



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

Meeting Agenda
Thursday, September 7, 2023
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. June 8, 2023
 - 1.2. July 11, 2023
2. Discussion of amended application for cardroom license
 - 2.1. 2023-047080 – Dania Entertainment Center, LLC
3. Discussion of initial application for cardroom license
 - 3.1. 2023-042076 – Ocala Breeders' Sales Company, Inc.
4. Discussion of amended application for pari-mutuel operating license
 - 4.1. 2023-046935 - Gulfstream Park Racing Association, Inc.
5. Discussion of applications for transfer of permitholder tax credit/exemption
 - 5.1. 2023-044800 – TBD Entertainment, LLC
 - 5.2. 2023-044824 – Pensacola Greyhound Racing LLP
 - 5.3. 2023-044826 – Sarasota Kennel Club, Inc.
 - 5.4. 2023-044831 – Washington County Kennel Club, Inc.
 - 5.5. 2023-044925 – 831 Federal Highway Acquisition, LLC
6. Discussion of consent orders
 - 6.1. 2023-021983 – Daytona Beach Kennel Club, Inc.
 - 6.2. 2023-026181 – Nieto De Malas, Doniel
 - 6.3. 2023-027827 – Rigattieri, John
 - 6.4. 2023-029082 – Washington Count Kennel Club, Inc.
 - 6.5. 2023-032945 – St. Petersburg Kennel Club, Inc.
7. Discussion of default final orders
 - 7.1. 2023-019619 – Duarte, Ryan Austin
 - 7.2. 2023-025629 – Collado, Mario Luis

- 7.3. 2023-026490 – Reyes, Julian M
- 7.4. 2023-028537 – Murphy, Shaniya Branae
- 7.5. 2023-030311 – Moreno Villegas, Carlos Eduardo
- 8. Discussion of Order to Vacate Final Orders
 - 8.1. 2023-043586 – Ferber, Jonathan
- 9. Discussion of recommended order
 - 9.1. 2022-040492 – Frazier, Steven
 - 9.2. 2022-048147 – Anderson, Garrett
 - 9.3. 2022-061179 – Gonzalez, Gilfredo
 - 9.4. 2023-005829 – Patel, Dixia Harish
- 10. Discussion of license denials
 - 10.1. 2023-025872 – Alekseenka-Repass, Inna
 - 10.2. 2023-025891 – Gonzalez, Ignacio Dario
 - 10.3. 2023-031184 – Whitfield, Lorie Denise
 - 10.4. 2023-037449 – Gonzalez Fernandez, Dioni
 - 10.5. 2023-037859 – Anderson, Garrett
 - 10.6. 2023-038380 – Anderson, Meshika Latrice
 - 10.7. 2023-045367 – Behnke Samson, Cherri Christine
- 11. Presentation on Rulemaking
- 12. Discussion of policies and procedures
 - 12.1. Travel
 - 12.2. Sick leave transfer
- 13. Executive Director update
 - 13.1. Legislative Budget Request (LBR)
- 14. Public comment
- 15. Attorney-client session
 - 15.1. 2023-000965 Washington County Kennel Club, Inc.

PERSONS WISHING TO ADDRESS
THE COMMISSION ON ANY OF THE AGENDA ITEMS
SHOULD EMAIL DIXIE.PARKER@FLGAMING.GOV
NO LESS THAN 24 HOURS BEFORE THE
START OF THE MEETING

1. Approval of Meeting Minutes

Florida Gaming Control Commission

June 08, 2023



FLORIDA GAMING CONTROL COMMISSION

LOCATION: TELEPHONIC

(Page Nos. 1 - 68)

Thursday, June 8, 2023

9:30 a.m. - 10:48 a.m.

BEFORE: Chairman C.B. Upton
Commissioner Julie I. Brown
Commissioner Charles Drago
Commissioner John D'Aquila
Commissioner Tina Repp

Stenographically Reported By:
I. Iris Cooper
Stenographic Reporter

Job No.: 311548

1 APPEARANCES: (Appearing telephonically)

2

COMMISSION MEMBERS:

3

Chairman C.B. Upton

4

Commissioner Julie I. Brown

Commissioner Charles Drago

5

Commissioner John D'Aquila

Commissioner Tina Repp

6

Executive Director, Louis Trombetta

7

8 CANDIDATES AND SPEAKERS:

9

Mr. Lockwood

Mr. Zachem, Esq.

10

Carl Herold

Ms. Jelks

11

12 OTHERS PRESENT:

13

EMILY ANN ALVARADO, ESQ.

ROSS MARSHMAN, ESQ.

14

ELIZABETH K. STINSON, ESQ.

OF: FLORIDA GAMING CONTROL COMMISSION

15

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- Various Members of the Public

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- The Florida Channel

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	INDEX OF PROCEEDINGS	
	RE: Discussions:	PAGE
1		
2		
3	1. SELECTION OF VICE CHAIR	5
4	2. Approval of Meeting Minutes	
5	- 2.1 April 6, 2023	6
6	3. DISCUSSION OF CONSENT ORDERS	
7	- 3.1. 2022-052918 - Mata Enamorado, Jimmy	7
8	- 3.2. 2023-002311 - Casino Miami, LLC	6
9	- 3.3. 2023-008661 - Fisher, David Majella	7
10	- 3.4. 2023-013472 - Sarasota Kennel Club, Inc.	7
11	- 3.5. 2023-017764 - Morzan Sr., Javier	7
12	- 3.6. 2023-018890 - Brownlee, David R	7
13	- 3.7. 2023-018928 - Jimenez, Jose Miguel	7
14	- 3.8. 2023-019259 - Chain, Pearl	7
15	- 3.9. 2023-019250 - Arriagada, Juan	7
16	- 3.10. 2023-022742 - Arriagada, Juan	8
17	4. DISCUSSION OF DEFAULT FINAL ORDERS	
18	- 4.1. 2022-031652 - Brown, Nathan	9
19	- 4.2. 2022-042344 - Loza Jr., Efren	10
20	- 4.3. 2022-052195 - Ethridge, Yokeshia	9
21	- 4.4. 2023-000393 - Klisli, Bill	9
22	- 4.5. 2023-003527 - Jones, Marquitta	9
23	- 4.6. 2023-014450 - Remy, Lucasindre	9
24	- 4.7. 2023-018997 - Cascallares, Nestor Alfredo	10
25	- 4.8. 2023-021130 - Rigattieri, John	9

1	INDEX OF PROCEEDINGS: (Continued)	
2		
3	5. DISCUSSION OF HISA AND HIWU AGREEMENT	11
4	6. DISCUSSION OF RENEWAL APPLICATIONS FOR SLOT MACHINE LICENSES	
5	- 6.1. 2023-013390 - 831 Federal Highway Acquisition, L.L.C.	22
6	- 6.2. 2023-028661 - Calder Race Course, Inc.	24
7		
8	7. DISCUSSION OF AMENDED APPLICATION FOR CARDROOM LICENSE	
9	- 7.1. 2023-030908 - OBS Real Estate Holdings	24
10	8. DISCUSSION OF AMENDED APPLICATIONS FOR PARI-MUTUEL OPERATING LICENSES	
11	- 8.1. 2023-028359 - Tampa Bay Downs, Inc.	25
12	- 8.2. 2023-030638 - Gulfstream Park Thoroughbred After Racing Program	25
13		
14	9. DISCUSSION OF LICENSE DENIALS	
15	- 9.1. 2023-013060 - Edwards, Dasha M.	26
16	- 9.2. 2023-025733 - Alexander, Kaliyah	35
17	- 9.3. 2023-027265 - Kaye, Robert Jeffrey	47
18	- 9.4. 2023-028305 - Lipscomb, Terrell J.	51
19		
20	10. EXECUTIVE DIRECTOR UPDATE	52
21		
22	11. PUBLIC COMMENT	65
23		
24		
25	CERTIFICATE OF REPORTER	68

1 Thereupon, the following proceeding began at 9:30 a.m.:

2 CHAIRMAN UPTON: Good morning. It's 9:30.

3 Let's call the meeting to order. It is June 8,
4 2023. Let's start with the Pledge of Allegiance.
5 Everybody, please rise.

6 (Pledge of Allegiance.)

7 CHAIRMAN UPTON: The first order of business
8 is the selection of the Vice Chair. What I would
9 like to do is open it up for discussion or a
10 motion.

11 COMMISSIONER DRAGO: Mr. Chair, if I could, I
12 would like to make a nomination, if I could. I
13 don't know if this is the right time to do that.
14 Do you want to do that now?

15 CHAIRMAN UPTON: Absolutely.

16 COMMISSIONER DRAGO: I would like to make a
17 nomination for Vice Chair of Commissioner Julie
18 Brown.

19 CHAIRMAN UPTON: Is there a second?

20 COMMISSIONER D'AQUILA: I would like to make a
21 second, Mr. Chair.

22 CHAIRMAN UPTON: Okay. All in favor?

23 (Multiple ayes.)

24 COMMISSIONER D'AQUILA: Congratulations.

25 COMMISSIONER BROWN: Thank you so much.

1 COMMISSIONER DRAGO: Congratulations.

2 CHAIRMAN UPTON: All right. Agenda Item No.
3 2, 2.1, approval of the April 6, 2023 minutes.
4 Open it up for any discussion on that.

