.
8. On or about June 12, 2023, Respondent was issued a trespass warning, and was barred from entering Casino Miami.
9. At all times material hereto, Casino Miami was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.

### CONCLUSIONS OF LAW

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

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

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. The Casino Miami Trespass Statement issued to Respondent on June 12, 2023, that bars Respondent from entering Casino Miami, constitutes an ejection of Respondent from Casino Miami.

15. Casino Miami is a facility of a slot machine licensee, and a pari-mutuel facility in the State of Florida.

16. In the informal hearing, Respondent admitted that she took money from a wallet on the slot machine gaming floor of Casino Miami.

17. Respondent's testimony neither mitigates the fact that Respondent was ejected from Casino Miami, nor precludes the Commission from excluding Respondent from any licensed pari-mutuel facilities and any facilities of a slot machine licensee in the State of Florida.

18. Therefore, due to Respondent's ejection from Casino Miami, pursuant to sections 550.0251(6), and 551.112, Florida Statutes the Commission may exclude Respondent from all licensed pari-mutuel wagering facilities and all facilities of a slot machine licensee in the State of Florida.

19. 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 permanently excluding Respondent from all pari-mutuel facilities and all facilities of a slot machine licensee in the State of Florida.

This Recommended Order in FGCC Case 2023-031192 is submitted this 9th day of January 2024.

*/s/ Elizabeth K. Stinson*

\_\_\_\_\_  
Elizabeth K. Stinson  
Hearing Officer  
Florida Gaming Control Commission

CERTIFICATE OF SERVICE

I hereby certify this 10th day of January 2024, that a true copy of the foregoing “Hearing Officer’s Recommended Order” has been provided by mail and email to:

**Beatrice Gillispie**  
c/o Larry R. Handfield  
281 NE 162<sup>nd</sup> St.  
North Miami, Florida 33162-4350  
[LarryHandfield@gmail.com](mailto:LarryHandfield@gmail.com)

/s/ Melba L. Apellaniz  
Agency Clerk

GILLISPIE, BEATRICE  
Case No. 2023-031192  
Informal Hearing Packet

**Documents Included in Case File**

- Exhibit 1 ..... Cover Letter (Attorney and Respondent)
- Exhibit 2 ..... Notice of Informal Hearing (Attorney and Respondent)
- Exhibit 3.....Election of Rights
- Exhibit 4 ..... Administrative Complaint



# FLORIDA GAMING CONTROL COMMISSION

JULIE I. BROWN, VICE-CHAIR  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER  
TINA REPP, COMMISSIONER

September 14, 2023

Larry R. Handfield  
281 NE 162<sup>nd</sup> St.  
North Miami, FL 33162-4350

RE: FGCC v. Beatrice Gillispie  
Case No.: 2023-031192

Dear Mr. Handfield:

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 October 12, 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: (305) 576-1011**. 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 the 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 the 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 850-794-8071 or [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov).

Sincerely,

/s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II

Enclosures: Notice of Hearing and Case File

OFFICE OF THE GENERAL COUNSEL  
4070 ESPLANADE WAY  
TALLAHASSEE, FLORIDA 32399



# FLORIDA GAMING CONTROL COMMISSION

JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER  
TINA REPP, COMMISSIONER

September 14, 2023

Beatrice Gillispie  
281 NE 162<sup>nd</sup> St.  
North Miami, FL 33162-4350

RE: FGCC v. Beatrice Gillispie  
Case No.: 2023-031192

Dear Ms. Gillispie:

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**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: (786) 314-2110**. 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.

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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 850-794-8071 or [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov).

Sincerely,

/s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II

Enclosures: Notice of Hearing and Case File

OFFICE OF THE GENERAL COUNSEL  
4070 ESPLANADE WAY  
TALLAHASSEE, FLORIDA 32399



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.: 2023-031192

BEATRICE GILLISPIE,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Larry R. Handfield, Esq.  
Attorney for Beatrice Gillispie  
4770 Biscayne Blvd., Suite 1250  
Miami, FL 33137

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, October 12, 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 (305) 576-1011 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. If you wish to do so, you must contact the Commission by email at [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov) or telephone at (850) 794-8071, 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 (hearing officer email) and Opposing Counsel at (opposing counsel email) 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 14th day of September, 2023.

By: /s/ Melinda Bristow  
Melinda Bristow  
Administrative Assistant II  
Florida Gaming Control Commission  
Office of the General Counsel Division of  
Pari-Mutuel Wagering  
4070 Esplanade Way  
Tallahassee, Florida 32399  
Telephone: (850) 794-8072  
Facsimile: (850) 921-1311  
[Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@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 Melinda Bristow at (850) 794-8071. If you are hearing or speech impaired, please contact the agency by calling 1-800-955-8771.

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.: 2023-031192

BEATRICE GILLISPIE,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Beatrice Gillispie  
281 NE 162nd Street  
North Miami, FL 33162

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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 [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov) or telephone at (850) 794-8071, 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

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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 14th day of September, 2023.

By: /s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II  
Florida Gaming Control  
Commission Office of the General  
Counsel Division of Pari-Mutuel  
Wagering 4070 Esplanade Way  
Tallahassee, Florida 32399  
Telephone: (850) 794-8071  
Facsimile: (850) 921-1311  
[Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@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 Melinda Bristow at (850) 794-8071. 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. GILLISPIE, BEATRICE

CASE NO.: 2023-031192

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.

BEATRICE Gillispie  
PRINTED NAME

781 NE 162 St  
Street Address

N. m 71 33162  
City State Zip

786-314-7110  
Telephone Number Facsimile Number (if any)

RATIO 305 @ yahoo.com  
E-mail

Beatrice Gillispie  
SIGNATURE

[Signature]  
ATTORNEY OR QUALIFIED REPRESENTATIVE

4770 Biscayne Blvd.  
Street Address (where service shall be made)

4770 Biscayne Blvd.  
City State Zip

33137  
Telephone Number Facsimile Number (if any)

(305) 576-1011  
E-mail

LARRY Handfield @  
gmail.com

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  
4070 Esplanade Way Ste. 250  
Attention: Ebonie N. Lanier, Administrative Assistant III  
Telephone: (850) 794-8072 Fax: (850) 921-1311  
Email: Ebonie.Lanier@flgaming.gov

**Florida Gaming Control Commission**  
**Division of Pari-Mutuel Wagering**

**Mitigation Report of Mrs. Beatrice Gillispie**

Beatrice Gillispie (hereinafter referred to as Mrs. Gillispie), through undersigned Counsel, hereby submits this mitigation as her formal response to the Florida Gaming Control Commission's Election of Rights, Option One. Mrs. Gillispie does not dispute any material fact alleged in the Administrative Complaint. She understands she will be given an informal hearing that will afford her the opportunity to present this mitigation. Mrs. Gillispie has expressed sincere regret, guilt, and disappointment for her behavior.

**Mrs. Gillispie's Background and Social History**

Mrs. Gillispie is a 62-year-old married mother of three adult children. She was born in Jamaica and moved from Jamaica to South Florida when she was 20 years old.

Mrs. Gillispie immediately began to work in the healthcare industry, providing private care to private clients for the first 20 years of her career. Mrs. Gillispie has been licensed under the Florida Department of Health for 28 years. Mrs. Gillispie is currently licensed as a certified nursing assistant. She is currently employed as a mental health technician at JMH. The Florida Department of Health License Portal reveals that Mrs. Gillispie has no discipline or public complaints on file.

Mrs. Gillispie has never been arrested, regularly attends church services with her mother and continues to live a consistent, uneventful life working and maintaining her family.

**Conclusion**

Mrs. Gillispie has admitted that on May 24, 2023, while present and gaming at the Casino Miami Jai-Alai, she came upon a wallet left at a slot machine, took money from the wallet before placing the wallet back on the slot machine. Mrs. Gillispie admitted placing the cash in her pocketbook, exiting the casino, and departing the property in her vehicle.

Mrs. Gillispie admitted that she was at the Casino Miami Jai-Alai on June 12, 2023, when she was confronted by casino

personnel, who discussed with her the evidence they gathered regarding the May 24, 2023, incident. After Mrs. Gillispie was advised that the complainant said \$500.00 cash was taken from his wallet on the aforementioned date, Mrs. Gillispie paid the Casino Miami \$500.00. Mrs. Gillispie was provided with a receipt. Mrs. Gillispie also was issued a Casino Miami Trespass Statement that she signed on June 12, 2023. Lastly, Mrs. Gillispie was further notified that the Florida Gaming Control Commission further filed a healthcare provider complaint against her with the Florida Department of Health.

Mrs. Gillispie does not want to lose her Florida HealthCare provider License. Healthcare has been her only livelihood her entire adult life. She has taken full responsibility for her shameful actions. Mrs. Gillispie has re-paid the casino and she is barred from the Casino Miami property. Again, Mrs. Gillispie does not dispute any material fact alleged in the Administrative Complaint. Mrs. Gillispie wishes to submit this mitigation and that it be considered before any penalty, fines or disposition are imposed.

Date: August 9, 2023

Respectfully Submitted,



Larry R. Mandfield, Esq.  
Attorney for Beatrice Gillispie  
Florida Bar #330590  
4770 Biscayne Blvd., Suite 1250  
Miami, Florida 33137  
(305) 576-1011

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.: 2023-031192

BEATRICE GILLISPIE,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Beatrice Gillispie (“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 281 Northeast 162nd Street, North Miami Beach, Florida 33162.
3. At all times material hereto, Casino Miami was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the state of Florida.
4. On or about May 24, 2023, Respondent was a patron of Casino Miami.
5. On or about June 12, 2023, Respondent was issued a trespass warning, and is barred from entering Casino Miami.
6. Respondent was issued a trespass warning 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 accrued trespass warning from Casino Miami on or about June 12, 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 2023-031192 is signed this 18th day of July 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  
4070 Esplanade Way  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.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](#) | [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: **nmelvai**

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

Lic Type <b>1098 - Unlicensed Complaints</b>	Status <b>90 Closed</b>	Status Date <b>07/11/2023</b>
Complaint # <b>2023031192</b>	Case Type <b>CMP - Complaint</b>	Disposition
Docket#	Respondent <b>GILLISPIE, BEATRICE</b>	Responsible <b>bjones - JONES, BRADFORD</b>
		Disposition Date
		<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
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Source **INTN - Internal** Security Level **1**  
 Form **INTR - Internal** Priority  
 Class'n **OTHR - Other** Complexity **R - Regular**  
 Security **STND - Standard** Incident **05/24/2023**  
 Region **SR - Southern Region** Received **06/01/2023**  
 Reference **F.S. 550.0251**  
 Entered **06/01/2023** Entered By **nmelvai**

- Parties
- Activities
- Allegations
- Discipline
- Violations
- Compliance
- Related
- Disposition
- Inspection
- Costs
- Time Tracking
- Auto Assign
- Attachments
- History
- Work Notes
- Print Report

**06/27/2023 - Case closed and sent for Supervisor Review !!! 273---CASINO MIAMI, LLC--(F.S. 550.0251)---On May 24, 2023, this investigator was present at Casino Miami when Security Supervisor Christopher Forestier (Lic. # 93027) requested from Surveillance a review of slot machine BD-04 due to a patron claiming \$500.00 cash was removed from his wallet after it was left at slot machine BD-03; a slot machine adjacent to BD-04. An unknown female patron wearing burgundy scrubs, a black sweater, a white mask playing and holding a black pocketbook was observed playing on slot machine BD-04 with a player's club card inserted into it. During this time an unknown male patron wearing a white shirt and blue jeans walks away from slot machine BD-03. Upon the unknown male patron leaving camera view, the unknown female patron can be seen approaching slot machine BD-03, she then places her pocket book on top of machines control panel and picks up the wallet that was left behind by the male patron. The unknown female patron was observed taking what appears to be money from the wallet and placing it into their pocketbook. The unknown female patron then places the wallet back on the control panel to slot machine BD-04. Shortly afterwards, the unknown female patron exits the facility and leaves the property in a red vehicle. Upon this investigator's inquiry, it was found that the player's club card used at slot machine BD-04 belongs to patron Beatrice GILLIPSIE. This open case request has been submitted to Investigative Supervisor Julio Minaya for review and approval.**

Updated **07/14/2023 08:38:35** By **nmelvai**



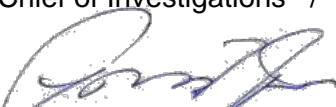
43 Days	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>May 24, 2023</b>	Case Number: <b>2023 03 1192</b>
Respondent:  <b>GILLISPIE, BEATRICE 281 NE 162<sup>nd</sup> ST NORTH MIAMI BEACH, FLORIDA 33162-4350</b>		Complainant:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>N/A - 1098</b>		Profession: <b>Patron</b>	Report Date: <b>July 7, 2023</b>
Period of Investigation: <b>June 1, 2022 through July 7, 2023</b>		Type of Report: <b>Final</b>	
<b>Alleged Violation: F.S. 550.0251 Powers and duties of the Florida Gaming Control Commission.</b>			
<b>(6)</b> 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.			
<b>Synopsis:</b> On May 24, 2023, this Investigator was present at Casino Miami Jai-Alai (CMJ) when a member of the facility's Security Team requested from the CMJ Surveillance Team a review of slot machine BD-04 due to a patron claiming that \$500.00 in cash was removed from his wallet after it was left unattended at slot machine BD-03, a slot machine adjacent to BD-04. Video review showed an unknown female playing on slot machine BD-04. During this time the male patron walked away from slot machine BD-03 leaving a wallet behind. Upon the male patron leaving camera view, the unknown female patron can be seen approaching slot machine BD-03; she places her pocketbook on the machine's control panel and picks up the wallet that was left behind by the male patron. The unknown female patron was observed taking what appears to be money from the wallet and placing it into her pocketbook. She then placed the wallet back on the control panel of slot machine BD-03. Shortly afterwards, the unknown female patron exits the facility and left CMJ property in a red vehicle. Upon this Investigator's inquiry, it was found that the player's club card used at slot machine BD-04 by the unknown female patron belongs to patron Beatrice <b>GILLISPIE</b> .			
Related Case:			
Investigator / Date   Ian Campbell / July 7, 2023		Investigator Supervisor / Date   Julio Minaya / July 11, 2023	
Chief of Investigations / Date   Bradford D. Jones / July 11, 2023			

## CONTINUATION

On May 24, 2023, this Investigator was in the Casino Miami State Office when CMJ Security Supervisor Christopher Forestier (Lic. #93027) was heard requesting Surveillance for a review of slot machine BD-04 due to a patron claiming that \$500.00 in cash was removed from his wallet after it was left unattended at slot machine BD-03, a slot machine adjacent to BD-04. This Investigator observed Pari-Mutuel Operations Specialist Frank Gomez reviewing the surveillance footage in the State Office. Reviewing through surveillance cameras 176 and 196, an unknown female patron wearing burgundy hospital scrubs, a black sweater, a white facial mask and carrying a black pocketbook, was observed playing on slot machine BD-04 with a player's card inserted into it (**Exhibit #1, Pages 12 & 13**). About 40 minutes later, a male patron wearing a white shirt and blue jeans was observed sitting at machine BD-03 while the unknown female patron was still sitting at BD-04 (**Exhibit #1, Page 15**). About 10 seconds later, the male patron gets up from machine BD-03 and goes to slot machine BC-06, which is a few steps to the right of slot machine BD-03. About 20 seconds later, the male patron leaves slot machine BC-06 then walks out of view from both surveillance cameras, 176 & 196. Minutes after the male patron walked away from the area, the unknown female patron can be seen approaching slot machine BD-03, placing her pocketbook onto the machine's control panel, and picking up the wallet that was left behind by the male patron. The unknown female patron was then observed taking what appears to be money from the wallet and placing it into her pocketbook. She then places the wallet back onto slot machine BD-03's control panel and sits back down at slot machine BD-04. Shortly afterwards, the unknown female patron exits the facility and leaves the property in a red vehicle (**Exhibit #1, Pages 22 thru 32**).

As the unknown female patron left the facility's parking lot, surveillance footage shows the male patron recovering the wallet that he had left behind at slot machine BD-03. Two minutes later, the male patron is seen with Security Supervisor Forestier, visibly upset. After observing the surveillance footage, this Investigator contacted Casino Miami Vice President of Human Resources & State Compliance Beatriz Perez, (Lic. #634266) to request the Player's Club information for both the male victim and the female patron, as well as to obtain additional surveillance footage of the incident.

Later that day this Investigator received the Player's Club information for both patrons. It was found that the male patron's name is Ricardo Rodriguez and the unknown female's name is Beatrice **GILLISPIE (Exhibit 2)**. A copy of **GILLISPIE's** driver's license was provided by the Player's Club (**Exhibit #2, Page 1**). This investigator was able to confirm **GILLISPIE's** address on her driver's license through the Miami-Dade County Property Appraiser's website showing her as the owner of the property at the listed address (**Exhibit #3, Page 1**). Because **GILLISPIE** was dressed in hospital scrubs, this Investigator conducted a search of Florida Department of Health (FDOH) license records on the chance that she might be a health care provider. FDOH records revealed that **GILLISPIE** is currently licensed as a Certified Nursing Assistant. The address on her driver's license also appeared on **GILLISPIE's** FDOH license information (**Exhibit #4**). An Accurint search conducted on **GILLISPIE** revealed the same address on her driver's license as well as her being the owner of a red 2018 Toyota RAV4 – 4-Door Sport Utility Vehicle. The latest vehicle registration date is 10/14/2022 for [Florida] tag # [REDACTED] (**Exhibit #5, Pages 3 & 4**).

## CONTINUATION

On May 25, 2023, this Investigator was able to obtain the surveillance footage requested from Casino Miami the prior day. Upon review of the surveillance footage the following was observed:

- 08:05 AM – 08:11 AM: **GILLISPIE** is seen entering parking lot C1 of Casino Miami in a red compact SUV, exiting the vehicle and entering the casino (**Exhibit #1, Pages 1 thru 5**)
- 09:14 AM<sup>1</sup> – 09:19 AM: **GILLISPIE** is seen at the Player's Club desk handing her player's club card to Promotion/Payer's Club Rep Claudia Tosco Ramirez (Lic. # 12250684) who then enters **GILLISPIE's** information into the system, pulling up an image of **GILLISPIE's** driver's license on the computer monitor. Minutes later, **GILLISPIE** is guided to Player's Club Supervisor Bianca Mans (Lic. #11076676) to whom her Player's Club card is handed to. **GILLISPIE** then walks away from the Player's Club desk after Mans assists her. (**Exhibit #1, Pages 6 thru 11**)
- 10:00 AM: **GILLISPIE** sits at slot machine BD-04, inserts her player's club card and begins to play on the machine (**Exhibit #1, Pages 12 & 13**)
- 10:42 AM: Rodriguez sits at slot machine BD-03 (**Exhibit #1, Page 15**)
- 10:43 AM: Rodriguez gets up from slot machine BD-03, leaving his wallet on the machine's control panel, and sits at slot machine BC-06; seconds later he leaves slot machine BC-06 and walks out of camera view (**Exhibit #1, Pages 16 thru 20**)
- 10:47 AM: **GILLISPIE** approaches slot machine BD-03, places her pocketbook onto the machine's control panel, picks up the wallet that was left behind and starts removing contents in the wallet, placing them into her pocketbook (**Exhibit #1, Pages 21 thru 27**)
- 10:48 AM: **GILLISPIE** returns to slot machine BD-04 and sits down, seconds later she gets up and starts walking towards the buildings east side exit, exits the building, enters what appears to be a red four door compact SUV and drives out of parking C1 of the facility (**Exhibit #1, Pages 29 thru 32**)
- 10:50: Footage on surveillance camera #176 shows when Rodriguez goes back to slot machine BD-03 and picks up his wallet from the machine's control panel (**Exhibit #1, Pages 33 thru 34**)
- 10:53 – 10:55: Rodriguez is seen with Security Supervisor Forestier apparently explaining what has taken place with his wallet (**Exhibit #1, Page 35**)

Upon visiting Casino Miami on June 13, 2023, this Investigator was informed by Surveillance Assistant Manager Adrian Gordon (Lic. # 11117304) that **GILLISPIE** was identified at the facility on June 12, 2023. Surveillance footage was provided to this Investigator and the following was observed:

- 11:55 AM – 11:57 AM: Surveillance camera #988 shows **GILLISPIE**, wearing burgundy hospital scrubs, a blue sweater, a white facial mask and holding a black bag, exiting the casino through casino entrance/exit C1 doors, walking through the P1 patron's parking lot, and entering a red Toyota RAV 4, license tag # [REDACTED] (**Exhibit #1, Pages 36 & 37**)

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<sup>1</sup> **GILLISPIE's** whereabouts were not known nor was she tracked because this time frame was not relevant to the time of incident.

## CONTINUATION

- 11:57 AM – 12:02 PM: **GILLISPIE** is approached by Miami Police Department Officer Carlos Acuna and is seen being asked to step out of the vehicle. Director of Security Jorge Callejas (Lic. #13298951) and Security Supervisor Steven Torres (Lic. #11812218) approach **GILLISPIE** with Officer Acuna still present, **GILLISPIE** is observed appearing confused, holding her arms up and waving her head no. It is also observed that **GILLISPIE** is reluctant to re-enter the casino with Security Director Callejas, Security Supervisor Torres, and Officer Acuna (**Exhibit #1, Pages 38 & 39**)
- 12:02 PM – 12:03 PM: **GILLISPIE** is then seen being escorted from her vehicle and back into the casino with Officer Acuna, Security Director Callejas and Security Supervisor Torres
- 12:05 PM – 12:19 PM: Surveillance camera #345 shows **GILLISPIE** at the casino's Security Operations Center (SOC) with Security Supervisor Torres and Officer Acuna. **GILLISPIE** is later seen going into her pocketbook and removing \$500.00 in US Currency and handing it to Security Supervisor Torres who then presents the money handed to him to surveillance camera #345 and Officer Acuna. Security Supervisor Torres then exits the (SOC) with the money. Although not currently excluded by the facility, **GILLISPIE** acknowledged and signed a Casino Miami Trespass Statement form. After signing the form, she is escorted out of the casino by Officer Acuna (**Exhibit 1, Pages 41 thru 47**).

On June 16, 2023, this Investigator interviewed Security Supervisor Forestier regarding the incident on May 24, 2023. Forestier stated that Rodriguez was upset about the incident and said that he will never return to Casino Miami. Forestier explained that Rodriguez is a VIP member and frequents Casino Miami almost every day. Forestier stated that patrons that were around the machines at the time of the incident recalled seeing **GILLISPIE** briefly going to slot machine BD-03 then sitting back down at BD-04 prior to walking away from the area of the incident. Forestier could not provide additional information regarding this matter.

This Investigator also interviewed Security Supervisor Torres on June 16, 2023, regarding his interaction with **GILLISPIE** on June 12, 2023. Torres stated that when questioned about the incident on May 24, 2023, **GILLISPIE** denied being involved and initially refused to re-enter the casino with him, Officer Acuna, and Security Director Jorge Callejas. Torres said **GILLISPIE** decided to re-enter the casino after being presented with the facts that she had taken the money and if she didn't re-enter the facility she would be arrested. Torres stated that once **GILLISPIE** arrived at the SOC, she asked if she would be able to return to the casino if she paid the money that she had taken. Torres said to **GILLISPIE** that the only person who could make that decision was the Casino's General Manager. Torres also said that **GILLISPIE** decided to pay back the money because she was in a rush to leave the casino and go to work. After receiving the \$500.00 from **GILLISPIE**, Torres deposited the money back to the Casino and gave **GILLISPIE** a copy of the Casino Miami Paid In / Out Slip form to sign confirming that she had re-paid the money back to the facility. **GILLISPIE** also signed the Trespass Statement form that Torres and Officer Acuna had also signed. Torres stated that when he asked **GILLISPIE** the reasons behind her actions on May 24, 2023, she said that she took the money to "get even." According to Torres, **GILLISPIE** justified her actions by stating that there have been multiple occasions when she was playing at Casino Miami and valuables were taken from her pocketbook. This Investigator conducted an inquiry into **GILLISPIE's** claim and no security reports involving **GILLISPIE** prior to May 24, 2023 were found (**Exhibit #8, Page 1 & 3**).



## CONTINUATION

When asked about the money received from **GILLISPIE** and restitution to the victim, Ricardo Rodriguez, Torres stated that Rodriguez accepted \$500.00 in free game play and the money received from **GILLISPIE** was deposited into the casino. This Investigator was unable to contact Mr. Rodriguez because his cellular phone was not accepting incoming calls.

On July 7, 2023, this Investigator was able to meet with Regulatory Supervisor/Consultant Rebeka Fleurjuste with the Florida Department of Health's Medical Quality Assurance (DOH/MQA), Investigative Services Unit. Ms. Fleurjuste advised this Investigator to submit information regarding the Respondent's actions via the DOH/MQA online complaint portal where it will be reviewed for possible investigation by her agency. Using the directions provided by Ms. Fleurjuste, this Investigator was able to forward the base facts concerning **GILLISPIE** via email to DOA/MQA (**Exhibit #9**).

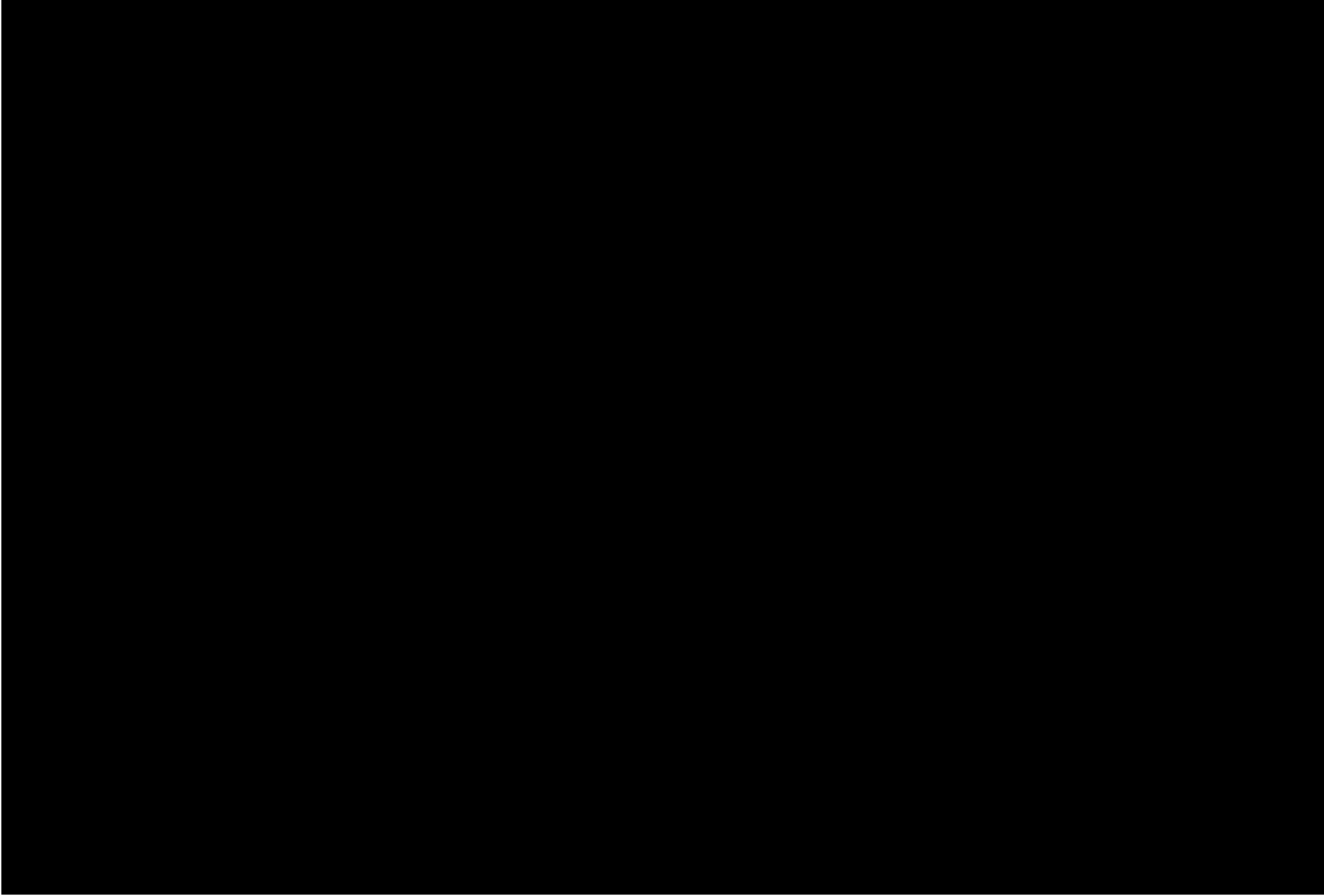
**Conclusion:** To date, Casino Miami has not permanently excluded **GILLISPIE**. An inquiry into nearby facilities found that **GILLISPIE** is not included on their excluded patrons lists. Due to the nature of the violation and the respondent's interaction with Casino Miami's security, having **GILLISPIE** excluded from all licensed facilities aligns with preserving and protecting the integrity of gaming in Florida.

**Status:** Case closed by Investigations and forwarded to Legal for further review.

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Last Home address changed on Thursday, May 25, 2023

Address *	281 NE 162 ST
Country *	USA
Postal *	33161
City *	N MIAMI BEACH
State *	Florida

Personal Data

Account Email

Send Mail To

Acct

232451

Title

▼

\* First Name

BEATRICE

MI

\* Last Name

GILLISPIE

\* Birthday

Age

62

Name :

Display Name : BEATRICE GILLISPIE



Type : Player

Manage Host

Group : Unidentified Group ID

Swipe DL/Scan Chk

- Address
- 2.Contact**
- 3.Identification
- 4.Tags
- 5.Club/Prefer...
- 7.Other
- 8.PIN
- 9.Note
- 10.eSeries
- 11.Memo
- 12.Relationship
- 13.Group

Phones

ContactType	Is Send Text Message	PhoneNumber	Extension	IsC
				False

\* Emails

ContactType	EmailAddress	IsEmailSend

Manage Phone

Manage Email

Personal Data

Gender :  Female  Male

Account Flags

- Return Mail
- Card In
- Privacy

- Inactive
- Picture

- Banned
- Credit Acct

Send Mail To

Home





Address    Owner Name    Folio

## SEARCH:

Gillispie, Beatrice



### PROPERTY INFORMATION

**Folio:** 30-2218-007-2860

**Sub-Division:**  
FULFORD HIGHLANDS 2ND ADDN

**Property Address**  
281 NE 162 ST

**Owner**  
BEATRICE GILLISPIE

**Mailing Address**  
281 NE 162 ST  
MIAMI, FL 33162-4350

**PA Primary Zone**  
0100 SINGLE FAMILY - GENERAL

**Primary Land Use**  
0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT

<b>Beds / Baths / Half</b>	3 / 2 / 0
<b>Floors</b>	1
<b>Living Units</b>	1

<b>Actual Area</b>	1,687 Sq.Ft
<b>Living Area</b>	1,397 Sq.Ft
<b>Adjusted Area</b>	1,494 Sq.Ft
<b>Lot Size</b>	6,600 Sq.Ft
<b>Year Built</b>	1961



**Featured Online Tools**

[Comparable Sales](#)

[PA Additional Online Tools](#)

[Glossary](#)

[Property Record Cards](#)

- Property Search Help
- Report Discrepancies
- Special Taxing Districts and Other Non-Ad valorem Assessments
- Tax Estimator
- Value Adjustment Board

- Property Taxes
- Report Homestead Fraud
- Tax Comparison
- TRIM Notice

## ASSESSMENT INFORMATION

Year	2022	2021	2020
Land Value	\$125,446	\$99,152	\$59,162
Building Value	\$138,046	\$103,982	\$103,982
Extra Feature Value	\$2,739	\$2,762	\$2,785
<b>Market Value</b>	<b>\$266,231</b>	<b>\$205,896</b>	<b>\$165,929</b>
<b>Assessed Value</b>	<b>\$85,096</b>	<b>\$82,618</b>	<b>\$81,478</b>

## TAXABLE VALUE INFORMATION

	2022	2021	2020
<b>COUNTY</b>			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$35,096	\$32,618	\$31,478
<b>SCHOOL BOARD</b>			
Exemption Value	\$25,000	\$25,000	\$25,000
Taxable Value	\$60,096	\$57,618	\$56,478
<b>CITY</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$0	\$0	\$0
<b>REGIONAL</b>			
Exemption Value	\$50,000	\$50,000	\$50,000
Taxable Value	\$35,096	\$32,618	\$31,478

## BENEFITS INFORMATION

Benefit	Type	2022	2021	2020
Save Our Homes Cap	Assessment Reduction	\$181,135	\$123,278	\$84,451
Homestead	Exemption	\$25,000	\$25,000	\$25,000



<b>Second Homestead</b>	Exemption	\$25,000	\$25,000	\$25,000
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Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

### FULL LEGAL DESCRIPTION

18 52 42 PB 8-103  
 FULFORD HIGHLANDS 2ND ADDN  
 LOTS 37 & 38 BLK 31  
 LOT SIZE 60.000 X 110  
 OR 17688-0868 0297 4

### SALES INFORMATION

Previous Sale	Price	OR Book-Page	Qualification Description
02/01/1997	\$0	17688-0868	Sales which are disqualified as a result of examination of the deed
06/01/1990	\$85,700	14600-0234	Sales which are qualified
06/01/1988	\$72,500	13738-2920	Sales which are qualified
05/01/1988	\$0	13698-2843	Sales which are disqualified as a result of examination of the deed

For more information about the Department of Revenue's Sales Qualification Codes.


2022    2021    2020

### LAND INFORMATION

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	RU-1	0100 - SINGLE FAMILY - GENERAL	Front Ft.	60.00	\$125,446

### BUILDING INFORMATION

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	1	1961	1,687	1,397	1,494	\$138,046

 Current Building Sketches Available

### EXTRA FEATURES

Description	Year Built	Units	Calc Value
Chain-link Fence 4-5 ft high	1998	230	\$1,817

Patio - Concrete Slab

1961

384

\$922

## ADDITIONAL INFORMATION

\* The information listed below is not derived from the Property Appraiser's Office records. It is provided for convenience and is derived from other government agencies.

### LAND USE AND RESTRICTIONS

**Community Development District:** NONE  
**Community Redevelopment Area:** NONE  
**Empowerment Zone:** NONE  
**Enterprise Zone:** NONE  
**Urban Development:** INSIDE URBAN DEVELOPMENT BOUNDARY  
**Zoning Code:** RU-1 - SINGLE-FAMILY RESIDENTIAL DISTRICT 7,500 FT<sup>2</sup>NET  
**Existing Land Use:** 10 - SINGLE-FAMILY, MED.-DENSITY (2-5 DU/GROSS ACRE).

Government Agencies and Community Services

### OTHER GOVERNMENTAL JURISDICTIONS

Business Incentives  
 Childrens Trust  
 Environmental Considerations  
 Florida Inland Navigation District  
 Miami-Dade County  
 PA Bulletin Board  
 Special Taxing District and Other Non-Ad valorem Assessment  
 School Board  
 South Florida Water Mgmt District  
 Tax Collector

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

For inquiries and suggestions email us at <http://www.miamidade.gov/PAPortal/ContactForm/ContactFormMain.aspx>.

Version: 2.0.3

## EXEMPTIONS & BENEFITS





# Department of Health



## BEATRICE GILLISPIE

License Number: [REDACTED]

*Data As Of 5/31/2023*

<b>Profession</b>	Certified Nursing Assistant
<b>License</b>	[REDACTED]
<b>License Status</b>	CLEAR/ACTIVE
<b>License Expiration Date</b>	5/31/2024
<b>License Original Issue Date</b>	06/17/1985
<b>Address of Record</b>	281 NE. 162ND STREET MIAMI, FL 33162
<b>Discipline on File</b>	No
<b>Public Complaint</b>	No

The information on this page is a secure, primary source for license verification provided by the Florida Department of Health, Division of Medical Quality Assurance. This website is maintained by Division staff and is updated immediately upon a change to our licensing and enforcement database.





**Important:** The Public Records and commercially available data sources used on reports have errors. Data is sometimes entered poorly, processed incorrectly and is generally not free from defect. This system should not be relied upon as definitively accurate. Before relying on any data this system supplies, it should be independently verified. For Secretary of State documents, the following data is for information purposes only and is not an official record. Certified copies may be obtained from that individual state's Department of State. The criminal record data in this product or service may include records that have been expunged, sealed, or otherwise have become inaccessible to the public since the date on which the data was last updated or collected.

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**Your DPPA Permissible Use:** Court, Law Enforcement, or Government Agencies

**Your Secondary DPPA Permissible Use:** Not Parking Violations nor Traffic/Toll Violations

**Your GLBA Permissible Use:** Law Enforcement Purposes

**Your DMF Permissible Use:** No Permissible Purpose

## Comprehensive Report

**Date:** 05/31/23

**Reference Code:** PENDING CASE FOR CM

### Subject Information (Best Information for Subject)

Name: BEATRICE GILLISPIE

Date of Birth: [REDACTED]

Age: 62

LexID: [REDACTED]

SSN: [REDACTED] issued in **Florida** between **1/1/1983** and **12/31/1983**

[View All SSN Sources](#)

### Motor Vehicles Registered To Subject:

#### Vehicle:

Description: Red 2018 Toyota RAV4 - 4 Dr Wagon Sport Utility

VIN: [REDACTED]

State Of Origin: FLORIDA

Engine: 4 Cylinder 153 Cubic Inch

Anti Lock Brakes: 4 wheel standard

Air Conditioning: Standard

Daytime Running Lights: Standard

Power Steering: Standard

Power Brakes: Standard

Power Windows: Standard

Security System: Passive Engine Immobilizer & keyless entry

Roof: None / not available

Price: 25750

Radio: AM/FM CD/MP3

Front Wheel Drive: Yes

Four Wheel Drive: No

Tilt Wheel: Standard

Data Source: Governmental

#### Registrant(s)

Record Type: CURRENT

Name: BEATRICE GILLISPIE

LexID: [REDACTED]

Potenti

Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY

DOB: [REDACTED]

Sex: Female

Age: 62

DL #: [REDACTED]

Tag Number: [REDACTED]

License State: FL

Earliest Registration Date: 9/27/2019

Latest Registration Date: 10/14/2022

Expiration Date: 10/8/2023

**Vehicle:**

Description: Red 2018 Toyota RAV4 - 4 Dr Wagon Sport Utility  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 153 Cubic Inch  
Anti Lock Brakes: 4 wheel standard  
Air Conditioning: Standard  
Daytime Running Lights: Standard  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Passive Engine Immobilizer & keyless entry  
Roof: None / not available  
Price: 25750  
Radio: AM/FM CD/MP3  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Owner(s)**

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]

**Title Information**

Reported Name: GILLISPIE BEATRICE  
Title Number: 0133692266  
Title Issue Date: 1/30/2019

**Lien Holder(s)**

Record Type: CURRENT  
Company Name: SPACE COAST CREDIT UNION  
Address: PO BOX 525, WILMINGTON, OH 45177-0525, CLINTON COUNTY

**Vehicle:**

Description: Black 2015 Toyota Tacoma - Crew Pickup  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 164 Cubic Inch  
Anti Lock Brakes: 4 wheel standard  
Air Conditioning: Standard  
Daytime Running Lights: Available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Passive Engine Immobilizer  
Roof: None / not available  
Price: 23625  
Radio: AM/FM CD/MP3  
Front Wheel Drive: No  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Registrant(s)**

Record Type: CURRENT  
Name: ALBERT GILLISPIE  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
Sex: Unknown  
Tag Number: [REDACTED]  
License State: FL  
Earliest Registration Date: 9/9/2020  
Latest Registration Date: 10/14/2022  
Expiration Date: 10/8/2023



Record Type: CURRENT  
Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
License State: FL  
Earliest Registration Date: 9/9/2020  
Latest Registration Date: 10/14/2022  
Expiration Date: 10/8/2023

**Vehicle:**

Description: Black 2015 Toyota Tacoma - Crew Pickup  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 164 Cubic Inch  
Anti Lock Brakes: 4 wheel standard  
Air Conditioning: Standard  
Daytime Running Lights: Available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Passive Engine Immobilizer  
Roof: None / not available  
Price: 23625  
Radio: AM/FM CD/MP3  
Front Wheel Drive: No  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Owner(s)**

Name: ALBERT GILLISPIE  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
Sex: Unknown

**Title Information**

Reported Name: GILLISPIE ALBERT  
Title Number: 0116386023  
Title Issue Date: 9/26/2019

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]

Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]

Sex: Female

Age: 62

DL #: [REDACTED]

**Title Information**

Reported Name: GILLISPIE BEATRICE  
Title Number: 0116386023  
Title Issue Date: 9/26/2019

**Lien Holder(s)**

Record Type: CURRENT  
Company Name: CAPITAL ONE AUTO FINANCE  
Address: PO BOX 660068, SACRAMENTO, CA 95866-0068, SACRAMENTO COUNTY

**Vehicle:**

Description: Gray 2015 Toyota RAV4 - 4 Dr Wagon Sport Utility  
VIN: [REDACTED]  
State Of Origin: CALIFORNIA  
Engine: 4 Cylinder 153 Cubic Inch  
Anti Lock Brakes: 4 wheel standard  
Air Conditioning: Standard  
Daytime Running Lights: Standard  
Power Steering: Standard  
Power Brakes: Standard

Power Windows: Standard  
Security System: Passive Engine Immobilizer & keyless entry  
Roof: None / not available  
Price: 23680  
Radio: AM/FM CD/MP3  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Registrant(s)**

Record Type: HISTORICAL  
Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN [REDACTED]: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
License State: FL  
Earliest Registration Date: 11/9/2015  
Latest Registration Date: 10/13/2018  
Expiration Date: 10/8/2019

**Vehicle:**

Description: Gray 2015 Toyota RAV4 - 4 Dr Wagon Sport Utility  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 153 Cubic Inch  
Anti Lock Brakes: 4 wheel standard  
Air Conditioning: Standard  
Daytime Running Lights: Standard  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Passive Engine Immobilizer & keyless entry  
Roof: None / not available  
Price: 23680  
Radio: AM/FM CD/MP3  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Owner(s)**

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN [REDACTED]: 595-18-4222  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL # [REDACTED]

**Title Information**

Reported Name: GILLISPIE BEATRICE  
Title Number: 0121158822  
Title Issue Date: 12/7/2015

**Lien Holder(s)**

Record Type: HISTORICAL  
Company Name: SPACE COAST CREDIT UNION  
Address: PO BOX 419001, MELBOURNE, FL 32941-9001, BREVARD COUNTY

**Vehicle:**

Description: White 2005 Chevrolet Impala - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 6 Cylinder 207 Cubic Inch  
Anti Lock Brakes: 4 wheel optional  
Air Conditioning: Standard

Daytime Running Lights: Standard  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Pass key  
Roof: None / not available  
Price: 22350  
Radio: AM/FM Cassette  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Registrant(s)**

Record Type: HISTORICAL  
Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 67  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
License State: FL  
Earliest Registration Date: 9/3/2009  
Latest Registration Date: 9/29/2015  
Expiration Date: 10/8/2016

**Vehicle:**

Description: White 2005 Chevrolet Impala - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 6 Cylinder 207 Cubic Inch  
Anti Lock Brakes: 4 wheel optional  
Air Conditioning: Standard  
Daytime Running Lights: Standard  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Pass key  
Roof: None / not available  
Price: 22350  
Radio: AM/FM Cassette  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Owner(s)**

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]

**Title Information**

Reported Name: GILLISPIE BEATRICE  
Title Number: 0096719535  
Title Issue Date: 8/27/2009

**Lien Holder(s)**

Record Type: CURRENT  
Company Name: PREMIERE MOTORS LLC  
Address: 1225 BENNETT DR UNIT 123, LONGWOOD, FL 32750-7621, SEMINOLE COUNTY

Record Type: CURRENT  
Company Name: PREMIERE MOTORS LLC  
Address: 8 HORSEMAN CV, LONGWOOD, FL 32750-3828, SEMINOLE COUNTY

**Vehicle:**

Description: Green 1998 Toyota Camry - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 132 Cubic Inch  
Restraints: Dual front air bags/active belts  
Anti Lock Brakes: 4 wheel optional  
Air Conditioning: Standard  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Unknown  
Roof: None / not available  
Price: 16938  
Radio: AM/FM Cassette  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Registrant(s)**