5 COMMISSIONER BROWN: Move to approve the
6 minutes for April 6, 2023.

7 COMMISSIONER D'AQUILA: I would like to make a
8 second.

9 CHAIRMAN UPTON: All in favor?

10 (Multiple ayes.)

11 CHAIRMAN UPTON: All right. It's unanimous.
12 All right. Moving on, we're going to handle the
13 number three, the discussion of consent orders a
14 little differently than we have in the past. We're
15 going to take 3.1 through 3.10 up as a consent
16 agenda, unless any of the commissioners would like
17 to speak.

18 Or if we have a speaker, which we do today, on
19 3.2. So what we'll do first is allow Mr. Zachem to
20 speak on 3.2 if he would like, and then we'll open
21 it up for any discussion on the others or take them
22 up as a consent agenda.

23 Mr. Zachem, come on up.

24 MR. ZACHEM: Thank you, Mr. Chair. I'm just
25 here for information purposes only. I represent

1 Casino Miami. If you have any questions, I was
2 here to assist. If not, I'm fine with waiving my
3 time.

4 CHAIRMAN UPTON: Does anyone have questions
5 for counsel?

6 Okay. Thank you.

7 Okay. Do any of the commissioners want to
8 discuss any of these consent orders individually?

9 COMMISSIONER BROWN: Mr. Chair, just 3.9 and
10 3.10 together.

11 CHAIRMAN UPTON: Okay. Let's go ahead and do
12 3.1 though 3.8 together, if I can get a motion to
13 approve those consent orders.

14 COMMISSIONER D'AQUILA: I'll make a motion to
15 approve those consent orders.

16 COMMISSIONER DRAGO: Second.

17 CHAIRMAN UPTON: All in favor?

18 (Multiple ayes.)

19 CHAIRMAN UPTON: Unanimous.

20 Okay. Commissioner Brown, take it away on
21 3.9.

22 COMMISSIONER BROWN: Thank you, Mr. Chair.
23 Good morning. Could you just go over -- it's the
24 same individual, just a few months apart, the same
25 fine. I'm just worried that this is going to be a

1 continuing pattern because all he has to do is pay
2 \$1,000, return the money, and he's going to
3 continue to have this infraction.

4 MS. ALVARADO: Yes. This is Emily Alvarado,
5 for the record. So the first case, which is
6 2023-019250, the race was February 18th. The
7 administrative complaint was not filed until April
8 12th.

9 And the second case, which is 2023-022742, the
10 race was April 2nd, so before we had even filed the
11 first case. It is the same horse and the same
12 substance, so they didn't have notice of the first
13 race prior to racing in that second race.

14 COMMISSIONER BROWN: Thank you. I'm okay with
15 that. I just wanted to make sure that we don't
16 continue to have this pattern with this trainer.

17 CHAIRMAN UPTON: Any other discussion?

18 COMMISSIONER BROWN: Move to approve 3.9 and
19 3.10.

20 CHAIRMAN UPTON: Second?

21 COMMISSIONER D'AQUILA: I'll make a second.

22 CHAIRMAN UPTON: All in favor?

23 (Multiple ayes.)

24 CHAIRMAN UPTON: Unanimous.

25 All right. Moving on to number four on the

1 agenda, a discussion of default final orders. And
2 similar to number three, we will take these up as a
3 consent agenda for 4.1 through 4.8, unless any
4 commissioner would like to discuss one of these or
5 more individually.

6 COMMISSIONER D'AQUILA: General question for
7 Ms. Alvarado. In at least three of these cases,
8 there is a difficulty in locating the individual.
9 Could you briefly explain what we go through. I
10 mean, I can see what methods we use, but do we use
11 any electronic means like social media means to
12 track these people as well?

13 MS. ALVARADO: We don't. We send via USPS
14 certified mail at least twice, sometimes three
15 times. If we're unable to serve at the address
16 that we have on record, we do use any resources
17 that we have to locate any other address, and we
18 try to serve at those addresses as well.

19 And then we contact our investigators. They
20 attempt by hand service. If they are unable to do
21 that, then publication is our last resort, and
22 we'll publish in a newspaper of the local newspaper
23 in the area of the last known address that we have.

24 COMMISSIONER D'AQUILA: Thank you.

25 COMMISSIONER BROWN: Mr. Chair, I do want to

1 discuss 4.2 and 4.7.

2 CHAIRMAN UPTON: Anyone else? Okay. Let's
3 move 4.1, 4.3, 4.4, 4.5, 4.6, and 4.8 through on
4 consent. Do I have a motion on those?

5 COMMISSIONER DRAGO: So moved.

6 CHAIRMAN UPTON: Second?

7 COMMISSIONER D'AQUILA: Second.

8 CHAIRMAN UPTON: All those in favor?

9 (Multiple ayes.)

10 CHAIRMAN UPTON: Okay. It's unanimous.
11 Commissioner Brown, take it away on 4.2.

12 COMMISSIONER BROWN: Thank you so much.

13 Emily, if you don't mind going through the
14 rationale for the fines for 4.2 and 4.7. 4.2 is a
15 \$500 administrative fine for a Class III drug;
16 whereas, 4.7 is a \$1,000 administrative fine for a
17 Class IV.

18 MS. ALVARADO: Sure. 4.2 is a Class B drug.
19 The ARCI guidelines require for a first-time
20 offense \$500 fine, 15-day suspension, and a return
21 of purse. And then what was the other one you
22 mentioned?

23 COMMISSIONER BROWN: 4.7, the NSAID aspirin.

24 MS. ALVARADO: So this case is different than
25 other phenylbutazones that we see. I mentioned

1 this before in other meetings that if it's greater
2 than five, the penalty guidelines classify it as a
3 Class C drug. It will have a \$1,000 fine and
4 return of purse for that for first offense.

5 COMMISSIONER BROWN: Thank you for the
6 clarification.

7 If there are no questions, I'll just move to
8 approve 4.2 and 4.7.

9 CHAIRMAN UPTON: Do I have a second?

10 COMMISSIONER D'AQUILA: Second.

11 CHAIRMAN UPTON: All in favor?

12 (Multiple ayes.)

13 CHAIRMAN UPTON: It's unanimous. That was 4.2
14 and 4.7.

15 Now moving on to Agenda Item No. 5, the
16 discussion of HISA and HIWU agreement. I'll need
17 counsel's assistant on this one.

18 Would you, Mr. Marshman, like to speak first?

19 MR. MARSHMAN: Yes, sir. Good morning,
20 Mr. Chair. Before the Commission today is the
21 latest version of the draft agreement between the
22 State of Florida and the Horseracing Integrity and
23 Safety Authority and the Horseracing Integrity &
24 Welfare Unit of Drug Free Sports America, HIWU.

25 This is acronym soup. So if I mistake any of

1 them, please bear with me.

2 Pursuant to terms of the Horseracing Integrity
3 and Safety Act, states can enter into agreements
4 with the Horseracing Integrity and Safety
5 Authority, HISA, to carry out certain provisions of
6 the racetrack safety program and the anti-doping
7 and medication control program.

8 This has been a long process, as most of us
9 know, because the federal programs have hit their
10 own roadblocks.

11 For instance, the anti-doping medication
12 control program was supposed to go live in July of
13 2022, and it only went live, so to speak, this year
14 once. And then it was invalidated, and then it
15 subsequently went back into effect only recently.

16 So this has taken some time, based on
17 negotiations going back and forth with them and the
18 status of the constitutionality of HISA itself.
19 There were changes made to the act in December of
20 2022 that addressed the Fifth Circuit's concern.

21 They expressed an opinion in late 2022
22 regarding non-delegation principles. The Fifth
23 Circuit has since remanded the case back to the
24 trial court for further proceedings.

25 Meanwhile, the Sixth Circuit has considered

1 that newly-amended language and has ruled that the
2 newly-amended act is constitutional.

3 So if I had to guess, the trial court will
4 develop its case similar to the Fifth Circuit, and
5 the Fifth Circuit will issue a new opinion taking
6 into account that new language.

7 In terms of timelines, I don't know. The
8 trial court is still proceeding, and then the Fifth
9 Circuit will have its own timelines, which are
10 months, not weeks. I say all that to provide
11 context for this agreement.

12 This agreement has two parts mirroring the two
13 parts of HISA's regulations, the racetrack safety
14 program and the anti-doping and medication control
15 program.

16 Florida had previously entered into a smaller
17 agreement only related to the racetrack safety
18 program, and that is the smaller portion of this
19 draft agreement before you still.

20 Not much has changed since the last time;
21 although we have clarified based on feedback from
22 the Commission last meeting exactly when we will be
23 reimbursed for certain investigations -- strike
24 that -- certain time our investigators would spend
25 carrying out provisions of the racetrack safety

1 program. That's the main substantive change since
2 the last time we met.

3 For the anti-doping and medication control
4 program, that's been the subject of the most
5 debate, both here and, of course, in circuit courts
6 around the state -- around the country, rather.

7 I can address any specific questions the
8 commissioners might have about any of the
9 provisions, both the old provision, so to speak,
10 and the newly-amended provisions. However, I know
11 we've had the opportunity to speak individually,
12 and we've hopefully had a good dialogue so far.

13 But, of course, I'm here to answer any
14 questions about what this agreement says or doesn't
15 say and any other questions you may have.

16 CHAIRMAN UPTON: If any of the commissioners
17 have questions for counsel, go ahead now, and then
18 we'll have discussion afterward.

19 Not seeing any questions, we'll open it up for
20 discussion.

21 Commissioner Brown, go ahead.

22 COMMISSIONER BROWN: Thank you, Mr. Chair. I
23 just want to thank you, Ross, for the amount of
24 time you spent on this agreement and Liz and your
25 whole team really getting it to a point where it's

1 palatable for us, and I think it's as good of an
2 agreement as we can get in the current state.

3 I do have a question more maybe probably for
4 PMW, and that's how long it's taking right now for
5 HISA and HIWU to get the results back of the
6 testing of the specimens?

7 MR. MARSHMAN: Really that's unknown because
8 we haven't become an interested party within the
9 meaning of HISA's regulations, so they would not be
10 sharing with us positive test results until after
11 we enter into this agreement.

12 We would be aware, generally speaking, of
13 positive test results, but only at the same time a
14 trainer or the owner would know something to that
15 effect.

16 So we would know our own positive test results
17 from our own sample collection that we conducted
18 pursuant to our own rules and regulations, but that
19 was only a brief window of time, and those results
20 are still being sent in from our own lab as it
21 winds down.

22 So from HISA HIWU specifically, I don't think
23 we gotten any results from that based on us not
24 becoming an interested party.

25 COMMISSIONER BROWN: And once we sign this

1 agreement, which I'm assuming if we approve it
2 today, we'll sign it expeditiously right away, and
3 then it will go into effect.

4 Would we in any of these provisions, is there
5 any recourse for significant regulatory lag if the
6 specimens and the findings are not -- or at least
7 we're not notified of it in a timely fashion?

8 MR. MARSHMAN: In this agreement, no. No
9 other state has managed to get HISA or HIWU to add
10 any sort of prong or a state to hold them to any
11 sort of time standard.

12 I would state, however, that their own
13 interest in prosecuting these cases means they need
14 to expeditiously move to get these samples
15 collected for their own sake, for their own
16 prosecution.

17 And I can say from speaking with HIWU's
18 general counsel, particularly, she is very aware of
19 the need for expeditious prosecution which would
20 entail fast testing, fast sharing of results in the
21 beginning of this administrative process as quickly
22 as possible.

23 COMMISSIONER BROWN: And then lastly, I think
24 from an administrative side, some of the orders
25 that we approve today, that's more of the

1 regulatory administrative side for the State.

2 Will that affect how we fund individuals or
3 licensees of our agency, in terms of -- because
4 they have -- they'll have the test results?

5 MR. MARSHMAN: So whether we enter into this
6 agreement or not, most of Florida's regulations and
7 penalties for drug positives have been arguably
8 preempted by the Horseracing Integrity and Safety
9 Act.

10 So, again, whether we enter into this
11 agreement or not, we would have a hard time as a
12 State, I think, successfully prosecuting a drug
13 positive that Ms. Alvarado was discussing earlier
14 if the trainer or the owner of the horse can raise
15 a preemption argument that would block the State
16 from carrying out those portions of the law.

17 So, no, I don't think that so long as HISA,
18 the act, is in effect and its regulations are in
19 effect, I don't know if the State has a viable path
20 forward for prosecuting Florida licensees as a
21 matter of Florida law if those same laws are also
22 discussed and covered by federal act or federal
23 regulation.

24 COMMISSIONER BROWN: Thank you.

25 CHAIRMAN UPTON: Any other questions.

1 COMMISSIONER D'AQUILA: I have a general
2 question for General Counsel Marshman or any member
3 of the legal team or even Executive Director
4 Trombetta. We've had a long, successful history
5 working with the University of Florida lab and
6 regulating our mutual racing here in the state.

7 In your opinion, is there any way we can, once
8 this agreement is signed, monitor how well the new
9 body, HISA, is doing compared to the way we've
10 done, in your opinion?

11 Or even should we be looking at that,
12 considering your point about our rights? And,
13 again, just thinking about the general welfare of
14 the horse industry and how serious our state has
15 taken it and the success we've had in the past.

16 MR. TROMBETTA: Let me try to get this one.
17 I won't be as well spoken as Mr. Marshman, but let
18 me try. So I think, you know, lately there's been
19 a lot of attention on what's happening at Churchill
20 Downs and how now that HISA is in place how HISA is
21 responding and what they're doing.

22 So I think, Commissioner D'Aquila, my answer
23 is kind of based on what the general public is also
24 going to be able to judge them on. There's going
25 to be information. You know, the horseracing

1 industry is going to evolve and probably change a
2 little bit under HISA.

3 I don't think we're in a position that's
4 necessarily that different than what the general
5 public will have. I think, as the agreement
6 states, being an interested party will allow us to
7 have some information ahead of time.

8 But I think that the impact of this federal
9 act on the horseracing industry is going to be
10 judged over a period of time to see if some of the
11 intent and some of the new practices and new
12 regulations work.

13 And I think that we as a -- you know,
14 personally as a personal opinion, I think we're
15 just going to -- we're in a position to watch and
16 see what happens. You know, I think, as I just
17 mentioned, the preemption is going to change the
18 role of all State racing commissions.

19 We no longer are going to be the ones.
20 Whether we sign part of this agreement or not,
21 we're not going to be the ones involved in the
22 legal disputes of legal action. So we are going to
23 be sitting on the sidelines kind of judging it from
24 there.

25 I mean, if you have a different opinion that

1 you're willing to -- you don't have to. I don't
2 want to put you on the spot.

3 MR. MARSHMAN: I don't have a different
4 opinion, but just an additional factor. Let's say
5 we will have more of a -- if we enter into this
6 agreement and we become an interested party, we
7 will have access to other information the public
8 may not otherwise have faster than the public will
9 have.

10 This goes back to the example I've tried to
11 use in the past. If we collect samples from four
12 horses in a race and we get results back from two
13 and not the other two, if we're an interested
14 party, we'll know more or less what happened with
15 those other two horses, and we'll be able on a
16 smaller level prior to any public prosecution to
17 know what's going on.

18 If we don't, then we'll potentially never know
19 what happened to those other two horses, just like
20 any other member of the public, unless we just ask
21 the trainer who may or may not know as well. So on
22 a smaller level, we will have some access to
23 information at a period of time that the public
24 would never have it.

25 So I could foresee any State racing

1 commission, including us, having a conversation
2 with HISA and HIWU about those two horses. If we
3 are an interested party, hey, our sample collection
4 folks took those samples. We know you have them.
5 We packed them up and shipped them. What's going
6 on with those two horses?

7 And I expect HISA and HIWU want to have a good
8 relationship with the State, since we're the ones
9 largely doing the work for them on the ground. So
10 I think that's something that if we become an
11 interested party, we'll have some regulatory
12 oversight, let's say, not exactly, but we will at
13 least know more how the sausage is being made, and
14 we can talk to them about it.

15 CHAIRMAN UPTON: Anything further?

16 A couple points on this. I came into this one
17 late, and it's a difficult one for me because it
18 generally offends my sensibilities of a role of a
19 limited federal government and State's rights.

20 However, after giving it much, much thought,
21 it's not really our role as regulatory bodies to
22 pass on the constitutionality of it. And I want to
23 commend staff, particularly the general counsel and
24 executive director in negotiating the best deal
25 they could.

1 It's a very difficult position that they were
2 in to negotiate with a more or less
3 take-it-or-leave-it agreement. But they got
4 something that was a little better than that, so
5 that's to be commended.

6 So ultimately, I think that the
7 constitutionality of HISA is to be left to the
8 courts, and we'll deal with -- on the regulatory
9 side, this gives us more of a chance for regulation
10 and to have a seat at the table than we would
11 otherwise have.

12 I would like to open it up for a motion to
13 approve the HISA and HIWU agreement.

14 COMMISSIONER DRAGO: I would like to make a
15 motion to approve the agreement.

16 CHAIRMAN UPTON: All in favor?

17 (Multiple ayes.)

18 CHAIRMAN UPTON: Unanimous. That one is off
19 the agenda.

20 All right. On to Agenda Item No. 6.

21 Ms. Jelks, would you like to come up and lead us
22 through the discussions of the renewal application
23 for slot machine licenses.

24 MS. JELKS: Good morning. I'm La'Keshia Jelks
25 here presenting for PMW. For 6.1, I have Case No.

1 2023-013390, 831 Federal Highway Acquisition,
2 L.L.C. would like to renew its annual slot machine
3 license for the spring 2023-2024 fiscal year.

4 CHAIRMAN UPTON: Ms. Jelks, I think we're
5 having a hard time hearing. I'm not sure if the
6 mic is working.

7 MS. JELKS: I'm sorry. Do you want me to
8 start over?

9 CHAIRMAN UPTON: That would be best, yes.
10 Thank you.

11 MS. JELKS: So I am presenting for 2023 Case
12 No. 013390. 831 Federal Highway Acquisition,
13 L.L.C. would like to renew its annual slot machine
14 license for the 2023-2024 fiscal year, and it is
15 effective June 11, 2023. It is our recommendation
16 that this is approved.

17 CHAIRMAN UPTON: We'll open it up for
18 questions and discussion. Anything, Commission?
19 Do we have a motion?

20 COMMISSIONER D'AQUILA: I make a motion to
21 approve the renewal.

22 CHAIRMAN UPTON: All in favor?

23 (Multiple ayes.)