Record Type: HISTORICAL  
Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
License State: FL  
Earliest Registration Date: 10/4/2005  
Latest Registration Date: 9/24/2013  
Expiration Date: 10/8/2014

**Vehicle:**

Description: Green 1998 Toyota Camry - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 132 Cubic Inch  
Restraints: Dual front air bags/active belts  
Anti Lock Brakes: 4 wheel optional  
Air Conditioning: Standard  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Unknown  
Roof: None / not available  
Price: 16938  
Radio: AM/FM Cassette  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Owner(s)**

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]

**Title Information**

Reported Name: GILLISPIE BEATRICE  
Title Number: 0075236149  
Title Issue Date: 9/13/1999

**Lien Holder(s)**

Record Type: HISTORICAL  
Company Name: SUNTRUST BANK MIAMI NA  
Address: PO BOX 305053, NASHVILLE, TN 37230-5053, DAVIDSON COUNTY

**Vehicle:**

Description: Brown 1998 Ford F150 - 3 Door EXT Cab PK  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 6 Cylinder 256 Cubic Inch  
Restraints: Dual front air bags/active belts  
Anti Lock Brakes: ABS standard, wheels unknown  
Air Conditioning: Available  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Available  
Security System: Unknown  
Roof: None / not available  
Price: 17090  
Radio: AM/FM  
Front Wheel Drive: No  
Four Wheel Drive: No  
Data Source: Governmental

**Owner(s)**

Name: ALBERT YOUNG GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Male  
Age: 65  
DL #: [REDACTED]

**Title Information**

Title Number: 0080604209  
Title Issue Date: 3/16/2000  
Odometer Mileage: 31480

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]

**Title Information**

Title Number: 0080604209  
Title Issue Date: 3/16/2000  
Odometer Mileage: 31480

**Registrant(s)**

Record Type: EXPIRED  
Name: ALBERT YOUNG GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Male  
Age: 65  
DL #: [REDACTED]  
Tag Number: X69RCH  
Earliest Registration Date: 7/3/2004  
Latest Registration Date: 7/3/2004  
Expiration Date: 7/1/2005  
Decal Date: 2005

**Lien Holder(s)**

Record Type: HISTORICAL  
Company Name: FORD MOTOR CREDIT COMPANY  
Lien Date: 2/25/2000

**Vehicle:**

Description: Red 1994 Honda Accord - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 132 Cubic Inch  
Restraints: Dual front air bags/active belts  
Anti Lock Brakes: 4 wheel optional  
Air Conditioning: Available  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Not available  
Security System: Unknown  
Roof: None / not available  
Price: 14330  
Radio: None  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

**Owner(s)**

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]

**Title Information**

Title Number: 0066872948  
Title Issue Date: 6/18/2001  
Odometer Mileage: 78600

**Registrant(s)**

Record Type: HISTORICAL  
Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
Earliest Registration Date: 11/8/2003  
Latest Registration Date: 11/8/2003  
Expiration Date: 10/8/2004  
Decal Date: 2004

**Lien Holder(s)**

None

**Vehicle:**

Description: Tan 1992 Nissan Maxima - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 6 Cylinder 181 Cubic Inch  
Restraints: Passive (automatic) belts  
Anti Lock Brakes: ABS optional, wheels unknown  
Air Conditioning: Standard  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Standard  
Security System: Anti-theft device  
Roof: None / not available  
Price: 19695  
Radio: AM/FM Cassette  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard

Anti Lock Brakes: Not available  
Air Conditioning: Available  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Not available  
Security System: None  
Roof: None / not available  
Price: 8998  
Radio: AM/FM  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Tilt Wheel: Standard  
Data Source: Governmental

*Owner(s)*

Name: BEATRICE JOHNSON  
LexID: [REDACTED]  
Potential SSN [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL # [REDACTED]  
**Title Information**  
Title Number: 0064089265  
Title Issue Date: 10/30/1998  
Odometer Mileage: 67491

*Registrant(s)*

Record Type: HISTORICAL  
Name: BEATRICE JOHNSON  
LexID: [REDACTED]  
Potential SSN [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: B34GAE  
Earliest Registration Date: 10/28/1999  
Latest Registration Date: 10/28/1999  
Expiration Date: 10/8/2000  
Decal Date: 2000

*Lien Holder(s)*

Record Type: HISTORICAL  
Company Name: ASSOCIATES FINANCIAL SCVS CO OF FLA  
Lien Date: 10/9/1998

**Vehicle:**

Description: Brown 1986 Chevrolet Celebrity - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 151 Cubic Inch  
Anti Lock Brakes: Not available  
Air Conditioning: Available  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Available  
Security System: None  
Roof: None / not available  
Price: 8735  
Radio: AM  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Data Source: Governmental

*Registrant(s)*

Record Type: HISTORICAL  
Name: BEATRICE GULLISPIE  
LexID: [REDACTED]

Data Source: Governmental

*Owner(s)*

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
**Title Information**  
Title Number: 0062698499  
Title Issue Date: 10/23/1995  
Odometer Mileage: 50666

Name: JACQUELINE KELLY  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 3400 FOXCROFT RD APT 207, MIRAMAR, FL 33025-4122, BROWARD COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 58  
DL #: [REDACTED]  
**Title Information**  
Title Number: 0062698499  
Title Issue Date: 10/23/1995  
Odometer Mileage: 50666

*Registrant(s)*

Record Type: HISTORICAL  
Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
Earliest Registration Date: 7/20/2001  
Latest Registration Date: 7/20/2001  
Expiration Date: 8/4/2002  
Decal Date: 2002

Record Type: HISTORICAL  
Name: JACQUELINE KELLY  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 3400 FOXCROFT RD APT 207, MIRAMAR, FL 33025-4122, BROWARD COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 58  
DL #: [REDACTED]  
Tag Number: [REDACTED]  
Earliest Registration Date: 7/20/2001  
Latest Registration Date: 7/20/2001  
Expiration Date: 8/4/2002  
Decal Date: 2002

*Lien Holder(s)*

Record Type: HISTORICAL  
Company Name: BARNETT BANK  
Lien Date: 10/9/1995

**Vehicle:**

Description: White 1991 Toyota Corolla - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 97 Cubic Inch  
Restraints: Passive (automatic) belts



Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]  
Tag Number: VKA03D  
License State: FL  
Earliest Registration Date: 10/7/1998  
Latest Registration Date: 10/7/1998  
Expiration Date: 10/8/1999

**Vehicle:**

Description: Brown 1986 Chevrolet Celebrity - Sedan 4 Door  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 151 Cubic Inch  
Anti Lock Brakes: Not available  
Air Conditioning: Available  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Available  
Security System: None  
Roof: None / not available  
Price: 8735  
Radio: AM  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Data Source: Governmental

*Owner(s)*

Name: BEATRICE GILLISPIE  
LexID: [REDACTED]  
Potential SSN: [REDACTED]  
Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY  
DOB: [REDACTED]  
Sex: Female  
Age: 62  
DL #: [REDACTED]

**Title Information**

Reported Name: GILLISPIE, BEATRICE ( )  
Title Number: 64891659  
Title Issue Date: 10/22/1996

*Lien Holder(s)*  
None

**Vehicle:**

Description: 1987 Pontiac Grand Am - Coupe  
VIN: [REDACTED]  
State Of Origin: FLORIDA  
Engine: 4 Cylinder 151 Cubic Inch  
Anti Lock Brakes: Not available  
Air Conditioning: Available  
Daytime Running Lights: Not available  
Power Steering: Standard  
Power Brakes: Standard  
Power Windows: Available  
Security System: None  
Roof: None / not available  
Price: 9299  
Radio: AM/FM  
Front Wheel Drive: Yes  
Four Wheel Drive: No  
Data Source: Non-Governmental  
Source Date First Seen: 10/1/1990  
Source Date Last Seen: 12/4/2012

*Owner(s)*

Name: BEATRICE JOHNSON  
LexID: [REDACTED]

Address: 281 NE 162ND ST, MIAMI, FL 33162-4350, MIAMI-DADE COUNTY

DOB: [REDACTED]

Sex: Female

Age: 62

DL #: [REDACTED]

**Title Information**

*Lien Holder(s)*

None

















**CMJ-000012395 - Surv-Security Dept. Information Report - Reported 06/12/2023 12:48**

**Author:** Adrian Gordon 11117304

**Report Number:** CMJ-000012395

**Start Time:** 06/12/2023 12:48

**End Time:** 06/12/2023 16:38

**Report Group:** Surveillance Reports

**Report Type:** Surv-Security Dept. Information Report

**Note:** Patron, Beatrice Gillispie identified in the P1 patrons parking lot & escorted back To SOC in reference to taking money from a wallet that did not belong to her on 05/24/2023

**Location / Origin:** Incident-All Incident Log

**Camera:** 988, 344, 345



**Narrative**

On 06/12/2023 at 12:00:00 hours, Surveillance identified female patron Beatrice Gillispie in the P1 patrons parking lot area of the casino and notified Security Supervisor, Steven Torres of the location of Ms. Gillispie. At 12:05:45 hours, Ms. Gillispie was brought back to SOC where paperwork was filled out and signed. At 12:19:16 hours, MPD Officer, Carlos Acuna was observed escorting Ms. Gillispie out of the casino via the casino employee entrance / exit doors.

At 12:43:30 hours Security Supervisor, Steven Torres notified Surveillance via telephone and advised that Ms. Gillispie had admitted to taking the money from the wallet and had re-paid the \$500.00 she had taken from the wallet. Mr. Torres advised that Ms. Gillispie would be temporarily excluded from the casino until Casino General Manager, Daniel Licciardi decides the length of time for the exclusion (if any).

NOTE: For More Information, Refer to Surveillance report #12322 / Security Supervisor, Christopher Forestier request video review at Slot Machine BD-03-3298 in reference of Patron ( Unknown Male ) reported that \$500.00 in cash from his wallet was missing that was left on top of slot machine BD-03-3298 on 05/24/2023.

#### A Video Review Revealed The Following Information

1. From 11:55:45 to 11:57:53 hours on camera #988, Surveillance observed Ms. Gillispie wearing a burgundy color scrubs and blue sweater, exiting the casino via C1 casino entrance / exit doors then getting into her vehicle (red Toyota Rav4 lic: [REDACTED])

2. From 11:57:53 to 12:03:35 hours on camera #988, Surveillance observed Security Director, Jorge Callejas, Security Supervisor Steven Torres and MPD Officer, Carlos Acuna speaking to Ms. Gillispie then proceeded to escort her into the casino and towards SOC.

3. At 12:05:45 hours on camera #345, Surveillance observed Ms. Gillispie at SOC where paperwork was filled out and signed. At 12:08:32 hours, Ms. Gillispie was observed giving money (unknown amount) to Security Supervisor, Steven Torres.

4. 12:19:16 hours on camera #345, MPD Officer, Carlos Acuna was observed escorting Ms. Gillispie out of the casino via the casino employee entrance / exit doors.

This report was written by Surveillance Assistant Manager, Adrian Gordon #11117304

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Signature A

Date

---

Signature B

Date

**TRESPASS STATEMENT**

DATE: 6/12/23

TIME: 12:14 PM

ISSUED NAME: Beatrice Gillispie

INCIDENT REPORT # \_\_\_\_\_

ADDRESS: 281 NE 162 ST

CITY, STATE, ZIP CODE N Miami Beach, FL 33162

DOB [REDACTED] EYES Brown HAIR Black WEIGHT 175

DL/ID # [REDACTED] Players Card 232451

Casino Miami is informing you that you are Trespassed / Barred from the CASINO MIAMI property:

If you refuse to leave or leave and return during the period of the Trespass, you will risk **ARREST FOR TRESPASSING**. Before returning to the Casino Miami premises, you must first contact the Security Department and request for reinstatement through a written request to the Security Director. Reinstatement request will be sent to Casino Miami Management for consideration. If approved, Casino Miami Security Department will notify you. If you return to the premises prior to the reinstatement approval, you will risk **ARREST FOR TRESPASSING**. Casino Miami reserves the right to deny reinstatement.

Security STEVEN TORRES (PRINT) Signature [Signature]

Subject BEATRICE Gillispie (PRINT) Signature [Signature]

Witness Off. Acuna Jr. #0025 (PRINT) Signature [Signature]

Management Use Only Comments:

**CMJ-000005372 - Patron - Theft - Reported 05/24/2023 11:22**

Author: Chris Forestier 93027

Report Number: CMJ-000005372

Start Time: 05/24/2023 11:22

End Time: 05/24/2023 11:36

Report Group: Security Reports

Report Type: Patron - Theft

Note: \$500 stolen from VIP wallet.

Location / Origin: slot machine Zone B



**Narrative**

At 10.47 am female patron seating at # BD 04 stole \$500 from the VIP Ricardo Rodriguez wallet seating at # BD03. VIP patron left his slot machine for few minutes including his wallet on the console . According to surveillance female patron took his wallet for few second then walked away from the casino property at 10.48 am.

No ID on female patron at this moment.

On Monday 6/12/23 the patron who took the \$500 out of the wallet returned to the casino. The patron was identified as Ms. Beatrice Gillispie. Ms. Gillispie admitted to taking the wallet and paid back the \$500. Ms. Gillispie was infomed by the Director of Security to not return until she recieves a call from him. #786-314-2110

S-3 S. Torres turned the \$500 into the cage and gave Ms. Gillispie a receipt.

Signature A

Date

Signature B

Date

Paid - in

Casino  
MIAMI

Paid - Out

Paid In / Out Slip

Date	Time	Shift	Location
6/12/23	12:10 PM	ⓐ S G	BD03

Guest Name	Guest Account Number
Beatrice Gillispie	

Description	Amount
FIVE \$100 notes	
paid back from	
stolen wallet	
CMJ-5372	
Total	\$500

*Beatrice Gillispie*  
Guest Signature

*se* 1/8/2218  
Authorized By

\_\_\_\_\_  
Cage Cashier Signature / License #

\_\_\_\_\_  
Supervisor Signature / License #

WHITE-Cage    YELLOW-Accounting    PINK-Department

CMJ 013



# Health Care Provider Complaint Form

This information MUST be completed to investigate your complaint, as we correspond via U.S. mail. Incomplete forms CANNOT be processed.

Florida Statutes 456.073, Disciplinary proceeding: (1) The department, for the boards under its jurisdiction, shall cause to be investigated any complaint that is filed before it if the complaint is in writing, signed by the complainant, and legally sufficient. If an investigation of any subject is undertaken, the Department will furnish to the subject or the subject's attorney a copy of the complaint or document that resulted in the initiation of the investigation

### Health Care Provider Information:

Name: Gillispie Beatrice CNA [REDACTED]  
Last First M.I. Profession License Number

Address: 281 NE 162nd Street Miami FL 33162  
Number & Street City State Zip

Phone number(s): [REDACTED] Website: \_\_\_\_\_

### Complainant Information:

Agency/Company Name (If applicable): Florida Gaming Control Commission

Your Name: Campbell Ian J  
Last First M.I.

Address: 1400 W. Commercial Blvd, Ste. 165 Fort Lauderdale FL 33309  
Number & Street City State Zip

Phone Number: (954)202-6779 Email: Ian.Campbell@FLGaming.gov

### Patient Information:

*Please complete this section if you are not the patient.*

Name: \_\_\_\_\_  
Last First M.I.

Address: \_\_\_\_\_  
Number & Street City State Zip

Phone Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Your relationship to the patient:

- Parent     Son/Daughter     Spouse     Brother/Sister     Friend     Legal Guardian     Other

*Please provide documentation indicating your appointment as the legal authority/guardianship or personal representative.*

**The Department does not investigate complaints regarding the amount charged for a procedure, broken or missed appointments, customer service, bedside manner, rudeness, professionalism or personality conflicts.**

If the incident involved criminal conduct, contact local law enforcement. Have you contacted local law enforcement?

Yes  No

If Yes, Name of Contact: \_\_\_\_\_ Date: \_\_\_\_\_ Case Number: \_\_\_\_\_

Agency Name: \_\_\_\_\_ Phone #: \_\_\_\_\_

**Provide a complete description of the complaint/report.  
Include facts, details, dates, locations, etc. (who, what, when and where)  
Attach additional sheets if necessary.**

**Please make and attach copies of medical records, correspondence, contracts and any other documents that will help support your complaint. Failure to attach records will delay the investigation.**

Date of Incident: May 24, 2023

On May 24, 2023, Ms. Beatrice Gillispie was observed, via surveillance footage, taking money from another patron's wallet while at Casino Miami in Miami, FL. This incident led to an investigation being opened with the Florida Gaming Control Commission to have Ms. Gillispie excluded from all licensed casino facilities in Florida. Please feel free to contact me if any further information is need for your review.

**The complaint form must be signed and returned to the Department.**

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

(Required to file complaint)

You may scan and return the form  
via email to:

[mga.consumerservices@flhealth.gov](mailto:mga.consumerservices@flhealth.gov)

You may mail the form to:

Consumer Services Unit  
4052 Bald Cypress Way, Bin C-75  
Tallahassee, FL 32399-3275

You may fax the form to:

850-488-0796



**AUTHORIZATION FOR RELEASE OF PATIENT INFORMATION**

To: Any and All Treating Health Care Practitioners or Facilities:

This authorization meets the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA Privacy Law) found at 45 CFR, Part 164.

This document authorizes any and all licensed health care practitioners, including but not limited to: physicians, nurses, therapists, social workers, counselors, dentists, chiropractors, podiatrists, optometrists, hospitals, clinics, laboratories, medical attendants and other persons who have participated in providing any health care or service to me, to discuss any communication, whether confidential or privileged, and to provide full and complete patient reports and records justifying the course of treatment including but not limited to: patient histories, x-rays, examination and test results, HIV, mental health, drug abuse treatment, psychiatric and psychological records, reports or information prepared by other persons that may be in your possession and all financial records, to the Department of Health (or any official representative of the Department) pursuant to Section 456.057, Florida Statutes.

This document provides full authorization to the Department of Health (or any official representative of the Department) to use any of the aforementioned reports and information for reproduction, investigation or other use for licensure or disciplinary actions and civil, criminal or administrative proceedings, as needed by the Department and may be subject to re-disclosure by the recipient and may no longer be protected by the federal privacy laws and regulation.

By signing below, the patient understands, acknowledges and authorizes the Department to release their identity and medical records to law enforcement and other regulatory agencies in appropriate circumstances at the Department's discretion.

**A photocopy of this document is as sufficient as the original.**

I understand that this authorization may be revoked upon my written request except to the extent that action has already been taken on this authorization.

Patient Name (Print): \_\_\_\_\_ Signature: \_\_\_\_\_

D.O.B.: \_\_\_\_\_ SSN: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Authorized Person Other than Patient (Print): \_\_\_\_\_

Signature of Authorized Person Other than Patient: \_\_\_\_\_

Witness Name (Print): \_\_\_\_\_ Witness Signature: \_\_\_\_\_

DOH USE ONLY  
Reference Number

\_\_\_\_\_



# Unlicensed Activity

Only complete this page if your complaint is for unlicensed activity.

What is your relationship to the subject? \_\_\_\_\_

How did you become aware of the alleged unlicensed practice? \_\_\_\_\_

When did you become aware of the alleged unlicensed practice? \_\_\_\_\_

Location of alleged unlicensed practice: \_\_\_\_\_

Time and date of treatment or incident: \_\_\_\_\_

If payment was made, how was subject paid? \_\_\_\_\_

Does the subject or subject's business accept Medicaid? \_\_\_\_\_

Does the subject or subject's business accept Medicare? \_\_\_\_\_

## Physical description of subject:

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Eye Color: \_\_\_\_\_

## Description of Vehicle:

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Tag No: \_\_\_\_\_ Color: \_\_\_\_\_

## Names and addresses of patients/victims/witnesses aware of your complaint:

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Name: \_\_\_\_\_ Address: \_\_\_\_\_

Names of other subjects/licensees at the same location or business: \_\_\_\_\_

\_\_\_\_\_



## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Antwan Bradley, Case Number 2023-037698; Final Order  
Date: December 20, 2023

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### *Executive Summary*

The Division of Pari-Mutuel Wagering requests the Commission to adopt the hearing officer's recommended order recommending permanent exclusion of Antwan Bradley ("Respondent") from all pari-mutuel and slot facilities in the state of Florida. The Division served Respondent with an administrative complaint, seeking Respondent's exclusion from all pari-mutuel and slot facilities in Florida. Respondent requested an informal hearing, which was held on October 12, 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 July 1 and 2, 2023, Respondent was a patron of Calder Race Course, Inc. d/b/a Calder Casino & Race Course.<sup>1</sup> Respondent was excluded on July 4, 2023, for swapping cards with another patron.

Based on his exclusion from Calder Casino, the Division served Respondent with an administrative complaint seeking his 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 October 12, 2023. The hearing officer issued their recommended order on January 9, 2024, recommending permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee.

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

*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 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.” Calder Casino is both a pari-mutuel facility and slot machine licensee in this state, and Respondent was ejected from it. Accordingly, by law, 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 2023-037698.

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

<b>FILED</b>
FLORIDA GAMING CONTROL COMMISSION
Date: <b>1/10/2024</b>
File Number: _____
BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

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

Petitioner,

v.

FGCC Case No.: 2023-037698

ANTWAN BRADLEY,

Respondent.

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HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Elizabeth K. Stinson, designated Hearing Officer for the Florida Gaming Control Commission ("Commission"), on October 12, 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 Antwan Bradley ("Respondent"), in FGCC Case Number 2023-037698 ("Administrative Complaint"). The Commission was represented by Emily A. Alvarado, Deputy Chief Attorney. Respondent appeared *pro se* and the hearing was held telephonically. Both sides were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PRELIMINARY STATEMENT

1. On or about August 24, 2023, the Commission filed an Administrative Complaint against Respondent alleging that on or about July 1 to July 2, 2023, Respondent was a patron at Calder Casino, that Respondent was permanently excluded from Calder Casino, and that Respondent 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 or about September 6, 2023, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The October 12, 2023, Informal Hearing

3. At the informal hearing on October 12, 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 packet into the record.

4. The investigative packet that was admitted into the record contained an Incident Detail Report setting out the events leading up to Respondent's exclusion from Calder Casino.

5. The Incident Detail Report includes a narrative report of video footage of Respondent and another patron swapping cards to improve their hands and capping bets, a type of cheating.

6. The Incident Detail Report states that an independent review of surveillance footage shows that Respondent and the other patron were using a food container to conceal the swapping of cards.

7. At the hearing, Respondent testified about the events that surrounded his exclusion from Calder Casino:

a. Respondent testified that a lot of things were left out of the investigative packet.

b. Respondent testified that certain dealers allowed him and the other patron to cap bets and exchange cards.

- c. Respondent testified that a dealer allowed Respondent and the other patron to swap cards, saying, “Hurry up and switch it.”
- d. Respondent testified that he has been going to Calder Casino for years, and that they were not allowed to swap cards all the time, but a particular dealer allowed them to swap cards a couple of times a night.
- e. Respondent testified that he did not know that switching cards was not a prohibited act because he never switched cards at another casino.
- f. When asked about using a food container to conceal the swapping of cards, Respondent said that he didn’t recall doing that and that food was not supposed to be on the table.
- g. Respondent testified that the dealer at one point saw them swapping cards and told them that they couldn’t do that, and at that point, they were asked to leave the Casino.

#### FINDINGS OF FACT

8. At all times material hereto, Calder Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.

9. On or about July 1 and July 2, 2023, Respondent was a patron of Calder Casino and was ejected from Calder Casino.

10. On or about July 5, 2023, Respondent was permanently excluded from Calder Casino.

#### CONCLUSIONS OF LAW

11. The Hearing Officer has jurisdiction over this matter and the parties pursuant

to section 120.57(2), Florida Statutes.

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

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

14. 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).

15. 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).

16. Respondent was a patron of and ejected from Calder Casino on July 1 and 2, 2023, and permanently excluded from Calder Casino on July 5, 2023.

17. Pursuant to sections 550.0251(6), Florida Statutes, and section 551.112, Florida Statutes, Respondent is subject to exclusion by the Commission from any licensed pari-mutuel facilities and any facility of a slot machine licensee in the State of Florida based on his ejection from Calder Casino.

18. Respondent's testimony neither mitigates the fact that Respondent was ejected and permanently excluded from Calder 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.

19. 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 2023-037698 is submitted this 9th day of January 2024.

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

CERTIFICATE OF SERVICE

I hereby certify this 10th day of January, 2024, that a true copy of the foregoing “Hearing Officer’s Recommended Order” has been provided by mail and email to:

**Antwan Bradley**  
1847 NW 143rd Street  
Miami, Florida 33142  
[AntwanBradley24@gmail.com](mailto:AntwanBradley24@gmail.com)

/s/ Melba L. Apellaniz  
Agency Clerk

BRADLEY, ANTWAN  
Case No. 2023-037698  
Informal Hearing Packet

**Documents Included in Case File**

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



# FLORIDA GAMING CONTROL COMMISSION

JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER  
TINA REPP, COMMISSIONER

September 14, 2023

Antwan Bradley  
1847 NW 43<sup>rd</sup> Street  
Miami, FL 33142

RE: FGCC v. Antwan Bradley  
Case No.: 2023-037698

Dear Mr. Bradley:

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 October 12, 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: (786) 395-3803**. 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 850-794-8071 or [melinda.bristow@flgaming.gov](mailto:melinda.bristow@flgaming.gov).

Sincerely,

/s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II

Enclosures: Notice of Hearing and Case File

OFFICE OF THE GENERAL COUNSEL  
4070 ESPLANADE WAY  
TALLAHASSEE, FLORIDA 32399

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.: 2023-037698

ANTWAN BRADLEY,

Respondent.

---

NOTICE OF TELEPHONIC HEARING

TO: Antwan Bradley  
1847 NW 43rd Street  
Miami, FL 33142

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, October 12, 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 (786) 395-3803 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 [Melinda.Bristow@flgaming.gov](mailto:Melinda.Bristow@flgaming.gov) or telephone at (850) 794-8071, 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 (hearing officer email) and Opposing Counsel at (opposing counsel email) 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 14th day of September, 2023.

By: /s/ Melinda Bristow

Melinda Bristow  
Administrative Assistant II  
Florida Gaming Control  
Commission Office of the General  
Counsel Division of Pari-Mutuel  
Wagering 4070 Esplanade Way  
Tallahassee, Florida 32399  
Telephone: (850) 794-8071  
Facsimile: (850) 921-1311  
[melinda.bristow@flgaming.gov](mailto:melinda.bristow@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 Melinda Bristow at (850) 794-8071. 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. ANTWAN BRADLEY

CASE NO.: 2023-037698

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](http://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.

Antwan Bradley  
PRINTED NAME

ATTORNEY OR QUALIFIED REPRESENTATIVE

1847 NW 14<sup>th</sup> Street  
Street Address

Street Address (where service shall be made)

Miami FL 33142  
City State Zip

City State Zip

786-395-3803  
Telephone Number Facsimile Number (if any)

Telephone Number Facsimile Number (if any)

Antwanbradley24@gmail.com  
E-mail

E-mail

Antwan Bradley  
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  
4070 Esplanade Way Ste. 250

**Attention: Ebonie N. Lanier, Administrative Assistant III**

Telephone: (850) 794-8072 Fax: (850) 921-1311

Email: [Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.gov)

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

**EXPLANATION OF THE ELECTION OF RIGHTS**

Please read the Administrative Complaint before choosing one of the three options. The Election of Rights is a **legally binding** document. Consult an attorney or call the Commission's attorney named in the cover letter if you do not understand your options.

You can only select **ONE** of the options numbered (1), (2) and (3) on the Election of Rights form. You must sign the form. The form must be **received** by the Commission at the address at the bottom of the form within 21 days after the date you **receive** the complaint.

The three options are:

1. Check option (1) if you **do not dispute** any material fact alleged in the Administrative Complaint. You will be given a hearing pursuant to Section 120.57(2), Florida Statutes ("informal hearing") and have the opportunity to present written and oral evidence in mitigation at the informal hearing.

2. Check option (2) if you **do dispute** any material fact alleged in the Administrative Complaint. This is considered a petition for an evidentiary administrative hearing ("formal hearing") pursuant to Sections 120.569(2)(a) and 120.57(1), Florida Statutes, and requires the Department to send this case to the Division of Administrative Hearings (DOAH) within 15 days of your completed petition requesting a formal hearing. This election is made by checking the box marked (2) on the Election of Rights. Pursuant to Rule 28-106.201, F.A.C., you must also state which material fact(s) alleged in the Administrative Complaint you dispute. Please use the space provided on form, and attach any additional pages or use the back of the form if needed.

**After** electing option (2) explained above and **regardless** of whether you dispute any material fact alleged in the Administrative Complaint, you may **also** request the opportunity to discuss settlement of the case pursuant to Section 120.57(4), Florida Statutes.

3. Check option (3) if you **do not dispute** any material fact and waive your right to any form of hearing. This means that the Department will recommend a penalty on the charges set forth in the Administrative Complaint without input from you.

If the Department does not **receive** your Election of Rights within **21** days after you **receive** the Administrative Complaint, this will be considered a waiver of your right to elect any form of hearing and a Final Order may be entered against you imposing a penalty and fines.

**YOU MUST LET THE COMMISSION KNOW IF YOUR MAILING ADDRESS CHANGES**

**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  
4070 Esplanade Way Ste. 250

**Attention: Ebonie N. Lanier, Administrative Assistant III**

Telephone: (850) 794-8072 Fax: (850) 921-1311

Email: Ebonie.Lanier@flgaming.gov



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.: 2023-037698

ANTWAN BRADLEY,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Antwan Bradley (“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 1847 Northwest 43rd Street, Miami, Florida 33142.
3. At all times material hereto, Calder 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. From about July 1, 2023, to July 2, 2023, Respondent was a patron and was ejected from Calder Casino.
5. On or about July 5, 2023, Respondent was permanently excluded from Calder 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 his ejection from Calder Casino. on or about July 5, 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 2023-037698 is signed this 24th day of August 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  
4070 Esplanade Way  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 921-1311  
Primary: Emily.Alvarado@flgaming.gov  
Secondary: Ebonie.Lanier@flgaming.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.

Legal: 08/21/23  
46 Days

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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
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Domain **10 - Division of Pari-Mutuel Wagering**

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Lic Type	<b>1098 - Unlicensed Complaints</b>	Status	<b>90 Closed</b>	Status Date	<b>08/16/2023</b>
Complaint #	<b>2023037698</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#	Respondent <b>BRADLEY, ANTWAN</b>	Responsible	<b>bjones - JONES, BRADFORD</b>	Private Case	

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>07/01/2023</b>
Region	<b>SR - Southern Region</b>	Received	<b>07/06/2023</b>
Reference	<b>61D-11.005</b>		
Entered	<b>07/06/2023</b>	Entered By	<b>nmelvai</b>
Summary	<p><b>285--- Calder Race Course, INC.--- (61D-11.005 Prohibitions)--- -- On July 5, 2023, this Investigator was informed by Calder Casino Director of Compliance Iliana Velazquez via email of a cheating incident that occurred on July 1, 2023, at approximately 3:52 A.M. Velazquez's email notified this Investigator that cardroom Patrons Antwan BRADLEY and Lanica Woods were observed cheating during a live poker game. BRADLEY and Woods were observed by Cardroom Supervisor Kristopher Richard swapping cards with each other after looking at their hand. All bets had already been made and the game was in live play. Due to this action both Patron are permanently excluded from the facility for cheating.</b></p>		
Updated	<b>08/21/2023 10:25:57</b>	By	<b>nmelvai</b>

46 Days	<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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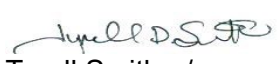
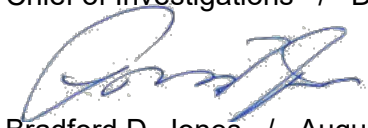
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

## OFFICE OF INVESTIGATIONS

### INVESTIGATIVE REPORT

Office: <b>PMW</b>	Region: <b>SOUTHERN</b>	Date of Complaint: <b>July 6, 2023</b>	Case Number: <b>2023 03 7698</b>
Respondent:  <b>BRADLEY, ANTWAN 1847 NW 43<sup>RD</sup> STREET MIAMI, FLORIDA 33142</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>July 18, 2023</b>
Period of Investigation: <b>July 5, 2023 through July 18, 2023</b>		Type of Report: <b>Final</b>	
<p><b>Alleged Violation: 75-11.005 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 July 5, 2023, this Investigator was informed by Calder Casino Director of Compliance Iliana Velazquez via e-mail of a cheating incident that occurred on July 1, 2023, between 11:12 P.M., and 2:07 A.M. Velazquez's e-mail notified this Investigator that cardroom Patrons Antwan <b>BRADLEY</b> and Lanica Woods were observed cheating during numerous live poker games. <b>BRADLEY</b> and Woods were observed by Cardroom Supervisor Kristopher Richard swapping cards with each other after looking at each other's hand. All bets had already been made and the game was in live play. Due to their actions, both patrons were permanently excluded from the facility for cheating. Velazquez provided this Investigator with copies of the Security and Surveillance Reports, as well as letters addressed to the patrons notifying them of their exclusion. These items are attached as <b>Exhibits #1 thru 4</b>. On July 10, 2023, a copy of the surveillance video footage capturing the above incident was obtained from Calder Surveillance Manager Leonides Martinez and was placed in the PMW Investigations evidence room for safe keeping.</p>			
<b>Related Case(s): 2023 03 7689, 2023 04 1937</b>			
Investigator / Date: July 18, 2023   Tyrell Smith /		Investigator Supervisor / Date  Julio Minaya / July 28, 2023	
Chief of Investigations / Date   Bradford D. Jones / August 16, 2023			

## CONTINUATION

Further investigation into the facts and a review of the surveillance footage and Calder Surveillance Incident Report # 21949, revealed that on July 1, 2023, between 11:12 P.M. and 2:07 A.M., Woods and **BRADLEY** were observed by Cardroom Supervisor Kristopher Richard sitting at table #6. Woods was seated in seat #4, and **BRADLEY** seated in seat #3, were participating in live poker games. According to the Incident Report, while playing, Woods and **BRADLEY** were observed on numerous occasions colluding with each other by looking at each other's hands, swapping cards with each other, and "capping" their bets to get a larger payout on winning hands. These actions are all considered cheating and at 2:11 A.M., Cardroom Supervisor Richard requested that Surveillance conduct video review of table #6 to confirm his observations.

Review of surveillance video recordings confirmed that Woods and **BRADLEY** had exchanged cards on numerous occasions. Cardroom Supervisor Richard notified Security Manager Jose Santiago to respond to the cardroom. Santiago along with Security Shift Supervisor Vladamir Morency arrived in the cardroom where they confronted Woods and **BRADLEY** at table #6. Morency advised both Woods and **BRADLEY** that they were being permanently excluded from the facility for cheating. They were allowed to cash out their remaining chips and after doing so, they were allowed to leave the facility without further incident.

Independent review of surveillance video by this Investigator for July 1, 2023, from 11:12 P.M., and 2:09 A.M., revealed that Woods and **BRADLEY** were seated at Table #6. Woods was seated in seat #4, and **BRADLEY** in seat #3, both were playing live poker games.

At 11:17 P.M., - **BRADLEY** receives a food container from the table server and places the food container onto the poker table. The dealer proceeds to play the game. Woods is seen sitting in the seat #4 directly to the left of **BRADLEY** who is seated in seat #3. She holds and spreads her cards in her hands forward so that **BRADLEY** can see them.

11:19 P.M., - **BRADLEY** leans back in his seat to look at the cards that Woods had in her hand, and then removes a card from his hand and places it underneath the food container.

11:20 P.M., - Woods then removes a card from her hand and tosses it underneath the food container towards **BRADLEY**. **BRADLEY** then switches the cards underneath the container and pushes the switched card back towards Woods. Woods retrieves the card and removes the food container from the table, and they continue to play.

11:22 P.M., Woods and **BRADLEY** are seen showing each other their hands and they continue to play.

11:25 P.M., a new game starts and cards are dealt to the players. **BRADLEY** leans over toward Woods and looks at her hand. He then retrieves the food container that he had previously used to conceal his deception (switching of cards) and places it back on the card table. He then proceeds to conceal a card underneath the food container as he had done previously, and Woods places a card from her hand underneath the container as well. They once again swap cards underneath the container and continue to play. Both are seen constantly looking at each other's hand and pointing at certain cards being held by each other. The food container is then removed from the card table, and they continue to play. At one-point Woods and **BRADLEY** are seen giving each other a high-five after realizing they won the hand.

11:30 P.M., a new hand is dealt, and Woods and **BRADLEY** look at their hands. **BRADLEY** then leans over towards Woods, and she shows him her hand. **BRADLEY** reaches back from the card table and retrieves the food container and places it back on the card table. He then places a card from his hand underneath the container and pushes the container towards Woods. They swap cards again and remove the container.

## CONTINUATION

11:34 P.M., **BRADLEY** is observed placing an additional red five-dollar chip onto Woods's already placed bet on the Flush Rush bet circle after all bets had already been made.<sup>1</sup> Woods then added an additional five-dollar chip to her original Flush Rush bet circle to get a larger payout should she win the hand. In this game, Woods won the hand.

11:42 P.M., **BRADLEY** and Woods are observed looking at each other's hand during the game and **BRADLEY** passes a card to the left towards Woods. They again exchange cards and continue to play.

11:44 P.M., After receiving their cards from the Dealer, **BRADLEY** and Woods each pick up their cards and look at them utilizing both hands. They then position themselves to look at each other's cards. **BRADLEY** removes a card from his hand and pushes it on the table towards Woods's second hand of cards that are on the table. Woods places a card on the table next to the bumper, and adds the card that **BRADLEY** pushed towards her card in her hand. **BRADLEY** then picks up the card placed by the bumper by Woods and places it in his hand.

Throughout the evening, both Woods and **BRADLEY** continuously colluded and cheated with each other. It was not until 2:11 A.M., when they were observed by Poker Supervisor Kristopher Richard that video review was requested of table #6. Upon completion of video review, it was confirmed that both Woods and **BRADLEY** were cheating by exchanging cards with each other. The total amount won by these individuals related to their deceptive actions amounted to \$7,345. The above timelines and total amount won are documented in **Exhibit #2**.

On July 5, 2023, Calder Casino notified **BRADLEY** in writing that he was no longer allowed on Calder Casino property. A copy of this letter is attached as **Exhibit #4**.

On July 18, 2023, this Investigator spoke with Poker Supervisor Kristopher Richard regarding this incident. Richard confirmed the information documented in the Incident Reports and added that on the day of the incident he was the Poker Floor Supervisor. He suspected Woods and **BRADLEY** of cheating because they were constantly winning hands. So, to observe them better, he sat at table #1 which is adjacent to table #6 where Woods and **BRADLEY** were seated. Richard stated that while watching them play, he noticed Woods and **BRADLEY** swap cards with each other. After seeing them swap cards he went to Surveillance and requested a review of them playing at the table #6.

After Richard confirmed the cheating, he contacted Security Manager Jose Santiago to meet him in the cardroom to confront Woods and **BRADLEY**. Santiago along with Security Shift Supervisor Vladamir Morency responded to the cardroom and advised Woods and **BRADLEY** that they were being permanently excluded from the facility for cheating. They were then allowed to cash out their remaining chips and were escorted out of the facility.

According to the Calder Surveillance Report # 21949, although it was confirmed that Woods and **BRADLEY** were caught cheating, they were still allowed to cash out and leave the facility with a total of \$5,400.00 (**Exhibit #2**).

**Status:** Case closed by Investigations and forwarded to Legal for review.

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<sup>1</sup> This is known as Capping, and it is done to enhance your winning hand. Throughout the Poker industry this is considered cheating.



CONTINUATION

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## Tyrell Smith

---

**From:** Tyrell Smith  
**Sent:** Tuesday, July 11, 2023 3:52 PM  
**To:** Iliana Velazquez  
**Subject:** Re: Lifetime Ban Request for State Exclusion List- Antwan Bradley & Lanica Woods

Thanks Iliana!

Get [Outlook for iOS](#)

---

**From:** Iliana Velazquez <Iliana.Velazquez@caldercasino.com>  
**Sent:** Tuesday, July 11, 2023 3:50:04 PM  
**To:** Tyrell Smith <Tyrell.Smith@flgaming.gov>  
**Cc:** Richard Sukhu <Richard.Sukhu@caldercasino.com>; Iliana Velazquez <Iliana.Velazquez@caldercasino.com>  
**Subject:** RE: Lifetime Ban Request for State Exclusion List- Antwan Bradley & Lanica Woods

Hi Tyrell,

Please find updated surveillance report with correct seat # within the narrative notes.

Please let me know if you need anything else.

Thank you

**From:** Tyrell Smith <Tyrell.Smith@flgaming.gov>  
**Sent:** Thursday, July 6, 2023 8:24 AM  
**To:** Iliana Velazquez <Iliana.Velazquez@caldercasino.com>  
**Subject:** RE: Lifetime Ban Request for State Exclusion List- Antwan Bradley & Lanica Woods

**This Message Is From an External Sender**

This message came from outside your organization.

Avoid replying with sensitive information, clicking links, or downloading attachments.

Report Suspicious

Thanks Iliana!



**Tyrell D. Smith**

Investigation Specialist II  
Florida Gaming Control Commission  
Division of Pari-Mutuel Wagering  
Office of Investigations  
954-202-6806 Office 954-202-3900 FAX

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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](#)

---

**From:** Iliana Velazquez <[Iliana.Velazquez@caldercasino.com](mailto:Iliana.Velazquez@caldercasino.com)>  
**Sent:** Wednesday, July 5, 2023 4:55 PM  
**To:** Tyrell Smith <[Tyrell.Smith@flgaming.gov](mailto:Tyrell.Smith@flgaming.gov)>  
**Cc:** Richard Sukhu <[Richard.Sukhu@caldercasino.com](mailto:Richard.Sukhu@caldercasino.com)>; Iliana Velazquez <[Iliana.Velazquez@caldercasino.com](mailto:Iliana.Velazquez@caldercasino.com)>  
**Subject:** Lifetime Ban Request for State Exclusion List- Antwan Bradley & Lanica Woods  
**Importance:** High

Hi Tyrell,

Calder Casino is recommending to have both cardroom Ex-Patrons Antwan Bradley & Lanica Woods be added to the State Lifetime Ban List.

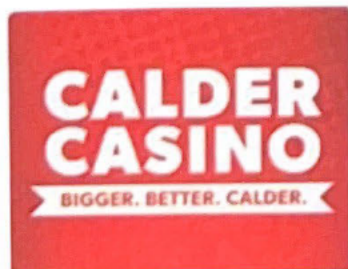
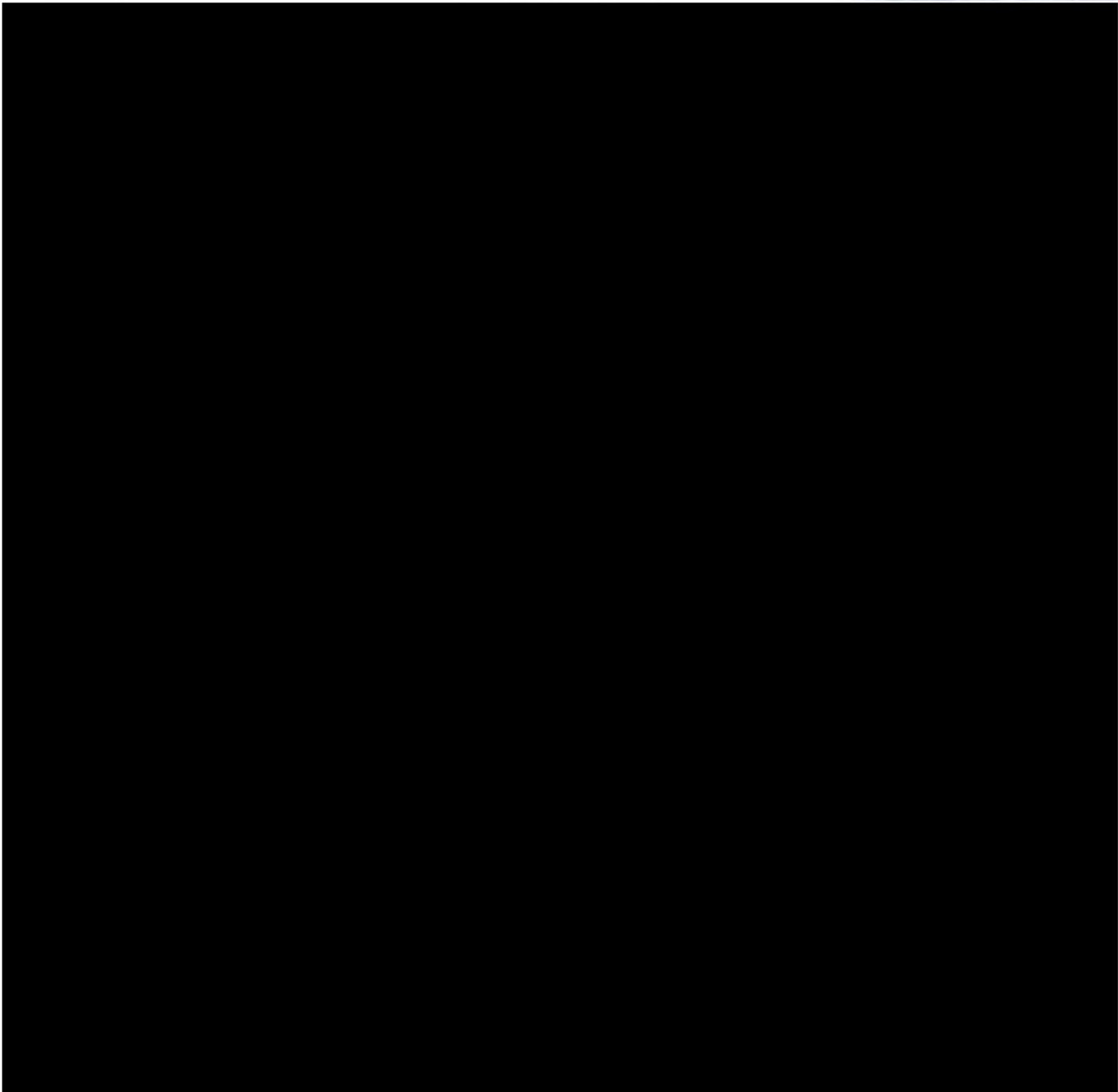
Both of these patrons were caught cheating "capping the bet/post betting & swapping cards with each other" while gaming at our facility. Attached you'll find supporting documentation from our security and surveillance team outlining both of their actions.