24 CHAIRMAN UPTON: Unanimous.

25 MS. JELKS: Thank you. Next is Case No.

1 2023-028661 for Calder Race Course, Inc. They are
2 requesting to renew their slot machines license as
3 well effective July 10, 2023 through July 9, 2024.
4 It is our recommendation that this is approved.

5 CHAIRMAN UPTON: Any discussion or questions?
6 Do we have a motion to approve?

7 COMMISSIONER DRAGO: So moved.

8 CHAIRMAN UPTON: All in favor?
9 (Multiple ayes.)

10 CHAIRMAN UPTON: Unanimous.

11 Ms. Jelks, you'll lead us through discussion
12 on Agenda Item No. 7 as well.

13 MS. JELKS: Case No. 2023-030908, OBS Real
14 Estate Holdings, L.L.C. is requesting to add four
15 additional card tables for their cardroom for the
16 2023-2024 fiscal years for a total of nine cardroom
17 tables. It is our recommendation that the
18 Commission approve this as well.

19 CHAIRMAN UPTON: Any questions or discussion?
20 (Inaudible).

21 Second?

22 COMMISSIONER D'AQUILA: Second.

23 CHAIRMAN UPTON: All in favor?
24 (Multiple ayes.)

25 CHAIRMAN UPTON: It's unanimous.

1 Ms. Jelks, on to Agenda Item No. 8.

2 MS. JELKS: Case No. 2023-028359, Tampa Bay
3 Downs is requesting to add an additional
4 performance to their license for the 2023-2024
5 fiscal year for a total of 92 performances. It is
6 our request that the Commission approve the request
7 as well.

8 COMMISSIONER D'AQUILA: Make a motion to
9 approve.

10 CHAIRMAN UPTON: All in favor?

11 (Multiple ayes.)

12 CHAIRMAN UPTON: Unanimous. 8.2.

13 MS. JELKS: Case No. 2023-030638, Gulfsteam
14 Park Thoroughbred After Racing Program would like
15 to delete three performances. They are currently
16 licensed to perform 42 performances for the
17 2022-2023 fiscal year. It is our recommendation
18 that the Commission approve this request with an
19 effective date of June 1, 2023.

20 CHAIRMAN UPTON: Any discussion or questions?

21 (Inaudible). Second?

22 COMMISSIONER D'AQUILA: Second.

23 CHAIRMAN UPTON: All in favor?

24 (Multiple ayes.)

25 CHAIRMAN UPTON: Unanimous.

1 We'll move on to Agenda Item No. 9, discussion
2 of license denial. I understand Ms. Alvarado is
3 going to lead us through 9.1 through 9.4.

4 MS. ALVARADO: 9.1 is Dasha M. Edwards, Case
5 No. 2023-013060. The applicant applied for a
6 cardroom employee occupational license. After
7 review of her application, it was discovered that
8 she was convicted of aggravated assault with intent
9 in 2005.

10 The applicant applied for a waiver, which was
11 declined by the executive director. Therefore, the
12 Division would ask the Commission to authorize a
13 notice of intent to deny.

14 CHAIRMAN UPTON: Open it up for questions or
15 any discussion.

16 COMMISSIONER DRAGO: Mr. Chair?

17 CHAIRMAN UPTON: Yes, you are reorganized.

18 COMMISSIONER DRAGO: Ms. Alvarado, I don't see
19 any police reports in these this time. Normally,
20 it seems like we do.

21 MS. ALVARADO: This investigator report did
22 not have the arrest report in it. It does have an
23 explanation from her in the waiver interview of the
24 actual arrest, but there was no arrest report.
25 There is a judgment and a conviction report and

1 sentencing in there.

2 COMMISSIONER DRAGO: This is one of the cases
3 where this was a crime committed back in 2005, and
4 she's been working at the same place for like 11
5 years, I think. From what I can see, she's
6 rehabilitated herself, from what I can gather from
7 the paperwork.

8 And there's some confusion about even the
9 original arrest back in 2005 in terms of what it
10 involved, and she's got no other serious issues
11 like that since.

12 So I want to, I think, open it up to consider
13 allowing it to continue with the license process
14 and not issue the notice to deny. And if we issue
15 the notice to deny, that still gives her a chance
16 to come back; right?

17 MS. ALVARADO: Yes. She would still have 21
18 days to request a hearing.

19 COMMISSIONER DRAGO: But if we decide here not
20 to issue that notice to deny, she gets the license?

21 MS. ALVARADO: Right.

22 COMMISSIONER DRAGO: Okay. That's what I
23 thought. So I'm inclined to go that route and not
24 issue the notice to deny. I think -- I don't know
25 what else we could get in cases to show that a

1 person's been rehabilitated, other than, what, 18
2 years or whatever it is of no felonies, of
3 long-term employment. I don't know what else we
4 could do to show that she's been rehabilitated.

5 MS. ALVARADO: I will state for the record
6 that she did have a misdemeanor conviction in 2012
7 for issuing a worthless check as well.

8 COMMISSIONER DRAGO: Yes, I saw that. You're
9 right. She explained that, too. Again, that's why
10 I wish I could see the police report so that we can
11 see the other side of it. But all we have is her
12 explanation, and her explanation may or may not be
13 100 percent accurate.

14 I don't know but to take her word for it at
15 this point. We don't have anything otherwise. I'm
16 inclined to listen to the rest of the Commission
17 obviously, but I'm inclined to issue the license.

18 COMMISSIONER D'AQUILA: My understanding is
19 that the assault, if I read the materials
20 correctly, was involving a homeless person who
21 attempted to grab her bag, but we don't have a
22 police report on that.

23 MS. ALVARADO: Right.

24 COMMISSIONER D'AQUILA: That came from her
25 explanation at the time.

1 MS. ALVARADO: Right.

2 COMMISSIONER D'AQUILA: And that goes back to,
3 I believe, 2003. And then subsequent to that, the
4 only thing we're aware of is one check which did
5 not clear, if I understand correctly.

6 MS. ALVARADO: Yes, that's correct.

7 COMMISSIONER D'AQUILA: And we have no other
8 research or background check, no other felonies or
9 misdemeanors to speak of?

10 MS. ALVARADO: No, just the stuff that is
11 included in the record.

12 COMMISSIONER D'AQUILA: I concur with
13 Commissioner Drago's opinion on this, considering
14 the number of years working to support oneself. I
15 will concur with his summation on that and leave it
16 up to discussion with the other commissioners.

17 CHAIRMAN UPTON: Commissioner Brown.

18 COMMISSIONER BROWN: Commissioner Drago, you
19 took literally the words right out of my mouth, and
20 much more eloquently. I completely, agree with
21 you. This is a case of a completely rehabilitated
22 character.

23 The one thing that did jump out at me was the
24 worthless check. You know, she explained
25 everything very clearly, though, in her letter. I

1 wish we had more of these letters attesting to good
2 character and being rehabilitated because that
3 would help us with this process.

4 But I completely agree with you Commissioner
5 D'Aquila and Commissioner Drago. It does say that
6 she has a temporary gaming license; is that
7 correct?

8 MS. ALVARADO: I'm not aware of that.

9 COMMISSIONER BROWN: She states in her letter
10 or her email she got it in January 2023.

11 MS. ALVARADO: Other than that letter, I don't
12 believe that's anywhere in the reports we have, so
13 I'm not exactly sure where she has a gaming
14 license.

15 COMMISSIONER BROWN: I would support her being
16 granted a license. She's a single mother, and she
17 works hard. It looks like she's had no evidence of
18 any other infraction.

19 CHAIRMAN UPTON: Anyone else?

20 MS. REPP: I just have a question. Is there
21 any issue that she still owes them money?

22 MS. ALVARADO: Yes. It looks like she still
23 owes for the 2012 conviction. And for both
24 convictions, she still owes her court fines.

25 MS. REPP: And is that any bar?

1 MS. ALVARADO: You could still grant her a
2 license, if that's what you guys are inclined to
3 do. It could be a basis for denial as well.

4 COMMISSIONER D'AQUILA: Question, counsel. Is
5 it proper to grant or is it permitted to grant a
6 license subject to the payment of the fines to the
7 court?

8 CHAIRMAN UPTON: I had that same question.
9 Mr. Marshman, do you have the answer to that? But
10 if you do not, I would like to find that out.
11 Maybe we can table this. I had another question on
12 this one as well.

13 It wasn't clear to me in the materials whether
14 or not she disclosed a felony on her application.
15 As a general matter, I don't know why these people
16 continue not to disclose the felony.

17 Anyone out there that's listening, disclose
18 the felony. It will be found out, and it goes to
19 your truth, veracity. It's much better to disclose
20 them and let us have all of it than to find it out
21 later.

22 So this one, it seems in the memo it said that
23 she disclosed the conviction on her application.
24 But when I looked at the actual application, it
25 appeared she did not, so I was confused by that.

1 MS. ALVARADO: So she in her initial
2 application, which is considered incomplete, she
3 did not disclose it. She was sent a deficiency
4 letter and then disclosed all of the convictions.
5 So on her initial application --

6 CHAIRMAN UPTON: But she lied on her initial
7 application?

8 MS. ALVARADO: Yes, you're correct.

9 CHAIRMAN UPTON: I am still somewhat
10 sympathetic, given the fact that (inaudible).

11 Do we have a motion, or would we like to table
12 this until we can find out about making it
13 contingent upon the payment of the outstanding
14 fines? I'll open it up for discussion or motion.

15 Does general counsel have a comment?

16 MR. MARSHMAN: If I may, you had asked earlier
17 if the Commission can grant a conditional license.
18 Yes, you can grant a conditional license. I looked
19 up this case now since we were talking.

20 The applicant pled and was sentenced to time
21 served and restitution of 121 days, and there were
22 court costs that seven years later were referred to
23 collection. She was never on probation. There was
24 never any violation of probation for this case.

25 Technically, the Court didn't have

1 jurisdiction to enforce the restitution order when
2 they didn't put her on probation, so they couldn't
3 have violated her for failure to pay the violation
4 of probation, and they can't open a subsequent
5 criminal case for failure to pay court costs and
6 fines. That's why they referred it to collection.

7 It's an incomplete record whether this is
8 still outstanding in collections. I can't tell
9 from looking at the docket because courts don't
10 really keep track, as far as I know. This is also
11 a case from 2005.

12 None of this information is scanned
13 electronically in any database that I have access
14 to. To Commissioner Drago's point about the police
15 report itself, I would have to submit a public
16 records request for this information in paper copy.

17 And the second question or the second issue
18 that the chairman brought up was the failure to
19 disclose. It is a persistent issue for staff where
20 an individual fails to disclose a prior conviction.

21 My only comment is that the conviction -- the
22 definition of a conviction for purposes of the
23 Chapter 550, 551 and 849 is broader, I think, than
24 a layman's understanding of it in that it captures
25 any sort of plea, regardless of adjudication.

1 Meaning, if your adjudication is withheld, as
2 was this particular applicant, you are convicted
3 within the meaning of Chapter 550. It is something
4 that we highlight on our form so they can't claim
5 that they have no notice of it.

6 But it is something that unless we change our
7 form, as Commissioner Brown has suggested in the
8 past, it may be a persistent problem, despite us
9 educating everyone as much as we can that they need
10 to disclose as much as possible.

11 CHAIRMAN UPTON: Any further discussions? Do
12 we have a motion?

13 COMMISSIONER D'AQUILA: I would like to make a
14 motion. Based on counsel's explanation with regard
15 to the court costs, it appears that we do not need
16 to attach those to the approval, so I would like to
17 make a motion to follow the recommendation and
18 observations of Commissioner Drago. What is the
19 motion, send it back?

20 COMMISSIONER DRAGO: Approve it, yes. Approve
21 the license.

22 COMMISSIONER D'AQUILA: Make a motion to
23 approve the license.

24 CHAIRMAN UPTON: Is that technically correct
25 that we can approve it?

1 MR. MARSHMAN: That's correct, Mr. Chair. You
2 can vote to approve the application for a license.

3 CHAIRMAN UPTON: We have a motion and a
4 second. All in favor?

5 (Multiple ayes.)

6 CHAIRMAN UPTON: All right. 9.2.

7 MS. ALVARADO: That is Kaliyah Alexander
8 2023-025733. This applicant applied for a slot
9 machine cardroom pari-mutuel combination
10 occupational license. After review of her
11 application, it was discovered that she was
12 convicted of possession of marijuana with intent to
13 sell, manufacture or deliver in 2019.

14 She did fail to disclose this on her
15 application. She did not apply for a waiver
16 because 561 does not compensate waivers by the
17 executive director. Therefore, the Division would
18 ask the Commission to authorize a notice of intent
19 to deny.

20 CHAIRMAN UPTON: Any discussion?

21 You're recognized.

22 COMMISSIONER DRAGO: Again, the same kind of
23 issues as we had in the first one, I think.
24 Possession of marijuana with intent, we don't know
25 what that meant in this case, whether she had 2

1 pounds of marijuana or 21 grams of marijuana.

2 And somebody's decision, either the officer or
3 the prosecutor decided that it was enough to
4 warrant possession with intent. I'm sorry we're
5 not sure what the circumstances are.

6 I don't know if this is a drug dealer
7 situation or it's just somebody with a substantial
8 amount of pot or what it is. And I don't know that
9 this is really a -- if it is a drug sale situation,
10 I think it would relate to pari-mutuel wagering
11 industry.

12 I think if it's a mere possession of
13 marijuana, then I'm not sure I see how it relates
14 to pari-mutuel wagering business. Again, this is
15 the only thing we're aware of, in terms of any
16 other felony convictions.

17 Again, this is four years ago. It's not that
18 long ago, but I think I'd like to have some
19 discussion on it because of the nature of the
20 conviction, as opposed to the time. I think I
21 would like to hear what the other commissioners
22 have to say in that regard, whether or not we would
23 deny a license based on that one offense.

24 CHAIRMAN UPTON: Commissioner Brown, you're
25 recognized.

1 COMMISSIONER BROWN: Thank you. The one thing
2 that jumped out at me about this case is that there
3 is not a lot of information in the file. A lot of
4 these other cases have substantial information.
5 Again, like the last case, we have letters of
6 support.

7 In terms of this investigation, was there any
8 direct discussion with the individual?

9 MS. ALVARADO: I'm not aware of the
10 discussions with our investigators or with our
11 staff with the individual. I don't think so. It's
12 not in the record. Usually they would make note of
13 that if they did make contact with the individual.

14 COMMISSIONER BROWN: There's just not a lot --
15 I mean, this individual is still employed by the
16 Island Capri currently. I would not be inclined to
17 support a denial without more information.

18 CHAIRMAN UPTON: Anything else from any of the
19 other commissioners?

20 COMMISSIONER DRAGO: Can I ask one more
21 question?

22 CHAIRMAN UPTON: We'll go Commissioner Drago,
23 then Commissioner D'Aquila.

24 COMMISSIONER DRAGO: Thank you. She was put
25 on probation. Do we know if she is still on

1 probation or not? I can't really figure it out
2 from the material.

3 MS. ALVARADO: I am not aware. If you can
4 give me a moment, I can check that.

5 MR. MARSHMAN: Mr. Chair.

6 CHAIRMAN UPTON: General counsel, you're
7 recognized.

8 MR. MARSHMAN: To Commissioner Drago's point,
9 I think we do have additional information that we
10 can provide. There is a police report that was
11 scanned not in our materials.

12 And Commissioner Brown's point, we wouldn't
13 have contact with this individual necessarily,
14 unless it was in the context of a waiver interview.
15 And because this applicant is not eligible for a
16 waiver, we don't have those types of conversations.

17 So that kind of explains the lack of personal
18 contact with this applicant. However, I think if
19 the Commission votes to table this item, we can
20 provide additional information to the
21 commissioners. I'm just not sure what the 90th day
22 is for granting or denying the application in this
23 case.

24 Ms. Alvarado, if she's allowed, if she can
25 provide that information to the Commission just to

1 consider the time. If not, I'm happy to provide a
2 summary of the police report. It does include
3 details.

4 It was a traffic stop. Marijuana and firearms
5 were located in the vehicle. We can go into that
6 now, if we'd like to do it now. I would only
7 advise that if we're on that 90th day cusp where if
8 we don't issue some notice of taking an action, we
9 would by default grant the application when the
10 Commission may have concerns about the applicant.

11 CHAIRMAN UPTON: Commissioner D'Aquila and
12 then Commissioner Brown. Commissioner Repp, do you
13 also have something? I thought you had your hand
14 up.

15 COMMISSIONER D'AQUILA: Ms. Alvarez, as I go
16 through the materials, if you can explain to me, I
17 see possession of equipment also. And then further
18 down, I see possession of paraphernalia. And I
19 think one of the charges is, if I understand
20 correctly, intent to sell.

21 In addition to possession of whether it be 21
22 grams or 2 pounds, is this also a case where the
23 individual was selling to others?

24 MS. ALVARADO: I do not have specific
25 information on the arrest in my file here.

1 Mr. Marshman's report might have more information
2 on that as well. I will say, the 90th day is not
3 until August. So if you would like to review the
4 report that Mr. Marshman has, I can add that and
5 address it again at the July meeting as well.

6 CHAIRMAN UPTON: As I understand it, it's a
7 certain amount. If you have a certain amount,
8 you're assumed to have the intent of selling. So I
9 don't think we necessarily know just from the --
10 we'd have to dig more into the facts.

11 COMMISSIONER D'AQUILA: So with those charges,
12 this would indicate that the amount would have to
13 be greater to have that on the initial charge.

14 CHAIRMAN UPTON: That's my understanding.
15 Commissioner Drago might have something. It's more
16 than just -- it's more than this individual, in the
17 eyes of the law.

18 COMMISSIONER DRAGO: So it can be the amount.
19 It can be the circumstances around it. It can be
20 paraphernalia might be like baggies, individual
21 baggies, or some type of manufacturing devices
22 nearby, something to indicate that this is more
23 than mere intent.

24 That's why I say it could be just possession
25 with baggies found. It can be, you know, depending

1 on the amount. Again, that's why I say without the
2 police report, it's difficult to know what extent
3 the person was involved with this, whether there
4 was any real evidence that it was her intent to
5 sell or whatever it might have been.

6 CHAIRMAN UPTON: What we do know is that four
7 years ago, she was convicted of this, and she lied
8 about it on her application, which I find troubling
9 because it was just four years ago. Whereas, the
10 last one we looked at, it was a much longer time.