Mr. Bradley & Ms. Woods had been issued an indefinite ban from our facility and was escorted out right away, in which Miami Gardens Police assisted.

Footage is ready to be picked up with surveillance at your earliest convenience, and I also attached both letters that were mailed out to both patrons indicating that their property privileges have been revoked (letters were sent out this afternoon 7/5/23).

Please let me know if you need anything additional from us in order to better assist you with processing the banning of both these patrons across all pari-mutual facilities.

Thank you,



ILIANA VELAZQUEZ  
*Director of Compliance*  
21001 NW 27th Avenue | Miami Gardens, FL 33056

Office: (305) 625-1311 ext: 5690  
[Ilia.Velazquez@CalderCasino.com](mailto:Ilia.Velazquez@CalderCasino.com)



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# IM - Incident Detail Report

INC-21949

SURV 21949 | 2023-07-01 | Criminal / Cheating |

## Calder Casino

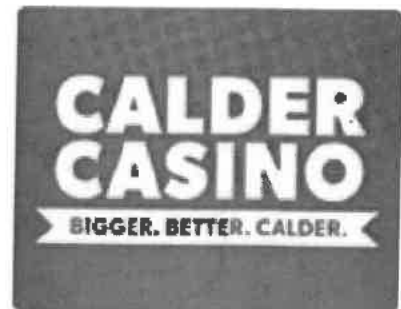
21001 NW 27th Avenue.

Miami Gardens, Florida United States

33056

### Incident Details Report

<b>Incident Name</b>	SURV 21949   2023-07-01   Criminal / Cheating
<b>Incident Type</b>	<hr/> Criminal / Cheating <hr/>
<b>Reported Date</b>	July 1, 2023 3:52 am



# (1. a.) INCIDENT SUMMARY

<b>Primary Incident Type</b> Criminal / Cheating	<b>Incident Severity</b> Low	<b>Net Loss</b> 0
---	---------------------------------	----------------------

## Description

Created on: 07012023 Observation: On July 01, 2023, at 02:11 hours, Card Room Supervisor Kristopher Richard requested a review of possible cheating at Table #6 Seat #3 and #4.



## Location

<b>Observed Date/Time</b>	<b>Incident Reported DateTime</b> July 1, 2023 3:52 am	<b>Incident Start DateTime</b> July 1, 2023 2:11 am	<b>Incident End DateTime</b> July 1, 2023 2:49 am
<b>Reported By</b>	<b>Responding Person(s)</b>	<b>Incident Owner</b> Humberto Machin, Leonides Martinez	<b>Incident Supervisor</b> Jerome Davis, Ashley Kalisch, Humberto Machin, Leonides Martinez, Favio Munoz, Sierra Spencer, Michael Urena
<b>Incident Flags</b>	<b>Fiscal Year</b>	<b>Additional Responses</b>	<b>Police File Number</b>
<b>Flag Notes</b>	<b>Additional Incident Types</b>		


# (1. b.) INCIDENT ANNEXURES - INVOLVEMENTS & RELATED DATA

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## INVOLVED LOCATIONS

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### Reported Location


	<b>Location Name</b> Casino / Front of House / Poker Room		
	<b>Location</b>		
	<b>Location Type</b>	<b>Property Name</b>	<b>Asset Status</b> Internal
	<b>Owner/Lessor</b>	<b>Organization</b>	<b>Business Unit</b>
	<b>Policies</b>		

---

## INVOLVED PERSONS

---

### Reporting Party

<b>Involved Person Name</b> Reporting Party: Jose Santiago	<b>Involvement Flags</b>	<b>Added to Incident</b> July 1, 2023	
	<b>First Name</b> Jose	<b>Gender</b>	<b>Email 1</b>
	<b>Last Name</b> Santiago	<b>Date of Birth</b>	<b>Phone Number 1</b>



**PSV Notes**

PSV Migration Notes  
Additional Information:  
Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:

Height: inches

Weight: lbs

Hair Color:

Eye Color:

Marital Status:

Person Title:

Designation:

OrgRollup:

Employee Number:

Gender:

Birthdate:

Employee:

Lat/Long: (0.0000000000000000,0.0000000000000000)

Access Level: 2

Org Links:

Vehicle Links:

Person Links:

Archived: False

Owner Workgroup: Surveillance

**Reporting Party**

**Involved Person Name**  
Reporting Party:  
Kristopher G Richard

**Involvement Flags**

**Added to Incident**  
July 1, 2023

**First Name**  
Kristopher

**Gender**

**Email 1**

**Last Name**  
Richard

**Date of Birth**

**Phone Number 1**

**PSV Notes**

PSV Migration Notes

Additional Information:

Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:

Height: inches

Weight: lbs

Hair Color:

Eye Color:

Marital Status:

Person Title:

Designation:

OrgRollup:

Employee Number:

Gender:

Birthdate:

Employee:

Lat/Long: (0.000000000000000,0.000000000000000)

Access Level: 2

Org Links:

Vehicle Links:

Person Links:

Archived: False

Owner Workgroup: Surveillance

**Reporting Party**

**Involved Person Name**

Reporting Party: Vladimir  
Morency

**Involvement Flags**

**Added to Incident**

July 1, 2023

**First Name**

Vladimir

**Gender**

**Email 1**

**Last Name**

Morency

**Date of Birth**

**Phone Number 1**

**PSV Notes**

PSV Migration Notes

Additional Information:

Person Features:

Person Identifications:

Person Phone Numbers:

Person Addresses:

Person Email Addresses:

Person Trespasses:

Person Flags:

Flag Notes:

Height: inches

Weight: lbs

Hair Color:

Eye Color:

Marital Status:

Person Title:

Designation:

OrgRollup:

Employee Number:

Gender:

Birthdate:

Employee:

Lat/Long: (0.000000000000000,0.000000000000000)

Access Level: 5

Org Links:

Vehicle Links:

Person Links:

Archived: False

Owner Workgroup: Surveillance

**Suspect**

**Involved Person Name**

Suspect: Antwan Bradley



**Suspect**

**Involvement Flags**

**Added to Incident**

July 1, 2023

**First Name**

Antwan

**Gender**

**Email 1**

**Last Name**

Bradley

**Date of Birth**

**Phone Number 1**

**Involved Person Name**  
Suspect: Lanica Woods

**Involvement Flags**

**Added to Incident**  
July 1, 2023



**First Name**  
Lanica

**Gender**

**Email 1**

**Last Name**  
Woods

**Date of Birth**

**Phone Number 1**

---

## INVOLVED ITEMS

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## NARRATIVES

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### Original Narrative

**Person**

Antwan Bradley , Lanica Woods

**Date & Time**

July 1, 2023 2:11 am

**Narrative Owner**

Humberto Machin

**Narrative**

**Origin of Call:** On July 01, 2023, at 02:11 hours, Card Room Supervisor Kristopher Richard requested a review of possible cheating at Table #6 Seat #3 and #4.

**Video Coverage:** Upon review at 02:07 hours, guest identified as Antwan Bradley [REDACTED] is observed playing with a female guest (seat #4) with Ms. Lanica Woods ([REDACTED]) playing from seat #4. Dealer Luc-Hugues Genna dealt their cards, with both having already placed bets. Upon receiving their cards, Mr. Antwan looked at the hand of the female guest in seat #4, and moments later Mr. Bradley and Ms. Woods can both be observed exchanging their cards by Card Room Supervisor Kristopher Richard.

Upon further review, at 01:54 hours Dealer Kevin Alvarez dealt their cards, with both having already placed bets. Ms. Lanica Woods and Antwan Bradley can both be observed at seat #3 and #4 exchanging their cards, after exchanging cards Mr. Bradley won and was payout \$1,000.

Shift Supervisor Vladimir Morency and Jose Santiago was advised and confronted Mr. Antwan Bradley and Ms. Lanica Woods about their actions. Shift Supervisor Morency escorted Mr. Antwan Bradley and Ms. Lanica Woods out the North.

**Information Supplied:**

Per Card Room Supervisor Kristopher Richard, Mr. Antwan Bradley and Ms. Lanica Woods had not won in the hand that was delt at 02:07 hours.

Security Shift Manager Jose Santiago state Mr. Bradley had stated he didn't cheat and it was a joke. S/M Santiago advised him that wasn't the case and they needed to depart property after giving their personal information. Mr. Bradley and Ms. Woods stated they didn't have ID on them to provide S/M Santiago.

**EXHIBIT #2**  
**PAGE # 7**

**Person's Involved:**

Reporting Party - Card Room Supervisor Kristopher Richard  
Security Shift Supervisor Vladimir Morency, Security Shift Manager Jose Santiago  
Suspects -Antwan Bradley, Lanica Woods

**See below suspicious activity from Mr. Bradley & Ms. Woods.**

22:30/Antwan Bradley arrives in the Card Room and heads to table #6(l Luv Suits).

22:32/Lanica Woods arrives in the Card Room and sits next to Antwan Table #6

**Time: Players Involved**

**Amount:**

23:12: Antwan swap cards with Lanica to improve his hand. \$120  
Lanica swap cards with Antwan to improve her hand. \$75  
23:20 Antwan swaps cards with Lanica to improve his hand. \$180  
# Players used a food container to hide their cheating.  
23:22: Antwan swaps cards with Lanica to improve his hand. \$100  
23:25 Antwan swaps cards with Lanica to improve his hand. \$190  
23:26 Antwan swaps cards with Lanica to improve his hand. \$1,000  
23:31 Antwan swaps cards with Lanica to improve his hand. \$10  
Lanica swaps card with Antwan to improve her hand. \$10  
23:34 Lanica caps her bets. \$120  
Antwan caps a bet of Lanica's \$120  
23:38 Lanica swaps cards with Antwan to improve her hand. \$610  
23:42 Antwan swaps cards with Lanica to improve his hand. \$10  
Lanica swaps cards with Antwan to improve her hand. \$60  
23:44 Antwan swaps cards with Lanica to improve his hand. \$100  
Lanica swaps cards with Antwan to improve her hand. \$100  
23:47 Antwan swaps cards with himself to improve his hand. \$700  
23:48 Antwan caps his bet. \$100  
23:56 Antwan swaps cards with himself to improve his hand. \$100  
0:29 Antwan swaps cards with Lanica to improve his hand. \$120  
Antwan caps his bet. \$20  
0:31 Lanica swaps cards with Antwan to improve her hand. \$120  
0:34 Antwan caps bet. \$105  
0:57 Antwan swaps entire hand from one bet to another. \$50  
1:10 Lanica swaps cards with herself to improve her hand. \$225  
1:35 Antwan swaps cards with Lanica to improve his hand. \$220  
Lanica swaps cards with Antwan to improve her hand. \$170  
1:39 Antwan swaps cards with Lanica to improve his hand. \$220  
Lanica swaps cards with Antwan to improve her hand. \$50  
1:47 Antwan caps his bet on both hands he's playing. \$140  
1:49 Antwan swaps cards with Lanica to improve his hand. \$200  
Lanica swaps cards with Antwan to improve her hand. \$520  
1:52 Antwan swaps cards with himself to improve his hand. \$120  
1:54 Antwan swap cards with Lanica to improve his hand \$1,140  
Lanica swaps cards with Antwan to improve her hand. \$120  
2:07 Lanica swaps cards with Antwan to improve her hand. \$100

**\$7,345**

2:21 Antwan cashes out \$1,105

2:26 Lanica casher out. \$1,795

2:27 Both Lanica & Antwan escorted out by Security.

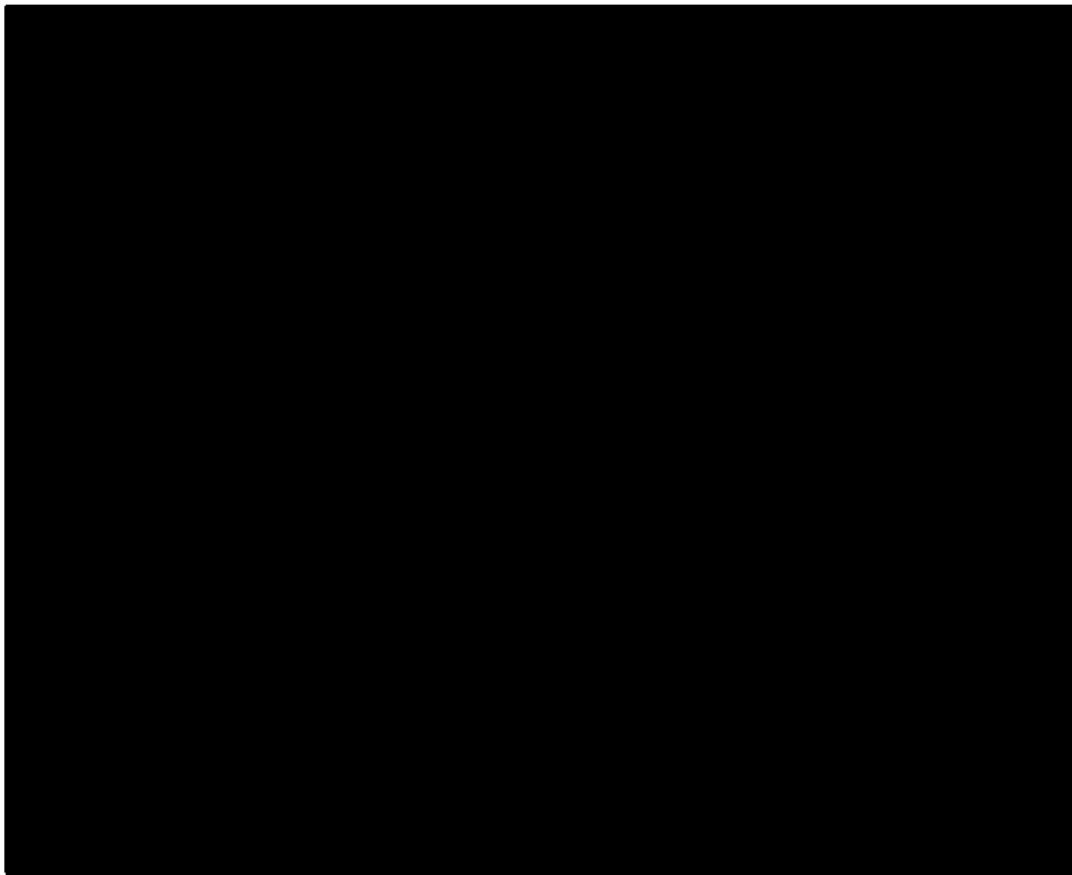
**Total:**

**EXHIBIT # 2**  
**PAGE # 8**

Antwan cashed out twice during the time of playing for \$2,500.  
If we add the \$2,900 that they were allowing to cash out at the end, Antwan &  
Lanica  
walked away with \$5,400.

**Attached Narrative**





## (2. a.) INVESTIGATION SUMMARY

### Outcome Overview

What happened?

How did it happen?

Why did it happen?

What needs to be corrected?

### Contributing Factors

### Incident Corrective Actions

**Closed Date/Time**  
July 11, 2023 2:09 pm

**Investigation Start Date**

**Investigation Close Date**

**Expiry Date**

**Reported to Police**

**Reported to Supervisor**  
Yes

**Requires Investigation**  
No

**Investigator**

**Investigation Cost**  
\$0.00

**Investigation Time Spent (Hours)**

0



**DETAILS**

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**CONTRIBUTING FACTORS**

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---

**CORRECTIVE ACTIONS**

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**INTERVIEWS**

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**EVIDENCE**

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**LOGS**

---

Total Investigation time spent (Hours)

Total Investigation Cost

0

\$0.00

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**ATTACHMENTS (INVESTIGATION & OUTCOME)**

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# IM - Incident Detail Report

INC-21948

SEC 21948 | 2023-07-01 | Criminal / Cheating |

## Calder Casino

21001 NW 27th Avenue.

Miami Gardens, Florida United States

33056

### Incident Details Report

Incident Name	SEC 21948   2023-07-01   Criminal / Cheating
Incident Type	<u>Criminal / Cheating</u>
Reported Date	July 1, 2023 3:52 am

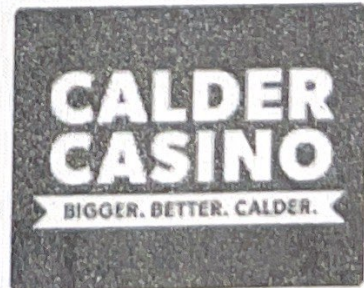


EXHIBIT # - 3  
PAGE # - 1

# (1. a.) INCIDENT SUMMARY

**Primary Incident Type** Criminal / Cheating  
**Incident Severity** Low  
**Net Loss** 0

## Description

Created on: 07012023 Observation: Security Shift Manager Jose Santiago was notified of two guest cheating in the Cardroom. Spoke with Cardroom Supervisor Kristopher Gage Richard who stated suspects now known as Antwan Bradley and Lanica Woods were caught on Surveillance footage of exchanging cards while in a hand to win the current bet. S/M Santiago approached the couple and advised them to leave property until a further investigation is performed. Miami Gardens Officer Buddy Barber arrived on scene and retrieved their information.



## Location

<b>Observed Date/Time</b>	<b>Incident Reported DateTime</b> July 1, 2023 3:52 am	<b>Incident Start DateTime</b> July 1, 2023 2:40 am	<b>Incident End DateTime</b> July 1, 2023 3:20 am
<b>Reported By</b>	<b>Responding Person(s)</b>	<b>Incident Owner</b> Jose Santiago	<b>Incident Supervisor</b> Jerome Davis, Ashley Kalisch, Jean Lara, Humberto Machin, Leonides Martinez, Favio Munoz, Michael Urena
<b>Incident Flags</b>	<b>Fiscal Year</b>	<b>Additional Responses</b>	<b>Police File Number</b>
<b>Flag Notes</b>	<b>Additional Incident Types</b>		

# (1. b.) INCIDENT ANNEXURES - INVOLVEMENTS & RELATED DATA

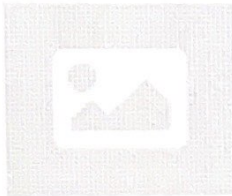
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## INVOLVED LOCATIONS

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### Reported Location

---

**Location Name**

Casino/Front of House/ Zone 1 -

**Location****Location Type****Property Name****Asset Status**Casino/Front of House/  
Zone 1

External

**Owner/Lessor****Organization****Policies**

---

## INVOLVED PERSONS

---

### Suspect

---

**Involved Person Name**  
Suspect: Antwan Bradley**Involvement Flags****Added to Incident**  
July 1, 2023**First Name**  
Antwan**Gender****Email 1****Last Name**  
Bradley**Date of Birth****Phone Number 1**

### Suspect

---

**Involved Person Name**  
Suspect: Lanica Woods**Involvement Flags****Added to Incident**  
July 1, 2023**First Name**  
Lanica**Gender****Email 1****Last Name**  
Woods**Date of Birth****Phone Number 1**

EXHIBIT # -3  
PAGE # -3



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## INVOLVED ITEMS

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## NARRATIVES

---

### Original Narrative

---

**Person**

**Narrative**

**Date & Time**

July 1, 2023 4:27 am

**Narrative Owner**

Jose Santiago

Origin of Call: on July 1, 2023 at approximately 0240 hours. Security Shift Manager Jose Santiago was notified of two guest cheating in the Cardroom.

Interview: Spoke with Cardroom Supervisor Kristopher Gage Richard who stated suspects now known as Antwan Bradley and Lanica Woods were caught on Surveillance footage of exchanging cards while in a hand to win the current bet.

Interview II: S/M Santiago approached the couple and advised them to leave property until a further investigation was performed and it deemed they did truly cheat. Mr. Bradley stated he didn't cheat. S/M Santiago advised him that wasn't the case and they needed to leave after giving their personal information. Mr. Bradley and Ms. Woods stated they didn't have ID on them to provide S/M Santiago.

Action Taken: Surveillance was notified and maintained coverage for the remainder of the incident. Miami Gardens Officer Buddy Barber arrived on scene and retrieved their information. Ms. Woods and Mr. Bradley were advised they are not allowed to return to property until Security Director JC Lara calls and advises them of their return status. They understood and departed property. It should be noted that no funds were recovered. Surveillance coverage of the incident may be available upon request.

Attachments: Photos of Antwan Bradley and Lanica Woods

Attached Narrative

EXHIBIT # -3  
PAGE # -4

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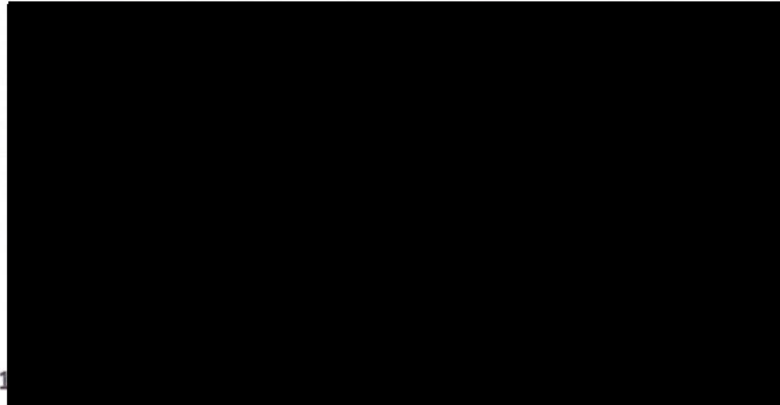
ATTACHMENTS

---

Antwan Bradley

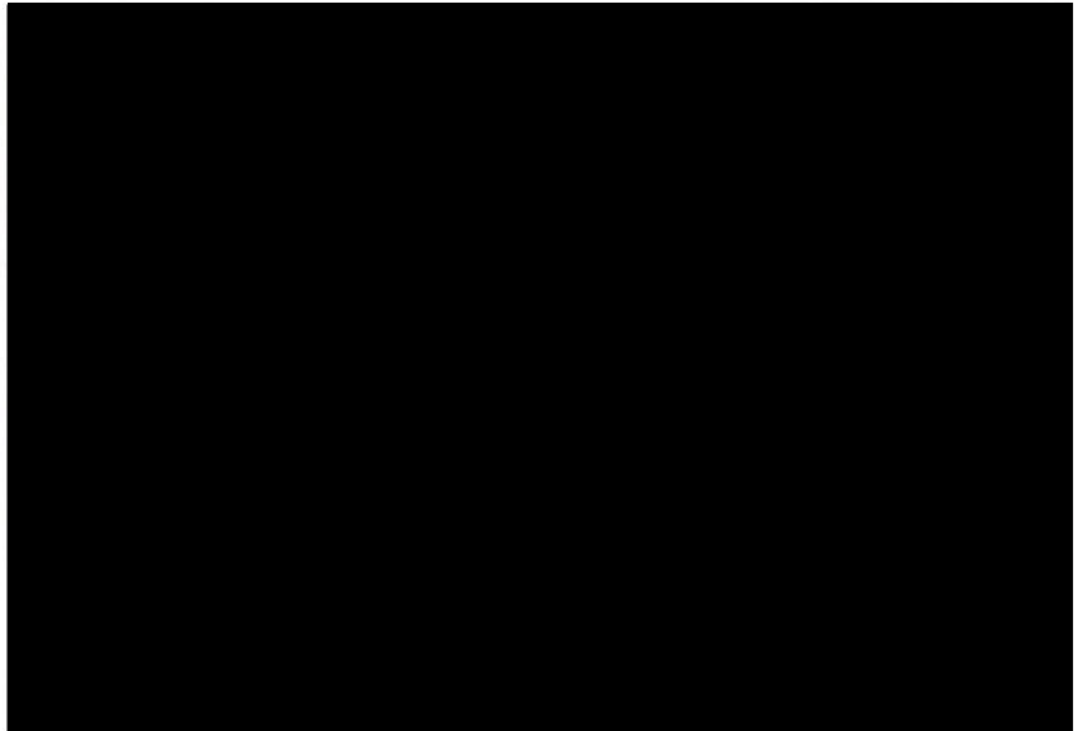
---

Picture



Attachment 12491

Picture

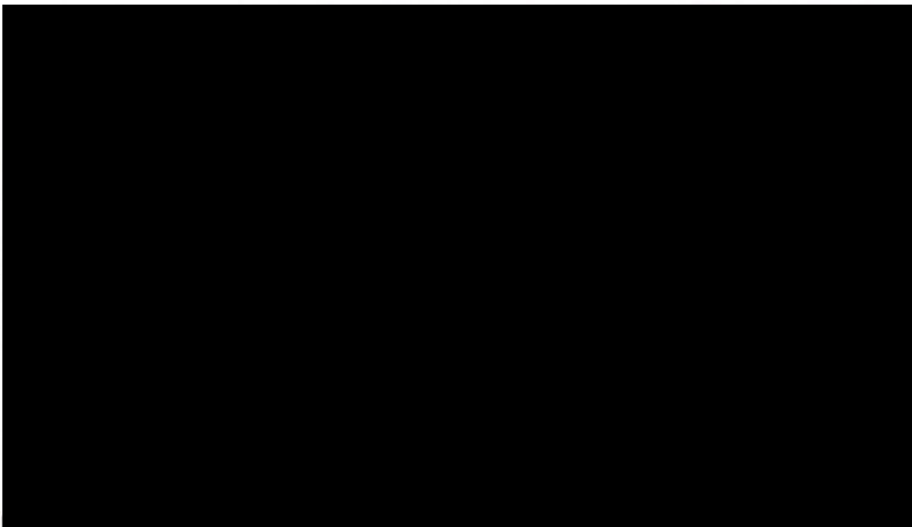


Lanica Woods

---

Picture

EXHIBIT # - 3  
PAGE # - 5



**(2. a.) INVESTIGATION SUMMARY**

Outcome Overview

What happened?

How did it happen?

Why did it happen?

What needs to be corrected?

Contributing Factors

Incident Corrective Actions

Closed Date/Time	Investigation Start Date	Investigation Close Date	Expiry Date
Reported to Police	Reported to Supervisor	Requires Investigation No	Investigator Melissa Brooks, Dameion Capdeville, Jason Duncan, Roy McCloud, Jason Milam, Vladimir Morency
		Investigation Cost \$0.00	Investigation Time Spent (Hours) 0

**(2. b.) INVESTIGATION ANNEXURES - INVESTIGATION DETAILS**

**CONTRIBUTING FACTORS**

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**CORRECTIVE ACTIONS**

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---

**INTERVIEWS**

---

---

**EVIDENCE**

---

---

**LOGS**

---

Total Investigation time spent (Hours)	Total Investigation Cost
0	\$0.00

---

**ATTACHMENTS (INVESTIGATION & OUTCOME)**

---





July 5<sup>th</sup>, 2023

Lanica Woods  
1931 NW 79<sup>th</sup> Place  
Apt. 201  
Miami, FL 33147

Dear Ms. Woods

Due to conduct that is not acceptable at Calder Casino, you are not permitted to attend or be present on our facilities.

Effective July 5<sup>th</sup>, 2023 all of your gaming, wagering, and visitation privileges will be revoked.

Should you have any questions in regards to this notice, please feel free to contact me at (305) 625-1311, extension 1107.

Respectfully,

A handwritten signature in black ink, appearing to be "JC Lara", is written over a horizontal line. The signature is stylized and cursive.

JC Lara

Senior Director of Safety and Security

EXHIBIT #-4  
PAGE # -1

July 5<sup>th</sup>, 2023

Antwan Bradley  
1847 NW 43<sup>rd</sup> Street  
Miami, FL 33142

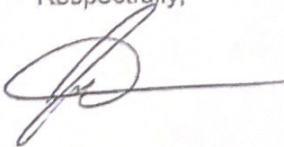
Dear Mr. Bradley

Due to conduct that is not acceptable at Calder Casino, you are not permitted to attend or be present on our facilities.

Effective July 5<sup>th</sup>, 2023 all of your gaming, wagering, and visitation privileges will be revoked.

Should you have any questions in regards to this notice, please feel free to contact me at (305) 625-1311, extension 1107.

Respectfully,



JC Lara

Senior Director of Safety and Security

EXHIBIT # -4  
PAGE # -2

## Tyrell Smith

**From:** Ralph Brandt <Ralph.Brandt@caldercasino.com>  
**Sent:** Friday, July 14, 2023 11:09 AM  
**To:** Tyrell Smith  
**Subject:** FW: My initial report on the cheating that took place on 1 Jul

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

### RALPH BRANDT

*Card Room Manager*  
21001 NW 27th Avenue | Miami Gardens, FL 33056  
**Office:** (305) 474-5711 | **Cell:** (954) 615-8777  
[Ralph.Brandt@caldercasino.com](mailto:Ralph.Brandt@caldercasino.com)

**From:** Ralph Brandt  
**Sent:** Tuesday, July 4, 2023 3:50 PM  
**To:** Iliana Velazquez <Iliana.Velazquez@caldercasino.com>  
**Subject:** My initial report on the cheating that took place on 1 Jul

Team,

I performed an extensive review of surveillance (with Iliana and Leo) from the time the guests arrived (20:30), until the time they were escorted out of the casino by security (02:27) and these are my findings.

22:30	Antwan Bradley arrives in the Card Room and heads to Table 6, I Luv Suits
22:32	Lanica Woods arrives in the Card Room and sits down next to Antwan on Table 6

Time	Players Involved	Amount
23:12	Antwan swaps card(s) with Lanica to improve his hand.	\$120
	Lanica swaps card(s) with Antwan to improve her hand.	\$75
23:20	Antwan swaps card(s) with Lanica to improve his hand.	\$180
	* Players used a food container to hide their cheating	
23:22	Antwan swaps card(s) with Lanica to improve his hand.	\$100
23:25	Antwan swaps card(s) with Lanica to improve his hand.	\$190
23:26	Antwan swaps card(s) with Lanica to improve his hand.	\$1,000
23:31	Antwan swaps card(s) with Lanica to improve his hand.	\$10
	Lanica swaps card(s) with Antwan to improve her hand.	\$10
23:34	Lanica caps her bets	\$120
	Antwan caps a bet of Lanica's	\$120
23:38	Lanica swaps card(s) with Antwan to improve her hand.	\$610

EXHIBIT # - 5  
PAGE # - 1

23:42	Antwan swaps card(s) with Lanica to improve his hand.	\$10
	Lanica swaps card(s) with Antwan to improve her hand.	\$60
23:44	Antwan swaps card(s) with Lanica to improve his hand.	\$100
	Lanica swaps card(s) with Antwan to improve her hand.	\$100
23:47	Antwan swaps cards with himself to improve his hand	\$700
23:48	Antwan caps his bet	\$100
23:56	Antwan swaps cards with himself to improve his hand	\$100
0:29	Antwan swaps card(s) with Lanica to improve his hand.	\$120
	Antwan caps his bet	\$20
0:31	Lanica swaps card(s) with Antwan to improve her hand.	\$120
0:34	Antwan caps bet	\$105
0:57	Antwan swaps entire hand from one bet to another.	\$50
1:10	Lanica swaps card(s) with herself to improve her hand.	\$225
1:35	Antwan swaps card(s) with Lanica to improve his hand.	\$220
	Lanica swaps card(s) with Antwan to improve her hand.	\$170
1:39	Antwan swaps card(s) with Lanica to improve his hand.	\$220
	Lanica swaps card(s) with Antwan to improve her hand.	\$50
1:47	Antwan caps his bet on both hands he's playing	\$140
1:49	Antwan swaps card(s) with Lanica to improve his hand.	\$200
	Lanica swaps card(s) with Antwan to improve her hand.	\$520
1:52	Antwan swaps cards with himself to improve his hand	\$120
1:54	Antwan swaps card(s) with Lanica to improve his hand.	\$1,140
	Lanica swaps card(s) with Antwan to improve her hand.	\$120
2:07	Lanica swaps card(s) with Antwan to improve her hand.	\$100
<b>Total:</b>		\$7,345
2:21	Antwan cashes out	\$1,105
2:26	Lanica cashes out	\$1,795
2:27	Both Lanica and Antwan escorted out by security	

Antwan cashed out twice during the time playing for \$2,500. If we add the \$2,900 that they were allowed to cash out at the end, him and Lanica walked away with \$5,400.

Many opportunities presented themselves for us to coach our team members.

#### Coaching opportunities for Card Room Dealers

- Dealers not following procedures by allowing a player to play multiple hands without using a "puck" to protect 2nd hand.
- Dealers using the DP to make change.
- Dealers not paying attention, carrying on extended conversations with the DPs
- Luc does not pass chips to the DPs after resolving every hand. Keeps them in the middle of the table.
- Dealer walks away from the table to toss out garbage.

#### Questions

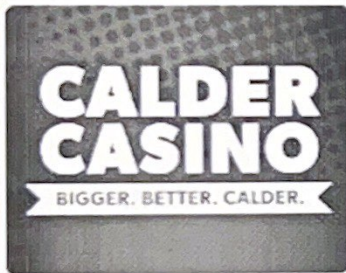
- Why did security interview guests on the floor at the table in front of other guests ?
- Why not move them off to the side or to the Security office ?
- Why did we allow them to cash out their chips ?

DPs

- DPs were distracted at times, talking to other DPs, or actively using their phone.

Miscellaneous

- In the security report it stated, "... and they returned the money." I was unable to see them return any funds.



**RALPH BRANDT**

*Card Room Manager*

21001 NW 27th Avenue | Miami Gardens, FL 33056

Office: (305) 474-5711 | Cell: (954) 615-8777

[Ralph.Brandt@caldercasino.com](mailto:Ralph.Brandt@caldercasino.com)



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EXHIBIT # -5  
PAGE # -3



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

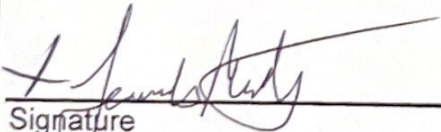
2023-03-7489

PROPERTY RECEIPT


Complaint # 2023-03-7498 Date 7/10/23 Lab # \_\_\_\_\_

Item No.	Quantity	Description
1	1	DVD CONTAINING VIDEO FOOTAGE OF CHEATING INCIDENT CALDEX CASINO. ANTWAN BRADLEY / LANICA WOODS

I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.

  
\_\_\_\_\_  
Signature

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.

  
\_\_\_\_\_  
Signature - Impounding Investigator

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: \_\_\_\_\_

Copies for: File, Transmittal, Laboratory, Property Receipt

EXHIBIT # -6  
PAGE # -1

# 5. Discussion of license denials

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Sean Allister Fletcher; Case No. 2023-062769  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Sean Allister Fletcher's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 1, 2023. Upon review of the application, it appears Applicant has been convicted of a felony and a misdemeanor crime. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

### *Pertinent Facts*

On November 1, 2023, Applicant submitted their completed application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that the Applicant was convicted of a felony crime and a misdemeanor crime in the state of Florida. Specifically, the Applicant was convicted of the following:

- Driving While License Revoked in 2004, a felony; and
- Petit Theft in 2008, a misdemeanor.

Applicant did not apply for a waiver from the statutory restrictions excluding applicants with disqualifying offenses from slot machine, cardroom, and pari-mutuel licensure. Furthermore, section 551.107(6), Florida Statutes, does not authorize the Executive Director to waive the statutory restrictions excluding applicants with disqualifying offenses for slot machine licensure.

### *Relevant Law*

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



“. . . 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.”

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee 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 that 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; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction cannot be waived for the purpose of slot machine licensure and because Applicant was convicted of a disqualifying offense under sections 550.105(5), 551.107(6), and 849.086, Florida Statutes, the Florida Gaming Control Commission should deny Applicant’s application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial in this matter.

**CASE FILE ROUTING SLIP  
SLOT MACHINE APPLICATION**

RE: FLETCHER, SEAN ALLISTER- 13775558  
(APPLICANT'S NAME- LICENSE #)

Case No: 2023062769

INITIAL APP RECEIVED:	<u>10/11/2023</u> (Date)
COMPLETE APP RECEIVED:	<u>11/1/2023</u> (Date)
90-DAY DEADLINE:	<u>1/30/2024</u> (Date)

**Investigations Section:**

Reviewed by Steve Kogan

N/A

(Initial & Date)

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

**Licensing Section:**

Amy Hall  
Application Processor

321 - Gulfstream Park  
Facility (d/b/a name)

1055-Info Sys Mgr  
Occupation/Job Title

Reviewed by David Donaldson



11/3/23

(Initial & Date)

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

Yes \_\_\_\_\_ No

*But still owes \$425.20  
for criminal case 062004CF007696A88810*

Is the applicant related to another application?

Yes \_\_\_\_\_ No \_\_\_\_\_

Comments:

**Office of Director:**

Reviewed by Director

\_\_\_\_\_  
(Initial & Date)

Approve Application \_\_\_\_\_

Deny Application \_\_\_\_\_

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

\*Please attach Routing Slip to front of case file.

Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Occupational License

RE: FLETCHER, SEAN ALLISTER- 13775558

Case No: 2023062769

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	<u>10/11/2023</u>
COMPLETE APPLICATION RECEIVED:	<u>11/1/2023</u>
<b>90-DAY DEADLINE:</b>	<b>1/30/2024</b>

Amy Hall  
Application Processor

321 - Gulfstream Park  
Facility (d/b/a name)

1055-Info Sys Mgr  
Occupation/Job Title

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

Licensing Section Review				
Did the application accurately reflect the Criminal History Record? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<b>Conviction</b>				
<input checked="" type="checkbox"/> Felony: 1 Count(s)				
<input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking				
<input type="checkbox"/> Two or more misdemeanor convictions that involve theft, fraud, or burglary				
<input checked="" type="checkbox"/> Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)				
<b>Comments:</b>				
<b>Arrest Date</b>	<b>Location</b>	<b>Charge</b>	<b>Level</b>	<b>Disposition</b>
05/09/2004	Broward County, FL	Driving While License Suspended Habitual: Case#04007696CF10A	F3	Adjudication Withheld
07/18/2008	Broward County, FL	Petit Theft: Case#08017236MM10A	M2	Adjudication Withheld
<b>Disposition Unknown</b>				
<input type="checkbox"/> Felony Arrest(s) :				
<input type="checkbox"/> Misdemeanor Arrest – Gambling Related/Bookmaking				
<input type="checkbox"/> Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary				
<b>Comments:</b>				
<b>Arrest Date</b>	<b>Location</b>	<b>Charge</b>	<b>Level</b>	<b>Disposition</b>
<b>Enforcement/Jurisdiction Offenses</b>				
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.				
<b>Comments:</b>				
<b>Related Licenses</b>				
<b>Check VR License Relations to Determine if Applicant is Related to a Business</b>				
Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, complete sections below.				
Business License Number:		Business Name:		
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes <input type="checkbox"/> No <input type="checkbox"/>				
Date Deficiency Letter Issued:		Initials:		
<b>Comments:</b>				
<b>Licensing Administrator Review</b>				
<b>Disposition Confirmation</b>				
Disqualifying Convictions/Arrests Confirmed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <input type="checkbox"/> Approval				
Forward to <input type="checkbox"/> Investigations <input checked="" type="checkbox"/> Legal <input type="checkbox"/> Director Initials: <u>ES</u> <span style="float: right;">11/8/23</span>				
<b>Comments:</b>				



























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## Case Detail - Public

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### State of Florida Vs. Fletcher, Sean A

**Broward County Case Number:** 04007696CF10A  
**State Reporting Number:** 062004CF007696A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 05/10/2004  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Davis - FB, N. Hunter  
**Magistrate Id / Name:** N/A  
**BCCN:** 0632572

### - Party(ies)

Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Fletcher, Sean A</b>  <i>Alias Name</i> <b>Fletcher, Sean Allister</b>  <b>Gender:</b> Male <b>Race:</b> Black <b>Language:</b> English (American) <b>Complexion:</b> Medium <b>Height:</b> 5'10" <b>Weight:</b> 180 <b>Eye:</b> Brown <b>Hair:</b> Black <b>DOB:</b> ██████████ <b>Birth City:</b> Baltimore <b>Birth State:</b> MD	3056 W Missionwood Ln Miramar, FL 33025 ^	★ <i>Public Defender</i> <i>Public Defender</i> <i>Bar ID: 88888888</i>  <b>Status: Removed 11/16/2005</b>  <i>Falk, Lloyd H</i> <i>Bar ID: 346306</i> <i>Lloyd Falk</i> 600 SW 4th Ave Suite 113 Fort Lauderdale, FL 33315-1012 <b>Status: Removed 09/08/2004</b>
Bond Insurance Company	<b>American Bankers Insurance</b>		
Bond Company	<b>Horizon Ball Bond</b>		
State	<b>State of Florida</b>		

### - Charge(s)

Total: 3



Offense Date	Charge	Degree	Detail
05/09/2004	1	(F3)	<b>Driving While License Revoked</b> Date Filed: 05/09/2004 Current Statute: (F3)322.34(5) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/North Lauderdale Original Statute: (F3)322.34(5)-Driving While License Revoked Citation Number: 6756CPF  <b>Vehicle Information</b>
05/09/2004	2	(M2)	<b>Unlawful Alter Of Tag</b> Date Filed: 05/09/2004 Current Statute: (M2)320.061 Filing Type: Citation Filing Agency: Broward Sheriff Office/North Lauderdale Original Statute: (M2)320.061-Unlawful Alter Of Tag Citation Number: 6755CPF  <b>Vehicle Information</b>
05/09/2004	3	(0)	<b>Expired Tag/Infraction</b> Date Filed: 05/09/2004 Current Statute: (0)320.073(A) Filing Type: Citation Filing Agency: Broward Sheriff Office/North Lauderdale Original Statute: (0)320.073(A)-Expired Tag/Infraction Citation Number: 6757CPF  <b>Vehicle Information</b>

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/15/2005	1	<b>Warrant# 04007696CF10A050915WVOP050916N</b> <b>(InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 10/19/2005 Hold Without Bail Bond: Yes	10/19/2005 Warrant Served 09/15/2005 Active  <i>(Comment: SIGNED 091305 **)</i>

- Bond(s)

Total: 2

Posted Date	Charge(s)	Detail	Status
05/11/2004	1	<b>Bond# 1637871</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Horizon Bail Bond Insurance Company: Bankers Insurance Company Bond Amount: \$750.00 Surety Comment: InsCo: ABIC-AMERICAN BANKERS INS	05/11/2004 POSTED 09/08/2004 DISCHARGED
05/11/2004	2	<b>Bond# 1637870</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Horizon Bail Bond Insurance Company: Bankers Insurance Company Bond Amount: \$100.00 Surety Comment: InsCo: ABIC-AMERICAN BANKERS INS	05/11/2004 POSTED 09/08/2004 DISCHARGED

- Arrest(s)

Total: 4

Arrest Date	Charge	Arrest Number	Detail
10/19/2005	1	PK05000587	<b>Rearrest</b> Offense: Driving While License Revoked Degree: (F3) Bond Amount: \$ Statute: 322.34(5) OBTS Number: 0610028501 Rearrest Reason: 5012 Warrant Violation of Probation
05/09/2004	1	NL04000507	<b>Arrest</b> Name At Arrest: Fletcher, Sean A Offense: Driving While License Revoked Degree: (F3) Bond Amount: \$750.00 Bond Type: Not Applicable Statute: 322.34(5) OBTS Number: 0611024360
05/09/2004	2	NL04000507	<b>Arrest</b> Name At Arrest: Fletcher, Sean A Offense: Unlawful Alter Of Tag Degree: (M2) Bond Amount: \$ Statute: 320.061 OBTS Number: 0611024360
05/09/2004	3	NL04000507	<b>Arrest</b> Name At Arrest: Fletcher, Sean A Offense: Expired Tag/Infraction Degree: (0) Bond Amount: \$ Statute: 320.073(A) OBTS Number: 0611024360

- Disposition(s)

Total: 3

Offense Date	Charge	Disposition(s)
05/09/2004	1	<p><b>Plea(s)</b>  <b>09/09/2004 Amended Plea</b> (Reason: Change of Plea,)            Change of Plea-Nolo Contendere  <b>06/30/2004 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>09/08/2004 Disposition</b>            Crim License Susp Viol - Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>11/16/2005 Amended (5) Incarceration BCJ or FSP</b> (Judicial Officer(s): Aleman, Cheryl J)            Comment (Total Amount Imposed \$365.00 )            Confinement (Effective 11/16/2005 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 30 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 29 Day(s), Serve Consecutive Days: )            Provisions: Provisions ( Probation Revoked) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> <p><b>09/08/2004 Sentence</b> (Judicial Officer(s): Aleman, Cheryl J)            Comment (Total Amount Imposed \$365.00 )            Charge Reopen Status (11/16/2005, Closed, 1 )            State Probation ( 0 Year(s) 18 Month(s) 0 Day(s), Start Date: 09/08/2004, End Date: 11/16/2005 )            Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
05/09/2004	2	<p><b>Plea(s)</b>  <b>06/30/2004 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>09/08/2004 Disposition</b>            Dismissed</p>

Offense Date	Charge	Disposition(s)
05/09/2004	3	<b>Plea(s)</b> <b>06/30/2004</b> Plea Written Plea Not Guilty-Jury  <b>Disposition(s)</b> <b>09/08/2004</b> Disposition Dismissed

- Collection(s)

Total: 3

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
05/31/2017	1	006756CPF	\$365.00	\$462.00	\$36.80	\$425.20	06/25/2006	\$9.48	-	\$0.00

Balance Due: \$425.20

\$ Pay Fine/Fee (/ClerkWebsite/BCCOC2/OdysseyPA/CaseSummary.aspx?CaseID=MjgyNjEzMQ%3d%3d-hUs5AAR3Ujl%3d&hidSearchType=case\_number\_public&Displa

- Event(s) & Document(s)

Total: 21

Date	Description	Additional Text	View	Pages
06/16/2012	Sent To Law Firm For Collections			
05/14/2012	Felony Letter - 30 Days Past Due	\$425.20		
11/16/2005	File Def Affidavit Indigency/Declared Indigent			
11/16/2005	File Acknowledgement -Waiver Of Rights			
11/16/2005	Hrg Held / First-Final Violation Of Probation	Defn Admits Allegs - Cr-C Gardner (f)		
11/16/2005	File And Record Judgment	Book 40978 Pages 305-306		
11/16/2005	File Sentencing Guidelines			
09/15/2005	File Affidavit And Warrant Violation Of Probation	Signed 091305		
09/08/2004	File Acknowledgement -Waiver Of Rights			
09/08/2004	Hearing Held / Change Of Plea	Ct Rept-M Russell		
09/08/2004	File Order Of Probation			
09/08/2004	File Sentencing Guidelines	File Fingerprint Form		
09/08/2004	Broward County Supervision	Count(s):<[001]> Amount: \$50.00		
07/13/2004	File States Discovery Submission			
07/06/2004	Arraignment Held	Ct Rept-J Evans (f)		
06/30/2004	File Def Not Of Intent To Participate In Discovery			
06/30/2004	File Defense Written Plea Of Not Guilty			

Date	Description	Additional Text	View	Pages
06/18/2004	<b>Court Date Notice</b>	Defendant, Bondsman, Sao		
05/27/2004	<b>Docketrac Defendant Record Note Field</b>	FILED BY SAO 052704		
05/11/2004	<b>Bond Posted</b>	2 Horizon		
05/10/2004	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>	Charge 1 Bond Increased		

**- Hearing(s)** Total: 1

Date	Description	Additional Text
09/07/2004	<b>Jury Trial</b>	Hearing Time: 9:30 AM Judicial Officer(s): Davis - FB, N. Hunter Location: Room 7900

*(f)*

**- Related Case(s)** Total: 0

There is no related case information available for this case.

**Brenda D. Forman**

**Clerk of Court**

Broward County  
17th Judicial Circuit



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- [GLOSSARY OF TERMS \(HTTPS://WWW.BROWARDCLERK.ORG//WEB2/CASESEARCHECA/GLOSSARY/\)](#) >

**Main Courthouse Location**

201 SE 6th Street  
Fort Lauderdale  
Florida, US 33301  
Phone: (954) 831-6565

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## Case Detail - Public

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### State of Florida Vs. Fletcher, Sean Allister

**Broward County Case Number:** 08017236MM10A  
**State Reporting Number:** 062008MM017236A88810  
**Court Type:** Traffic and Misdemeanor  
**Case Type:** Misdemeanor  
**Filing Date:** 07/19/2008  
**Case Status:** Disposed - Probation  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Francois - MD, Phoebee  
**Magistrate Id / Name:** N/A  
**BCCN:** 0632572

### - Party(ies)

Total: 2

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Fletcher, Sean Allister</b>  Gender: Male Race: Black Language: English (American) Complexion: Medium Height: 5'11" Weight: 180 Eye: Brown Hair: Black DOB: [REDACTED] Birth City: Baltimore Birth State: MD	2875 NW 63rd Street Opa Locka, FL 33054	★ Geisser, Marshall Gordon Bar ID: 742775 915 Middle River DR STE 115 Fort Lauderdale, FL 33304 Status: <b>Removed 01/08/2009</b>
State	State of Florida		

### - Charge(s)

Total: 1

Offense Date	Charge	Degree	Detail
07/18/2008	1	(M2)	<b>Petit Theft</b> Date Filed: 07/18/2008 Current Statute: (M2)812.014(3)(a) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/Deerfield Beach Original Statute: (M2)812.014(3)(a)-Petit Theft

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/17/2008	1	<b>Warrant# 08017236MM10A080917CAP080923 (InActive)</b> Type: Capias Bond Amount: \$2000.00 Bond Type: Set By Judge Hold Without Bail Bond: No	11/05/2008 Capias Withdrawn (Comment: ORDER SIGNED BY JUDGE SEIDMAN **) 09/17/2008 Active (Comment: NO SHOW ARRGN **)

- Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 1

Arrest Date	Charge	Arrest Number	Detail
07/18/2008	1	DR08001615	<b>Arrest</b> Name At Arrest: Fletcher, Sean Allister Offense: Petit Theft Degree: (M2) Bond Amount: \$ Statute: 812.014(3)(a) OBTS Number: 0614042785

- Disposition(s)

Total: 1

Offense Date	Charge	Disposition(s)
07/18/2008	1	<b>Plea(s)</b> 01/08/2009 Amended Plea (Reason: Change of Plea,) Change of Plea-Nolo Contendere 10/14/2008 Plea Written Plea Not Guilty-Jury ^
		<b>Disposition(s)</b> 01/08/2009 Disposition Adjudication Withheld
		<b>Sentence(s)</b> 01/08/2009 Sentence (Judicial Officer(s): Seidman, Lee Jay) Provisions: Provisions ( Administrative Probation, Probation May Terminate Early)

- Collection(s)

Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
01/14/2009	1		\$273.00	\$273.00	\$0.00	\$273.00	-	\$0.00	04/08/2009	\$273.00

Balance Due: \$273.00

\$ Pay Fine/Fee (/ClerkWebsite/BCCOC2/OdysseyPA/CaseSummary.aspx?CaseID=Mzk5MTc2Mg%3d%3d-lhMYb3LI2q8%3d&hidSearchType=case\_number\_public&Displa

Event(s) & Document(s)

Total: 18

Date	Description	Additional Text	View	Pages
01/13/2009	<b>File Order Of Probation</b>	Nunc Pro Tunc 010809.Signed 011209		
01/08/2009	<b>File Acknowledgement -Waiver Of Rights</b>			
01/08/2009	<b>Hearing Held / Change Of Plea</b>	Crs//file In Dead File		
01/08/2009	<b>Broward County Supervision</b>	Count(s):< 001 > Amount: \$50.00		
11/05/2008	<b>Capias Withdrawn</b>	Count(s):< 001 >		
11/05/2008	<b>File Order Granting Def Motion To Withdraw Capias</b>	Per Judge Seidman		
11/05/2008	<b>Hearing Held</b>	Crs		
11/04/2008	<b>State's Discovery Submission</b>			
10/27/2008	<b>File Defense Motion To Withdraw Capias</b>	And Reinstate Cash Bond		
10/27/2008	<b>File Notice Of Hearing</b>	Mot To W/d Capias/reinstate Bond-110508		
10/24/2008	<b>File Defense Motion To Withdraw Capias</b>	And Reinstate Cash Bond.		
10/14/2008	<b>File Defense Demand For Discovery</b>			
10/14/2008	<b>File Defense Written Plea Of Not Guilty</b>			
10/14/2008	<b>File Notice Of Appearance</b>			
10/14/2008	<b>File Notice</b>	Of Discovery By Defense.		
10/14/2008	<b>File Waiver</b>	Of Arraignment		
09/17/2008	<b>Arraignment Held</b>	Deft No Show Arrgn/capias Issued//crs		
09/17/2008	<b>Capias Issued</b>	Count(s):< 001 >		

Hearing(s)

Total: 0

There is no Disposition information available for this case.

Related Case(s)

Total: 0

There is no related case information available for this case.

**Brenda D. Forman**

Clerk of Court

Broward County  
17th Judicial Circuit

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## Main Courthouse Location

201 SE 6th Street  
Fort Lauderdale  
Florida, US 33301  
Phone: (954) 831-6565

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## Case Detail - Public

Print

### State of Florida Vs. Fletcher, Sean A

**Broward County Case Number:** 04007696CF10A  
**State Reporting Number:** 062004CF007696A88810  
**Court Type:** Felony  
**Case Type:** Felony  
**Filing Date:** 05/10/2004  
**Case Status:** Disposed  
**Court Location:** Central Courthouse  
**Judge ID / Name:** Davis - FB, N. Hunter  
**Magistrate Id / Name:** N/A  
**BCCN:** 0632572

### Party(ies)

Total: 4

Party Type	Party Name	Address	Attorneys / Address ★ Denotes Lead Attorney
Defendant	<b>Fletcher, Sean A</b>  <i>Alias Name</i> <b>Fletcher, Sean Allister</b>  <b>Gender:</b> Male <b>Race:</b> Black <b>Language:</b> English (American) <b>Complexion:</b> Medium <b>Height:</b> 5'10" <b>Weight:</b> 180 <b>Eye:</b> Brown <b>Hair:</b> Black <b>DOB:</b> ██████████ <b>Birth City:</b> Baltimore <b>Birth State:</b> MD	3056 W Missionwood Ln Miramar, FL 33025	★ <i>Public Defender</i> <i>Public Defender</i> <i>Bar ID: 88888888</i>  <b>Status: Removed 11/16/2005</b>  <i>Falk, Lloyd H</i> <i>Bar ID: 346306</i> <i>Lloyd Falk</i> <i>600 SW 4th Ave</i> <i>Suite 113</i> <i>Fort Lauderdale, FL 33315-1012</i> <b>Status: Removed 09/08/2004</b>
Bond Insurance Company	<b>American Bankers Insurance</b>		
Bond Company	<b>Horizon Bail Bond</b>		
State	<b>State of Florida</b>		

### Charge(s)

Total: 3



Offense Date	Charge	Degree	Detail
05/09/2004	1	(F3)	<b>Driving While License Revoked</b> Date Filed: 05/09/2004 Current Statute: (F3)322.34(5) Filing Type: SAO Information Filing Agency: Broward Sheriff Office/North Lauderdale Original Statute: (F3)322.34(5)-Driving While License Revoked Citation Number: 6756CPF  <b>Vehicle Information</b>
05/09/2004	2	(M2)	<b>Unlawful Alter Of Tag</b> Date Filed: 05/09/2004 Current Statute: (M2)320.061 Filing Type: Citation Filing Agency: Broward Sheriff Office/North Lauderdale Original Statute: (M2)320.061-Unlawful Alter Of Tag Citation Number: 6755CPF  <b>Vehicle Information</b>
05/09/2004	3	(0)	<b>Expired Tag/Infraction</b> Date Filed: 05/09/2004 Current Statute: (0)320.073(A) Filing Type: Citation Filing Agency: Broward Sheriff Office/North Lauderdale Original Statute: (0)320.073(A)-Expired Tag/Infraction Citation Number: 6757CPF  <b>Vehicle Information</b>

- Warrant(s)

Total: 1

Issue Date	Charge(s)	Detail	Status
09/15/2005	1	<b>Warrant# 04007696CF10A050915WVOP050916N</b> <b>(InActive)</b> Type: Warrant - Violation Of Probation Bond Type: No Bond Hold Date Served: 10/19/2005 Hold Without Bail Bond: Yes	10/19/2005 Warrant Served 09/15/2005 Active  <i>(Comment: SIGNED 091305 **)</i>

- Bond(s)

Total: 2

Posted Date	Charge(s)	Detail	Status
05/11/2004	1	<b>Bond# 1637871</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Horizon Bail Bond Insurance Company: Bankers Insurance Company Bond Amount: \$750.00 Surety Comment: InsCo: ABIC-AMERICAN BANKERS INS	05/11/2004 POSTED 09/08/2004 DISCHARGED
05/11/2004	2	<b>Bond# 1637870</b> <b>(InActive)</b> Bond Type: Surety Bond Bond Company: Horizon Bail Bond Insurance Company: Bankers Insurance Company Bond Amount: \$100.00 Surety Comment: InsCo: ABIC-AMERICAN BANKERS INS	05/11/2004 POSTED 09/08/2004 DISCHARGED

- Arrest(s)

Total: 4

Arrest Date	Charge	Arrest Number	Detail
10/19/2005	1	PK05000587	<b>Rearrest</b> Offense: Driving While License Revoked Degree: (F3) Bond Amount: \$ Statute: 322.34(5) OBTS Number: 0610028501 Rearrest Reason: 5012 Warrant Violation of Probation
05/09/2004	1	NL04000507	<b>Arrest</b> Name At Arrest: Fletcher, Sean A Offense: Driving While License Revoked Degree: (F3) Bond Amount: \$750.00 Bond Type: Not Applicable Statute: 322.34(5) OBTS Number: 0611024360
05/09/2004	2	NL04000507	<b>Arrest</b> Name At Arrest: Fletcher, Sean A Offense: Unlawful Alter Of Tag Degree: (M2) Bond Amount: \$ Statute: 320.061 OBTS Number: 0611024360
05/09/2004	3	NL04000507	<b>Arrest</b> Name At Arrest: Fletcher, Sean A Offense: Expired Tag/Infraction Degree: (0) Bond Amount: \$ Statute: 320.073(A) OBTS Number: 0611024360

- Disposition(s)

Total: 3

Offense Date	Charge	Disposition(s)
05/09/2004	1	<p><b>Plea(s)</b>  <b>09/08/2004 Amended Plea</b> (Reason: Change of Plea,)            Change of Plea-Nolo Contenders  <b>06/30/2004 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>09/08/2004 Disposition</b>            Crim License Susp Viol - Adjudication Withheld</p> <p><b>Sentence(s)</b>  <b>11/16/2005 Amended (5) Incarceration BCJ or FSP</b> (Judicial Officer(s): Aleman, Cheryl J)            Comment (Total Amount Imposed \$365.00 )            Confinement (Effective 11/16/2005 at 12:00 AM, Min. Not Applicable, Max. 0 Year(s) 0 Month(s) 30 Day(s), Broward County Jail, Credit Time Served: 0 Year(s) 0 Month(s) 29 Day(s), Serve Consecutive Days: )            Provisions: Provisions ( Probation Revoked) Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p> <p><b>09/08/2004 Sentence</b> (Judicial Officer(s): Aleman, Cheryl J)            Comment (Total Amount Imposed \$365.00 )            Charge Reopen Status (11/16/2005, Closed, 1 )            State Probation ( 0 Year(s) 18 Month(s) 0 Day(s), Start Date: 09/08/2004, End Date: 11/16/2005 )            Provisions: Special Provisions(Defendant Sentenced Under Sentencing Guidelines)</p>
05/09/2004	2	<p><b>Plea(s)</b>  <b>06/30/2004 Plea</b>  <i>Written Plea Not Guilty-Jury</i></p> <p><b>Disposition(s)</b>  <b>09/08/2004 Disposition</b>            Dismissed</p>

Offense Date	Charge	Disposition(s)
05/09/2004	3	<b>Plea(s)</b> 06/30/2004 Plea Written Plea Not Guilty-Jury  <b>Disposition(s)</b> 09/08/2004 Disposition Dismissed

- Collection(s)

Total: 3

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
05/31/2017	1	006756CPF	\$365.00	\$462.00	\$36.80	\$425.20	06/25/2006	\$9.48	-	\$0.00

Balance Due: \$425.20

\$ Pay Fine/Fee (/ClerkWebsite/BCCOC2/OdysseyPA/CaseSummary.aspx?CaseID=MjgyNjEzMQ%3d%3d-4oSyjqso5dQ%3d&hidSearchType=case\_number\_public&Display

- Event(s) & Document(s)

Total: 21

Date	Description	Additional Text	View	Pages
06/16/2012	Sent To Law Firm For Collections			
05/14/2012	Felony Letter - 30 Days Past Due	\$425.20		
11/16/2005	File Def Affidavit Indigency/Declared Indigent			
11/16/2005	File Acknowledgement -Waiver Of Rights			
11/16/2005	Hrg Held / First-Final Violation Of Probation	Defn Admits Allegs - Cr-C Gardner (f)		
11/16/2005	File And Record Judgment	Book 40978 Pages 305-306		
11/16/2005	File Sentencing Guidelines			
09/15/2005	File Affidavit And Warrant Violation Of Probation	Signed 091305		
09/08/2004	File Sentencing Guidelines	File Fingerprint Form		
09/08/2004	File Order Of Probation			
09/08/2004	Hearing Held / Change Of Plea	Ct Repl-M Russell		
09/08/2004	File Acknowledgement -Waiver Of Rights			
09/08/2004	Broward County Supervision	Count(s):<[001]> Amount: \$50.00		
07/13/2004	File States Discovery Submission			
07/06/2004	Arraignment Held	Ct Repl-J Evans (f)		
06/30/2004	File Defense Written Plea Of Not Guilty			
06/30/2004	File Def Not Of Intent To Participate In Discovery			

Date	Description	Additional Text	View	Pages
06/18/2004	<b>Court Date Notice</b>	Defendant, Bondsman, Sao		
05/27/2004	<b>Docketrac Defendant Record Note Field</b>	FILED BY SAO 052704		
05/11/2004	<b>Bond Posted</b>	2 Horizon		
05/10/2004	<b>Hrg Held / Magistrate Findings/Order - Probable Cause Found</b>	Charge 1 Bond Increased		

**- Hearing(s)** Total: 1

Date	Description	Additional Text
09/07/2004	<b>Jury Trial</b>	Hearing Time: 9:30 AM Judicial Officer(s): Davis - FB, N. Hunter Location: Room 7900

**- Related Case(s)** Total: 0

There is no related case information available for this case.

## Brenda D. Forman

### Clerk of Court

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17th Judicial Circuit

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## Main Courthouse Location

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Florida, US 33301

Phone: (954) 831-6565

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**STATE OF FLORIDA**  
 FLORIDA GAMING CONTROL COMMISSION  
 2601 Blair Stone Road  
 Tallahassee, FL 32399-1037

FLETCHER, SEAN ALLISTER  
 321 SW 84TH AVE APT# 105  
 PEMBROKE PINES, FL 33025

FILE NUMBER 12101

AMOUNT PAID \$100.00

INITIAL PIN [REDACTED]

APPROVAL DATE OCTOBER 11, 2023



STATE OF FLORIDA AC#T 0088138  
 FLORIDA GAMING CONTROL  
 COMMISSION

LIC NO. 13775558 10/11/2023

TEMPORARY SLOT/CARDROOM/PARI-MUTUEL  
 INDIV COMBO (1055)  
 FLETCHER, SEAN ALLISTER

IS LICENSED UNDER THE PROVISIONS OF CH. 551 F.S.  
 EXPIRATION DATE: PENDING APPLICATION ACTION

DETACH HERE

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AC#T 0088138

**STATE OF FLORIDA**  
 FLORIDA GAMING CONTROL COMMISSION

SEQ# 23101113775558

DATE	LICENSE FEE	LICENSE NUMBER	FILE NUMBER 12101
10/11/2023	AMOUNT PD \$100.00	13775558	

TEMPORARY SLOT/CARDROOM/PARI-MUTUEL INDIV COMBO LICENSEE  
 NAMED BELOW IS LICENSED UNDER THE PROVISIONS OF CH. 551 F.S.  
**EXPIRATION DATE: PENDING APPLICATION ACTION**  
 SEQ# 23101113775558

FLETCHER, SEAN ALLISTER  
 321 SW 84TH AVE APT# 105  
 PEMBROKE PINES, FL 33025

RON DESANTIS  
 GOVERNOR

DISPLAY AS REQUIRED BY LAW





STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.

TCN- 790970000002147

ALL License Applicants must submit:

- Completed Form DBPR PMW-3410 – Print clearly and complete all sections that are not optional in black or blue ink.
- Provide Identification – Required by Rule 61D-14.010, Florida Administrative Code.
 

Provide a copy of one of the items below:	OR, Provide a copy of two of the items below:
<ul style="list-style-type: none"> <li>• US Passport</li> <li>• Certificate of US Citizenship or Naturalization</li> <li>• Permanent Resident Card</li> </ul>	<ul style="list-style-type: none"> <li>• Birth Certificate (Certified Copy)</li> <li>• Driver's License</li> <li>• Military ID Card</li> <li>• Student ID Card</li> <li>• Country ID Card</li> <li>• Foreign Passport</li> <li>• Government Issued Credential</li> <li>• Immigration ID Card</li> </ul>

NA  
NA

- Additional Pages – If necessary to respond to any application questions.
- Supporting Legal Documentation – If necessary to respond to background information questions in application.

Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.

- Slot Machine General Occupational License - \$100.00\* \*does not include fingerprint fee
- Slot Machine Professional Occupational License - \$100.00\*
- Slot Machine/Cardroom/PMW Combination Occupational License - \$100.00\*

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Fingerprints – Choose One Option:

**Electronic Fingerprints:** Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL923230Z.

IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.

**Fingerprint Card:** Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.

IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx> for the current fee amount.

**Fingerprint Resubmission for Renewal and Upgrade Applicants:** Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.

IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.

Please mail your completed application, documentation and required fee(s) to:  
Department of Business and Professional Regulation  
Pari-Mutuel Wagering; Licensing Section  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: 850.487.1395

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Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3410 – Slot Machine Individual Occupational License Application

Instructions: Please review this application thoroughly and complete all sections 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 [REDACTED]	Birth Date (MM/DD/YYYY) [REDACTED]	Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name <u>FLETCHER</u>	First <u>SEAN</u>	Middle <u>ALLISTER</u>	Suffix
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 (check only one): <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			
Are you a United States citizen? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, provide the name of the country of which you are a citizen: <u>CANADA</u>			
Current Mailing Address <u>321 SW 84<sup>th</sup> AVE APT#105</u>		Email Address (optional) [REDACTED]	
City <u>PEMBROKE PINES</u>	State <u>FL</u>	Zip Code (+4 optional) <u>33025</u>	Country <u>United States</u>
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional) <u>N/A</u>	
Current Street Address <u>321 SW 84<sup>th</sup> AVE APT#105</u>			
City <u>PEMBROKE PINES</u>	State <u>FL</u>	Zip Code (+4 optional) <u>33025</u>	Country <u>United States</u>
Type of Slot Machine Occupational License applying for: <input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual <input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination		Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Job title(s)*: <u>IT TECHNICIAN</u>		Facility where employed and/or doing business: <u>Citigroup</u>	
*Applicants for a Combo license should disclose all job titles		Employer name: <u>1ST TECHNOLOGY</u> <u>William LOPEZ</u>	
FOR DIVISION USE ONLY			
License Code <u>1055</u>	License # <u>13775558</u>	File # <u>12101</u>	App # <u>42835</u>
Association Code <u>321</u>	Date Received <u>10/11/2023</u>	Entered By <u>S.J.</u>	License Year <u>23/26</u>
License Fee <u>\$100.00</u>	FP Date <u>10/11/2023</u>	FP Fee <u>\$0</u>	Total Fee <u>\$100.00</u>
Waiver Requested (Combo Only)	<u>ARCI</u>	<u>Enforcement</u>	

**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you previously worked for a gaming-related employer?  
 If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving

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**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  
 No  
 Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

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.

If you answered yes to the question above, provide details here:

---



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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 the 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.

AUTHORIZATION FOR RELEASE OF INFORMATION:

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation 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 or the Florida Department of Law Enforcement.

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. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

SEAN ALLISTER FLETCHER  
Print Legal Name (First Middle Last)

[Redacted]  
Birth Date (MM/DD/YYYY)

[Redacted]  
Social Security Number

William Lopez  
Name of Employer  
*IST TECHNOLOGY*

[Signature]  
Signature of Applicant

10/10/2023  
Date

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OCT 10 2023

Florida

TEMPORARY  
DRIVER LICENSE



*[Handwritten signature]*

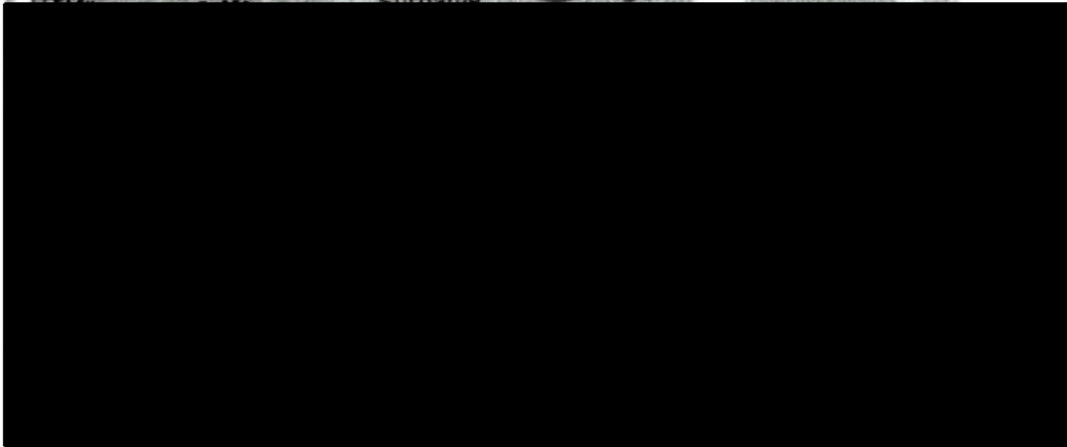
Operation of a motor vehicle constitutes  
consent to any sobriety test required by law.

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OCT 10 2023

UNITED STATES OF AMERICA  
EMPLOYMENT AUTHORIZATION

File # \_\_\_\_\_ Supervisor \_\_\_\_\_



NOT VALID FOR REENTRY TO U.S.

RECEIVED

OCT 10 2023





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C  
L

M

No Enforcement Findings

FAQ | Help | Sign Out

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

Complaint Search Public Case Info | Change Recording License Type | Delete Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update

Domain: 10 - Division of Pari-Mutuel Wagering

Logged in as: sjoeph

VR Home > Complaint Search

System Messages

- Fed Tax # not found

Search Criteria Results

Complaint

Board  Complaint #

Lic Type  Reference

Case Type  Status

Assigned To

Incident From  Incident To

Key Phrase in Summary

- Find
- New
- Clear
- Back

Respondent

Fed Tax #  Street #

File #  Street

License #  City

Entity #  Postal/Zip

Key Name  State

County

Complainant Key Name

Involved Party Key Name

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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Kevin Lapatrack Robinson; Case No. 2023-063904  
Date: January 3, 2024

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Kevin Lapatrack Robinson's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a completed application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on November 1, 2023. Upon review of the application, it appears Applicant has been convicted of a disqualifying offense under sections 550.105(5), 551.107(6), and 849.086(6). Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

### *Pertinent Facts*

On November 1, 2023, Applicant submitted an application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that the Applicant was convicted of a felony crime in the state of Florida. Specifically, the Applicant was convicted of Grand Theft 3rd Degree in 2001. This felony conviction is a disqualifying offense under sections 550.105(5), 551.107(6), and 849.086(6), Florida Statutes.

Applicant did not apply for a waiver from the statutory restrictions excluding applicants with disqualifying offenses from slot machine, cardroom, and pari-mutuel licensure. Furthermore, section 551.107(6), Florida Statutes, does not authorize the Executive Director to waive the statutory restrictions excluding applicants with disqualifying offenses for slot machine licensure.

This matter was presented to the Commission at the December 6, 2023, meeting, at which time the Commission requested additional information regarding the Applicant's felony conviction. Commission staff contacted Applicant via telephone to request such additional information. To date, Applicant has not provided any documents or information in response.

Commission staff also conducted further investigation of the available records, which show that Applicant was placed on a 6-month probation, which he violated, and was ordered to pay a fine of \$471. The applicant paid the fine. The probation was modified after this violation. The applicant has had many unrelated arrests since the 2001 conviction including unrelated traffic violations and domestic family issues. These unrelated arrests are not disqualifying under sections 550.105(5), 551.107(6), and 849.086(6), Florida Statutes.

### *Relevant Law*

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

“. . . 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.”

Section 551.107(6)(a), Florida Statutes, provides in pertinent part that:

“. . .the commission may deny, suspend, revoke, or refuse to renew any slot machine occupational license if the applicant for such license or the licensee 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 that 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; racketeering; or a crime involving a lack of good moral character, or has had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense.”

Rule 75-14.009, Florida Administrative Code, provides that:

“[t]he [commission] shall deny the application for a slot machine occupational license if a review of the application or the investigation of the applicant demonstrates . . . [t]he applicant has been convicted of any disqualifying offense under Section 551.107(6), F.S.”

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.”

Staff Recommendation: Because the Applicant's disqualifying criminal conviction cannot be waived for the purpose of slot machine licensure and because Applicant was convicted of a disqualifying offense under sections 550.105(5), 551.107(6), and 849.086, Florida Statutes, the Florida Gaming Control Commission should deny Applicant's application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial in this matter.

Licensing Administrator Review – Slot Machine Occupational License

RE: ROBINSON, KEVIN LAPATRICK- 12067342

Case No: 2023063904

(APPLICANT'S NAME- LICENSE #)

INITIAL APPLICATION RECEIVED:	<u>10/16/2023</u>
COMPLETE APPLICATION RECEIVED:	<u>11/1/2023</u>
<b>90-DAY DEADLINE:</b>	<b><u>1/30/2024</u></b>

Cleari Maglioni  
Application Processor

544- Hialeah Park Casino  
Facility (d/b/a name)

Security Officer  
Occupation/Job Title

Pursuant to Section 551.107(6)(c) Conviction is defined as being found guilty, with or without adjudication of guilt, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere. Any misdemeanor conviction to include fraud and theft which are defined for purposes of slot machine gaming licensure as involving dishonesty, misrepresentation, deceit, and lack of truthful conduct in transaction with another.

Licensing Section Review				
Did the application accurately reflect the Criminal History Record? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<b>Conviction</b>				
<input checked="" type="checkbox"/> Felony: 1 Count(s)				
<input type="checkbox"/> Misdemeanor – Gambling Related/Bookmaking				
<input type="checkbox"/> Two or more misdemeanor convictions that involve theft, fraud, or burglary				
<input checked="" type="checkbox"/> Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)				
<b>Comments:</b>				
<b>Arrest Date</b>	<b>Location</b>	<b>Charge</b>	<b>Level</b>	<b>Disposition</b>
02/05/2001	Miami-Dade County, Florida	Grand Theft-3 <sup>rd</sup> Deg	F	Adj. Withheld

Disposition Unknown				
<input type="checkbox"/> Felony Arrest(s) :				
<input type="checkbox"/> Misdemeanor Arrest – Gambling Related/Bookmaking				
<input type="checkbox"/> Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary				
<b>Comments:</b>				
<b>Arrest Date</b>	<b>Location</b>	<b>Charge</b>	<b>Level</b>	<b>Disposition</b>

Enforcement/Jurisdiction Offenses
<input type="checkbox"/> Currently under Suspension, Declared Ineligible, Revoked, Denied, Ejected, Unpaid Fine, in this or any other state gaming commission, governmental department, agency, or other authority exercising regulatory jurisdiction over the gaming of another state or jurisdiction.
<b>Comments:</b>

Related Licenses	
<b>Check VR License Relations to Determine if Applicant is Related to a Business</b>	
Is the individual applicant related to a business? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <b>If yes, complete sections below.</b>	
Business License Number:	Business Name:
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes <input type="checkbox"/> No <input type="checkbox"/>	
Date Deficiency Letter Issued:	Initials:
<b>Comments:</b>	

Licensing Administrator Review		
<b>Disposition Confirmation</b>		
Disqualifying Convictions/Arrests Confirmed?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> <input type="checkbox"/> Approval

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.  
IN THE COUNTY COURT IN AND FOR MIAMI-DADE COUNTY, FLORIDA.

CLERK OF COURTS  
Records Management

**PUBLIC RECORDS REQUEST**

Request Date: 12/12/2023

**1. REQUESTOR CONTACT INFORMATION**

Name: Investigative Supervisor Julio Minaya  
Address: 1400 West Commercial Blvd. Suite 165  
City/State/Zip: Fort Lauderdale, FL 33309 Telephone: (                      )  
Email Address: Julio.Minaya@flgaming.gov

**SUBMIT TO:**

Miami-Dade County Clerk of Courts  
Records Management  
**P.O. BOX 14695**  
Miami, Florida 33101  
Email: **COC PUBREQ@miamidade.gov**

**2. REQUESTED / INFORMATION** (E.g.: Division, Case #, Case Type, Date Range, etc.) \*(See Section 3. for list of Divisions)

(If more space is needed, please attach additional information)

Please provide all documents related to the arrest, conviction and sentencing of an individual known to this commission as Kevin Lapatrack Robinson, DOB                      whom was tried under Miami Dade Court Case # F01004013B / State Case # 132001CF004013B000XX.

*Note: All requests will be Administratively Closed after sixty (60) days for nonpayment or nonresponse.*

**FOR RECORDS MANAGEMENT USE ONLY**

**3. DIVISION(S) RECEIVING REQUEST** (RM Use Only)

Control No.                     

- |                                   |  |                                    |   |
|-----------------------------------|--|------------------------------------|---|
| <input type="checkbox"/> CIVIL    | <input type="checkbox"/> PROBATE           | <input type="checkbox"/> FINANCE   | <input type="checkbox"/> CLERK OF THE BOARD                           |
| <input type="checkbox"/> CRIMINAL | <input type="checkbox"/> DOMESTIC VIOLENCE | <input type="checkbox"/> JUVENILE  | <input type="checkbox"/> TRAFFIC <input type="checkbox"/> MISDEMEANOR |
| <input type="checkbox"/> FAMILY   | <input type="checkbox"/> DISTRICTS         | <input type="checkbox"/> RECORDING | <input type="checkbox"/> OTHER <u>                    </u>            |

**FOR DIVISION USE ONLY**

**4. CATEGORY OF REQUEST:**

- Category 1       Category 2       Category 3

**5. REQUEST RECEIVED IN DIVISION:**

Received By/DPRRL:                           DATE:                     

**6. COST ESTIMATE AND TIME:**

TIME TO BE COMPLETED:                           COC \$                           ITD \$                           TOTAL ESTIMATE \$                     

**7. RECORD(S) / DATA FEE:**

TOTAL COST \$                           RECEIPT/INVOICE #:                           DATE PAID:                           CHECK #                     

**8. CONFIRMATION OF COMPLETION:** (Must be completed in full)

- CIVIL     FAMILY     PROBATE     DOMESTIC VIOLENCE     DISTRICTS     JUVENILE     CRIMINAL  
 COB     FINANCE     RECORDING     TRAFFIC     MISDEMEANOR     OTHER

**9. ADMINISTRATIVELY CLOSED** (60 Days after last correspondence) **DUE TO:**

- NON-RESPONSE (from Requestor)     NON-PAYMENT     OTHER:

                      
Print Name (DPRRL)

                      
Title

                      
Signature (DPRRL)