11 To me, there's really no argument here that it
12 shouldn't have been reported. That's where I have a
13 little bit of an issue. I know Commissioner Brown
14 wanted further discussion.

15 COMMISSIONER BROWN: It's a perpetual problem
16 that we have with failure to disclose. Our forms
17 just need a little reworking on them. On the
18 current application, it doesn't -- other than the
19 section of disclosing the charge, it doesn't say
20 along with the application, please submit
21 additional materials, does it, currently? We don't
22 have that section that we discussed previously.

23 MR. MARSHMAN: If I may, I would suggest that
24 someone like Ms. Ricks, who is behind me, would
25 probably be most knowledgeable about what the

1 application says or doesn't say.

2 COMMISSIONER BROWN: I mean, even the forms
3 still have DBPR on it. We really need to look at
4 modifying them. Maybe some of this can be solved
5 and we can see less cases here that are inclined
6 that don't disclose.

7 CHAIRMAN UPTON: I agree that the form can be
8 improved, but I think it's more of a matter of
9 training on the HR side of the various operators
10 that these applicants know it's going to be found
11 out. You're in a much better position if you
12 disclose it than if you tried to hide it and then
13 we find out.

14 I think that should be more on the applicant.
15 I agree we don't need to have a form that says DBPR
16 on it or anything like that. But to me, the form
17 is pretty obvious. And I think when they're not
18 disclosing it, a vast majority of the time, they
19 know what they're doing.

20 COMMISSIONER DRAGO: Chairman, can I ask a
21 follow-up question?

22 CHAIRMAN UPTON: Yes.

23 COMMISSIONER DRAGO: So when somebody
24 doesn't -- and I know we've had this discussion
25 before. But when somebody doesn't fill out the

1 form entirely and they leave their address off, or
2 they leave a conviction off, or they leave their
3 date of birth off, is there some difference in the
4 way we look at that in terms of whether we're going
5 -- I know we send it back if it's not complete.

6 But is there a difference, meaning what they
7 leave off the application? Do you understand what
8 I'm saying? Do we have established policy -- I
9 know this is a rhetorical question -- established
10 policy that if they don't report or disclose
11 criminal convictions, we won't approve it, but if
12 they leave their address off, we'll give them
13 another shot to do it?

14 But isn't the reason we send them the -- I
15 forget what we call it -- but an incomplete, it's
16 not complete, a not complete report or application
17 so that they can look at it again and get a second
18 bite at the apple and put in whatever information
19 they may have left out, isn't that the purpose of
20 sending it to them the second time?

21 CHAIRMAN UPTON: You're recognized, Executive
22 Director.

23 MR. TROMBETTA: Thank you, Mr. Chair. I can
24 speak on the licensing process in general. We don't
25 have a set policy. We review the licenses on a

1 case-- license applications on an
2 application-by-application basis.

3 Deficiency letters are sent out when materials
4 are missing or the license is incomplete or where
5 essentially the agency can't make a decision based
6 on the information that was submitted and we need
7 more information.

8 The deficiency in terms of failing to
9 disclose, we do send out deficiency letters in that
10 instance, but it's more -- I don't want to say it's
11 more for anything.

12 But we review the applications separately.
13 And the information that either is provided or is
14 not provided, it's kind of all viewed
15 independently.

16 CHAIRMAN UPTON: Commissioner Repp.

17 MS. REPP: I agree on a lot of things. I come
18 from a background where omission is the same as a
19 lie. I do agree with Commissioner Brown
20 (inaudible).

21 CHAIRMAN UPTON: Question for the executive
22 director. Can we issue a letter or something
23 recommending to the permit holders here to stress
24 to their applicants, what I've mentioned, it's far
25 better to disclose than to have us find out later

1 because it certainly is a frustration?

2 And we don't know. We don't know if it --
3 like Commissioner Repp, I think I assume that it's
4 intentional, particularly when it happened in 2019.
5 You don't forget your felony conviction from four
6 years ago.

7 I do think that that's something that it's
8 more of an HR issue on the other side where they
9 can clarify to the applicant that's sitting there,
10 you need to disclose.

11 MR. TROMBETTA: Mr. Chair, I do think we have
12 a few options. I would suggest maybe that
13 operationally, we can have the pari-mutuel wagering
14 work with the licensing facilities to address sort
15 of the discussion we're having here about
16 completing the application.

17 However, some applicants don't -- you know,
18 that is one large group of applicants that go
19 through the pari-mutuels. There's a whole other
20 group that don't go through those pari-mutuels. So
21 I think that will solve a problem, and we
22 absolutely can do that.

23 I just want the Commission to be aware that
24 people can apply online. They can apply -- they
25 can submit their applications in a number of ways.

1 CHAIRMAN UPTON: Commissioner Brown.

2 COMMISSIONER BROWN: Thank you.

3 Mr. Trombetta, what is the process for revising
4 the forms, is it through rule making or --

5 MR. TROMBETTA: Yes, Commissioner Brown, it
6 is through rule making. Particularly, this form
7 has been incorporated by rule, so any change to the
8 form would have to go through formal rule making.
9 That's why it still says DBPR on the form.

10 COMMISSIONER BROWN: Is that one of the rules
11 that we're contemplating?

12 MR. TROMBETTA: Yes. We filed notice of
13 proposed rule -- no -- notice of rule development,
14 which is the initial stage for our occupational
15 licensing form, so it's something that we're going
16 through the process.

17 I plan to speak a little bit more about rule
18 making at the executive director update at the end
19 of the Commission meeting, but I'm happy to address
20 some of that right now.

21 COMMISSIONER BROWN: I think we'll just wait,
22 if that's okay. Thank you.

23 CHAIRMAN UPTON: I think that's better, too.
24 Does anyone have a motion on 9.2? Further
25 discussion?

1 COMMISSIONER BROWN: Mr. Chair, I would really
2 like to see a more complete file in the record
3 before we make --

4 CHAIRMAN UPTON: Would you like to make a
5 motion to table?

6 COMMISSIONER BROWN: Yes, sir.

7 CHAIRMAN UPTON: Any second?

8 COMMISSIONER D'AQUILA: I will second that,
9 table it to the next meeting.

10 CHAIRMAN UPTON: All in favor?

11 (Multiple ayes.)

12 CHAIRMAN UPTON: Unanimous that we'll table
13 9.2 until the next meeting.

14 Ms. Alvarado, you're recognized for 9.3.

15 MS. ALVARADO: That is 2023-027265, Robert
16 Jeffrey Kaye. This applicant is seeking a slot
17 machine cardroom pari-mutuel combination
18 occupational license. Upon our review of his
19 application, he was convicted of possession of
20 dangerous drugs in 1970.

21 He did fail to disclose this on his
22 application. He could not apply for a waiver
23 because it's a slot machine combo license under
24 Chapter 551. Back in 2017, there was a consent
25 order granting this applicant a cardroom

1 occupational license.

2 He also provided some sort of documentation
3 from New York. It's called a certificate of
4 release from disability which removes any
5 restrictions in New York from getting a license.
6 It's not necessarily applicable here, but it's
7 something to note.

8 So the Division would ask the Commission to
9 authorize a notice of intent to deny in this case.

10 CHAIRMAN UPTON: I will open it up for
11 discussion.

12 COMMISSIONER D'AQUILA: Ms. Alvarez, reading
13 all the materials, I was unclear. Maybe you can
14 help me. What is an NYCPL? What does that mean?
15 How does that -- does that have any relevance in
16 this matter?

17 MS. ALVARADO: Where are you reading NYCPL?

18 COMMISSIONER D'AQUILA: If you're in the
19 unredacted materials Page No. 1121, it refers to
20 NYCPL 720.35.

21 MR. DRAGO: I think that refers to criminal
22 procedure in the number, criminal procedure CPL
23 after whatever. The criminal procedure, it's in
24 the documents.

25 COMMISSIONER D'AQUILA: Does that have any

1 relevance here whatsoever? He was encouraged to
2 bring that up in connection with his license by
3 someone advising him on the outside. I see it in
4 the evidence.

5 MS. ALVARADO: Yes. Actually, the next page
6 on it has the actual youthful offender statute.

7 COMMISSIONER D'AQUILA: 2035 youthful
8 offender, right.

9 MS. ALVARADO: That doesn't have any relevance
10 here. I think it may apply in New York when he's
11 applying for a license. But here, he was
12 convicted --

13 COMMISSIONER D'AQUILA: So no relevance
14 whatsoever?

15 MS. ALVARADO: No.

16 COMMISSIONER D'AQUILA: Okay. Thank you.

17 CHAIRMAN UPTON: Commissioner Brown, you're
18 recognized.

19 COMMISSIONER BROWN: I think most importantly
20 to note here is that there's a stipulation and
21 contempt order that granted him a current
22 pari-mutuel license.

23 So with the same crimes that we are
24 contemplating today, simply because this is a slot
25 machine combo license, he can't request a waiver.

1 So we've already granted him a waiver for this 19
2 -- and he actually put all of his crimes.

3 He did disclose the crimes in the '80s and the
4 '70s. None go -- again, to Commissioner Drago's
5 earlier point, none go to whether he is fit to hold
6 a slot machine license. He's a current pari-mutuel
7 licensee.

8 COMMISSIONER D'AQUILA: It's my understanding
9 he's working as a guest services representative
10 currently, and I'm also looking at the package. I
11 want to put the gentleman in the '70s; is that
12 correct?