                      
Date

**10. DELIVERY COMPLETED BY:**     PICKED UP     MAILED     EMAILED     OTHER                     

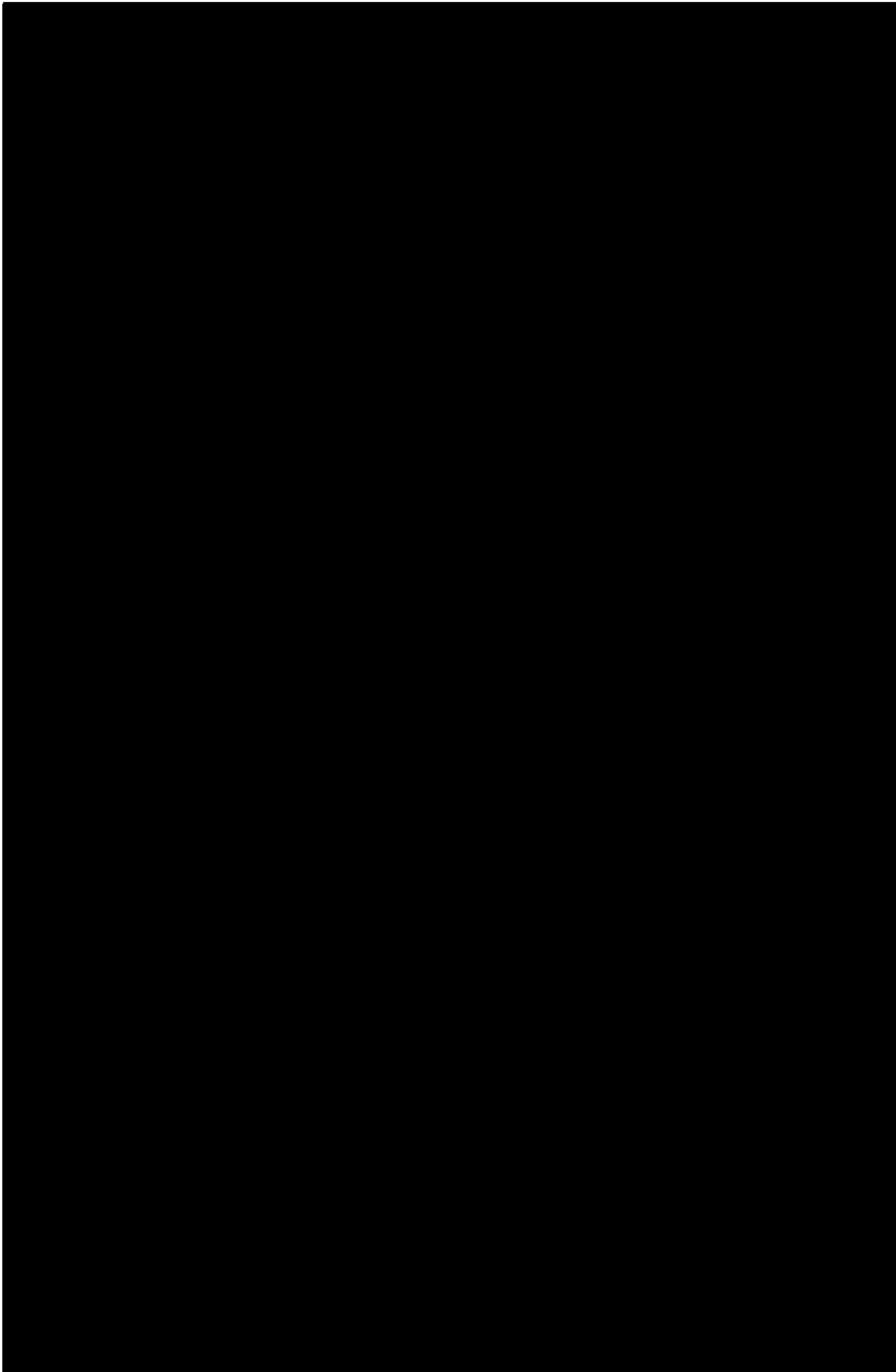
**IF PICKED UP, PLEASE HAVE RECIPIENT COMPLETE & SIGN BELOW**

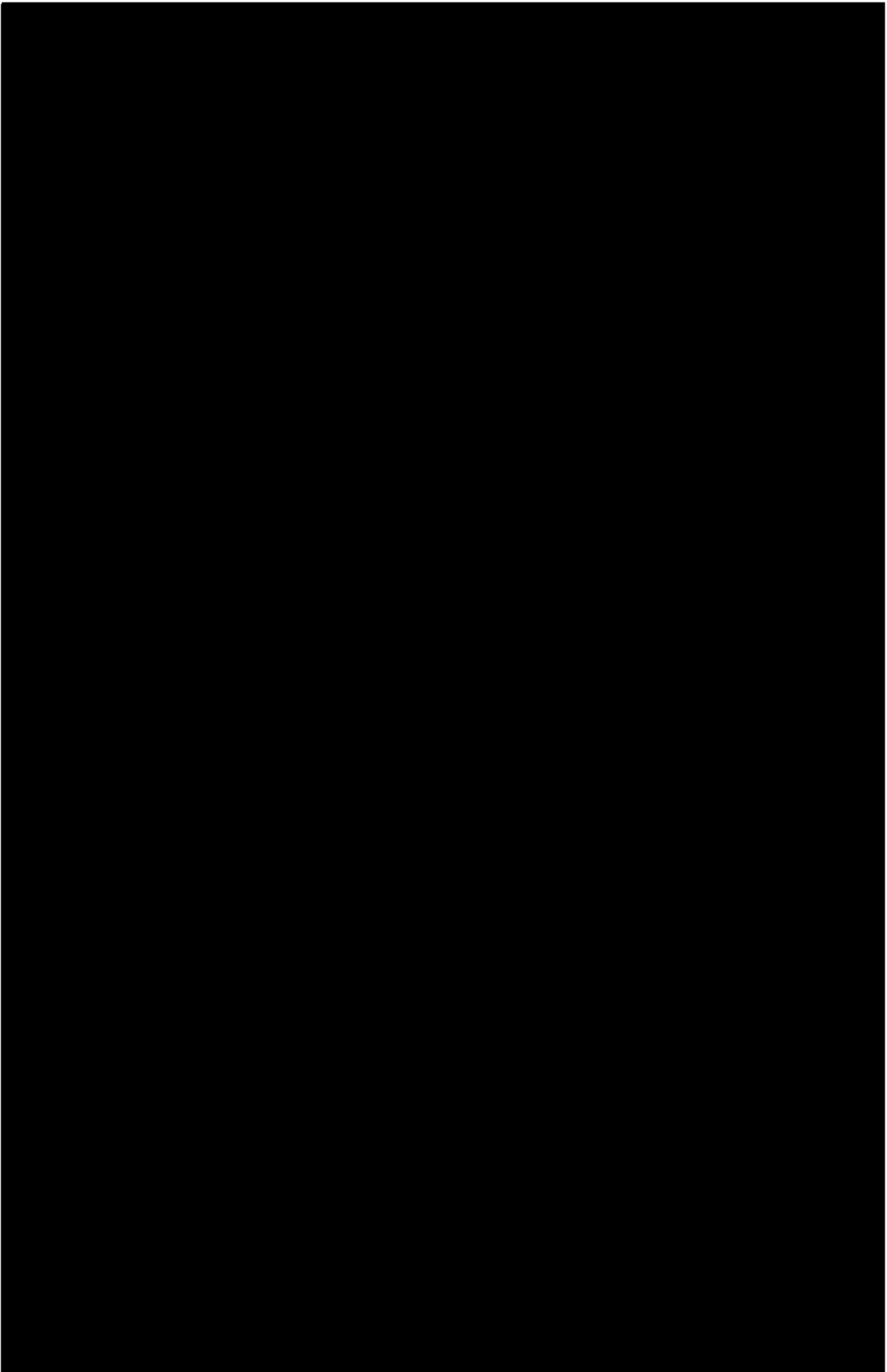
                      
Print Name

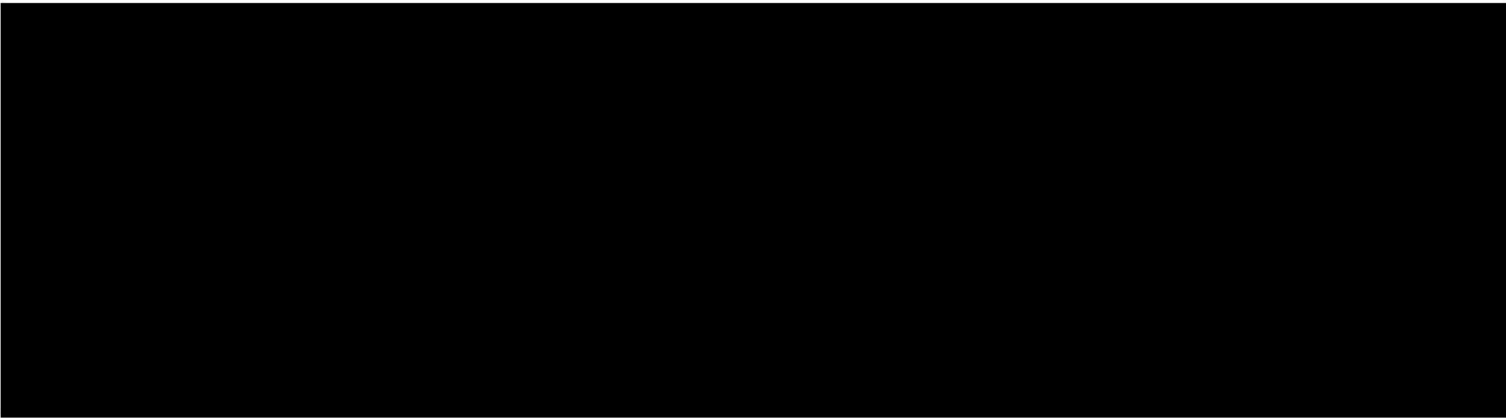
                      
Recipient's Signature

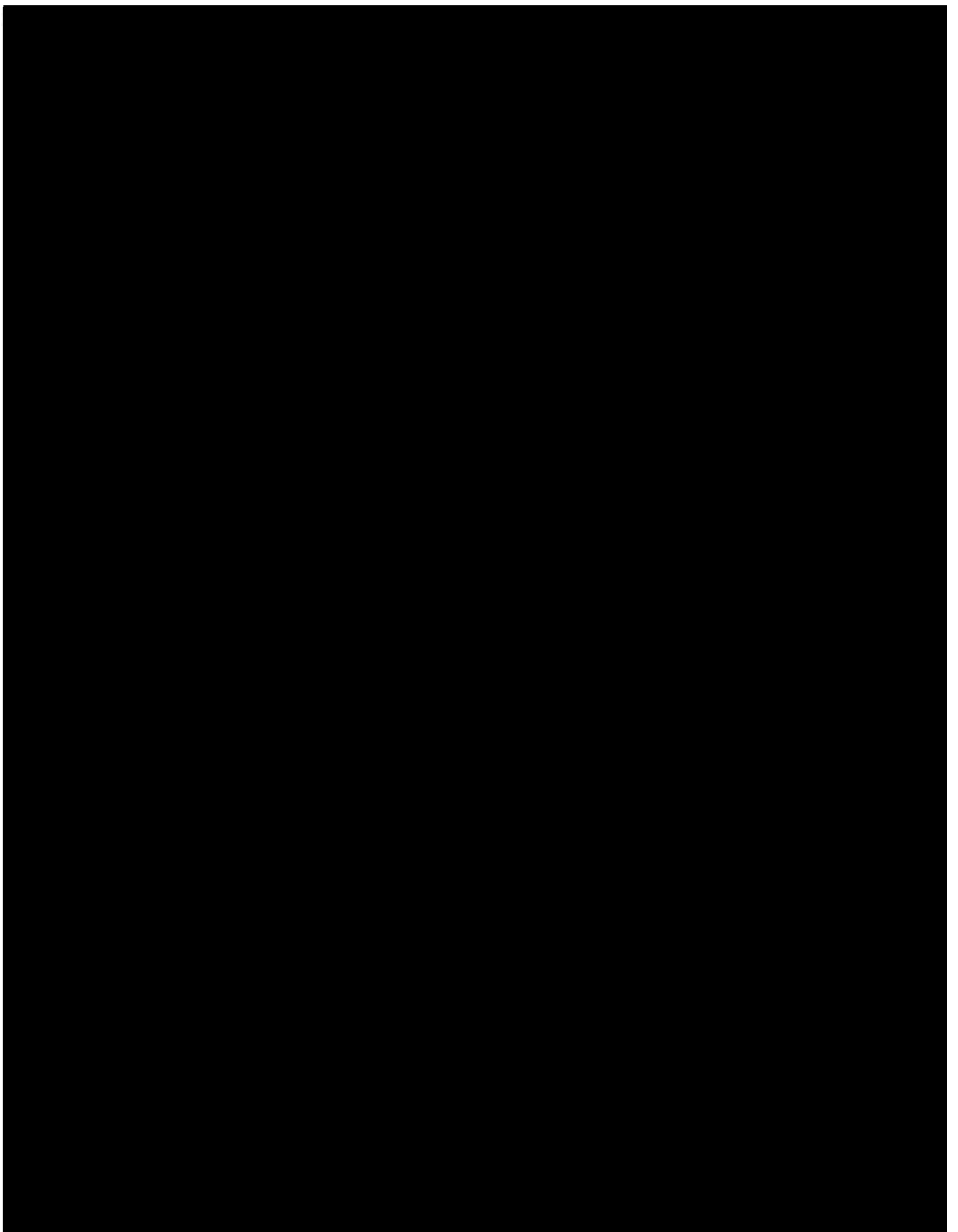
                      
Date

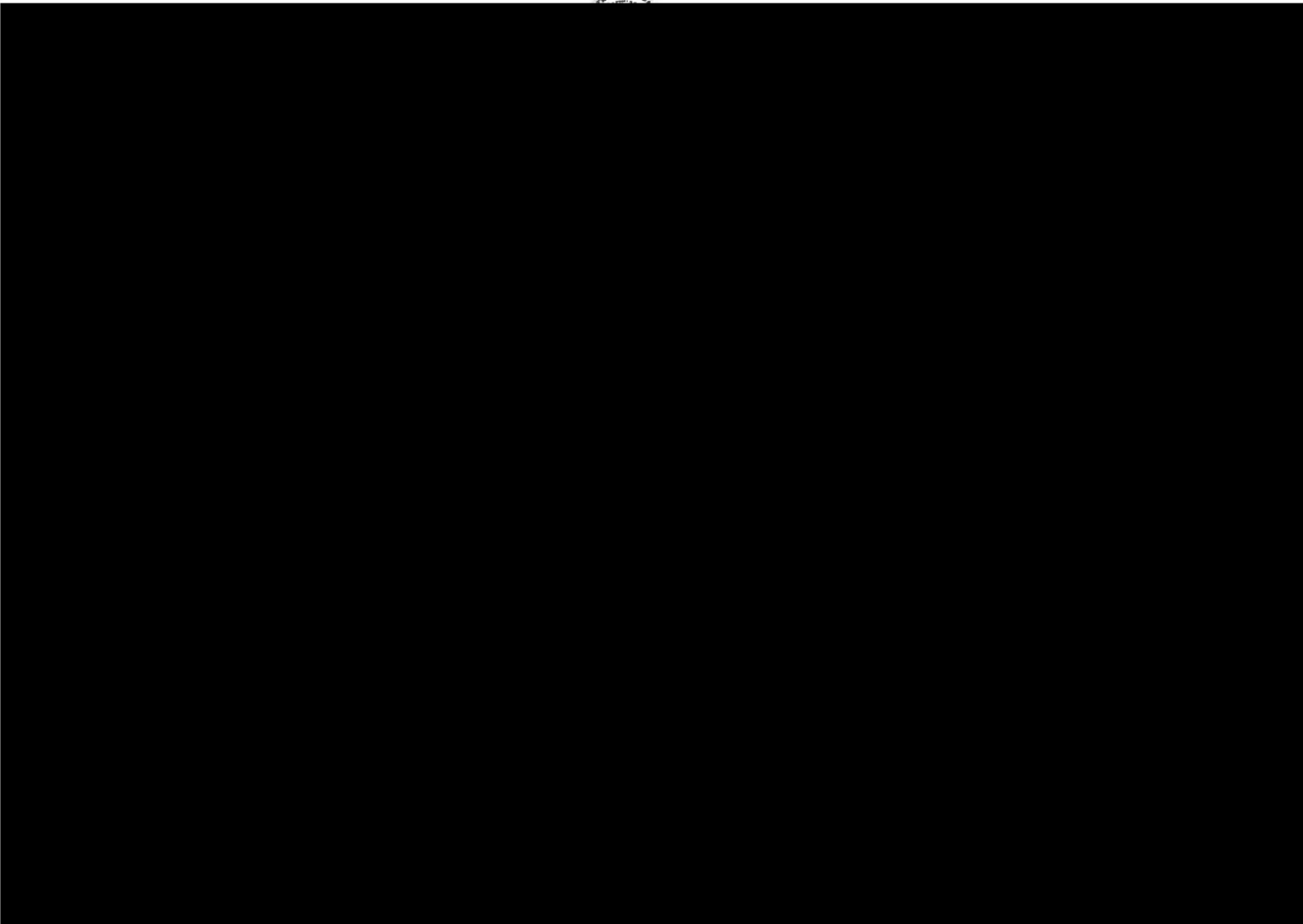












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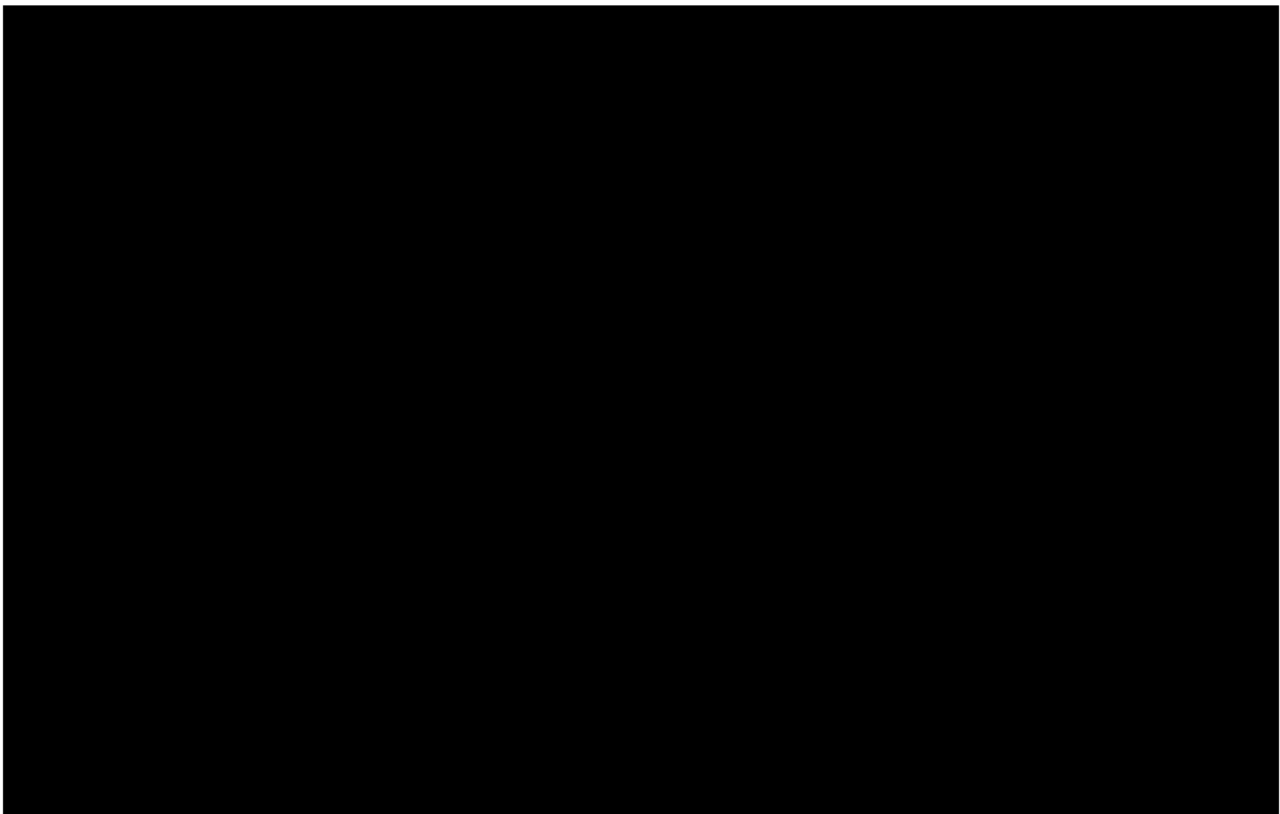
Juan Fernandez-Barquin  
Clerk of the Court and Comptroller  
Miami-Dade County

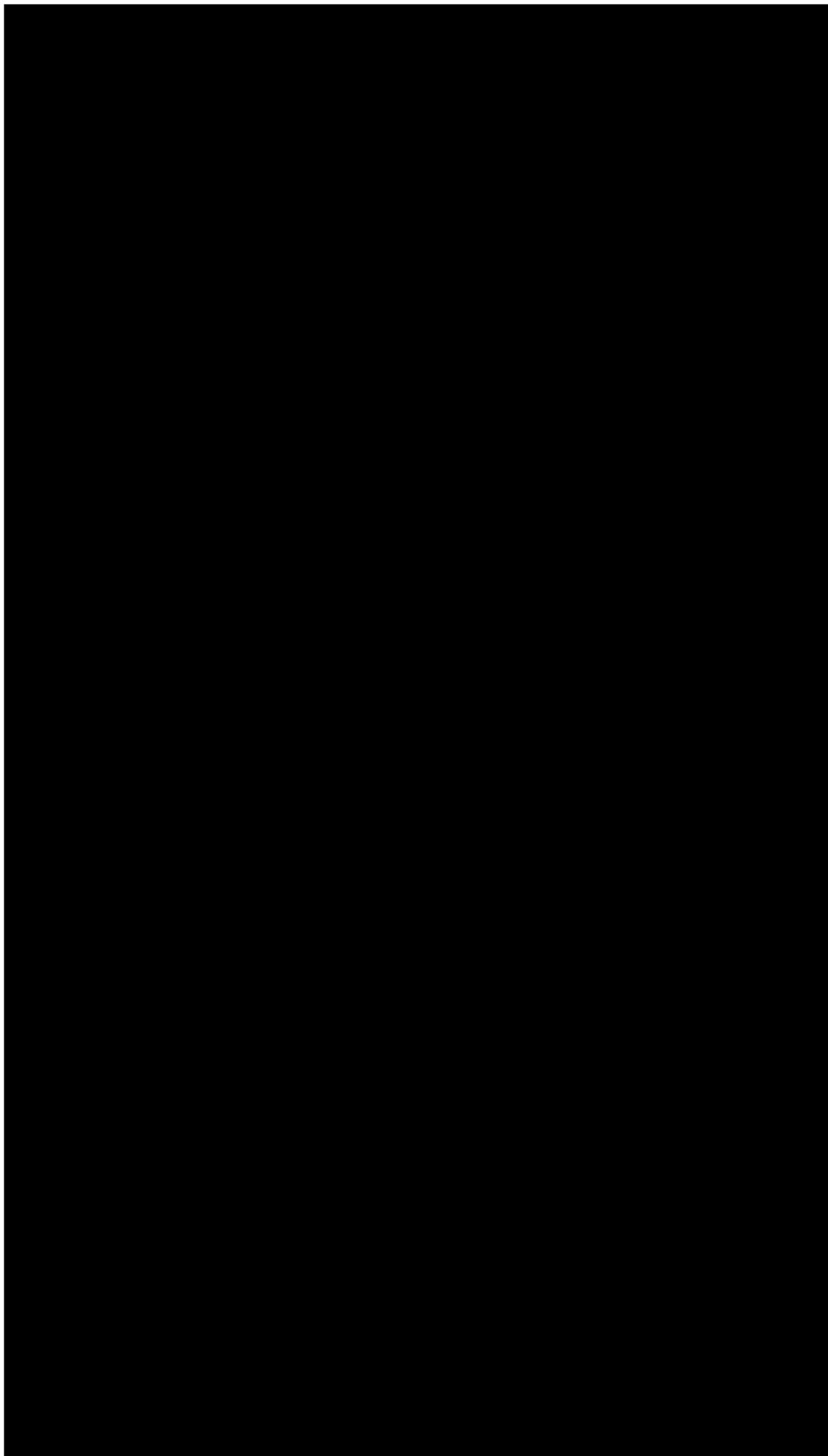
75 W. Flagler Street  
Miami, Florida 33130

305.275.1155

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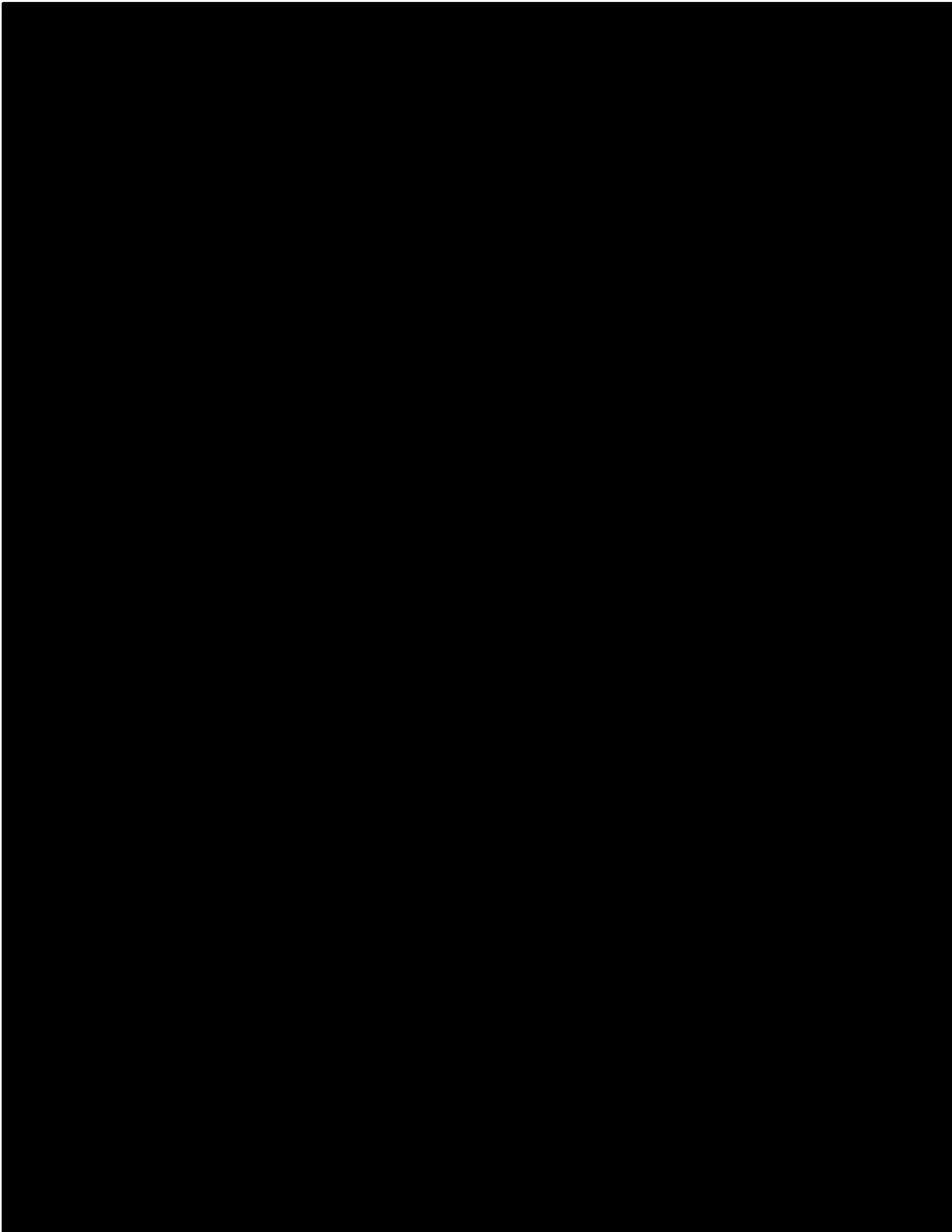


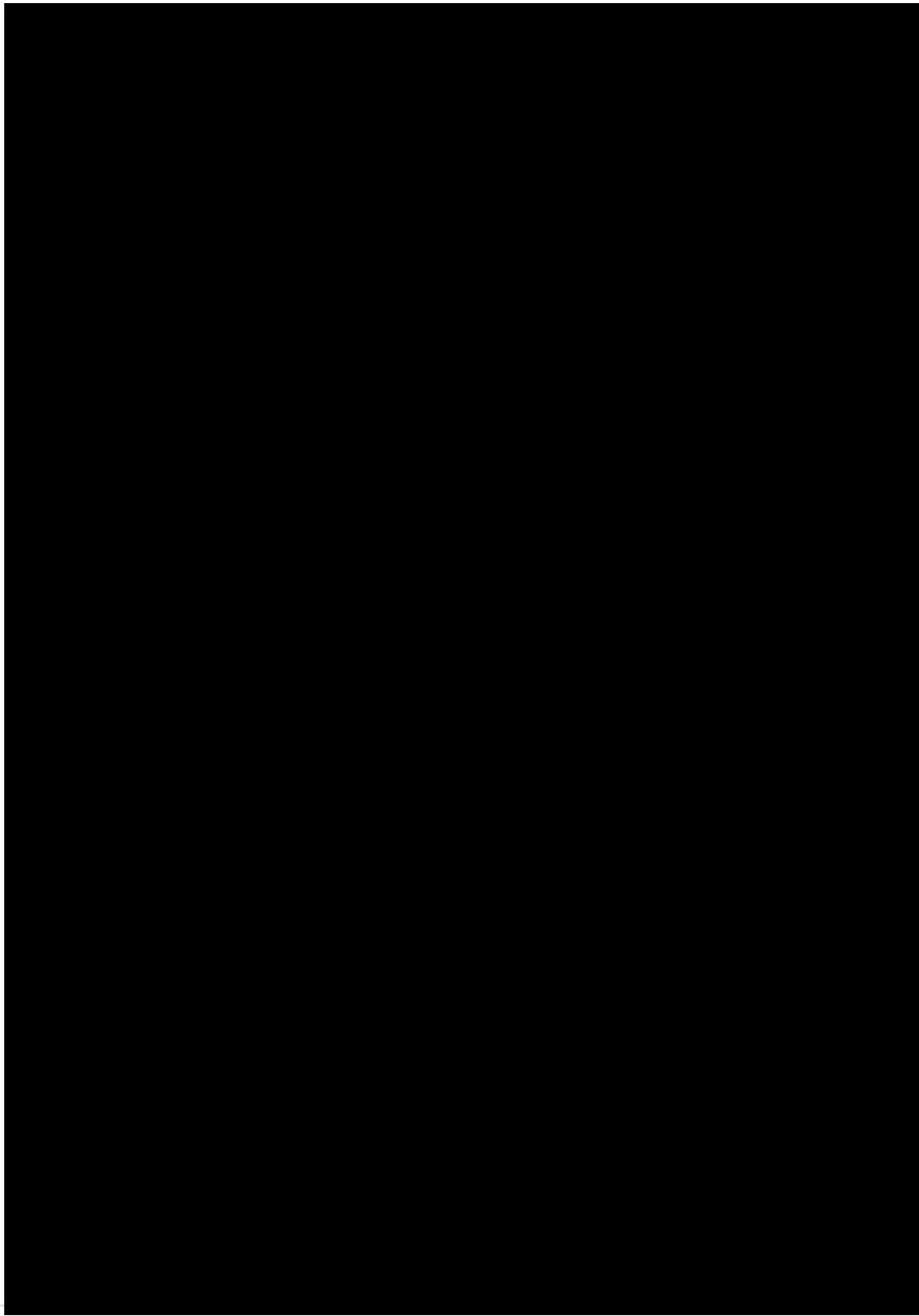




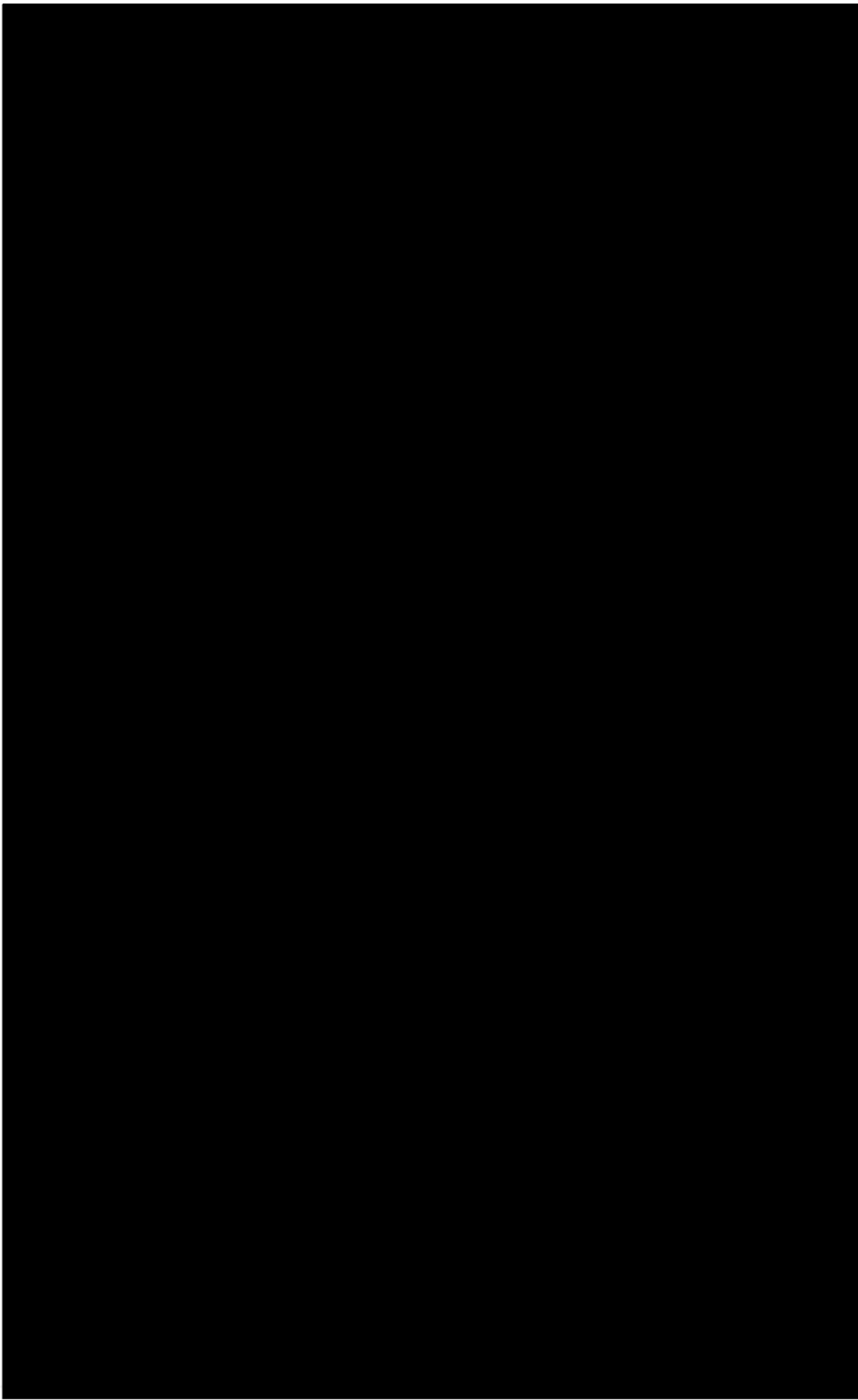






























































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# FLORIDA

GAMING CONTROL  
COMMISSION

JULIE I. BROWN, COMMISSIONER  
CHUCK DRAGO, COMMISSIONER  
JOHN D'AQUILA, COMMISSIONER

October 19, 2023

Mr. Kevin Lapatrick Robinson  
4750 North West 169th Street  
Miami Gardens, Florida 33055

RE: Application No. 42888, Entity 12067342  
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. Robinson:

Your application for an occupational license with the Office of Operations 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 4 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:
  - Miami Dade County, Florida – 02/05/2001

**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 02/19/2024, your application shall lapse and no longer be processed by the Florida 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.**

OFFICE OF OPERATIONS  
4070 Esplanade Way Suite 250  
TALLAHASSEE, FLORIDA 32399

NOV - 1 2023

file #  
7305

IN THE CIRCUIT AND COUNTY COURTS OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

IN AND FOR MIAMI-DADE COUNTY

I, JUAN FERNANDEZ-BARQUIN CLERK CIRCUIT AND COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR MIAMI-DADE COUNTY, DO HEREBY CERTIFY THAT A DILIGENT EXAMINATION OF THE FELONY, MISDEMEANOR AND NON CRIMINAL VIOLATION FILES AND RECORDS IN MY OFFICE REGARDING:

NAME: WILLIAMS, PATRICK R
DATE OF BIRTH:
RACE: BLACK SEX: MALE
YEARS RESEARCHED: 1980 - 2023

INDICATES THE FOLLOWING:

Table with columns: CITATION/ARREST / FILE DATE/, CASE NUMBER, ARST DEPT, CHARGES, DISPOSITION, DISPO DATE. Contains entries for WILLIAMS, PATRICK R and ROBINSON, KEVIN L.

PURSUANT TO FLORIDA RULES OF COURT, RULE 2.430, COURT RECORDS THAT ARE NOT PERMANENTLY RECORDED MAY BE UNAVAILABLE, OR DISPOSED OF BY THE CLERK, IN ACCORDANCE WITH THE APPLICABLE RETENTION SCHEDULE REQUIRED BY SAID RULE. (10 YEARS FOR FELONY, MISDEMEANOR AND CRIMINAL TRAFFIC VIOLATIONS IN WHICH THE DEFENDANT WAS ADJUDICATED NOT GUILTY). PLEASE SEE FLORIDA RULES OF COURT, RULE 2.430, FOR A COMPLETE LISTING OF RECORDS RETENTION REQUIREMENTS.

NOV 1 2023

WITNESS MY HAND AND THE SEAL OF THE COURT AT MIAMI, MIAMI-DADE COUNTY,  
FLORIDA, THIS 17 DAY OF OCTOBER, 2023.

JUAN FERNANDEZ-BARQUIN CLERK  
CIRCUIT AND COUNTY COURTS  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

PAGE: 002

BY: \_\_\_\_\_



DEPUTY CLERK

NOV 1 2023

*[Handwritten Signature]* 11-01-23

KOL  
KOL

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

- Yes  
 No
- Have you ever been convicted of, or had adjudication of guilt withheld for, a felony or misdemeanor involving forgery, larceny, extortion, or conspiracy to defraud, or filing false reports to 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 section provided below.

Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
2/26/01	Miami Dade	FL	Grand Theft	3rd deg. Felony	Probation
8-28-01	Miami Dade	FL	Probation		With. Adj. - Prob.

- Yes  
 No
- Do you currently work for, own or have a financial interest in a slot machine management company, slot machine manufacturer or distributor, or a business that sells slot machine related products, services, or goods to a slot machine licensee?
- Yes  
 No
- Do you currently own or have a financial interest in a Florida licensed slot machine facility or in any business owned by a Florida licensed slot machine facility?

**ADDITIONAL INFORMATION**

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NOV - 1 2023

## Occupational License Fee Voucher

Date 10/16/2023

Voucher No. 1261

Applicant's Name Kevin Lapatrick Robinson  
(Please Print)

Position/Title Security Officer  
(Please Print)

Upon receipt of an authorized voucher, **South Florida Racing Association, LLC** agrees to remit to the Division:

\$50.00 (1 Year License)     \$100.00 (3 Years License)

Upgrade Fee \$ \_\_\_\_\_     Retention Fee \$ \_\_\_\_\_



\_\_\_\_\_  
Human Resources Authorized Signature

For Accounting use only

Original-DBPR • Copy-HR

**DBPR PMW-3410 – Slot Machine Individual Occupational License Application**



**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)**

**APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.**

**ALL License Applicants must submit:**

- Completed Form DBPR PMW-3410 – Print clearly and complete all sections that are not optional in black or blue ink.
- Provide Identification – Required by Rule 61D-14.010, Florida Administrative Code.
  - Provide a copy of one of the items below:
  - OR, Provide a copy of two of the items below:
  - US Passport
  - Certificate of US Citizenship or Naturalization
  - Permanent Resident Card
  - Birth Certificate (Certified Copy)
  - Driver's License
  - Military ID Card
  - Student ID Card
  - Country ID Card
  - Foreign Passport
  - Government Issued Credential
  - Immigration ID Card
- Additional Pages – If necessary to respond to any application questions.
- Supporting Legal Documentation – If necessary to respond to background information questions in application.
- Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
  - Slot Machine General Occupational License - \$100.00\* \*does not include fingerprint fee
  - Slot Machine Professional Occupational License - \$100.00\*
  - Slot Machine/Cardroom/PMW Combination Occupational License - \$100.00\*
- Fingerprints – Choose One Option:
  - Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL923230Z.  
**IMPORTANT:** Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
  - Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.  
**IMPORTANT:** Fingerprint card processing fees must be paid to the Division. Please see <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx> for the current fee amount.
  - Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.  
**IMPORTANT:** Timely submission of renewals must occur within one year of the expiration of applicant's license.

Please mail your completed application, documentation and required fee(s) to:  
**Department of Business and Professional Regulation  
Pari-Mutuel Wagering; Licensing Section  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: 850.487.1395**

**Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering  
DBPR PMW-3410 – Slot Machine Individual Occupational License Application**

**Instructions:** Please review this application thoroughly and complete all sections 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 [REDACTED]		Birth Date (MM/DD/YYYY) [REDACTED]		Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name ROBINSON		First KEVIN	Middle LAPATRICK		Suffix
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 (check only one): <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					
Are you a United States citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, provide the name of the country of which you are a citizen: _____					
Current Mailing Address 4750 NW 169 STREET				Email Address (optional) [REDACTED]	
City MIAMI GARDENS		State FL	Zip Code (+4 optional) 33055	Country USA	
Primary Phone Number [REDACTED]			Secondary/Cell Phone Number (optional)		
Current Street Address 4750 NW 169 STREET					
City MIAMI GARDENS		State FL	Zip Code (+4 optional) 33055	Country USA	
Type of Slot Machine Occupational License applying for: <input type="checkbox"/> General Individual <input type="checkbox"/> Professional Individual <input checked="" type="checkbox"/> Slot Machine/Cardroom/PMW Combination Job title(s)*: <u>Security Officer</u>				Is this your first time applying for a racing/gaming license in Florida? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
*Applicants for a Combo license should disclose all job titles				Facility where employed and/or doing business: Hialeah Park Casino	
				Employer name: South Florida Racing Association, LLC.	
<b>FOR DIVISION USE ONLY</b>					
License Code <u>1055</u>	License # <u>12047342</u>	File # <u>7305</u>	App # <u>42888</u>		
Association Code <u>544</u>	Date Received <u>10/14/2023</u>	Entered By <u>S. Howard</u>	License Year <u>23/24</u>		
License Fee <u>\$100.00</u>	FP Date <u>10/14/2023</u>	FP Fee <u>0</u>	Total Fee <u>\$100.00</u>		
Waiver Requested (Combo Only)		ARCI <u>e</u>		Enforcement <u>e</u>	



**EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  No Have you previously worked for a gaming-related employer?  
If yes, you must list below all gaming-related employment history in the past ten years.

Name of Employer	Address	Start Date (Month/ Year) - End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving
N/A				

**PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)**

Yes  No Have you ever been licensed in any other racing or gaming jurisdiction? If yes, you must list all current and previous licenses and provide the details in the section below.

State(s) or Jurisdiction(s) Where Licensed	Date of Expiration	Is this license currently suspended or subject to fines or other discipline? Explain why.
N/A		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

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.

If you answered yes to the question above, provide details here:

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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 the 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.

**AUTHORIZATION FOR RELEASE OF INFORMATION:**

I do hereby instruct all law enforcement, criminal justice agencies, gaming commissions, tribal gaming regulatory agencies or commissions, state agencies, or commissions responsible for gaming regulation 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 or the Florida Department of Law Enforcement.

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. Further, I understand that under Florida Statute, any information released that is not specifically exempted shall become part of the public record, releasable upon request to the public pursuant to Chapter 119, Florida Statutes.

Kevin Lapatrick Robinson

Print Legal Name (First Middle Last)

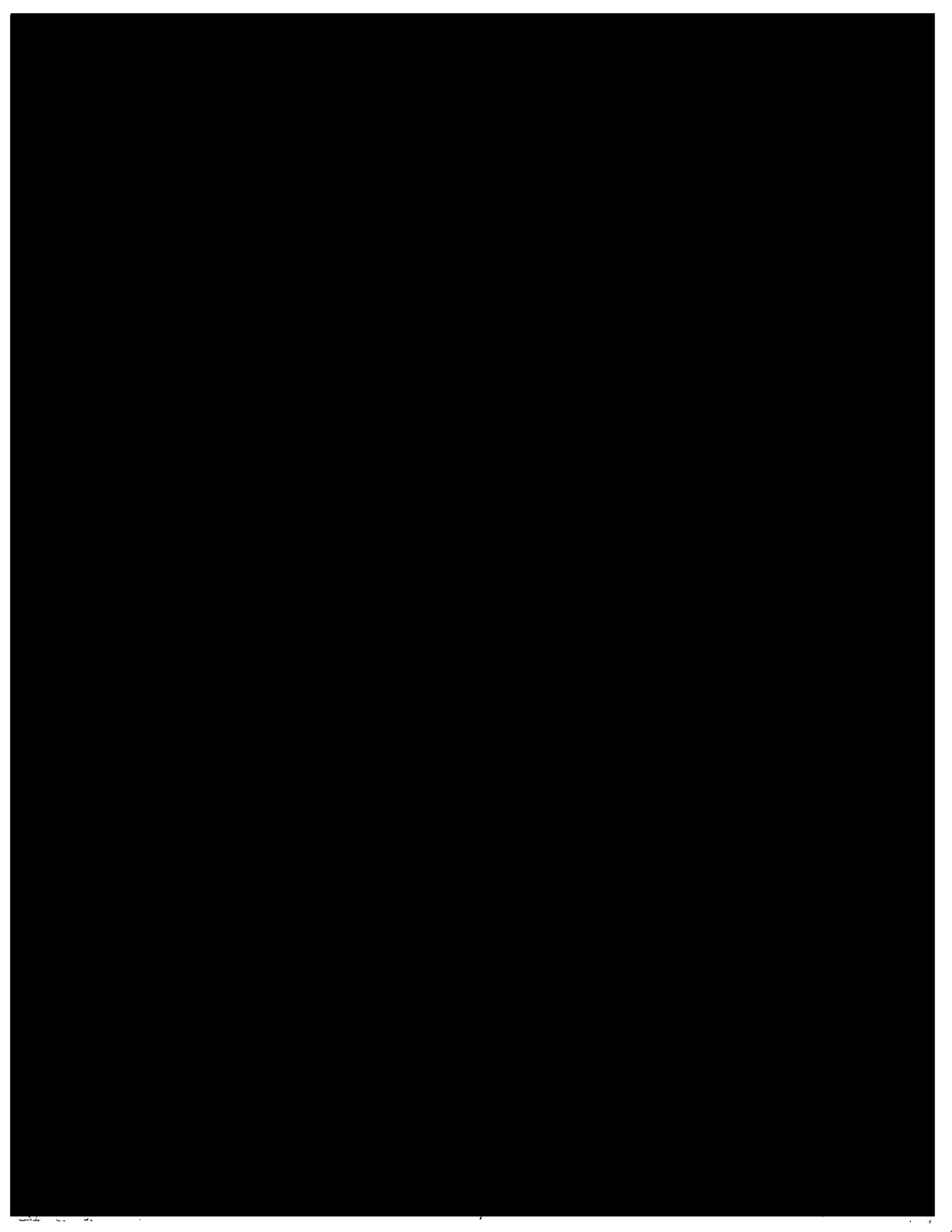
Birth Date (MM/DD/YYYY)

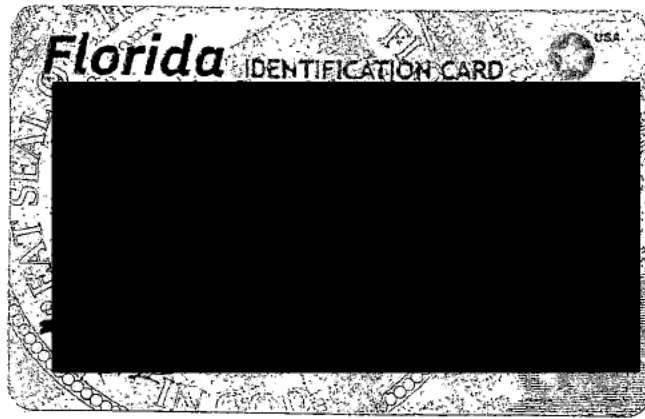
Social Security Number

South Florida Racing Association, LLC  
Name of Employer

Signature of Applicant

10-16-23  
Date





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

Complaint Search | Change Recording License Type | Deleted Complaint | Mass Activity Update | Mass Discipline Update | Mass Status Update  
Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: shorard

VR Home > Complaint Search

Search Criteria | Results

Complaint

Board	101 - Division of Pari-Mutuel Wagering - Slots	Complaint #	
Lic Type	1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo	Reference	
Case Type		Status	025 - Inv. Complete - Administrative 027 - Inv. Complete - Civil Citation 05 - VO Submittal
Assigned To		Incident From	
		Incident To	
Key Phrase in Summary			

- Find
- New
- Clear
- Back

Respondent

Fed Tax #	ROBINSON, KEVIN LAPATRICK	Street #	
File #	7305 Slot/Cardroom/Pari-Mutuel Indiv Combo	Street	
License #	12067342 Denied	City	
Entity #	12067342 Expires 06/22/2019	Postal/Zip	
Key Name		State	
		County	

Complainant    Key Name  
 Involved Party    Key Name

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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">License Search</a>		<a href="#">Entity Search</a>		<a href="#">Modify License Standing</a>		<a href="#">Maintain License CE Control</a>			

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: shorard

[VR Home](#) > [License Search](#) > **Display Alerts**

Fed Tax # <span style="background-color: black; color: black;">[REDACTED]</span>	Lic Type <b>1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Expires On <b>06/22/2019</b>
File # <b>7305</b>	Name <b>ROBINSON, KEVIN LAPATRICK</b>	Extended To
License # <b>12067342</b>	Rank <b>SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo</b>	Renewed On
Entity # <b>12067342</b>	Lic Status <b>Denied</b>	

Description	Effective	Notes
Enforcement Alert	01/31/2020	✓

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## Ebonie Lanier

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**From:** Julio Minaya  
**Sent:** Monday, December 18, 2023 12:02 PM  
**To:** Emily Alvarado; Bradford Jones  
**Subject:** RE: TODAYS MEETING  
**Attachments:** Mr. Robinson.pdf

FYI



**Julio Minaya**  
**Investigative Supervisor**  
Florida Gaming Control Commission  
Division of Pari- Mutuel Wagering  
1400 W Commercial Blvd  
Suite 165  
Fort Lauderdale, FL 33309  
754.288.1008

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**From:** Emily Alvarado <Emily.Alvarado@flgaming.gov>  
**Sent:** Monday, December 18, 2023 11:55 AM  
**To:** Julio Minaya <Julio.Minaya@flgaming.gov>; Bradford Jones <Bradford.Jones@flgaming.gov>  
**Subject:** RE: TODAYS MEETING

Is what you have anything additional to what we had in the case file for the meeting? We had very limited documentation.



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
850.536.8709 Fax

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**From:** Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>  
**Sent:** Monday, December 18, 2023 11:54 AM

**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>; Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>

**Subject:** RE: TODAYS MEETING

I can send you what I physically have which is available in CCIS and the Miami Clerk of Courts. If you want me to send it to you. I believe the document request would answer why his probation was modified and it will explain in detail what lead up to his arrest. But those documents I am still waiting on.



**Julio Minaya**  
**Investigative Supervisor**  
Florida Gaming Control Commission  
Division of Pari- Mutuel Wagering  
1400 W Commercial Blvd  
Suite 165  
Fort Lauderdale, FL 33309  
754.288.1008

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**From:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>

**Sent:** Monday, December 18, 2023 11:52 AM

**To:** Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>; Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>

**Subject:** RE: TODAYS MEETING

Thank you so much for this update!



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
850.536.8709 Fax

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**From:** Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>

**Sent:** Monday, December 18, 2023 11:47 AM

**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>; Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>

**Subject:** RE: TODAYS MEETING

Hi Emily,

This is what I have to date.

Applicant Kevin Lapatrick Robinson, AKA Kevin Randy Robinson, Kevin K. Robinson, Kevin L. Robinson, Kevin Robinson, and I. Robinson Kevin, DOB [REDACTED], 4750 NW 169<sup>th</sup> Street, Miami Gardens FL 33055, [REDACTED] applied for licensing as a Security Guard at Hialeah Park Racing & Casino on October 16, 2023.

Mr. Robinson's FDLE Criminal History Report shows that on 02/05/2001 applicant was arrested using the name of Kevin L Robinson and was charged with Felony Grand Theft 3<sup>rd</sup> Degree, to which he pled Nolo Contendere on 08/28/2001 and the case was dispositioned as Adjudication Withheld. Mr. Robinson was placed on 6 months' probation which he violated on 06/07/2002 and was ordered to pay \$471.00 which he has in full. On 10/18/2002 his probation was modified. Robinson also has numerous incidents 09/03/2001 through 02/03/2022 that are related to traffic violations as well as a domestic family issue.

A review of the Miami Dade Clerk of Courts website and a review of the case shows a synopsis of the case along with the docket. No further documents were visibly available.

Also, a public records request was submitted to the Miami/Dade Clerk of Courts on Dec 12, 2023 which was assigned control number 18118. As of this day I have not received a response informing me that the records are ready for pick up.



**Julio Minaya**  
**Investigative Supervisor**  
Florida Gaming Control Commission  
Division of Pari- Mutuel Wagering  
1400 W Commercial Blvd  
Suite 165  
Fort Lauderdale, FL 33309  
754.288.1008

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**From:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Sent:** Monday, December 18, 2023 11:41 AM  
**To:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>; Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>  
**Subject:** RE: TODAYS MEETING

I did speak with licensing as well and they hadn't heard back from the applicant yet so if there is any update on your end that you can send over Julio, that would be great! We have to prepare the materials for the next meeting so I am trying to gather whatever additional info I can get.



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
850.536.8709 Fax

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**From:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Sent:** Monday, December 18, 2023 10:32 AM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>; Julio Minaya <[Julio.Minaya@flgaming.gov](mailto:Julio.Minaya@flgaming.gov)>  
**Subject:** Re: TODAYS MEETING

Good Morning Emily,

We had done some work on it but I was also told that you were seeking the same answers from Licensing. My understanding is that Ross and the Director are working on a process as to how these situations will be handled going forward.

I'm out of the office today for a personal matter, but Julio should be able to give you whatever additional information was obtained.

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**From:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Sent:** Monday, December 18, 2023 10:21 AM  
**To:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Subject:** RE: TODAYS MEETING

Hi Brad,

Was your team able to get any more information regarding the 2023-063904 case?



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
850.536.8709 Fax

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**From:** Emily Alvarado  
**Sent:** Wednesday, December 6, 2023 1:01 PM  
**To:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Subject:** RE: TODAYS MEETING

I really appreciate the help! Also, thank you very much for getting me the information for Alvaro Vasquez, that seemed to address the commissioner's concerns with that specific case.



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
 850.794.8066 Office 850.964.1710 Cell  
 850.536.8709 Fax

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**From:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 12:40 PM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Subject:** RE: TODAY'S MEETING

No problem, I will discuss with my team and will develop a product you can use.



**Bradford D. Jones**  
**Chief of Investigations**  
 Division of Parimutuel Wagering  
 Office of Investigations

**From:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 11:05 AM  
**To:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Subject:** RE: TODAY'S MEETING

Good Morning Brad,

I was just about to reach out to you this morning. For the two cases that were withdrawn from the agenda, they requested hearings timely but I was not notified about it so I do not need any extra assistance at this time with those. We will just be conducting informal hearings in the coming month!

I was going to ask if you could get more information for the 2023-063904 case. I was having a hard time finding anything else from the resources I have and I think licensing pulled all that they could obtain.

It would definitely be useful moving forward to have some fact specific information on the cases because sometimes the commissioners are more inclined to know about the incidents specifically, if they were placed on probation, paid fines, etc. The licensing cases seem to be where we get the most questions from them!

Thank you so much for your help,



**Florida Gaming  
Control Commission**  
flgaming.gov

**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
850.536.8709 Fax

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**From:** Bradford Jones <[Bradford.Jones@flgaming.gov](mailto:Bradford.Jones@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 10:29 AM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Subject:** TODAY'S MEETING

Good Morning Emily,

I just had a few questions regarding today's Commission meeting. Do you need any Investigations-related assistance regarding the withdrawal of 2023-03-9465 & 2023-05-3889 from the agenda?

Also considering the interest in detailed information in cases like 2023-06-3904, do you think it would be beneficial to have us conduct an investigation of these individuals regarding their criminal history with the aim of producing an Investigative Report that you could use when preparing for a Commission presentation?

Take care,  
Brad



**Florida Gaming  
Control Commission**  
flgaming.gov

**Bradford D. Jones**  
**Chief of Investigations**  
Division of Pari-Mutuel Wagering  
Office of Investigations  
754.299.1776 Office 954.699.3096 Cell

## Ebonie Lanier

---

**From:** Glenda Ricks  
**Sent:** Monday, December 18, 2023 10:23 AM  
**To:** Emily Alvarado  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

No, I haven't heard anything else from him since I advised providing the arrest report or a written statement.



### Glenda Ricks, Chief of Operations

Florida Gaming Control Commission  
[Division of Pari-Mutuel Wagering](#), Office of Operations  
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399  
Main Line: 850.794.8130 Direct Line: 850.794.8126

*Preserve and protect the integrity of gaming activities through fair regulation, licensing, effective criminal investigation, and enforcement.*

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---

**From:** Emily Alvarado <Emily.Alvarado@flgaming.gov>  
**Sent:** Monday, December 18, 2023 10:21 AM  
**To:** Glenda Ricks <Glenda.Ricks@flgaming.gov>  
**Cc:** Jonathan Dye <Jonathan.Dye@flgaming.gov>; David Donaldson <David.Donaldson@flgaming.gov>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

Hi Glenda,

Have we received any additional information for this applicant?



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
850.536.8709 Fax

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**From:** Emily Alvarado  
**Sent:** Wednesday, December 6, 2023 3:05 PM  
**To:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Cc:** Jonathan Dye <[Jonathan.Dye@flgaming.gov](mailto:Jonathan.Dye@flgaming.gov)>; David Donaldson <[David.Donaldson@flgaming.gov](mailto:David.Donaldson@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

Thanks Glenda! I will make sure that Elina is filled in on all the licensing cases as well just in case I can't be there.



**Emily A. Alvarado**  
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**Sent:** Wednesday, December 6, 2023 3:02 PM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Cc:** Jonathan Dye <[Jonathan.Dye@flgaming.gov](mailto:Jonathan.Dye@flgaming.gov)>; David Donaldson <[David.Donaldson@flgaming.gov](mailto:David.Donaldson@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

That was my thought. I will monitor this one as well.



**Glenda Ricks, Chief of Operations**

Florida Gaming Control Commission  
[Division of Pari-Mutuel Wagering](#), Office of Operations  
4070 Esplanade Way, Suite 250, Tallahassee, FL 32399

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**Sent:** Wednesday, December 6, 2023 3:02 PM  
**To:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

That is the plan right now! (although I am due 11 days following the meeting date so of course things could change)



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**From:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 3:00 PM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrack

Will you be here in January?



**Glenda Ricks, Chief of Operations**

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**Sent:** Wednesday, December 6, 2023 3:00 PM  
**To:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Cc:** David Donaldson <[David.Donaldson@flgaming.gov](mailto:David.Donaldson@flgaming.gov)>; Jonathan Dye <[Jonathan.Dye@flgaming.gov](mailto:Jonathan.Dye@flgaming.gov)>; Cleari Maglioni <[Cleari.Maglioni@flgaming.gov](mailto:Cleari.Maglioni@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrack

Thank you so much Glenda! I appreciate the help on this.



**Florida Gaming  
Control Commission**  
flgaming.gov

**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
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**From:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 2:59 PM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Cc:** David Donaldson <[David.Donaldson@flgaming.gov](mailto:David.Donaldson@flgaming.gov)>; Jonathan Dye <[Jonathan.Dye@flgaming.gov](mailto:Jonathan.Dye@flgaming.gov)>; Cleari Maglioni <[Cleari.Maglioni@flgaming.gov](mailto:Cleari.Maglioni@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

I spoke with the applicant via telephone and requested any additional documentation he can provide, ii. Arret report, probation documents, reason for VOP, etc. I advised if he is unable to provide official documents to provide a written statement of the circumstances surrounding the incident. I advised that his case would go before the commission again on 1/11/24.



**Florida Gaming  
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**Glenda Ricks, Chief of Operations**

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**From:** Glenda Ricks  
**Sent:** Wednesday, December 6, 2023 2:43 PM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrick

We will see what they can provide.

**Glenda Ricks, Chief of Operations**



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**From:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 2:42 PM  
**To:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrack

Didn't really specify what they were looking for but yes I assume an arrest report and possibly more details on his probation terms and completion of probation.



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
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**From:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 2:41 PM  
**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Subject:** RE: 2023-063904: Robinson, Kevin Lapatrack

What did the commission as for, the arrest report?



**Glenda Ricks, Chief of Operations**

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**From:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>  
**Sent:** Wednesday, December 6, 2023 2:39 PM  
**To:** Glenda Ricks <[Glenda.Ricks@flgaming.gov](mailto:Glenda.Ricks@flgaming.gov)>  
**Subject:** 2023-063904: Robinson, Kevin Lapatrack

Hi Glenda,

I have asked investigations to see if they can pull any more information on the above slot licensee but if you and your team have any other information that could be helpful, I would appreciate it. I did look to see what I could find myself prior to the meeting and like I said in the meeting, I don't think there is any more retrievable information available. Would it be possible to reach out to the licensee to see if he can provide more information?

I appreciate the help in advance!!



**Emily A. Alvarado**  
**Deputy Chief Attorney**  
Office of the General Counsel  
850.794.8066 Office 850.964.1710 Cell  
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## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: Daniel Alberto Rodriguez; Case No. 2023-064927  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks to deny Daniel Alberto Rodriguez's ("Applicant") application for a Pari-Mutuel Wagering General Individual Occupational License. Applicant submitted a completed application for a Pari-Mutuel General Individual Occupational License on November 2, 2023. Upon review of the application, it appears Applicant has been convicted of a disqualifying offense under section 550.105(5)(b), Florida Statutes. The applicant failed to request a waiver interview. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Letter of License Denial.

### *Pertinent Facts*

On November 2, 2023, Applicant submitted an application to the Division of Pari-Mutuel Wagering for a Pari-Mutuel Wagering General Individual Occupational License. Upon review of the completed application, it appears that the Applicant was convicted of felonies in the state of Pennsylvania. Specifically, the Applicant was convicted of the following:

- Reckless Burning or Exploding in 2022;
- Criminal Attempt—Burglary in 2022; and
- Aggravated Assault in 2022.

These felony convictions are disqualifying offense under section 550.105(5), Florida Statutes.

### *Relevant Law*

Section 550.105(5)(b), Florida Statutes, provides in full that:

[t]he commission may deny, suspend, revoke, or declare ineligible any occupational license if the applicant for or holder thereof has violated

the provisions of this chapter or the rules of the commission governing the conduct of persons connected with racetracks and frontons. In addition, 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.

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.

Staff Recommendation: The Florida Gaming Control Commission may deny or declare Applicant ineligible for any license upon finding of a felony criminal conviction under section 550.105(5), Florida Statutes. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Letter of License Denial in this matter.



**CASE FILE ROUTING SLIP**  
**PMW APPLICATION**

RE: **RODRIGUEZ, DANIEL ALBERTO-**  
**13693516**

Case No: **2023064927**

(APPLICANT'S NAME-- LICENSE #)

INITIAL APP RECEIVED:	<u>11/2/2023</u> (Date)
COMPLETE APP RECEIVED:	<u>11/2/2023</u> (Date)
90-DAY DEADLINE:	<u>1/31/2024</u> (Date)

**Investigations Section:**

Reviewed by **Steve Kogan**

N/A

(Initial & Date)

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

**Licensing Section:**

Clari Maglioni  
Application Processor

950- Ocala Breeders  
Facility (d/b/a name)

Waitress  
Occupation/Job Title

Reviewed by David Donaldson

DD 11/15/23  
(Initial & Date)

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Is the applicant related to another application?

Yes \_\_\_\_\_ No \_\_\_\_\_

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

**Office of Director:**

Reviewed by Director

\_\_\_\_\_  
(Initial & Date)

Approve Application \_\_\_\_\_

Deny Application \_\_\_\_\_

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

\*Please attach Routing Slip to front of case file.

Licensing Administrator Review – PMW Occupational License

RE: RODRIGUEZ, DANIEL ALBERTO- 13693516  
(APPLICANT'S NAME– LICENSE #)

Case No: 2023064927

INITIAL APPLICATION RECEIVED:	8/8/2023
COMPLETE APPLICATION RECEIVED:	9/12/2023
90-DAY DEADLINE:	12/11/2023

Cleari Maglioni  
Application Processor

326- PALM MEADOWS  
Facility (d/b/a name)

HOT WALKER  
Occupation/Job Title

Pursuant to Section 550.105(5)(a): The division may deny a license of any person who has been refused a license by any other state racing commission or racing authority; under suspension or has unpaid fines in another jurisdiction. The division 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; animal cruelty, illegal gambling, or has had a pari-mutuel license revoked by this state or any other jurisdiction for an offense related to pari-mutuel wagering.

Licensing Administrator Review

Conviction

Did the application accurately reflect the Criminal History Record?  Yes  No

- Felony: 1 Count(s)  
 Misdemeanor – Industry Related/Gambling Related/Bookmaking  
 Animal Cruelty  
 Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)

Comments:

Arrest Date	Location	Charge	Level	Court Case #	Disposition
11/04/2020	Philadelphia County, Pennsylvania	Reckless Burning Or Exploding	F	Case# CP-51-CR-0000364-2021	Guilty/ Convicted

Disposition Unknown

- Felony Arrest(s) :  
 Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking  
 Animal Cruelty

Comments:

Enforcement/Jurisdiction Offenses

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

Comments:

Related Licenses

Check VR License Relations to Determine if Applicant is Related to a Business.

Is the individual applicant related to a business? Yes  No  If yes, complete sections below.

Business License Number:

Business Name:

Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes  No

Date Deficiency Letter Issued:

Initials:

Comments:























**First Judicial District of Pennsylvania  
Court Summary**

Rodriguez, Daniel  
Philadelphia, PA 19133  
Aliases:  
Daniel A. Rodriguez  
Daniel Alberto Rodriguez  
Daniel Rodriguez



Sex: Male  
Eyes: Brown  
Hair: Black  
Race: White

Closed

Erie

CP-25-CR-0001446-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 902137-5

Arrest Dt: Disp Date: 09/11/2017 Disp Judge: Brabender, Daniel J. Jr.  
Def Atty: Checque, Jason Alexander - (PD)

Seq No	Statute	Sentence Type	Grade	Description	Disposition
3	18 § 5505		S	Public Drunkenness And Similar Misconduct	Guilty Plea
	09/11/2017	No Further Penalty			

Mifflin

CP-44-CR-0000501-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 948666-5

Arrest Dt: 07/19/2017 Disp Date: 08/15/2017 Disp Judge: Gingrich, Aaron L.  
Def Atty: Ferguson, Robert Rhea - (PD)

Seq No	Statute	Sentence Type	Grade	Description	Disposition
2	75 § 3802 §§ D1*		M	DUI: Controlled Substance - Schedule 1 - 1st Offense	Guilty Plea
	08/15/2017	Confinement	DUI - High 1st		Min: 3 Day(s) Max: 6 Month(s)

Philadelphia

CP-51-CR-0000364-2021 Proc Status: Sentenced/Penalty Imposed DC No: 2009036584 OTN:U 216428-2

Arrest Dt: 11/05/2020 Disp Date: 01/05/2022 Disp Judge: Woelpper, Donna  
Def Atty: Defender Association of Philadelphia - (PD)

Seq No	Statute	Sentence Type	Grade	Description	Disposition
4	18 § 3901 §§ D2		F3	Reckless Burning or Exploding - places property having value that exceeds \$5000 or automobile, place	Guilty Plea - Non-Negotiated
	03/08/2022	Probation	1 year		Min: 1 Year(s) Max: 1 Year(s)

waiver needed

CP-51-CR-0000365-2021

Proc Status: Sentenced/Penalty Imposed DC No: 2009036589 OTN:U 216428-2

Arrest Dt: 11/05/2020 Disp Date: 01/05/2022 Disp Judge: Woelpper, Donna  
Def Atty: Defender Association of Philadelphia - (PD)

Seq No	Statute	Sentence Type	Grade	Description	Disposition

CPCMS 3541

Printed: 9/12/2023 3:15 PM

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Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



**First Judicial District of Pennsylvania  
Court Summary**

Rodriguez, Daniel (Continued)

Closed (Continued)

Philadelphia (Continued)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	18 § 901 §§ A	F1	Criminal Attempt - Burglary - Overnight Accommodations; Person Present, Bodily Injury Crime	Guilty Plea - Non-Negotiated
	03/08/2022	Probation	4 years	Max: 4 Year(s)
6	18 § 907 §§ A	M1	Poss Instrument Of Crime W/Int	Guilty Plea - Non-Negotiated
	03/08/2022	Probation	4 years	Max: 4 Year(s)
10	18 § 2702 §§ A4	F2	Aggravated Assault - Attempts to cause or causes BI with deadly weapon	Guilty Plea - Non-Negotiated
	03/08/2022	Confinement	11 1/2 - 23 months	Min: 11 Month(s) 15 Day(s) Max: 23 Month(s)

MC-51-CR-0030619-2018

Proc Status: Completed

DC No: 1806054343

OTN:U 146159-6

Arrest Dt: 12/04/2018

Disp Date: 03/20/2019

Disp Judge: Robbins, Harvey W.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
1	18 § 2701 §§ A	M3	Simple Assault	Guilty Plea - Negotiated
	03/20/2019	Probation	6 months	Max: 6 Month(s)

MC-51-CR-0021692-2020

Proc Status: Completed

DC No: 2009036584

OTN:U 216428-2

Arrest Dt: 11/05/2020

Disp Date: 01/28/2021

Disp Judge: Coleman, Martin S.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
7	18 § 3301 §§ D2	F3	Reckless Burning or Exploding - places property having value that exceeds \$5000 or automobile, place	Held for Court

MC-51-CR-0021693-2020

Proc Status: Completed

DC No: 2009036589

OTN:U 216428-2

Arrest Dt: 11/05/2020

Disp Date: 01/28/2021

Disp Judge: Coleman, Martin S.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 2702 §§ A1	F1	Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Held for Court
2	18 § 907 §§ A	M1	Poss Instrument Of Crime W/Int	Held for Court
3	18 § 2706 §§ A1	M1	Terroristic Threats W/ Int To Terrorize	Held for Court
4	18 § 2701 §§ A	M2	Simple Assault	Held for Court
5	18 § 2705	M2	Recklessly Endangering Another Person	Held for Court

CPCMS 3541

2

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Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



First Judicial District of Pennsylvania  
Court Summary

Rodriguez, Daniel (Continued)  
Closed (Continued)  
Philadelphia (Continued)

MC-51-CR-0021694-2020

Proc Status: Completed

DC No: 2009036589

OTN:U 216428-2

Arrest Dt: 11/05/2020

Disp Date: 01/28/2021

Disp Judge: Coleman, Martin S.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 901 §§ A	F1	Criminal Attempt - Burglary - Overnight Accommodations; Person Present, Bodily Injury Crime	Held for Court
2	18 § 3503 §§ A1II	F2	Crim Tres-Break Into Structure	Held for Court
3	18 § 907 §§ A	M1	Poss Instrument Of Crime W/Int	Held for Court
4	18 § 2706 §§ A1	M1	Terroristic Threats W/ Int To Terrorize Another	Held for Court

GPCMS 3541

3

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First Judicial District of Pennsylvania  
Court Summary

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2023 SEP 12 AM 9:56

Rodriguez, Daniel  
Philadelphia, PA 19133  
Aliases:  
Daniel A. Rodriguez  
Daniel Alberto Rodriguez  
Daniel Rodriguez

DOB: [REDACTED]

Sex: Male  
Eyes: Brown  
Hair: Black  
Race: White

FLORIDA GAMING  
CONTROL COMMISSION

Closed

Erie  
CP-25-CR-0001446-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 902137-5

Arrest Dt: [REDACTED] Disp Date: 09/11/2017 Disp Judge: Brabender, Daniel J. Jr.  
Def Atty: Checque, Jason Alexander - (PD)

Seq No	Statute	Sentence Dt.	Sentence Type	Grade	Description	Program Period	Sentence Length	Disposition
3	18 § 5505			S	Public Drunkenness And Similar Misconduct			Guilty Plea
		09/11/2017	No Further Penalty					

Mifflin

CP-44-CR-0000501-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 948666-5

Arrest Dt: 07/18/2017 Disp Date: 08/15/2017 Disp Judge: Gingrich, Aaron L.  
Def Atty: Ferguson, Robert Rhea - (PD)

Seq No	Statute	Sentence Dt.	Sentence Type	Grade	Description	Program Period	Sentence Length	Disposition
2	75 § 3802 §§ D11*			M	DUI: Controlled Substance - Schedule 1 - 1st. Offense			Guilty Plea
		08/15/2017	Confinement	DUI - High 1st			Min: 3 Day(s) Max: 6 Month(s)	

Philadelphia

CP-51-CR-0000364-2021 Proc Status: Sentenced/Penalty Imposed DC No: 2009036584 OTN:U 216428-2

Arrest Dt: 11/05/2020 Disp Date: 01/05/2022 Disp Judge: Woelpper, Donna  
Def Atty: Defender Association of Philadelphia - (PD)

Seq No	Statute	Sentence Dt.	Sentence Type	Grade	Description	Program Period	Sentence Length	Disposition
4	18 § 3301 §§ D2			F3	Reckless Burning or Exploding - places property having value that exceeds \$5000 or automobile, place			Guilty Plea - Non-Negotiated
		03/08/2022	Probation	1 year			Min: 1 Year(s) Max: 1 Year(s)	

CP-51-CR-0000365-2021 Proc Status: Sentenced/Penalty Imposed DC No: 2009036589 OTN:U 216428-2

Arrest Dt: 11/05/2020 Disp Date: 01/05/2022 Disp Judge: Woelpper, Donna  
Def Atty: Defender Association of Philadelphia - (PD)

Seq No	Statute	Sentence Dt.	Sentence Type	Grade	Description	Program Period	Sentence Length	Disposition

CPCMS 3541

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**APPLICANT**  
\* See Privacy Act Notice on Back

LEAVE BLANK

TYPE OR PRINT ALL INFORMATION IN BLACK

FBI

LEAVE BLANK

LAST NAME

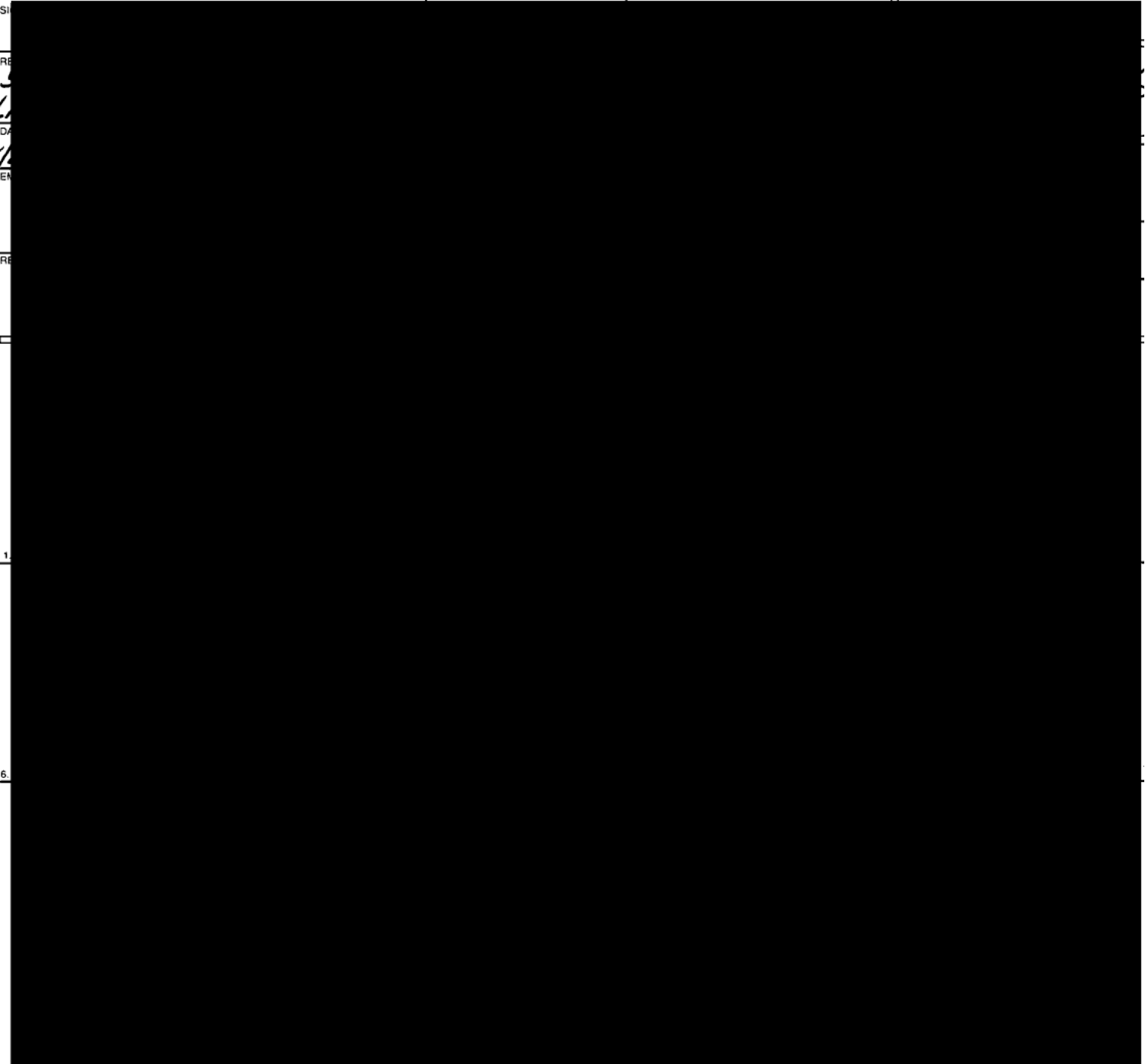
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FIRST NAME

MIDDLE NAME

FD-258 (Rev. 5-15-17) 1110-0046

RODRIGUEZ DANIEL ALBERTO



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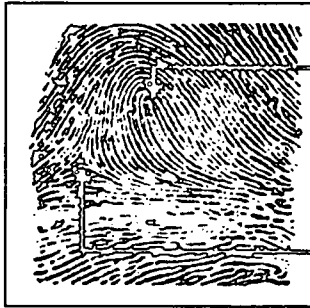
6



FEDERAL BUREAU OF INVESTIGATION  
 UNITED STATES DEPARTMENT OF JUSTICE  
 CJIS DIVISION/CLARKSBURG, WV 26306

1110-0046

1. LOOP

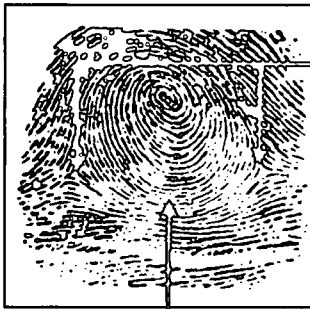


CENTER OF LOOP

DELTA

THE LINES BETWEEN CENTER OF LOOP AND DELTA MUST SHOW

2. WHORL



DELTAS

THESE LINES RUNNING BETWEEN DELTAS MUST BE CLEAR

3. ARCH



ARCHES HAVE NO DELTAS

APPLICANT

THIS CARD FOR USE BY:

1. LAW ENFORCEMENT AGENCIES IN FINGERPRINTING APPLICANTS FOR LAW ENFORCEMENT POSITIONS.
2. OFFICIALS OF STATE AND LOCAL GOVERNMENTS FOR PURPOSES OF EMPLOYMENT, LICENSING, AND PERMITS, AS AUTHORIZED BY STATE STATUTES AND APPROVED BY THE ATTORNEY GENERAL OF THE UNITED STATES. LOCAL AND COUNTY ORDINANCES, UNLESS SPECIFICALLY BASED ON APPLICABLE STATE STATUTES DO NOT SATISFY THIS REQUIREMENT.
3. U.S. GOVERNMENT AGENCIES AND OTHER ENTITIES REQUIRED BY FEDERAL LAW.
4. OFFICIALS OF FEDERALLY CHARTERED OR INSURED BANKING INSTITUTIONS TO PROMOTE OR MAINTAIN THE SECURITY OF THOSE INSTITUTIONS.

Please review this helpful information to aid in the successful processing of hard copy civil fingerprint submissions in order to prevent delays or rejections. Hard copy fingerprint submissions must meet specific criteria for processing by the Federal Bureau of Investigation.

Ensure all information is typed or legibly printed using blue or black ink.

Enter data within the boundaries of the designated field or block.

Complete all required fields. (If a required field is left blank, the fingerprint card may be immediately rejected without further processing.)

- The required fields for hard copy civil fingerprint cards are: ORI, Date of Birth, Place of Birth, NAM, Sex, Date fingerprinted, Reason Fingerprinted, and proper completion of fingerprint impression boxes.

Do not use highlighters on fingerprint cards.

Do not enter data or labels within 'Leave Blank' areas.

Ensure fingerprint impressions are rolled completely from nail to nail.

Ensure fingerprint impressions are in the correct sequence.

Ensure notations are made for any missing fingerprint impression (i.e. amputation).

Do not use more than two retabs per fingerprint impression block.

Ensure no stray marks are within the fingerprint impression blocks.

Training aids can be ordered online via the Internet by accessing the FBI's website at [www.fbi.gov](http://www.fbi.gov), then click on 'Ordering Fingerprint Cards & Training Aids'. Direct questions to the Biometric Services Section's Customer Service Group at (304) 625-6590 or by e-mail at [identity@fbi.gov](mailto:identity@fbi.gov).

**Social Security Account Number (SSAN):** Pursuant to the Privacy Act of 1974, any Federal, state, or local government agency that requests an individual to disclose his or her SSAN, is responsible for informing the person whether disclosure is mandatory or voluntary, by what statutory or other authority the SSAN is solicited, and what uses will be made of it. In this instance, the SSAN is solicited pursuant to 28 U.S.C 534 and will be used as a unique identifier to confirm your identity because many people have the same name and date of birth. Disclosure of your SSAN is voluntary; however, failure to disclose your SSAN may affect completion or approval of your application.

PRIVACY ACT STATEMENT

**Authority:** The FBI's acquisition, preservation, and exchange of fingerprints and associated information is generally authorized under 28 U.S.C. 534. Depending on the nature of your application, supplemental authorities including federal statute, state statutes pursuant to Pub.L. 92-544, Presidential Executive Orders, and federal regulations, Providing your fingerprints and associated information is voluntary; however, failure to do so may affect completion or approval of your application.

**Principal Purpose:** Certain determinations, such as employment, licensing, and security clearances, may be predicated on fingerprint-based background checks. Your fingerprints and associated information/biometrics may be provided to the employing, investigating, or otherwise responsible agency, and/or the FBI for the purpose of comparing your fingerprints to other fingerprints in the FBI's Next Generation Identification (NGI) system or its successor systems (including civil, criminal, and latent fingerprints repositories) or other available records of the employing, investigating, or otherwise responsible agency. The FBI may retain your fingerprints and associated information/biometrics in NGI after the completion of this application and, while retained, your fingerprints may continue to be compared against other fingerprints submitted to or retained by NGI.

**Routine Uses:** During the processing of this application and for as long thereafter as your fingerprints and associated information/biometrics are retained in NGI, your information may be disclosed pursuant to your consent, and may be disclosed without your consent as permitted by the Privacy Act of 1974 and all applicable Routine Uses as may be published at any time in the Federal Register, including the Routine Uses for the NGI system and the FBI's Blanket Routine Uses. Routine uses include, but are not limited to, disclosures to: employing, governmental or authorized non-governmental agencies responsible for employment, contracting, licensing, security clearances, and other suitability determinations; local, state, tribal, or federal law enforcement agencies; criminal justice agencies; and agencies responsible for national security or public safety.

PAPERWORK REDUCTION ACT NOTICE

According to the Paperwork Reduction Act of 1995, no persons are required to provide the information requested unless a valid OMB control number is displayed. The valid OMB control number for this information collected is 1110-0046. The time required to complete this information collected is estimated to be 10 minutes, including time reviewing instructions, gathering, completing, reviewing and submitting the information collection. If you have any comments concerning the accuracy of this time estimate or suggestions for reducing this burden, please send to: Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Washington, DC 20530.

INSTRUCTIONS:

1. PRINTS MUST GENERALLY BE CHECKED THROUGH THE APPROPRIATE STATE IDENTIFICATION BUREAU, AND ONLY THOSE FINGERPRINTS FOR WHICH NO DISQUALIFYING RECORD HAS BEEN FOUND LOCALLY SHOULD BE SUBMITTED FOR FBI SEARCH.
2. IDENTITY OF PRIVATE CONTRACTORS SHOULD BE SHOWN IN SPACE "EMPLOYER AND ADDRESS". THE CONTRIBUTOR IS THE NAME OF THE AGENCY SUBMITTING THE FINGERPRINT CARD TO THE FBI. UNIVERSAL CONTROL NUMBER, IF KNOWN, SHOULD ALWAYS BE FURNISHED IN THE APPROPRIATE SPACE.
3. MISCELLANEOUS NO. - RECORD: OTHER ARMED FORCES NO. PASSPORT NO. (FP), ALIEN REGISTRATION NO. (AR), PORT SECURITY CARD NO. (PS), SELECTIVE SERVICE NO. (SS) VETERANS' ADMINISTRATION CLAIM NO. (VA).

FD-258 (REV. 5-15-17)

GPO U.S. GOVERNMENT PUBLISHING OFFICE:  
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AUG 08 2023

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 FBI

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2023 AUG 15 PM 12:19

Department of Business and Professional Regulation  
Division of Pari-Mutuel Wagering

AUG 08 2023

FLORIDA GAMING CONTROL COMMISSION

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	Gender <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
East Name	First	Middle	Suffix
RODRIGUEZ DANIEL ALBERTO			
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 type="checkbox"/> Black or African American <input checked="" type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input type="checkbox"/> White or Caucasian <input checked="" type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other			
Current Mailing Address		Email Address (optional)	
5128 VERMONT AVE			
City	State	Zip Code (+4 optional)	Country, if other than USA
LAKE WORTH	FL	33461	
Primary Phone Number		Secondary/Cell Phone Number (optional)	
Current Street Address			
SAME			
City	State	Zip Code (+4 optional)	Country, if other than USA
Type of Occupational License applying for: <input checked="" type="checkbox"/> Pari-Mutuel General Individual <input type="checkbox"/> Pari-Mutuel Professional Individual <input type="checkbox"/> Cardroom Employee		Facility where employed and/or doing business: Palm Meadows 326 Thoroughbred Training Center	
Occupation: <u>SBT WALKER</u>			
Does your position require access to the Cardroom? <input type="checkbox"/> Yes <input checked="" 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 <u>1022</u>	License # <u>13693516</u>	File # <u>103176</u>	App # <u>196543</u>
Association Code <u>326</u>	Date Received <u>8/8/23</u>	Entered By <u>KE</u>	License Year <u>26</u>
License Fee <u>15.00</u>	FP Date <u>8/8/23</u>	FP Fee <u>37.05</u>	Total Fee <u>52.05</u>
Off Temp	Waiver Requested	<u>ARC</u>	<u>Enforcement</u>
			Minor

**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

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:


**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

8/8/23  
Date

AUG 08 2023



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF PARI-MUTUEL WAGERING  
[www.myfloridalicense.com](http://www.myfloridalicense.com)

**APPLICATION CHECKLIST – IMPORTANT – Submit all items on the checklist below to ensure faster processing.**

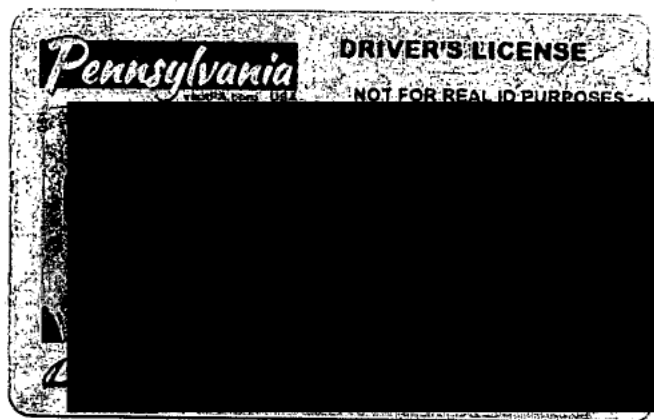
**ALL License Applicants Must Submit:**

- Completed Form DBPR PMW-3120 – Print clearly and complete all sections that are not optional in black or blue ink.
- Additional Pages – If necessary to respond to any application questions.
- Supporting Legal Documentation – If necessary to respond to background information questions in application.
- Three (3) Year Licensing Fee – Make checks or money orders payable to DBPR.
  - Pari-Mutuel General Occupational License - \$15.00\*      \* does not include fingerprint fee
  - Pari-Mutuel Professional Occupational License - \$80.00\*
  - Cardroom Employee Occupational License - \$100.00\*
- Fingerprints – Choose One Option:
  - Electronic Fingerprints: Electronic fingerprints must be submitted to the Division through a law enforcement agency or an FDLE approved Livescan Service Provider. Submit electronic fingerprints with the following ORI number: FL920630Z.  
  
IMPORTANT: Electronic fingerprint processing fees must be paid directly to the law enforcement agency or FDLE approved Livescan Service Provider.
  - Fingerprint Card: Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.  
  
IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see <http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx> for the current fee amount.
  - Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.  
  
IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.

Please mail your completed application, documentation and required fee(s) to:  
Department of Business and Professional Regulation  
Pari-Mutuel Wagering, Licensing Section  
2601 Blair Stone Road, Tallahassee, Florida 32399-1037  
Phone: 850.487.1395

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CONTROL COMMISSION

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FLORIDA GAMING  
CONTROL COMMISSION



AUG 08 2023

Licensee Search

licenver

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth: [REDACTED]
First Name: daniel
Middle Name: alberto
Last Name: rodriguez
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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 FLORIDA GAMING  
 CONTROL COMMISSION



**State of Florida**  
**Department of Business and Professional Regulation**  
**Enforcement Search Listing**

**AUG 08 2023**

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**FLORIDA GAMING**  
**CONTROL COMMISSION**



# FLORIDA

GAMING CONTROL  
COMMISSION

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

---

September 21, 2023

Mr. Daniel Alberto Rodriguez  
5128 Vermont Avenue  
Lake Worth, Florida 33461

Re: Application No. 196620, Entity 13693516  
1022 - Cardroom Employee Occupational

Dear Mr. Rodriguez:

We have received your application with the Florida Gaming Commission. Any individual or Business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - request for waiver and DBPR PMW-3185 - request for release of information and authorization to release information (forms enclosed). If you wish to apply for waiver consideration, please submit these documents. Otherwise, your application will be processed as-is.

**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.**

Thank you,

CM  
Operations analyst II

OFFICE OF OPERATIONS  
4070 Esplanade Way Suite 250  
TALLAHASSEE, FLORIDA 32399





# FLORIDA

GAMING CONTROL  
COMMISSION

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

---

September 21, 2023

Mr. Daniel Alberto Rodriguez  
5128 Vermont Avenue  
Lake Worth, Florida 33461

Re: Application No. 196620, Entity 13693516  
1022 - Cardroom Employee Occupational

Dear Mr. Rodriguez:

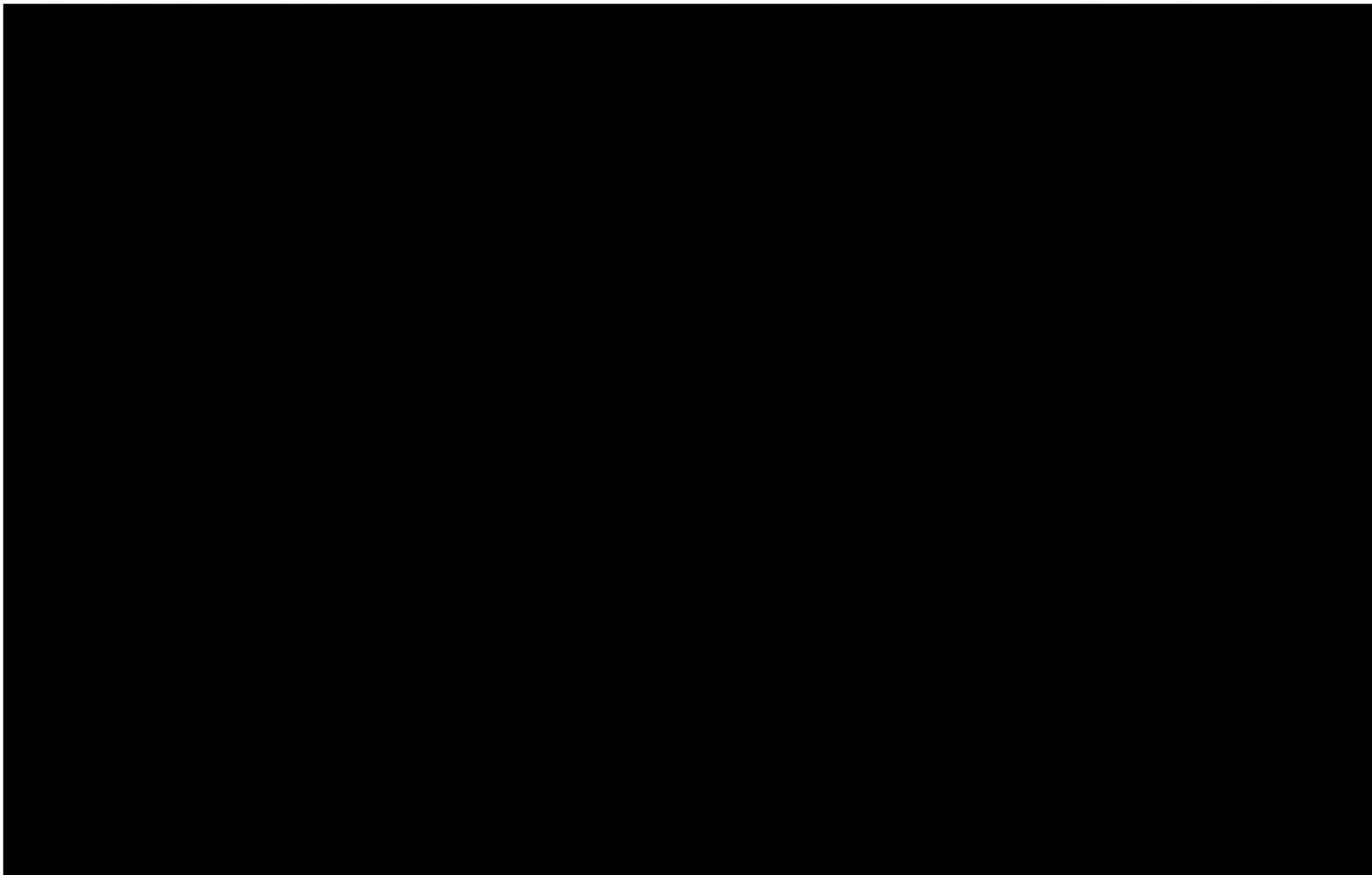
We have received your application with the Florida Gaming Commission. Any individual or Business applicant may request a waiver of disqualifying factors in an application that would otherwise be grounds for denial. DBPR PMW 3180 - request for waiver and DBPR PMW-3185 - request for release of information and authorization to release information (forms enclosed). If you wish to apply for waiver consideration, please submit these documents by 12/05/2023. Otherwise, your application will be processed as-is.