13 MS. ALVARADO: Right.

14 CHAIRMAN UPTON: This is unclear. His only
15 felony was in 1970, and he was, I think, 18 at the
16 time. No other felonies. They were DUI
17 misdemeanors, possession in 1986 in New York,
18 drugs.

19 And then also, I do think maybe the youthful
20 felony -- he probably -- well, I hate to say I know
21 what he's thinking. But it can be -- that is when
22 it can be confusing.

23 It's hard to distinguish between, if you're a
24 non-lawyer, that New York's laws aren't going to be
25 the same as Florida's laws, and you didn't have to

1 disclose it here and there. That one is more
2 understandable than just committing a crime four
3 years ago, in my opinion.

4 COMMISSIONER D'AQUILA: In light of the
5 circumstances, I'm inclined to make a motion to
6 approve a license.

7 CHAIRMAN UPTON: All in favor?

8 (Multiple ayes.)

9 CHAIRMAN UPTON: All right. Moving on to 9.4.

10 MS. ALVARADO: This is 2023-028305 Terrell
11 Lipscomb. He applied for a slot machine cardroom
12 pari-mutuel combination occupational license.

13 Upon review of his application, he has been
14 convicted of grand theft of a motor vehicle in
15 2020, possession of a vehicle without a VIN number
16 in 2020, dealing in stolen property in 2023, false
17 ownership information for a pawned item in 2023.

18 And he did disclose the felonies on his
19 application. He did not apply for a waiver because
20 you can't apply for a waiver under Chapter 551.
21 Therefore, the Division would ask that the
22 Commission authorize the notice of intent to deny
23 in this case.

24 CHAIRMAN UPTON: Open it up for discussion and
25 questions.

1 COMMISSIONER BROWN: These crimes go to -- are
2 very relevant to being granted a license. With
3 that, I would move to approve the staff
4 recommendation.

5 COMMISSIONER D'AQUILA: Second.

6 CHAIRMAN UPTON: All in favor?

7 (Multiple ayes.)

8 CHAIRMAN UPTON: Unanimous. We move on to
9 Agenda Item No. 10. And, Mr. Executive Director,
10 the floor is yours.

11 MR. TROMBETTA: Thank you, Mr. Chair. So I
12 have a few updates to provide. I think first in
13 accordance with Section 285.710, the Florida Gaming
14 Control Commission has to distribute moneys to
15 several cities and counties within the state based
16 on moneys paid as part of the revenue share by the
17 Seminole Tribe of Florida.

18 The regulatory team of Division of Pari-Mutuel
19 Wagering has submitted the paperwork to DFS this
20 past week to make payments of an amount of about
21 \$5.6 million distributed to 11 cities and counties.
22 It goes to DFS, so we've essentially sent the
23 paperwork out.

24 This is money that's relied on by these cities
25 and counties. So the notice was for the Commission

1 to be aware that it's happened so that if any of
2 the counties are tuning in, they're aware to that
3 it is going out.

4 The moneys, the revenue shares are based on
5 payments made from October of 2021 to February of
6 2022, so going back a little bit. Any questions on
7 that?

8 And then moving on to rule making updates, so
9 I do have a few updates. A few meetings ago, the
10 Commission provided the authority for me and my
11 staff to have rule making on a few areas. We
12 initially filed notice of rule development in three
13 areas.

14 One was public comments made at the Commission
15 meetings. The second one was forms for
16 occupational licensing. Well, it's really
17 occupational licensing, not just forms.

18 And the third area was a greyhound cleanup.
19 Essentially, with greyhound racing ending, there's
20 still a number of rules that reference greyhounds,
21 and we have a -- you know, we intend to kind of
22 clean all of that up.

23 The rule development is still going on for the
24 greyhound cleanup and for the occupational
25 licensing. Essentially, our staff is reviewing the

1 rules and trying to come up with a plan before we
2 move to the next step, which is filing a notice of
3 proposed rule.

4 Today the notice of proposed rule is noticed
5 in FAR on the public comment portion our rule.
6 This was modified, as discussed in the last
7 Commission meeting to provide a three-minute
8 speaking period.

9 However, there was some additional discussion
10 at that meeting about some additional requests to
11 have in the rule. We didn't move forward on that.
12 Frankly, I'd like to turn it over to legal affairs
13 for any comments or thoughts or questions about
14 what happened.

15 Essentially, the advice from legal counsel was
16 to try to stick to the rule, I guess, to make it as
17 clean as possible, just sticking with public
18 comment. And then if the Commission wants to go
19 into other areas during public meetings, we would
20 probably do that through a different rule.

21 So at this point, I would like to kind of open
22 it up if you have any other thoughts or any ideas
23 on some items that you'd like us to cover in rule
24 making regarding the process of the Commission
25 meetings, we can do that.

1 And I know the discussion of -- what were some
2 of the things, Liz. Do you mind jumping in here.
3 What were some of the things that we discussed?

4 MS. STINSON: Sure. So we discussed including
5 information about the IT policy saying that we were
6 going to try and provide the same access
7 electronically as we were in person, and that
8 typically is addressed through a different rule,
9 other than the public comment rule.

10 So we wanted to keep the rule as this
11 particular rule based only on the public comment
12 section and then include information about other
13 procedural items and other rules in that chapter.

14 MR. TROMBETTA: And so big picture, we are
15 trying to effectuate rule making as the Commission
16 desires. We're just trying to do it in the best
17 way. So even if there's nothing at this point, I
18 just want you all to know that if there are other
19 things that you'd like us to adopt to govern
20 Commission meetings, we can do it.

21 You have some time to think about it, but we
22 can do it. We just need to do it through the
23 correct rule-making process.

24 For the other two rules, so for greyhound rule
25 making, again, that's still rule development of the

1 next step for both greyhound cleanup and for the
2 occupational licensing. The next step would be to
3 move and file a notice of proposed rule and then
4 try to move forward.

5 At that point, we would have to have a draft
6 of the language. That's essentially what's slowing
7 that process down. Finally, in terms of rule
8 making, there's a notice of technical change has
9 been filed as well.

10 The technical change is really the DBPR
11 cleanup. It kind of moves and replaces references
12 to DBPR with the FGCC. That is also in the
13 process. Essentially, we've done our end, and
14 we're kind of waiting for, is it FAR, to correct
15 the existing rules.

16 Is there any questions on rule making?

17 From the legislative sessions, House Bill
18 No. 7063 was signed by the Governor. This was the
19 bill related to tax credits for thoroughbred
20 horseracing permit holders associated with the HISA
21 program.

22 So the intent, big picture here is that the
23 thoroughbred permit holders in the state that are
24 part of the HISA program will be able to request a
25 tax credit from the Gaming Commission to offset

1 costs associated with the HISA implementation.

2 So that bill has been passed. That is going
3 to be something that we are going to be working
4 with permit holders to help make happen this year,
5 so just update there.

6 As Mr. Marshman said in some of the HISA
7 discussion, HISA drug testing program did go into
8 effect May 22nd. So we are at the racetracks in
9 the state of Florida, we are now operating under
10 HISA's drug testing rules as the agreement.

11 As we were just authorized to sign the
12 agreement, we'll continue to have our staff
13 collect, do sample taking, and our investigators
14 will work with HISA to conduct any investigations
15 that are needed.

16 There's a lot of things happening with the
17 close -- with the end of fiscal year coming up just
18 kind of around the admin IT side. Our IT team has
19 been in the process of moving as many users onto
20 the Gaming Commission's own network as possible.

21 We've kind of come up with a plan where we are
22 keeping -- right now, there's issues with some of
23 our document processing and record retention
24 programs. So employees that have a large
25 responsibility in using those programs, we're kind

1 of keeping on DBPR so we can fix some of the issues
2 that have come up.

3 We're trying to move everybody else onto the
4 Gaming Commission's network as soon as possible.
5 So I know IT is doing a lot in that area.

6 Admin-wise, same type of thing. Our
7 construction is going really well at the building
8 over here. We're hoping -- I don't have a
9 deadline, but for the commissioners, for the staff
10 that are watching, we are trying to make that move
11 happen as soon as possible.

12 Right now, the plan is to as construction
13 winds up to move people that are in temporary
14 offices. I'm pointing. Sorry. At the 4070
15 location into their final offices and then move
16 people from the other building over once those
17 offices are ready.

18 Again, I don't have a firm deadline, but I
19 think it's coming up pretty quick. It won't happen
20 probably before the end of this fiscal year. But
21 shortly thereafter, I think we're going to be able
22 to make some rules on moving people into that
23 building, which I think will be a great thing for
24 me, for staff, just to have everybody in the same
25 place. It's going to make thing a lot easier, so

1 that's exciting.

2 I'm going to turn it over to Carl Herold, our
3 director of law enforcement, to give you an update
4 on some of the law enforcement activities that have
5 occurred over the past month. But before I do
6 that, I just want to also point to the next
7 Commission meeting.

8 Just while we're here, I think I've spoken
9 with all of you to get scheduling. It looks like
10 July 11th everybody is available for the next
11 Commission meeting. If that is still the case, I'd
12 just like to get that out there publicly. Does
13 that still work? Perfect.

14 And then I'm planning, depending on the
15 feedback I get right now to have kind of a year in
16 review at that meeting. I would like kind of our
17 admin team, kind of the senior management to have
18 five or ten minutes to kind of present to you and
19 to everybody that's watching what we've been able
20 to accomplish in the last year. It's a ton. We've
21 done a ton.