**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.**

Thank you,

CM  
Operations analyst II

OFFICE OF OPERATIONS  
4070 Esplanade Way Suite 250  
TALLAHASSEE, FLORIDA 32399





**FLORIDA**  
GAMING CONTROL  
COMMISSION

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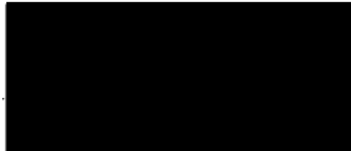
2023 SEP 12 AM 9:56

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

FLORIDA GAMING  
CONTROL COMMISSION

August 18, 2023

Mr. Daniel Alberto Rodriguez  
5128 Vermont Avenue  
Lake Worth, Florida 33461



RE: Application No. 196620, Entity 13693516  
1022 - PMW General Individual Occupational

Dear Mr. Rodriguez:

Your application for an occupational license with the Office of Operations 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 3 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:**
  - Dauphin County, Pennsylvania – 03/05/2017 and 12/04/2018 *listed*
  - Mifflin County, Pennsylvania – 07/18/2017 *listed*
  - Philadelphia County, Pennsylvania 11/04/2020. *Listed*
- **You must provide the court disposition records for the following charges:**
  - Philadelphia County, Pennsylvania 11/04/2020. *Docs received*

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 12/16/2023, your application shall lapse and no longer be processed by the Florida 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

OFFICE OF OPERATIONS  
4070 Esplanade Way Suite 250  
TALLAHASSEE, FLORIDA 32399

**Control Commission Rule. Please note that your Temporary License will expire on: 11/06/2023.**

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 below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM  
Operations Analyst II

2023 SEP 12 AM 9:56  
FLORIDA GAMING  
CONTROL COMMISSION

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**SIGN & DATE**

2023 SEP 12 AM 9:56

FLORIDA GAMING CONTROL COMMISSION

AUG 08 2023

2023 AUG 15 PM 12:20

FLORIDA GAMING CONTROL COMMISSION

**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
9/11/17	Darphin	PA	Public Drunk	M	Fine send
8/15/17	Mifflin	PA	DUI	M	Jail Time
1/5/22	Phil	PA	Reckless Driving	M	Probation
11/2020	Darphi	PA	ASSAULT	M	Prob.

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:


**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

8/8/23  
Date

X  
  
9/12/2023

[VR Home](#) | 
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 [Maintain License CE Control](#)

Domain **100 - Division of Pari-Mutuel Wagering**

Logged in as: kechelmeye

[VR Home](#) > [License Search](#) > [License Home](#)

**License**

Fed Tax # [REDACTED] Lic Type **1022 - PMW General Individual Occupational** Expires On **11/06/2023**

File # **103176** Name **RODRIGUEZ, DANIEL ALBERTO** Extended To

License # **13693516** Rank **GIND - General Individual Occupational** Renewed On

Entity # **13693516** Lic Status **Closed Upgrade**

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

**Address**

Street # **5128** Street **VERMONT AVE**

Line 2

Line 3

City **LAKE WORTH** State **FL** Zip **33461**

Routing

**Other**

1st License Date **08/08/2023** Rank Date **08/08/2023** Certificate #

Method **I-S-1018** Status Date **08/16/2023** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifiers**

Type	Modifier	Effective Date	Additional Info
C	HTWK - Hot Walker	08/08/2023	
I	TBRD - Thoroughbred	08/08/2023	
L	326 - Palm Meadows	08/08/2023	
Y	3YR - 3 Year License		

**Alt Keys**

BEST LIC NBR **13693516**

**RECEIVED**  
 2023 SEP 12 AM 9:57  
 FLORIDA GAMING  
 CONTROL COMMISSION

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**First Judicial District of Pennsylvania  
Court Summary**

**Rodriguez, Daniel**  
Philadelphia, PA 19133  
Aliases:  
Daniel A. Rodriguez  
Daniel Alberto Rodriguez  
Daniel Rodriguez

DOB: [REDACTED]

Sex: Male  
Eyes: Brown  
Hair: Black  
Race: White

**Closed**

**Erie**

CP-25-CR-0001446-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 902137-5

Arrest Dt: Disp Date: 09/11/2017 Disp Judge: Brabender, Daniel J. Jr.  
Def Atty: Checque, Jason Alexander - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
3	18 § 5505	S	Public Drunkenness And Similar Misconduct	Guilty Plea
09/11/2017	No Further Penalty			

**Mifflin**

CP-44-CR-0000501-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 948666-5

Arrest Dt: 07/18/2017 Disp Date: 08/15/2017 Disp Judge: Gingrich, Aaron L.  
Def Atty: Ferguson, Robert Rhea - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
2	75 § 3802 §§ D1i*	M	DUI: Controlled Substance - Schedule 1 - 1st Offense	Guilty Plea
08/15/2017	Confinement	DUI - High 1st	Min: 3 Day(s) Max: 6 Month(s)	

**Philadelphia**

CP-51-CR-0000364-2021 Proc Status: Sentenced/Penalty Imposed DC No: 2009036584 OTN:U 216428-2

Arrest Dt: 11/05/2020 Disp Date: 01/05/2022 Disp Judge: Woelpper, Donna  
Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	
4	18 § 3301 §§ D2	F3	Reckless Burning or Exploding - places property having value that exceeds \$5000 or automobile, place	Guilty Plea - Non-Negotiated
03/08/2022	Probation	1 year	Min: 1 Year(s) Max: 1 Year(s)	

paper needed

CP-51-CR-0000365-2021 Proc Status: Sentenced/Penalty Imposed DC No: 2009036589 OTN:U 216428-2

Arrest Dt: 11/05/2020 Disp Date: 01/05/2022 Disp Judge: Woelpper, Donna  
Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Program Period</u>	<u>Sentence Length</u>	

Recent entries made in the court filing offices may not be immediately reflected on the court summary report. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Court Summary Report information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

Please note that if the offense disposition information is blank, this only means that there is not a "final disposition" recorded in the Common Pleas Criminal Court Case Management System for this offense. In such an instance, you must view the public web docket sheet of the case wherein the offense is charged in order to determine what the most up-to-date disposition information is for the offense.



**First Judicial District of Pennsylvania  
Court Summary**

**Rodriguez, Daniel (Continued)**

**Closed (Continued)**

**Philadelphia (Continued)**

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 901 §§ A	03/08/2022	Probation	F1	Criminal Attempt - Burglary - Overnight Accommodations; Person Present, Bodily Injury Crime	Guilty Plea - Non-Negotiated
6	18 § 907 §§ A	03/08/2022	Probation	M1	Poss Instrument Of Crime W/Int	Guilty Plea - Non-Negotiated
10	18 § 2702 §§ A4	03/08/2022	Confinement	F2	Aggravated Assault - Attempts to cause or causes BI with deadly weapon	Guilty Plea - Non-Negotiated

**MC-51-CR-0030619-2018**

Proc Status: Completed

DC No: 1806054343

OTN:U 146159-6

Arrest Dt: 12/04/2018

Disp Date: 03/20/2019

Disp Judge: Robbins, Harvey W.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Sentence Dt.</u>	<u>Sentence Type</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 2701 §§ A	03/20/2019	Probation	M3	Simple Assault	Guilty Plea - Negotiated

**MC-51-CR-0021692-2020**

Proc Status: Completed

DC No: 2009036584

OTN:U 216428-2

Arrest Dt: 11/05/2020

Disp Date: 01/28/2021

Disp Judge: Coleman, Martin S.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
7	18 § 3301 §§ D2	F3	Reckless Burning or Exploding - places property having value that exceeds \$5000 or automobile, place	Held for Court

**MC-51-CR-0021693-2020**

Proc Status: Completed

DC No: 2009036589

OTN:U 216428-2

Arrest Dt: 11/05/2020

Disp Date: 01/28/2021

Disp Judge: Coleman, Martin S.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 2702 §§ A1	F1	Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Held for Court
2	18 § 907 §§ A	M1	Poss Instrument Of Crime W/Int	Held for Court
3	18 § 2706 §§ A1	M1	Terroristic Threats W/ Int To Terrorize	Held for Court
4	18 § 2701 §§ A	M2	Simple Assault	Held for Court
5	18 § 2705	M2	Recklessly Endangering Another Person	Held for Court

CPCMS 3541

2

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First Judicial District of Pennsylvania  
Court Summary

Rodriguez, Daniel (Continued)  
Closed (Continued)  
Philadelphia (Continued)

MC-51-CR-0021694-2020

Proc Status: Completed

DC No: 2009036589

OTN:U 216428-2

Arrest Dt: 11/05/2020

Disp Date: 01/28/2021

Disp Judge: Coleman, Martin S.

Def Atty: Defender Association of Philadelphia - (PD)

<u>Seq No</u>	<u>Statute</u>	<u>Grade</u>	<u>Description</u>	<u>Disposition</u>
1	18 § 901 §§ A	F1	Criminal Attempt - Burglary - Overnight Accommodations; Person Present, Bodily Injury Crime	Held for Court
2	18 § 3503 §§ A1II	F2	Crim Tres-Break Into Structure	Held for Court
3	18 § 907 §§ A	M1	Poss Instrument Of Crime W/Int	Held for Court
4	18 § 2706 §§ A1	M1	Terroristic Threats W/ Int To Terrorize Another	Held for Court

CPCMS 3541

3

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First Judicial District of Pennsylvania  
Court Summary

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2023 SEP 12 AM 9:56

Rodriguez, Daniel  
Philadelphia, PA 19133  
Aliases:  
Daniel A. Rodriguez  
Daniel Alberto Rodriguez  
Daniel Rodriguez

Sex: Male  
Eyes: Brown  
Hair: Black  
Race: White

FLORIDA GAMING  
CONTROL COMMISSION

Closed

Erie  
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Arrest Dt: Disp Date: 09/11/2017 Disp Judge: Brabender, Daniel J. Jr.  
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Sentence Dt.	Sentence Type	Program Period	Sentence Length	
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09/11/2017		No Further Penalty		

Mifflin  
CP-44-CR-0000501-2017 Proc Status: Sentenced/Penalty Imposed DC No: OTN:T 948666-5

Arrest Dt: 07/18/2017 Disp Date: 08/15/2017 Disp Judge: Gingrich, Aaron L.  
Def Atty: Ferguson, Robert Rhea - (PD)

Seq No	Statute	Grade	Description	Disposition
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08/15/2017		Confinement		
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Philadelphia  
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03/08/2022		Probation 1 year		
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CPCMS 3541

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**FLORIDA**  
GAMING CONTROL  
COMMISSION

2023 SEP 11 PM 12:29

FLORIDA GAMING  
CONTROL COMMISSION

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

August 18, 2023

Mr. Daniel Alberto Rodriguez  
5128 Vermont Avenue  
Lake Worth, Florida 33461

RE: Application No. 196620, Entity 13693516  
1022 - PMW General Individual Occupational

Dear Mr. Rodriguez:

Your application for an occupational license with the Office of Operations 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 3 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:**
  - Dauphin County, Pennsylvania - 03/05/2017 and 12/04/2018
  - Mifflin County, Pennsylvania - 07/18/2017
  - Philadelphia County, Pennsylvania 11/04/2020.
- **You must provide the court disposition records for the following charges:**
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OFFICE OF OPERATIONS  
4070 Esplanade Way Suite 250  
TALLAHASSEE, FLORIDA 32399

**Control Commission Rule. Please note that your Temporary License will expire on: 11/06/2023.**

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 below, attention Office of Operations.** If you have any questions please call 850.488.3211.

Thank you,

CM  
Operations Analyst II

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2023 SEP 11 PM 12:29

FLORIDA GAMING  
CONTROL COMMISSION

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.

Table with 6 columns: DATE OF DISPOSITION, COUNTY, STATE, OFFENSE, MISDEMEANOR OR FELONY?, SENTENCE. Rows include: 8-15-2017 Mifflin PA DUI M Confinement; 9-11-2017 Erie PA Public Drunkenness NONE; 3-08-2022 Phila PA Reckless burning F Probation.

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: I had a drinking problem then which led to the above offences. I am of fine and of Sane mind I want to leave this past behind and Move forward.

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.

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.

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.

Signature of Applicant [Signature] Date 8/8/23

Daniel Rodriguez  
5128 Vermont Ave  
Lake Worth, FL 33461

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2023 SEP 11 PM 12:27

FLORIDA GAMING  
CONTROL COMMISSION

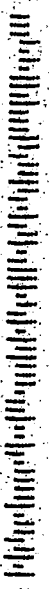
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SEP 11 2023  
FLOOR

WEST PALM BCH FL 334  
6 SEP 2023 20 2 L



State of Florida  
Florida Gaming Control Commission  
4070 Esplanade Way  
Suite 250  
Tallahassee, FL 32399

32399-245099



6. Discussion of final order  
pursuant to request from  
respondent

## MEMORANDUM

To: The Florida Gaming Control Commission  
From: Division of Pari-Mutuel Wagering  
Through: Emily Alvarado, Deputy Chief Attorney  
Re: FGCC v. Rocco Cormier Case Number 2023-039413; Final Order  
Date: December 20, 2023

---

### *Executive Summary*

The Division of Pari-Mutuel Wagering seeks the revocation of Rocco Cormier's ("Respondent") Cardroom Employee Occupational License. Respondent was properly served with an Administrative Complaint and an Election of Rights form. Respondent emailed the Division indicating that they do not dispute the allegations of material fact in the Administrative Complaint and waive their right to any form of hearing. Respondent requests that a final order be entered imposing a penalty in this case. Therefore, the Florida Gaming Control Commission should enter a final revoking his Cardroom Employee Occupational License.

### *Background*

On May 5, 2023, Respondent was permanently excluded from all pari-mutuels in the state of Florida pursuant to a Final Order issued in FGCC Case Number 2020-001631. On or about June 1, 2023, Respondent was observed engaging in the theft of various chips in the amount of \$650.00.

The Division served Respondent with an administrative complaint seeking revocation of his Cardroom Employee Occupational License. Respondent received the complaint alongside an Election of Rights form. Respondent did not dispute the allegations contained within the administrative complaint, waived his right to any form of hearing, and requested that the Commission enter a final order imposing a penalty and fine.

### *Analysis*

Rule 75-11.005(4), Florida Administrative Code, provides, in pertinent part, that "[n]o person shall, either directly or indirectly (a) [e]mploy or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator."



Section 849.086(14)(a), Florida Statutes, provides that:

The commission may deny a license or the renewal thereof, or may suspend or revoke any license, when the applicant has: violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto; knowingly caused, aided, abetted, or conspired with another to cause any person to violate this section or any rules adopted pursuant thereto; or obtained a license or permit by fraud, misrepresentation, or concealment; or if the holder of such license or permit is no longer eligible under this section.

Therefore, the Florida Gaming Control Commission may enter a final order revoking Respondent's Cardroom Employee Occupational License.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order revoking Rocco Cormier's Cardroom Employee Occupational License.

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.: 2023-039413

ROCCO R. CORMIER,

Respondent.

\_\_\_\_\_ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Rocco R. Cormier (“Respondent”), and alleges:

1. The Commission is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to chapters 550 and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 11023387 issued pursuant to section 849.086(6), Florida Statutes.
3. At all times material hereto, Respondent worked as a cardroom dealer at Orange City Racing & Card Club.
4. At all times material hereto, Orange City Racing & Card Club was a facility operated by a permitholder authorized to conduct cardroom operations in the state of Florida under section 849.086, Florida Statutes.
5. On May 5, 2023, Respondent was permanently excluded from all pari-mutuels in the state of Florida pursuant to a Final Order issued in FGCC Case Number 2020-001631.

6. On or about June 1, 2023, Respondent was observed engaging in the theft of various chips in the amount of \$650.00.

7. Rule 75-11.005(4), Florida Administrative Code, provides, in pertinent part, that “[n]o person shall, either directly or indirectly (a) [e]mploy or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.”

8. Section 849.086(14)(a), Florida Statutes, provides that:

The commission may deny a license or the renewal thereof, or may suspend or revoke any license, when the applicant has: violated or failed to comply with the provisions of this section or any rules adopted pursuant thereto; knowingly caused, aided, abetted, or conspired with another to cause any person to violate this section or any rules adopted pursuant thereto; or obtained a license or permit by fraud, misrepresentation, or concealment; or if the holder of such license or permit is no longer eligible under this section.

9. Based on the foregoing, Respondent violated rule 75-11.005(4)(a), Florida Administrative Code, by employing a device, scheme, or artifice to defraud the cardroom operator and is therefore subject to suspension or revocation of his occupational license.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order revoking Respondent’s Cardroom Employee Occupational License, along with any other remedy provided in 849.086(14)(c), Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-039413 is signed this 10th day of October 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  
4070 Esplanade Way, Suite 250  
Tallahassee, Florida 32399-2202  
Telephone: (850) 794-8066  
Facsimile: (850) 536-8709  
Primary: [Emily.Alvarado@flagaming.gov](mailto:Emily.Alvarado@flagaming.gov)  
Secondary: [Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.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.

[FAQ](#) | [Help](#) | [Sign Out](#)

<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Recording License Type</a>	<a href="#">Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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

Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>09/25/2023</b>
Complaint #	<b>2023039413</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#		Respondent	<b>CORMIER, ROCCO R</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>05/13/2023</b>
Region	<b>CR - Central Region</b>	Received	<b>07/12/2023</b>
Reference	<b>550.0251</b>		
Entered	<b>07/14/2023</b>	Entered By	<b>nmelvai</b>
Summary	<b>175----Orange City Racing &amp; Card Club--(550.0251 Powers and duties of the Florida Gaming Control Commission.)--- On June 1, 2023, it was reported that Rocco R. CORMIER, a dealer at Orange City Racing &amp; Card was under investigation for stealing approximately \$649 in chips from the rake.</b>		
Updated	<b>09/26/2023 08:58:45</b>	By	<b>cstubbs1</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

<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>CENTRAL</b>	Date of Complaint: <b>JULY 12, 2023</b>	Case Number: <b>2023 03 9413</b>
RESPONDENT:  <b>CORMIER, ROCCO R. 8380 SW 138<sup>TH</sup> PLACE OCALA, FL 34473  TEL. # 352-631-4644</b>		COMPLAINANT:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>11023387 - 1012</b>		Profession: <b>DEALER</b>	Report Date: <b>September 12, 2023</b>
Period of Investigation: <b>JULY 12, 2023 – SEPTEMBER 12, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation(s): 550.0251 Powers and duties of the Florida Gaming Control Commission.—</b>  (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 permitholder to exclude absolutely a patron in this state</p> <p><b>75-11.005 Prohibitions.</b>  (4) No person shall, either directly or indirectly:  (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>Synopsis:</b> On June 1, 2023, it was reported that Rocco R. <b>CORMIER</b>, a dealer at Orange City Racing &amp; Card Club was found to have stolen approximately \$649 in chips from the rake while dealing.</p>			
<p>Related Case: <b>2020 00 1631</b></p>			
Investigator Supervisor / Date  /s/  C. Derek Washington / September 12, 2023		Chief of Investigations / Date   Bradford D. Jones / September 25, 2023	

## CONTINUATION

On June 1, 2023, while conducting a facility visit at Orange City Racing & Card Club, Poker Room Shift Manager Ryan Unger reported that Poker Dealer Rocco Cormier (PMW Lic# 11023387) had been observed by patrons stealing chips at his assigned table(s). Unger said he contacted the Surveillance Department to start an investigation. Unger further stated that recorded surveillance footage confirmed that **CORMIER** stole a total of \$650.00 in chips while dealing. A Police report was filed with the Orange City Police Department. As a result of his actions, **CORMIER** has since been terminated and permanently barred from the Orange City Racing & Card Club and its' sister facility, the Daytona Beach Kennel Club.

A review of the Orange City Surveillance Report and related surveillance video shows that **CORMIER**, while dealing at the facility from May 13, 2023, through May 27, 2023, on multiple occasions placed chips from the Rake into his tip box. A total of \$649.00 in chips was taken by **CORMIER** during this 2-week period (**EXHIBITS #1 & #2**).

On June 16, 2023, an Arrest Affidavit (Out of Custody) was issued by the Orange City Police Department (Case #OC230001487 - **EXHIBIT #3**). The Affidavit details the theft activity and notes a violation of Florida State Statute 812.014(3)(a) – Misdemeanor Theft.

Upon further investigation, it was determined that **CORMIER** was previously employed by Ocala Gainesville Poker and Jai Alai as a Poker Dealer. On January 4, 2020, **CORMIER** was observed stealing a \$25.00 chip while dealing at a table. This matter was investigated under PMW Case #2020 00 1631. On May 5, 2023, a Final Order was filed permanently excluding **CORMIER** from all PMW facilities in Florida. However, the Final Order was issued after **CORMIER** obtained employment at Orange City Racing & Card Club (**EXHIBIT #4**).

**CORMIER** initially received his PMW Cardroom Employee (1012) license on July 27, 2018; he renewed his PMW license on June 27, 2022. **CORMIER** is currently licensed until June 30, 2025. On May 9, 2023, after the Final Order was issued, an Enforcement Alert was placed on **CORMIER'S** VERSA license record noting that he has been permanently excluded from all PMW facilities in Florida (**EXHIBIT #5**).

**Case Status:** Investigations case closed, and case forwarded to Legal for review.



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Daytona Beach Kennel Club & Poker Room  
DAYTONA BEACH RACING & CARD CLUB

## CASE REPORT

Reported by: **CRISTIAN DELACRUZ 12151778**

Incident Types Label	Offender	Incident Disposition
<b>FRAUD / THEFT (MISDEMEANOR)</b>	<b>CORMIER, ROCCO (EMPLOYEE)</b>	
Report Disposition	Method of Reporting	
<b>THEFT</b>	<b>PHONE</b>	
Report Recorder	Manager/Supervisor On Duty	Manager/Supervisor Notified
<b>CRISTIAN DELACRUZ 12151778</b>	<b>CRISTIAN DELACRUZ 12151778</b>	<b>YES</b>
Incident Occurred Date	Incident Occurred End Date	Incident Discovered / Called In
<b>05/13/2023 at 0000</b>	<b>05/26/2023 at 0657</b>	<b>05/27/2023 at 0428</b>
Location	Specific Location	
<b>POKER ROOM</b>	<b>OC</b>	
Secondary Location	Related Event	
	<b>BETWEEN 05/13/2023-05/27/2023</b>	

## Report Synopsis/Overview

ON MAY 27, 2023 AT APPROXIMATELY 04:28 HOURS POKER ROOM LUCIA SANDROCK ADVISED OF A FRAUD/THEFT.

## Contact # 1 (EMPLOYEE)

Full Name	<b>ROCCO CORMIER</b>		
Age	Date of Birth	Gender	Race
		<b>MALE</b>	<b>W - WHITE</b>
Department	Title		
<b>CARD ROOM</b>	<b>DEALER</b>		

## Property #1 (STOLEN)

Property Reference #	Property Type	Property Category
	<b>POKER CHIPS</b>	<b>STOLEN</b>
Property Disposition	Barcode Number	
<b>STOLEN</b>	<b>10000001939</b>	
Property Description	Property Location	
<b>\$649</b>		
Brand	Model	Serial Number
<b>DELAWARE NORTH</b>		
Approximate Size	Property Color	Owner
<b>1</b>		

## Prepared By:

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

## Submitted Date

05/27/2023 1912

Signature

Reviewed By/Date

Case Number

2023-00188

Approximate Value	Quantity	Total
\$109.00	1	\$109.00

Note

STOLEN CHIPS FROM RAKE.

**Prepared By:**

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

**Submitted Date**

05/27/2023 1912

**Signature**

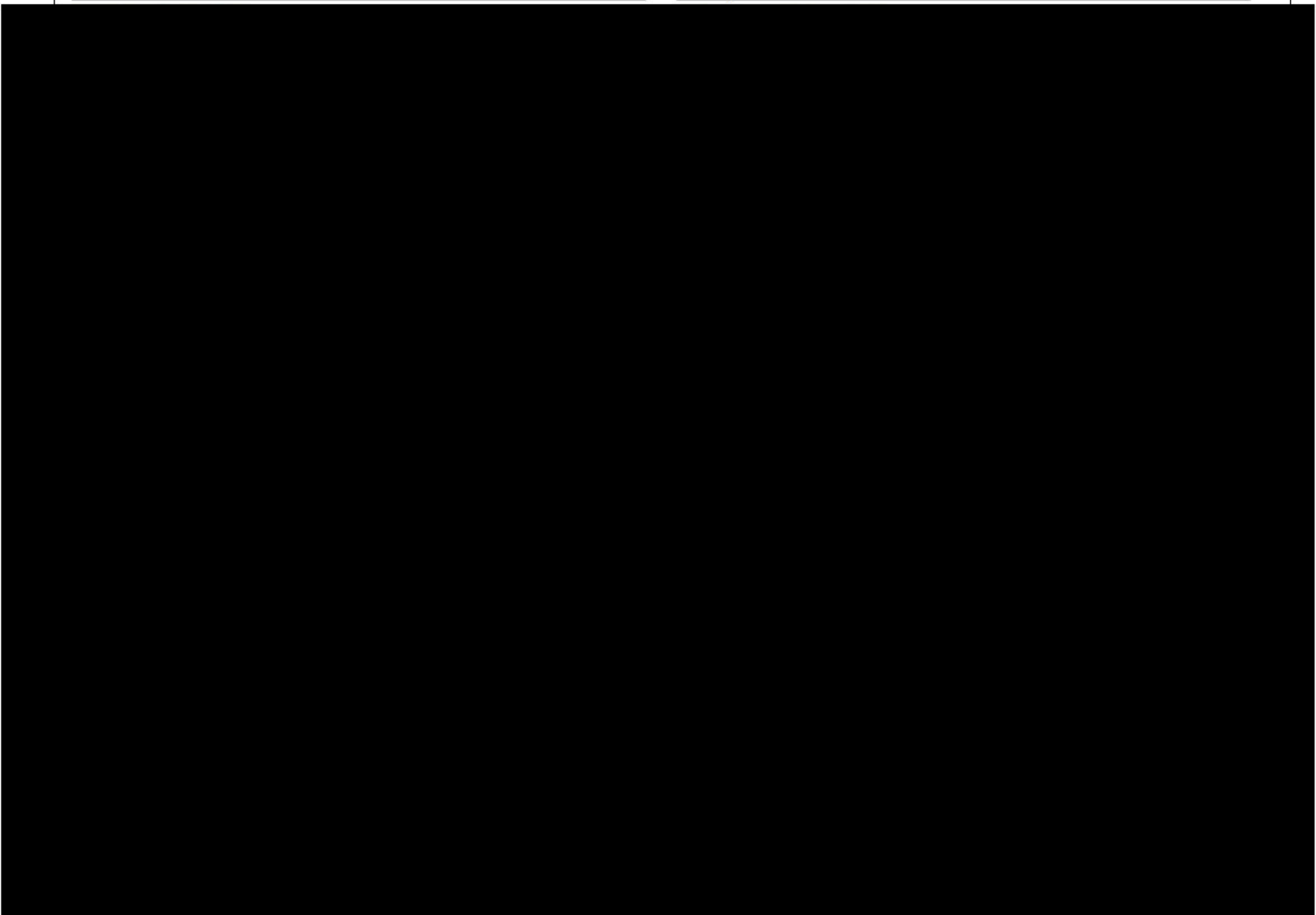
**Reviewed By/Date**

Digital Media List

Digital Media # 1

Title

Description



Narrative text

ON MAY 27, 2023, AT APPROXIMATELY 0428 HOURS, P/R LUCIA SANDROCK ADVISED OF A THEFT.

A REVIEW REVEALED:

ON MAY 13, 2023:

BETWEEN 0000-0025 HOURS, AN UNKNOWN DEALER, LATER IDENTIFIED AS, MR. ROCCO CORMIER, WAS OBSERVED ON T-25 DEALING MULTIPLE HANDS. WHILE AT T-25, MR. CORMIER PLACED 6X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$30.00.

BETWEEN 0057-0121 HOURS, MR. CORMIER MOVED TO T-18 WHERE HE WAS OBSERVED PLACING 2X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$10.00.

Prepared By:

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

Submitted Date

05/27/2023 1912

Signature

Reviewed By/Date

ON MAY 14, 2023:

BETWEEN 0100-0124 HOURS, MR. CORMIER MOVED TO T-27 WHERE HE WAS OBSERVED PLACING 6X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$30.00.

BETWEEN 0157-0210 HOURS, MR. CORMIER MOVED TO T-15 WHERE HE WAS OBSERVED PLACING 2X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$10.00.

AT 0423 HOURS, WAS OBSERVED AT T-33 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

ON MAY 17, 2023:

BETWEEN 2200-2226 HOURS, MR. CORMIER WAS OBSERVED AT T-25 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

BETWEEN 2330-2353 HOURS, MR. CORMIER MOVED TO T-20 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

ON MAY 18, 2023:

BETWEEN 0000-0021 HOURS, MR. CORMIER WAS OBSERVED AT T-32 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

BETWEEN 0200-0226 HOURS, MR. CORMIER MOVED TO T-21 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0230-0248 HOURS, MR. CORMIER MOVED TO T-22 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

ON MAY 19, 2023:

BETWEEN 0300-0326 HOURS, MR. CORMIER MOVED TO T-21 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

ON MAY 20, 2023:

BETWEEN 0030-0050 HOURS, MR. CORMIER MOVED TO T-16 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0131-0155 HOURS, MR. CORMIER MOVED TO T-17 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0158-0217 HOURS, MR. CORMIER MOVED TO T-19 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0241-0427 HOURS, MR. CORMIER MOVED TO T-24 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0402-0427 HOURS, MR. CORMIER MOVED TO T-25 WHERE HE WAS OBSERVED PLACING 7X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$35.00.

ON MAY 21, 2023:

BETWEEN 0031-0056 HOURS, MR. CORMIER MOVED TO T-20 WHERE HE WAS OBSERVED PLACING 6X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$30.00.

**Prepared By:**

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

**Submitted Date**

05/27/2023 1912

**Signature**

**Reviewed By/Date**

BETWEEN 0057-0129 HOURS, MR. CORMIER MOVED TO T-32 WHERE HE WAS OBSERVED PLACING 8X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$40.00.

ON MAY 24, 2023:

BETWEEN 2327-2357 HOURS, MR. CORMIER MOVED TO T-134 WHERE HE WAS OBSERVED PLACING 10X\$5 AND 4X\$ 2 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$58.00.

BETWEEN 0157-0213 HOURS, MR. CORMIER MOVED TO T-23 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

ON MAY 26, 2023:

BETWEEN 000-0024 HOURS, MR. CORMIER MOVED TO T-32 WHERE HE WAS OBSERVED PLACING 5X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$25.00.

BETWEEN 015-0215 HOURS, MR. CORMIER MOVED TO T-15 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0258-0321 HOURS, MR. CORMIER MOVED TO T-34 WHERE HE WAS OBSERVED PLACING 8X\$5 AND 1X\$2 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$42.00.

BETWEEN 0527-0549 HOURS, MR. CORMIER MOVED TO T-34 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

ON MAY 27, 2023:

BETWEEN 0026-0058 HOURS, MR. ROCCO CORMIER, WAS OBSERVED ON T-22 DEALING MULTIPLE HANDS. WHILE AT T-22, MR.CORMIER PLACED 7X\$5 AND 2X\$2 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$39.00.

BETWEEN 0128-0142 HOURS, MR. CORMIER MOVED TO T-19 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

BETWEEN 0200-0226 HOURS, MR. CORMIER WAS PUSHED TO T-23 WHERE HE WAS OBSERVED PLACING 5X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$25.00.

BETWEEN 0357-0430 HOURS, MR. CORMIER SWITCHED TO T-34 WHERE HE WAS OBSERVED PLACING 7X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$35.00.

AT 0428 HOURS, P/R LUCIA SANDROCK REQUESTED A REVIEW OF MR. CORMIER'S T-23 DOWN TO DETERMINE IF HE WAS TAKING CHIPS FROM THE RACK BOX.

BETWEEN 0026-0058 HOURS, MR. CORMIER RELOCATED TO T-26 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

TOTALING \$649.00 STOLEN.

Prepared By:

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

Submitted Date

05/27/2023 1912

Signature

Reviewed By/Date

7th Judicial Circuit  
Arrest Affidavit - Volusia (Adult)

CASE No.: OC230001487

Agency ORI Number: FL0641000		Agency: Orange City Police Department			Juvenile: No		<input type="checkbox"/> Domestic Violence							
Court Case Number:								<input type="checkbox"/> Marsy's Law						
EVENT	Arrest Date/Time 06/16/2023 00:00:00		Arrest Type Summoned/Cited (not taken into custody)			Multiple Arrest Segments Not Applicable		Commonplace Name		Location Description				
	Arrest Location 822 SAXON BLVD			City Orange City		State Florida	Zip Code 32763	County VOLUSIA		Zone 8007	District OC			
DEFENDANT	Last Name CORMIER		First Name ROCCO		Middle Name ROBERT		Suffix	Nickname/Gang Name		Sex M	Race White	Ethnicity Non-Hispanic		
	Date of Birth	Place of Birth	City of Birth	Age 34	To Age	Height	Weight	Eye Color	Hair Color	Hair Length		<input type="checkbox"/> Gang Affiliation		
	Wears Glasses		Physical Feature Code			OBTS Number		Arrestee Armed With Unarmed						
	Driver's License Number		State	Social Security Number		Misc ID Number		Misc ID Type		Misc ID State	SPN			
	- Contact information -													
	Last Known Address 8380 SW 138TH PL			City Ocala		State FL	Zip Code 34473	County Marion		Country USA		Description		
	Employer/School Code/Description		Employer/School Name			Employer/School Address			City		State	Zip Code	County	
Employer/School Country		Employer/School Phone		Registered Offender Category Code		Residency Resident		US Citizen Yes		Citizen Of		Email Address N/A		
Arrestee Phone Number		Social Media Information					Speaks English?			Deaf/Mute?				
CHARGES	Charge No. 1													
	Felony or Misdemeanor Misdemeanor		Statute 812.014 3a		Description 812.014 3a LARC - OTHER THEFT						UCR/NIBRS Code 23H			
Warrant Number			Warrant ORI			Bond Type			Bond Amount		Citation Number			

EXHIBIT #3  
PAGE 1/3

The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the #Error day of #Error, #Error, at approximately #Error hours at     , violated the law and did then and there:

Narrative Title: Narrative

1. On 06/13/2023, at approximately 1600 hours, I responded to the Orange City Police Department in reference  
 2. to a theft over an extended time. Upon my arrival, I met with the reporting person Cristian De La Cruz  
 3. who is also an employee of the Orange City Racing and Card Club and De La Cruz advised the following.  
 4.  
 5. On 05/27/2023, at approximately 0428 hours an employee at the Orange city Racing and Card Club was  
 6. tipped off by a customer that there was a theft that just occurred. A internal review revealed on 05/13/2023,  
 7. between the hours of 12:00 am and 12:25 am an unknown dealer, later identified as Mr. Rocco Cormier,  
 8. was observed on table 25 dealing multiple hands. While at table Mr. Cormier placed six five dollar  
 9. chips from the rake into his tip box, totaling \$30.00. Continuing, between the hours of 12:57 am and  
 10. 1:21 am, Mr. Cormier moved to table 18 where he was observed placing two five dollar chips from the  
 11. rake into his tip box totaling \$10.00.  
 12.  
 13. On 05/14/2023, between the hours of 1:00 am and 1:24 am hours, Mr. Cormier moved to table 27 where  
 14. he was observed placing six five dollar chips from the rake into his tip box totaling \$30.00. Between  
 15. 1:57 am and 2:10 am Mr. Cormier moved to table 15 where is was observed placing two five dollar chips  
 16. from the rake into his tip box totaling \$10.00. At approximately 4:23 am, Mr. Cormier was observed  
 17. at table 33 where he was observed placing one fiver dollar chip from the rake into his tip box totaling  
 18. \$5.00  
 19.  
 20. On 05/17/2023, at approximately 10:00 pm and 10:26 hours, Mr. Cormier was observed at table 25 where  
 21. he was seen placing three five dollar chips from the rake into his tip box totaling \$15.00. On the  
 22. same day between the hours of 11:30 pm and 11:53 pm Mr. Cormier moved to table 20 where he was seen  
 23. placing one five dollar chip from the rake into his tip box totaling \$5.00. On 05/18/2023, between  
 24. the hours of 12:00 am and 12:21 am Mr. Cormier was seen at table 32 where he was observed placing three  
 25. five dollar chips from the rake into his tip box totaling \$15.00. On the same day between the hours  
 26. of 2:00 am and 2:26 am Mr. Cormier moved to table 21 where he was seen placing four fiver dollar chips  
 27. from the rake into his tip box totaling \$20.00. Continuing, between the hours of 2:30 am and 2:48 am  
 28. Mr. Cormier moved to table 22 where he was seen placing four five dollar chips from the rake into his  
 29. tip box totaling \$20.00. On 05/19/2023, between the hours of 3:00 am and 3:26 am Mr. Cormier moved  
 30. to table 21 where he was seen placing three five dollar chips from the rake into his tip box totaling  
 31. \$15.00.  
 32.  
 33. Mr. Cormier continued the conduct until 05/27/2023 when a customer tipped off an employee of the  
 34. Orange City Racing and Card Club that there might be a theft going on. On 05/27/2023, at approximately  
 35. 4:28 am an employee requested a review of Mr. Cormier's table to see if he was taking chips. Between  
 36. 05/13/2023 and 05/27/2023, Mr. Cormier took \$649.00 dollars worth of chips, the Orange City Racing  
 37. and Card Club did not give permission for Mr. Cormier to take the chips.  
 38.  
 39. Orange City Racing and Card Club launched an internal investigation into Rocco Cormier, while the  
 40. investigation was ongoing Mr. Cormier was suspended. De La Cruz advised since they suspended Cormier  
 41. he has not been seen or heard from.  
 42.  
 43. De La Cruz stated on behalf of the Orange City Racing and Card Club they do wish to pursue charges  
 44. for theft.  
 45.  
 46. It should be noted, De La Cruz provided a sworn verbal statement that was recorded on my bwc.  
 47.  
 48. De La Cruz provided video footage of the incident that was collected and submitted into evidence.  
 49.  
 50.

NARRATIVE

Officer No. 1

Officer Name Litke, William OC1327	Involvement Type Arresting Officer	Involvement Date 06/16/2023 08:38:00	Signature Type A Digital Signature
Officer Signature			

OFFICER

Notarizing Officer No. 1

<input type="checkbox"/> Notary Public	<input checked="" type="checkbox"/> Law Enforcement or Corrections Officer	<input checked="" type="checkbox"/> Personally Known	<input type="checkbox"/> Produced Identification	Type of Identification
Officer Name King, Shadrach OC1338	Involvement Date 06/16/2023 08:38:00	Signature Type A Digital Signature		
Officer Signature				

NOTARIZING OFFICER



Others Involved/Evidence

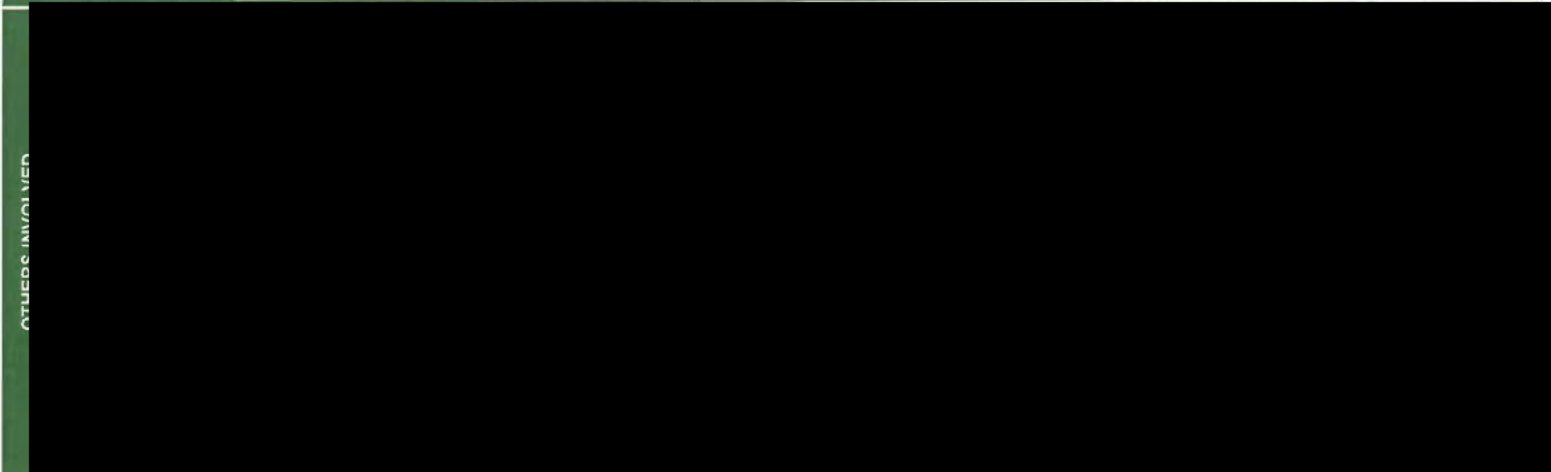
Court Case Number:

DEFENDANT

Last Name  
CORMIER

First Name  
ROCCO

Middle Name  
ROBERT



OFFICER

Officer Name  
Litke, William OC1327

Involvement Type  
Arresting Officer

Involvement Date  
06/16/2023 08:38:00

Signature Type  
A Digital Signature

Officer Signature

A handwritten signature in black ink, appearing to read 'W.P. Litke', is written over the digital signature field.

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

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

v.

FGCC Case No.: 2020-001631

ROCCO R. CORMIER,

Respondent.

---

**FINAL ORDER**

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on May 2, 2023, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the record in this matter, the Commission makes the following findings of fact and conclusions of law:

1. An Administrative Complaint was filed in this case on July 13, 2022, alleging Respondent is subject to exclusion from all licensed pari-mutuel facilities in the state of Florida under section 550.0251(6), Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.

2. The Commission attempted to personally serve Respondent with the Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter via certified mail and hand service, but these attempts were unsuccessful.

3. A publication notice was posted in The Villages Daily Sun in Marion County starting on March 10, 2023. This publication complied with the notice requirements enumerated in section 120.60(5), Florida Statutes. Respondent failed to respond to the notice before the

published deadline of April 7, 2023. Proof of service is attached hereto as Exhibit “2” and incorporated by reference.

4. Petitioner informed Respondent that the failure to contact the Florida Gaming Control Commission prior to the published deadline would be deemed a waiver of the right to a hearing.

5. Respondent has not filed a timely response to the publication notice. Respondent has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling.

Having considered the Administrative Complaint, the publication notice, along with Respondent’s failure to respond, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

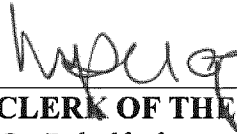
6. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

7. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities within the State of Florida.

*This Final Order shall take effect upon being filed with the Clerk of the Commission.*

**DONE AND ORDERED** this 5<sup>TH</sup> day of MAY, 2023.

FLORIDA GAMING CONTROL COMMISSION



---

**CLERK OF THE COMMISSION**

*On Behalf of*

Charles "C.B." Upton, Chairman

Julie Brown, Commissioner

John D'Aquila, Commissioner

Charles Drago, Commissioner

Tina Repp, Commissioner

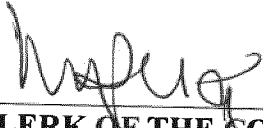
NOTICE OF RIGHT TO APPEAL

Any party to this proceeding 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@flgaming.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 of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5<sup>TH</sup> day of MAY, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**Rocco R. Cormier**  
1311 Northwest 35th Street, Lot 20  
Ocala, Florida 34475

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

CC: Ebonie Lanier

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

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

Petitioner,

v.

ROCCO R. CORMIER,

Respondent.

---

**FILED**

Florida Gaming Control Commission  
Office of the Agency Clerk

Clerk: Donna Fleming

Date: 7-13-2022

FGCC Case No.: 2020-001631

AMENDED ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Amended Administrative Complaint against Rocco R. Cormier (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering operations pursuant to Chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 11023387-1012, issued by Petitioner.
3. At all times material hereto, OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker and Jai-Alai (“Ocala Poker”) was a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
4. On or about January 14, 2020, Respondent was permanently excluded from Ocala Poker.
5. 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).

6. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the State of Florida under Section 550.0251(6), Florida Statutes, based on his ejection from Ocala Poker on or about January 14, 2020.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities in the State of Florida, along with any other remedy provided by Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number Case Number is signed this 7th day of July, 2022.

/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.

# Advertising Invoice

## The Villages Daily Sun

1100 Main St.  
The Villages, FL 32159

Phone: (352)753-1119

Fax: (352)751-7999

URL: <http://www.thevillagesdailysun.com>

Florida Gaming Control Commission  
Tallahassee, FL

Acct #: 90169025

Phone: (850)717-1663

Date: 03/1/2023

Ad #: 01114322

Salesperson: RB Ad Taker: RB

Class: 0100

Description	Start	Stop	Ins.	Cost/Day	Extras	Amount
NOTICE OF ACTION BEFORE	03/10/2023	03/31/2023	4	76.96	0.00	307.84

EXHIBIT #4  
PAGE 9/10

**Ad Text:**

NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING  
IN RE: Violation of section 550.0251(6), Florida Statutes.

ROCCO R. CORMIER  
1311 Northwest 35th Street,  
Lot 20 Ocala, Florida 34475

CASE NO.: 2020-001631

**Payment Reference:**

Total:	307.84
Tax:	0.00
Net:	307.84
Prepaid:	0.00

**Total Due 307.84**



NOTICE OF ACTION

BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING

IN RE: Violation of section  
550.0251(6), Florida Statutes.

ROCCO R. CORMIER  
1311 Northwest 35th Street,  
Lot 20 Ocala, Florida 34475

CASE NO.: 2020-001631

LICENSE NO.: 11023387-1012  
The Florida Gaming Control  
Commission has filed an  
Administrative Complaint  
against you, a copy of which  
may be obtained by contacting  
Ebonie Lanier, Administrative  
Assistant III, Office of the  
General Counsel, Florida  
Gaming Control Commission,  
2601 Blair Stone Road,  
Tallahassee, FL 32399, (850)  
717-1663.

If no contact has been made by  
you concerning the above by  
Friday, April 7, 2023, the matter  
of the Administrative Complaint  
will be presented to the Florida  
Gaming Control Commission at  
the next public meeting for final  
agency action.

In accordance with the  
Americans with Disabilities Act,  
persons needing special  
accommodation to participate in  
this proceeding should contact  
the individual or agency  
sending notice no later than  
seven days prior to the  
proceeding at the address  
given on notice. Telephone:  
(850) 257- 6097; 1-800-955-  
8771 (TDD) or 1-800-955-8770  
(v), via Florida Relay Service.

#00000000 March 10, 2023  
March 17, 2023  
March 24, 2023  
March 31, 2023

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: dwashingto

VR Home | License Search | License Home

**License**

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expire On **06/30/2025**

File # **9277** Name **CORMIER, ROCCO R** Extended To

License # **11023387** Rank **CEMP - Cardroom Employee Occupational** Renewed On **06/27/2022**

Entity # **11023387** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **8380** Street **SW 138TH PLACE**

Line 2

Line 3

City **OCALA** State **FL** Zip **34473**

Routing

**Other**

1st License Date **07/27/2018** Rank Date **06/27/2022** Certificate #

Method **I-S-1024** Status Date **06/27/2022** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action

**Modifier**

Type	Modifier	Effective Date	Additional Info
A	ENFO - Enforcement Alert	05/09/2023	5/5/23 - Permanent Exclusion
C	DEAL - Dealer	03/11/2016	
I	GHND - Greyhound	06/28/2022	
L	143 - Daytona Beach Kennel Club, Inc.	06/28/2022	
Y	3YR - 3 Year License	03/11/2016	

**Alt Keys**

BEST LIC NBR **11023387**

 Get Adobe Reader.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

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

Logged in as: **dwashingto**

VR Home > License Search > **Display Alerts**

Fed Tax # [REDACTED]	Lic Type <b>1012 - Cardroom Employee Occupational</b>	Expires On <b>06/30/2025</b>
File # <b>9277</b>	Name <b>CORMIER, ROCCO R</b>	Extended To
License # <b>11023387</b>	Rank <b>CEMP - Cardroom Employee Occupational</b>	Renewed On <b>06/27/2022</b>
Entity # <b>11023387</b>	Lic Status <b>Current</b>	

Description	Effective	Notes	OK
<a href="#">Enforcement Alert</a>	05/09/2023	<input checked="" type="checkbox"/>	<input type="button" value="OK"/>

 [Get Adobe Reader.](#)

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: **dwashingto**

VR Home > License Search > Display Alerts > **Maintain License Modifiers - BASE\_CLONE**

Search Criteria | Results | Detail

Modifier Type **A - Alert**  
Modifier **ENFO - Enforcement**  
Effective **05/09/2023**  
Expires -

Additional Info :

Prompt

Value **5/5/23 - Permanent Exclusion**

**5/5/2023 - (Re: 2020-001631) - Final Order Filed:**

Notes **Respondent is PERMANENTLY EXCLUDED from all pari-mutuel facilities and all facilities of a slot machine licensee within the State of Florida.**

Updated **05/09/2023 13:32:41**

By **dfleming**

Notes History

Change

Delete

Save

Cancel

<

>

Add

Back

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<a href="#">VR Home</a>	<a href="#">Inbox</a>	<a href="#">Entity</a>	<a href="#">Application</a>	<a href="#">License</a>	<a href="#">Cash</a>	<a href="#">Exam</a>	<a href="#">Inspection</a>	<a href="#">Enforcement</a>	<a href="#">Report</a>
<a href="#">Complaint Search Update</a>	<a href="#">Change Mass Status Update</a>	<a href="#">Recording License Type Public Case Info</a>	<a href="#">Delete Complaint</a>	<a href="#">Mass Activity Update</a>	<a href="#">Mass Discipline</a>				

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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

Lic Type	<b>1012 - Cardroom Employee Occupational</b>	Status	<b>90 Closed</b>	Status Date	<b>09/25/2023</b>
Complaint #	<b>2023039413</b>	Case Type	<b>CMP - Complaint</b>	Disposition	Disposition Date
Docket#		Respondent	<b>CORMIER, ROCCO R</b>	Responsible	<b>bjones - JONES, BRADFORD</b>
					<b>Private Case</b>

Complaint	Respondent	Complainant	Add'l Info
Source	<b>INTN - Internal</b>	Security Level	<b>1</b>
Form	<b>INTR - Internal</b>	Priority	
Class'n	<b>V-C - Cardroom Violations</b>	Complexity	<b>R - Regular</b>
Security	<b>STND - Standard</b>	Incident	<b>05/13/2023</b>
Region	<b>CR - Central Region</b>	Received	<b>07/12/2023</b>
Reference	<b>550.0251</b>		
Entered	<b>07/14/2023</b>	Entered By	<b>nmelvai</b>
Summary	<b>175----Orange City Racing &amp; Card Club--(550.0251 Powers and duties of the Florida Gaming Control Commission.)--- On June 1, 2023, it was reported that Rocco R. CORMIER, a dealer at Orange City Racing &amp; Card was under investigation for stealing approximately \$649 in chips from the rake.</b>		
Updated	<b>09/26/2023 08:58:45</b>	By	<b>cstubbs1</b>

Parties

Activities

Allegations

Discipline

Violations

Compliance

Related

Disposition

Inspection

Costs

Time Tracking

Attachments

Work Notes

<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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Louis Trombetta, Executive Director

Ron DeSantis, Governor

**OFFICE OF INVESTIGATIONS**

**INVESTIGATIVE REPORT**

Office: <b>PMW</b>	Region: <b>CENTRAL</b>	Date of Complaint: <b>JULY 12, 2023</b>	Case Number: <b>2023 03 9413</b>
RESPONDENT:  <b>CORMIER, ROCCO R. 8380 SW 138<sup>TH</sup> PLACE OCALA, FL 34473  TEL. # 352-631-4644</b>		COMPLAINANT:  <b>DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309</b>	
License # and Type: <b>11023387 - 1012</b>		Profession: <b>DEALER</b>	Report Date: <b>September 12, 2023</b>
Period of Investigation: <b>JULY 12, 2023 – SEPTEMBER 12, 2023</b>		Type of Report: <b>FINAL</b>	
<p><b>Alleged Violation(s): 550.0251 Powers and duties of the Florida Gaming Control Commission.—</b>          (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 permitholder to exclude absolutely a patron in this state</p> <p><b>75-11.005 Prohibitions.</b>          (4) No person shall, either directly or indirectly:          (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>Synopsis:</b> On June 1, 2023, it was reported that Rocco R. <b>CORMIER</b>, a dealer at Orange City Racing &amp; Card Club was found to have stolen approximately \$649 in chips from the rake while dealing.</p>			
<p>Related Case: <b>2020 00 1631</b></p>			
Investigator Supervisor / Date  /s/  C. Derek Washington / September 12, 2023		Chief of Investigations / Date   Bradford D. Jones / September 25, 2023	



## CONTINUATION

On June 1, 2023, while conducting a facility visit at Orange City Racing & Card Club, Poker Room Shift Manager Ryan Unger reported that Poker Dealer Rocco Cormier (PMW Lic# 11023387) had been observed by patrons stealing chips at his assigned table(s). Unger said he contacted the Surveillance Department to start an investigation. Unger further stated that recorded surveillance footage confirmed that **CORMIER** stole a total of \$650.00 in chips while dealing. A Police report was filed with the Orange City Police Department. As a result of his actions, **CORMIER** has since been terminated and permanently barred from the Orange City Racing & Card Club and its' sister facility, the Daytona Beach Kennel Club.

A review of the Orange City Surveillance Report and related surveillance video shows that **CORMIER**, while dealing at the facility from May 13, 2023, through May 27, 2023, on multiple occasions placed chips from the Rake into his tip box. A total of \$649.00 in chips was taken by **CORMIER** during this 2-week period (**EXHIBITS #1 & #2**).

On June 16, 2023, an Arrest Affidavit (Out of Custody) was issued by the Orange City Police Department (Case #OC230001487 - **EXHIBIT #3**). The Affidavit details the theft activity and notes a violation of Florida State Statute 812.014(3)(a) – Misdemeanor Theft.

Upon further investigation, it was determined that **CORMIER** was previously employed by Ocala Gainesville Poker and Jai Alai as a Poker Dealer. On January 4, 2020, **CORMIER** was observed stealing a \$25.00 chip while dealing at a table. This matter was investigated under PMW Case #2020 00 1631. On May 5, 2023, a Final Order was filed permanently excluding **CORMIER** from all PMW facilities in Florida. However, the Final Order was issued after **CORMIER** obtained employment at Orange City Racing & Card Club (**EXHIBIT #4**).

**CORMIER** initially received his PMW Cardroom Employee (1012) license on July 27, 2018; he renewed his PMW license on June 27, 2022. **CORMIER** is currently licensed until June 30, 2025. On May 9, 2023, after the Final Order was issued, an Enforcement Alert was placed on **CORMIER'S** VERSA license record noting that he has been permanently excluded from all PMW facilities in Florida (**EXHIBIT #5**).

**Case Status:** Investigations case closed, and case forwarded to Legal for review.

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    5. License & Enforcement Alert .....1-3



Daytona Beach Kennel Club & Poker Room  
DAYTONA BEACH RACING & CARD CLUB

## CASE REPORT

Reported by: **CRISTIAN DELACRUZ 12151778**

Incident Types Label		Offender	Incident Disposition
<b>FRAUD / THEFT (MISDEMEANOR)</b>		<b>CORMIER, ROCCO (EMPLOYEE)</b>	
Report Disposition	Method of Reporting		
<b>THEFT</b>	<b>PHONE</b>		
Report Recorder	Manager/Supervisor On Duty	Manager/Supervisor Notified	
<b>CRISTIAN DELACRUZ 12151778</b>	<b>CRISTIAN DELACRUZ 12151778</b>	<b>YES</b>	
Incident Occurred Date	Incident Occurred End Date	Incident Discovered / Called In	
<b>05/13/2023 at 0000</b>	<b>05/26/2023 at 0657</b>	<b>05/27/2023 at 0428</b>	
Location	Specific Location		
<b>POKER ROOM</b>	<b>OC</b>		
Secondary Location	Related Event		
	<b>BETWEEN 05/13/2023-05/27/2023</b>		

## Report Synopsis/Overview

ON MAY 27, 2023 AT APPROXIMATELY 04:28 HOURS POKER ROOM LUCIA SANDROCK ADVISED OF A FRAUD/THEFT.

## Contact # 1 (EMPLOYEE)

Full Name			
<b>ROCCO CORMIER</b>			
Age	Date of Birth	Gender	Race
		<b>MALE</b>	<b>W - WHITE</b>
Department		Title	
<b>CARD ROOM</b>		<b>DEALER</b>	

## Property #1 (STOLEN)

Property Reference #	Property Type	Property Category
	<b>POKER CHIPS</b>	<b>STOLEN</b>
Property Disposition	Barcode Number	
<b>STOLEN</b>	<b>10000001939</b>	
Property Description	Property Location	
<b>\$649</b>		
Brand	Model	Serial Number
<b>DELAWARE NORTH</b>		
Approximate Size	Property Color	Owner
<b>1</b>		

## Prepared By:

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

## Submitted Date

05/27/2023 1912

Signature

Reviewed By/Date

Case Number

2023-00188

Approximate Value	Quantity	Total
\$109.00	1	\$109.00

Note

STOLEN CHIPS FROM RAKE.

**Prepared By:**

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

**Submitted Date**

05/27/2023 1912

**Signature**

**Reviewed By/Date**

Digital Media List

Digital Media # 1

Title

ROCCO CORMIER

Description

STOLEN RAKE CHIPS

Narrative text

ON MAY 27, 2023, AT APPROXIMATELY 0428 HOURS, P/R LUCIA SANDROCK ADVISED OF A THEFT.

A REVIEW REVEALED:

ON MAY 13, 2023:

BETWEEN 0000-0025 HOURS, AN UNKNOWN DEALER, LATER IDENTIFIED AS, MR. ROCCO CORMIER, WAS OBSERVED ON T-25 DEALING MULTIPLE HANDS. WHILE AT T-25, MR. CORMIER PLACED 6X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$30.00.

BETWEEN 0057-0121 HOURS, MR. CORMIER MOVED TO T-18 WHERE HE WAS OBSERVED PLACING 2X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$10.00.

Prepared By:

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

Submitted Date

05/27/2023 1912

Signature

Reviewed By/Date

ON MAY 14, 2023:

BETWEEN 0100-0124 HOURS, MR. CORMIER MOVED TO T-27 WHERE HE WAS OBSERVED PLACING 6X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$30.00.

BETWEEN 0157-0210 HOURS, MR. CORMIER MOVED TO T-15 WHERE HE WAS OBSERVED PLACING 2X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$10.00.

AT 0423 HOURS, WAS OBSERVED AT T-33 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

ON MAY 17, 2023:

BETWEEN 2200-2226 HOURS, MR. CORMIER WAS OBSERVED AT T-25 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

BETWEEN 2330-2353 HOURS, MR. CORMIER MOVED TO T-20 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

ON MAY 18, 2023:

BETWEEN 0000-0021 HOURS, MR. CORMIER WAS OBSERVED AT T-32 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

BETWEEN 0200-0226 HOURS, MR. CORMIER MOVED TO T-21 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0230-0248 HOURS, MR. CORMIER MOVED TO T-22 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

ON MAY 19, 2023:

BETWEEN 0300-0326 HOURS, MR. CORMIER MOVED TO T-21 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

ON MAY 20, 2023:

BETWEEN 0030-0050 HOURS, MR. CORMIER MOVED TO T-16 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0131-0155 HOURS, MR. CORMIER MOVED TO T-17 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0158-0217 HOURS, MR. CORMIER MOVED TO T-19 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0241-0427 HOURS, MR. CORMIER MOVED TO T-24 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0402-0427 HOURS, MR. CORMIER MOVED TO T-25 WHERE HE WAS OBSERVED PLACING 7X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$35.00.

ON MAY 21, 2023:

BETWEEN 0031-0056 HOURS, MR. CORMIER MOVED TO T-20 WHERE HE WAS OBSERVED PLACING 6X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$30.00.

**Prepared By:**

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

**Submitted Date**

05/27/2023 1912

**Signature**

**Reviewed By/Date**

BETWEEN 0057-0129 HOURS, MR. CORMIER MOVED TO T-32 WHERE HE WAS OBSERVED PLACING 8X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$40.00.

ON MAY 24, 2023:

BETWEEN 2327-2357 HOURS, MR. CORMIER MOVED TO T-134 WHERE HE WAS OBSERVED PLACING 10X\$5 AND 4X\$2 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$58.00.

BETWEEN 0157-0213 HOURS, MR. CORMIER MOVED TO T-23 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

ON MAY 26, 2023:

BETWEEN 000-0024 HOURS, MR. CORMIER MOVED TO T-32 WHERE HE WAS OBSERVED PLACING 5X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$25.00.

BETWEEN 015-0215 HOURS, MR. CORMIER MOVED TO T-15 WHERE HE WAS OBSERVED PLACING 4X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$20.00.

BETWEEN 0258-0321 HOURS, MR. CORMIER MOVED TO T-34 WHERE HE WAS OBSERVED PLACING 8X\$5 AND 1X\$2 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$42.00.

BETWEEN 0527-0549 HOURS, MR. CORMIER MOVED TO T-34 WHERE HE WAS OBSERVED PLACING 3X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$15.00.

ON MAY 27, 2023:

BETWEEN 0026-0058 HOURS, MR. ROCCO CORMIER, WAS OBSERVED ON T-22 DEALING MULTIPLE HANDS. WHILE AT T-22, MR.CORMIER PLACED 7X\$5 AND 2X\$2 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$39.00.

BETWEEN 0128-0142 HOURS, MR. CORMIER MOVED TO T-19 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

BETWEEN 0200-0226 HOURS, MR. CORMIER WAS PUSHED TO T-23 WHERE HE WAS OBSERVED PLACING 5X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$25.00.

BETWEEN 0357-0430 HOURS, MR. CORMIER SWITCHED TO T-34 WHERE HE WAS OBSERVED PLACING 7X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$35.00.

AT 0428 HOURS, P/R LUCIA SANDROCK REQUESTED A REVIEW OF MR. CORMIER'S T-23 DOWN TO DETERMINE IF HE WAS TAKING CHIPS FROM THE RACK BOX.

BETWEEN 0026-0058 HOURS, MR. CORMIER RELOCATED TO T-26 WHERE HE WAS OBSERVED PLACING 1X\$5 IN CHIPS FROM THE RAKE INTO HIS TIP BOX. TOTALING \$5.00.

TOTALING \$649.00 STOLEN.

**Prepared By:**

CRISTIAN DELACRUZ 12151778(CRISTIAN DELACRUZ)

**Submitted Date**

05/27/2023 1912

**Signature**

**Reviewed By/Date**

7th Judicial Circuit  
Arrest Affidavit - Volusia (Adult)

CASE No.: OC230001487

Agency ORI Number: FL0641000		Agency: Orange City Police Department			Juvenile: No		<input type="checkbox"/> Domestic Violence							
Court Case Number:								<input type="checkbox"/> Marsy's Law						
EVENT	Arrest Date/Time 06/16/2023 00:00:00		Arrest Type Summoned/Cited (not taken into custody)			Multiple Arrest Segments Not Applicable		Commonplace Name		Location Description				
	Arrest Location 822 SAXON BLVD			City Orange City		State Florida	Zip Code 32763	County VOLUSIA		Zone 8007	District OC			
DEFENDANT	Last Name CORMIER		First Name ROCCO		Middle Name ROBERT		Suffix	Nickname/Gang Name		Sex M	Race White	Ethnicity Non-Hispanic		
	Date of Birth	Place of Birth	City of Birth	Age 34	To Age	Height	Weight	Eye Color	Hair Color	Hair Length		<input type="checkbox"/> Gang Affiliation		
	Wears Glasses		Physical Feature Code			OBTS Number		Arrestee Armed With Unarmed						
	Driver's License Number		State	Social Security Number		Misc ID Number		Misc ID Type		Misc ID State	SPN			
	- Contact information -													
	Last Known Address 8380 SW 138TH PL			City Ocala		State FL	Zip Code 34473	County Marion		Country USA		Description		
	Employer/School Code/Description		Employer/School Name			Employer/School Address			City		State	Zip Code	County	
Employer/School Country		Employer/School Phone		Registered Offender Category Code		Residency Resident		US Citizen Yes		Citizen Of		Email Address N/A		
Arrestee Phone Number		Social Media Information					Speaks English?			Deaf/Mute?				
CHARGES	Charge No. 1													
	Felony or Misdemeanor Misdemeanor		Statute 812.014 3a		Description 812.014 3a LARC - OTHER THEFT						UCR/NIBRS Code 23H			
Warrant Number			Warrant ORI			Bond Type			Bond Amount		Citation Number			

EXHIBIT #3  
PAGE 1/3



The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the #Error day of #Error, #Error, at approximately #Error hours at     , violated the law and did then and there:

Narrative Title: Narrative

1. On 06/13/2023, at approximately 1600 hours, I responded to the Orange City Police Department in reference  
 2. to a theft over an extended time. Upon my arrival, I met with the reporting person Cristian De La Cruz  
 3. who is also an employee of the Orange City Racing and Card Club and De La Cruz advised the following.  
 4.  
 5. On 05/27/2023, at approximately 0428 hours an employee at the Orange city Racing and Card Club was  
 6. tipped off by a customer that there was a theft that just occurred. A internal review revealed on 05/13/2023,  
 7. between the hours of 12:00 am and 12:25 am an unknown dealer, later identified as Mr. Rocco Cormier,  
 8. was observed on table 25 dealing multiple hands. While at table Mr. Cormier placed six five dollar  
 9. chips from the rake into his tip box, totaling \$30.00. Continuing, between the hours of 12:57 am and  
 10. 1:21 am, Mr. Cormier moved to table 18 where he was observed placing two five dollar chips from the  
 11. rake into his tip box totaling \$10.00.  
 12.  
 13. On 05/14/2023, between the hours of 1:00 am and 1:24 am hours, Mr. Cormier moved to table 27 where  
 14. he was observed placing six five dollar chips from the rake into his tip box totaling \$30.00. Between  
 15. 1:57 am and 2:10 am Mr. Cormier moved to table 15 where is was observed placing two five dollar chips  
 16. from the rake into his tip box totaling \$10.00. At approximately 4:23 am, Mr. Cormier was observed  
 17. at table 33 where he was observed placing one fiver dollar chip from the rake into his tip box totaling  
 18. \$5.00  
 19.  
 20. On 05/17/2023, at approximately 10:00 pm and 10:26 hours, Mr. Cormier was observed at table 25 where  
 21. he was seen placing three five dollar chips from the rake into his tip box totaling \$15.00. On the  
 22. same day between the hours of 11:30 pm and 11:53 pm Mr. Cormier moved to table 20 where he was seen  
 23. placing one five dollar chip from the rake into his tip box totaling \$5.00. On 05/18/2023, between  
 24. the hours of 12:00 am and 12:21 am Mr. Cormier was seen at table 32 where he was observed placing three  
 25. five dollar chips from the rake into his tip box totaling \$15.00. On the same day between the hours  
 26. of 2:00 am and 2:26 am Mr. Cormier moved to table 21 where he was seen placing four fiver dollar chips  
 27. from the rake into his tip box totaling \$20.00. Continuing, between the hours of 2:30 am and 2:48 am  
 28. Mr. Cormier moved to table 22 where he was seen placing four five dollar chips from the rake into his  
 29. tip box totaling \$20.00. On 05/19/2023, between the hours of 3:00 am and 3:26 am Mr. Cormier moved  
 30. to table 21 where he was seen placing three five dollar chips from the rake into his tip box totaling  
 31. \$15.00.  
 32.  
 33. Mr. Cormier continued the conduct until 05/27/2023 when a customer tipped off an employee of the  
 34. Orange City Racing and Card Club that there might be a theft going on. On 05/27/2023, at approximately  
 35. 4:28 am an employee requested a review of Mr. Cormier's table to see if he was taking chips. Between  
 36. 05/13/2023 and 05/27/2023, Mr. Cormier took \$649.00 dollars worth of chips, the Orange City Racing  
 37. and Card Club did not give permission for Mr. Cormier to take the chips.  
 38.  
 39. Orange City Racing and Card Club launched an internal investigation into Rocco Cormier, while the  
 40. investigation was ongoing Mr. Cormier was suspended. De La Cruz advised since they suspended Cormier  
 41. he has not been seen or heard from.  
 42.  
 43. De La Cruz stated on behalf of the Orange City Racing and Card Club they do wish to pursue charges  
 44. for theft.  
 45.  
 46. It should be noted, De La Cruz provided a sworn verbal statement that was recorded on my bwc.  
 47.  
 48. De La Cruz provided video footage of the incident that was collected and submitted into evidence.  
 49.  
 50.

NARRATIVE

Officer No. 1

Officer Name Litke, William OC1327	Involvement Type Arresting Officer	Involvement Date 06/16/2023 08:38:00	Signature Type A Digital Signature
Officer Signature			

OFFICER

Notarizing Officer No. 1

<input type="checkbox"/> Notary Public	<input checked="" type="checkbox"/> Law Enforcement or Corrections Officer	<input checked="" type="checkbox"/> Personally Known	<input type="checkbox"/> Produced Identification	Type of Identification
Officer Name King, Shadrach OC1338	Involvement Date 06/16/2023 08:38:00	Signature Type A Digital Signature		
Officer Signature				

NOTARIZING OFFICER

Others Involved/Evidence

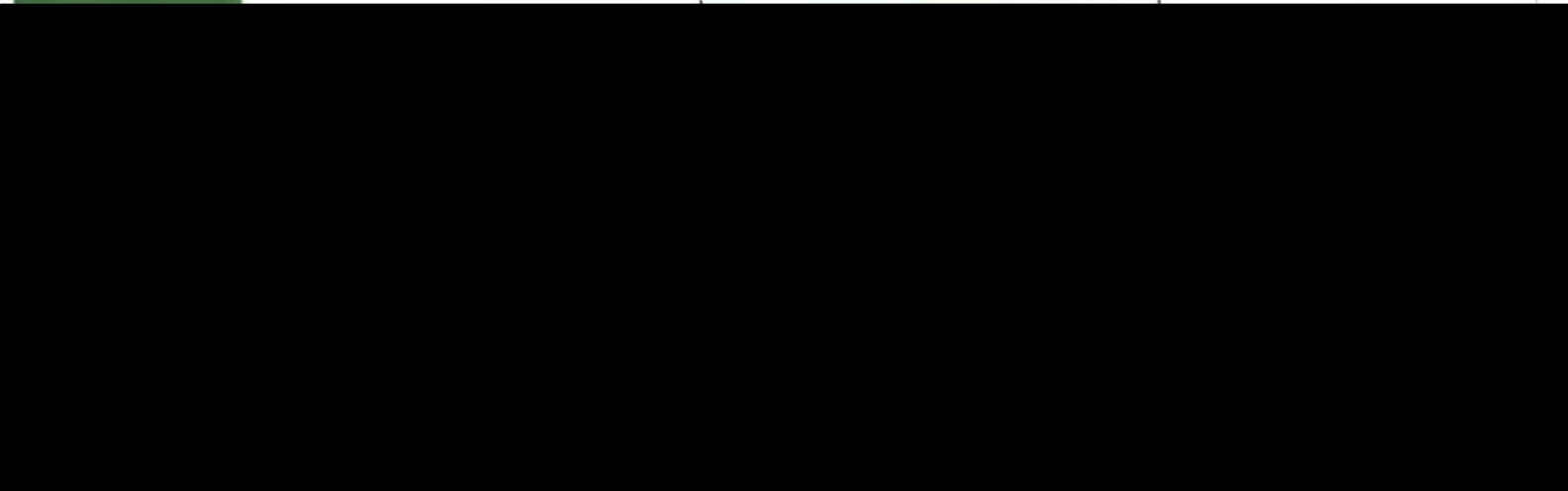
Court Case Number:

DEFENDANT

Last Name  
CORMIER

First Name  
ROCCO

Middle Name  
ROBERT



OFFICER

Officer Name  
Litke, William OC1327

Involvement Type  
Arresting Officer

Involvement Date  
06/16/2023 08:38:00

Signature Type  
A Digital Signature

Officer Signature

STATE OF FLORIDA  
FLORIDA GAMING CONTROL COMMISSION

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

v.

FGCC Case No.: 2020-001631

ROCCO R. CORMIER,

Respondent.

---

**FINAL ORDER**

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting on May 2, 2023, for final agency action pursuant to sections 120.569 and 120.57(2), Florida Statutes. After a complete review of the record in this matter, the Commission makes the following findings of fact and conclusions of law:

1. An Administrative Complaint was filed in this case on July 13, 2022, alleging Respondent is subject to exclusion from all licensed pari-mutuel facilities in the state of Florida under section 550.0251(6), Florida Statutes. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.

2. The Commission attempted to personally serve Respondent with the Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter via certified mail and hand service, but these attempts were unsuccessful.

3. A publication notice was posted in The Villages Daily Sun in Marion County starting on March 10, 2023. This publication complied with the notice requirements enumerated in section 120.60(5), Florida Statutes. Respondent failed to respond to the notice before the

published deadline of April 7, 2023. Proof of service is attached hereto as Exhibit “2” and incorporated by reference.

4. Petitioner informed Respondent that the failure to contact the Florida Gaming Control Commission prior to the published deadline would be deemed a waiver of the right to a hearing.

5. Respondent has not filed a timely response to the publication notice. Respondent has not submitted any evidence or made any allegations that would support the application of the doctrine of equitable tolling.

Having considered the Administrative Complaint, the publication notice, along with Respondent’s failure to respond, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED:

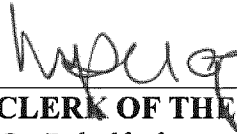
6. The allegations of fact and the conclusions of law in the Administrative Complaint are adopted in their entirety herein.

7. Respondent is hereby **PERMANENTLY EXCLUDED** from all pari-mutuel facilities within the State of Florida.

*This Final Order shall take effect upon being filed with the Clerk of the Commission.*

**DONE AND ORDERED** this 5<sup>TH</sup> day of MAY, 2023.

FLORIDA GAMING CONTROL COMMISSION



---

**CLERK OF THE COMMISSION**

*On Behalf of*

Charles "C.B." Upton, Chairman

Julie Brown, Commissioner

John D'Aquila, Commissioner

Charles Drago, Commissioner

Tina Repp, Commissioner

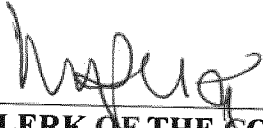
NOTICE OF RIGHT TO APPEAL

Any party to this proceeding 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@flgaming.gov](mailto:clerk@flgaming.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 of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5<sup>TH</sup> day of MAY, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

**Rocco R. Cormier**  
1311 Northwest 35th Street, Lot 20  
Ocala, Florida 34475

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

CC: Ebonie Lanier

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

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

Petitioner,

v.

ROCCO R. CORMIER,

Respondent.

---

**FILED**

Florida Gaming Control Commission  
Office of the Agency Clerk

Clerk: Donna Fleming  
Date: 7-13-2022

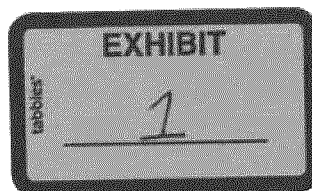
FGCC Case No.: 2020-001631

AMENDED ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Amended Administrative Complaint against Rocco R. Cormier (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering operations pursuant to Chapter 550, Florida Statutes.
2. At all times material hereto, Respondent held a Cardroom Employee Occupational License, number 11023387-1012, issued by Petitioner.
3. At all times material hereto, OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker and Jai-Alai (“Ocala Poker”) was a facility operated by a permit holder authorized to conduct pari-mutuel wagering and cardroom operations in the State of Florida.
4. On or about January 14, 2020, Respondent was permanently excluded from Ocala Poker.
5. 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).

6. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities in the State of Florida under Section 550.0251(6), Florida Statutes, based on his ejection from Ocala Poker on or about January 14, 2020.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order excluding Respondent from all licensed pari-mutuel wagering facilities in the State of Florida, along with any other remedy provided by Chapter 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number Case Number is signed this 7th day of July, 2022.

/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.

# Advertising Invoice

## The Villages Daily Sun

1100 Main St.  
The Villages, FL 32159

Phone: (352)753-1119

Fax: (352)751-7999

URL: <http://www.thevillagesdailysun.com>

Florida Gaming Control Commission  
Tallahassee, FL

Acct #: 90169025

Phone: (850)717-1663

Date: 03/1/2023

Ad #: 01114322

Salesperson: RB Ad Taker: RB

Class: 0100

Description	Start	Stop	Ins.	Cost/Day	Extras	Amount
NOTICE OF ACTION BEFORE	03/10/2023	03/31/2023	4	76.96	0.00	307.84

EXHIBIT #4  
PAGE 9/10

**Ad Text:**

NOTICE OF ACTION  
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING  
IN RE: Violation of section 550.0251(6), Florida Statutes.

ROCCO R. CORMIER  
1311 Northwest 35th Street,  
Lot 20 Ocala, Florida 34475

CASE NO.: 2020-001631

**Payment Reference:**

Total:	307.84
Tax:	0.00
Net:	307.84
Prepaid:	0.00

**Total Due 307.84**



NOTICE OF ACTION

BEFORE THE DIVISION OF  
PARI-MUTUEL WAGERING

IN RE: Violation of section  
550.0251(6), Florida Statutes.

ROCCO R. CORMIER  
1311 Northwest 35th Street,  
Lot 20 Ocala, Florida 34475

CASE NO.: 2020-001631

LICENSE NO.: 11023387-1012  
The Florida Gaming Control  
Commission has filed an  
Administrative Complaint  
against you, a copy of which  
may be obtained by contacting  
Ebonie Lanier, Administrative  
Assistant III, Office of the  
General Counsel, Florida  
Gaming Control Commission,  
2601 Blair Stone Road,  
Tallahassee, FL 32399, (850)  
717-1663.

If no contact has been made by  
you concerning the above by  
Friday, April 7, 2023, the matter  
of the Administrative Complaint  
will be presented to the Florida  
Gaming Control Commission at  
the next public meeting for final  
agency action.

In accordance with the  
Americans with Disabilities Act,  
persons needing special  
accommodation to participate in  
this proceeding should contact  
the individual or agency  
sending notice no later than  
seven days prior to the  
proceeding at the address  
given on notice. Telephone:  
(850) 257- 6097; 1-800-955-  
8771 (TDD) or 1-800-955-8770  
(v), via Florida Relay Service.

#00000000 March 10, 2023  
March 17, 2023  
March 24, 2023  
March 31, 2023

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: dwashingto

VR Home | License Search | License Home

**License**

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expire On **06/30/2025**

File # **9277** Name **CORMIER, ROCCO R** Extended To

License # **11023387** Rank **CEMP - Cardroom Employee Occupational** Renewed On **06/27/2022**

Entity # **11023387** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

**Address**

Street # **8380** Street **SW 138TH PLACE**

Line 2

Line 3

City **OCALA** State **FL** Zip **34473**

Routing

**Other**

1st License Date **07/27/2018** Rank Date **06/27/2022** Certificate #

Method **I-S-1024** Status Date **06/27/2022** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

**Select**

Action   

**Modifier**

Type	Modifier	Effective Date	Additional Info
A	ENFO - Enforcement Alert	05/09/2023	5/5/23 - Permanent Exclusion
C	DEAL - Dealer	03/11/2016	
I	GHND - Greyhound	06/28/2022	
L	143 - Daytona Beach Kennel Club, Inc.	06/28/2022	
Y	3YR - 3 Year License	03/11/2016	

**Alt Keys**

BEST LIC NBR **11023387**

 Get Adobe Reader.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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[License Search](#) | 
 [Entity Search](#) | 
 [Modify License Standing](#) | 
 [Maintain License CE Control](#)

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

Logged in as: **dwashingto**

VR Home > License Search > **Display Alerts**

Fed Tax # [REDACTED]	Lic Type <b>1012 - Cardroom Employee Occupational</b>	Expires On <b>06/30/2025</b>
File # <b>9277</b>	Name <b>CORMIER, ROCCO R</b>	Extended To
License # <b>11023387</b>	Rank <b>CEMP - Cardroom Employee Occupational</b>	Renewed On <b>06/27/2022</b>
Entity # <b>11023387</b>	Lic Status <b>Current</b>	

Description	Effective	Notes	OK
<a href="#">Enforcement Alert</a>	05/09/2023	<input checked="" type="checkbox"/>	<input type="button" value="OK"/>

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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: **dwashingto**

VR Home > License Search > Display Alerts > **Maintain License Modifiers - BASE\_CLONE**

Search Criteria | Results | Detail

Modifier Type **A - Alert**  
Modifier **ENFO - Enforcement**  
Effective **05/09/2023**  
Expires -

Additional Info :

Prompt

Value **5/5/23 - Permanent Exclusion**

**5/5/2023 - (Re: 2020-001631) - Final Order Filed:**

Notes **Respondent is PERMANENTLY EXCLUDED from all pari-mutuel facilities and all facilities of a slot machine licensee within the State of Florida.**

Updated **05/09/2023 13:32:41**

By **dfleming**

Notes History

Change

Delete

Save

Cancel

<

>

Add

Back

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## Emily Alvarado

---

**From:** Rocco Cormier <ogsinful1989@gmail.com>  
**Sent:** Sunday, December 17, 2023 3:10 PM  
**To:** Emily Alvarado  
**Subject:** Re: Rocco Cormier FGCC Case No.:2023-039413  
**Attachments:** image002.jpg

You don't often get email from ogsinful1989@gmail.com. [Learn why this is important](#)

Option 3. I don't contest it at all. My family was in a tough spot at the time and I made terrible decisions. I wish to do what is needed to resolve this issue and move forward.

On Tue, Nov 28, 2023, 10:37 AM Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)> wrote:

Good Morning Mr. Cormier,

Thank you for confirming receipt of the Administrative Complaint. You should have received a document in your packet labeled election of rights which gives three options on how to proceed. Option 1 is an informal hearing route, which would be if you are not disputing the facts of the case and you would have a telephonic hearing (or video or in person in Tallahassee if requested) in front of the Commission's informal hearing officer where you can present mitigating information as to why you feel that the Commission's decision should not happen. Option 2 is a formal hearing which would be requested if you are disputing the facts of the case and a hearing would be set in front of the Division of Administrative Hearings. This would be a formal setting in front of an Administrative Law Judge and would give you the opportunity to argue the facts in dispute. Option 3 would give the Commission the authority to make a decision and enter a final order in this case. The second page of the election of rights explains these options in much more detail.

You can fill out the election of rights form and mail or email it to the information on that form or you can reply to this email requesting the avenue that you would like to choose moving forward. If you are requesting Option 2, you must state which facts you are specifically disputing. You will have 21 days from today to respond.

Thank you,



**Emily A. Alvarado**

**Deputy Chief Attorney**

Office of the General Counsel



850.794.8066 Office 850.964.1710 Cell

850.536.8709 Fax

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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](#)

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**From:** Rocco Cormier <[ogsinful1989@gmail.com](mailto:ogsinful1989@gmail.com)>

**Sent:** Tuesday, November 28, 2023 1:31 AM

**To:** Emily Alvarado <[Emily.Alvarado@flgaming.gov](mailto:Emily.Alvarado@flgaming.gov)>; Ebonie Lanier <[Ebonie.Lanier@flgaming.gov](mailto:Ebonie.Lanier@flgaming.gov)>

**Subject:** Rocco Cormier FGCC Case No.:2023-039413

Some people who received this message don't often get email from [ogsinful1989@gmail.com](mailto:ogsinful1989@gmail.com). [Learn why this is important](#)

To whom it concerns,

I have just recently received paperwork about a week and a half ago pertaining to case number 2023-039413. It states to contact somebody within 21 days. I'm not sure how to go about this even in the slightest. I first would like to apologize for my poor decisions and my lack of judgment while being employed with Orange city card room. Although there is no excuse, I was in a very bad place mentally and falling behind financially. This isn't who I am and I regret ever letting myself get in that kind of situation. I would like to make this right however I can. I have read the paperwork a few times but not sure I fully understand it. This is the only time I have ever been contacted about this and I know a response is warranted. I work 6 days a week and 3 of those I work two jobs. It's difficult to find time to call. What is the next step from here? I do understand I no longer am able to acquire a dealer license in the state of Florida and I would be fully willing to pay restitution. I do apologize again. Have a good day . Hope to hear something soon.

# 7. Discussion of policies and procedures

## Bookmark for Memo and Supporting Documents

# 8. Executive Director update

Issue Name	FTE	Issue Amount
EMAIL ARCHIVE MIGRATION FROM DBPR	-	721,000
CUSTOMER SERVICE TICKETING SYSTEM	-	546,480
PROVIDE ADDITIONAL STAFFING RESOURCES FOR INFORMATION TECHNOLOGY	1.0	306,960
ADDITIONAL EQUIPMENT - MOTOR VEHICLES FOR THE INFORMATION TECHNOLOGY UNIT IN THE SOUTH AND CENTRAL REGIONS	-	45,000
CONTRACTED LEGAL SERVICES	-	500,000
REALIGNMENT OF LEASE OR LEASE PURCHASE OF EQUIPMENT - Add	-	16,000
REALIGNMENT OF LEASE OR LEASE PURCHASE OF EQUIPMENT - Deduct	-	(16,000)
TRANSFER POSITIONS AND FUNDING FROM PARI MUTUEL WAGERING TO OTHER BUDGET ENTITIES - ADD	2.0	187,588
TRANSFER POSITIONS AND FUNDING FROM PARI MUTUEL WAGERING TO OTHER BUDGET ENTITIES - DEDUCT	-5.0	(398,959)
PROVIDE ADDITIONAL STAFFING RESOURCES FOR LAW ENFORCEMENT	8.0	1,125,472
REALIGNMENT OF LEASE OR LEASE PURCHASE OF EQUIPMENT - Add	-	6,000
REALIGNMENT OF LEASE OR LEASE PURCHASE OF EQUIPMENT - Deduct	-	(6,000)
ADDITIONAL EQUIPMENT - MOTOR VEHICLES FOR LAW ENFORCEMENT		175,804
STATEWIDE LAW ENFORCEMENT RADIO SYSTEM (SLERS) - PURCHASE OF NEW RADIOS	-	73,924
TRANSFER FUNDING FROM RACING ANIMAL MEDICAL RESEARCH TO ACQUISITION OF MOTOR VEHICLES - Deduct	-	(30,000)
TRANSFER FUNDING FROM RACING ANIMAL MEDICAL RESEARCH TO ACQUISITION OF MOTOR VEHICLES - Add	-	15,000
TRANSFER FUNDING FROM RACING ANIMAL MEDICAL RESEARCH TO ACQUISITION OF MOTOR VEHICLES - Add	-	15,000
ADDITIONAL RESOURCES FOR OPERATING CAPITAL OUTLAY		10,000
TRANSFER POSITIONS AND FUNDING FROM PARI MUTUEL WAGERING TO OTHER BUDGET ENTITIES - ADD	1.0	75,439
TRANSFER POSITIONS AND FUNDING FROM PARI MUTUEL WAGERING TO OTHER BUDGET ENTITIES - ADD	2.0	135,932
SALARY RATE AND BENEFITS ADJUSTMENT FOR LAW ENFORCEMENT		166,357

**FGCC GRAND TOTAL 9.00**

**3,670,997**