22 Looking back, we've got a lot done, and I
23 would like to show that off to you all to allow you
24 to answer questions to talk about some of the kind
25 of internal things we've been working on and

1 external stuff that we've got done.

2 So, you know, if that's something you'd like,
3 I'd like to go forward doing that for the next
4 meeting.

5 If there's nothing else, Mr. Herold, the floor
6 is yours.

7 MR. HEROLD: Thank you. For the record, Carl
8 Herold, the director of law enforcement.

9 CHAIRMAN UPTON: If I may, I would like to do
10 one thing. I would like to commend you,
11 Mr. Herold. You and your team have done an
12 excellent job with the recent enforcement actions,
13 and I just wanted to note that for the record.
14 Great work on that. Now the floor is yours.

15 MR. HEROLD: Well, since you brought that up,
16 I've got a little something. First, thank you very
17 much. You know, I'm gratified that I was able to
18 do something as far as the whole unit in the law
19 enforcement realm that gave some value to the works
20 of everybody in our agency.

21 I mean, you know, while this was a law
22 enforcement action, it was not without the help of
23 everybody within the Gaming Enforcement Unit, from
24 administration to general counsel's office and
25 everybody in between.

1 And I think -- Mr. Chair, you weren't here
2 whenever I initially spoke about getting this
3 position. I really stress collaboration and
4 working partnerships with our law enforcement
5 community, and I think that this particular action
6 really highlights that sense of cooperation and
7 collaboration.

8 I did want to take an opportunity to kind of
9 highlight the men and women that were a part of
10 this in the law enforcement community that helps us
11 out.

12 Commissioner Mark Glass with his folks from
13 FDLE, Sheriff Rick Bradshaw with the Palm Beach
14 County Sheriff's Office, Sheriff Ken Mascara from
15 the St. Lucie County Sheriff's Office, Sheriff Chad
16 Chronister from Hillsborough County Sheriff's
17 Office, and then Chief Anthony Holloway of St. Pete
18 PD.

19 All their folks were instrumental in helping
20 us carry this out, so they certainly deserve a
21 great deal of our thanks and gratitude for what
22 they've done for us. Thank you. I'm glad we were
23 able to do this.

24 Kind of a summary of what happened in that
25 action is we were able to close four arcades.

1 Personally, I don't like that term. It insinuates
2 that it is some sort of lawful action that is very
3 innocent, but it is not. We were able to close
4 four arcades. We confiscated 359 slot machines.

5 The number of cash and bank deposits that were
6 seized is just over \$1 million and over \$2 million
7 worth of property had liens put on them, since they
8 were all purchased through proceeds of these
9 illegal actions.

10 We made five arrests for everything from money
11 laundering to RICO to some other possession of slot
12 machines and those kind of things like that.

13 Probably the greatest compliment to all of that is
14 that now the news media is helping us carry the
15 banner and educate the public and educate these
16 business owners that are out there that if they're
17 going to conduct themselves in an illegal
18 operation, they're going to be identified.

19 Going forward, we already have four or five
20 operations in various level of completeness. So
21 this is certainly not the only one that you'll see.
22 It's the first one, and I'm glad it turned out to
23 be very identifiable to the public and something
24 that we can hang our hat on, but this is certainly
25 not the last one. Thank you.

1 CHAIRMAN UPTON: Thank you.

2 Commissioner Brown.

3 COMMISSIONER BROWN: I cannot echo it more
4 emphatically your compliments to Carl and his team.
5 Literally, you have been working with these
6 partners. There were two law enforcement officers
7 in our agency.

8 And what you have been able to achieve is just
9 mind blowing with the limited resources that you
10 had, and I know there's more to come. You've just
11 done a tremendous job. The more resources you get,
12 I think we'll begin to see it even more mind
13 blowing.

14 So, Carl, thank you so much for working so
15 hard and for your team. You guys have been doing a
16 great job.

17 I also want to commend our admin, our HR, our
18 CIO. What they're doing, too, is just incredible,
19 and our new external affairs director, too.

20 MR. HEROLD: Absolutely. And without their
21 assistance, this would not have been possible. I
22 do want to specifically call out Dan DeCoursey
23 (phonetic), my chief of law enforcement because
24 without him there to help stand shoulder to
25 shoulder, it wouldn't have been possible. Thank

1 you.

2 CHAIRMAN UPTON: Thank you.

3 Commissioner Repp.

4 COMMISSIONER REPP: I'd also really want to
5 commend you. I was there in Hillsborough for the
6 law enforcement action. I'm really excited to see
7 what you did with so little resources at that time.

8 I got to sit down and talk to you about your
9 vision for how you plan to develop and your ideas
10 and your values behind how you want to create your
11 department. I'm really excited to see it.

12 I'm glad that I'm here to watch you follow
13 through with your vision. I know it's going to be
14 great. I appreciate your efforts, and we're very
15 lucky to have you.

16 MR. HEROLD: Thank you. I'm humbled.

17 COMMISSIONER D'AQUILA: I would just like to
18 multiply all of that praise by two. Thank you very
19 much, sir, for all your work.

20 MR. HEROLD: Thank you.

21 MR. DRAGO: I guess I'm going to have to say
22 something. Everybody I think knows how I feel
23 about the work you guys have done. I really do
24 appreciate it. I know what's gone into it,
25 especially with the limited resources that you had.

1 I also want to make sure -- because my
2 understanding is that the statewide prosecutor, of
3 course, is a valuable part in this, too. I want to
4 make sure we recognize them as well and appreciate
5 their efforts.

6 Their help is what's going to help make this
7 all happen as we go statewide. So, yes, thank you
8 so much for what you've done. Thank you for your
9 folks. I know you're moving ahead and hiring more
10 people. So as you hire more people, we certainly
11 expect you to do way more work and get more and
12 more arrests, so thank you, everybody.

13 MR. HEROLD: The only thing I would say is,
14 again, I'm grateful for all this praise. Without
15 my executive director being there helping make
16 these things happen, it wouldn't be possible. I
17 thank you very much. Hope to do more.

18 CHAIRMAN UPTON: On to Agenda No. 11, public
19 comment. I do not have any cards. I understand we
20 do not have any public comment today. Anything
21 further from any of the commissioners?

22 Mr. Lockwood, welcome.

23 MR. LOCKWOOD: I apologize. I did not realize
24 we were doing public comment cards on just the
25 public speaking portion, so I'll fill this out and

1 get this in.

2 Briefly, one, it's great now that we have back
3 full Commission slate with five commissioners.
4 Great to see you. I look forward to working with
5 everyone.

6 Second, I just would like to echo the thanks
7 that Carl and the law enforcement staff with the
8 internet cafes and the arcades. It's certainly
9 been a very big issue for all of my clients over
10 the years, and it's really gratified to see this
11 actually taking place and some change being
12 accomplished.

13 Last, Lou had mentioned rule making that the
14 Commission staff is undertaking. In the last
15 couple weeks, my firm and myself have been working
16 with the staff on the concept of cashless wagering
17 in the context of slot machine operations.

18 I know that some of the commissioners may be
19 aware of this and some of the protocols that are
20 going on and the products that are on the market.
21 At this point, our slot machine laws really and the
22 rules and regulations haven't been modified in a
23 number of years.

24 The concept of cashless wagering I think is
25 certainly contemplated by Chapter 551. But maybe

1 through various technological issues, we've got
2 some rules that may or may not be problematic.

3 At a minimum, I know that staff would want to
4 see kind of more standalone rules to make sure that
5 they're gathering the data that they're needing in
6 order to conduct their audits and enforcements and
7 things of that nature.

8 And with that, I would hope that the
9 Commission -- I'm asking that the Commission at
10 least give some direction to staff.

11 I feel like they need that direction now to
12 kind of continue their exploration of this idea and
13 this technology so that the slot machine facilities
14 can have this technology. It is definitely
15 something that is becoming more prevalent in the
16 casino gaming industry.

17 CHAIRMAN UPTON: Any questions? Okay. Thank
18 you. Do you have anything further?

19 MR. LOCKWOOD: Nothing further. Thank you.

20 CHAIRMAN UPTON: Thank you. Would anybody
21 else like to say anything? I know it wasn't -- it
22 may not have been clear, but I do like to have the
23 comment cards, just so I know who's speaking. No
24 other speakers, then we'll stand adjourned.

25 (Proceedings concluded at 10:48 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 telephonic proceeding, and that the transcript is a true and complete record of my stenographic notes.

Dated this 15th day of August, 2023.



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

Job No.: 311548

Florida Gaming Control Commission

Meeting

July 11, 2023



Meeting
July 11, 2023

TRANSCRIPTION OF FLORIDA GAMING CONTROL COMMISSION
MEETING

JULY 11, 2023

Stenographically Transcribed Audio Recording By:
Shelby Rosenberg, Florida Professional Reporter

Job No.: 320041

1 Thereupon,
2 the following proceedings were transcribed from an audio
3 recording:

4 CHAIRMAN UPTON: Okay. Good morning. Welcome
5 to -- let's go on the record. Welcome to the
6 July 11, 2023 meeting of of the Florida Gaming
7 Control Commission. We're going to begin with the
8 Pledge of Allegiance. I'd like to ask Vice Chair
9 Brown to lead us today.

10 VICE CHAIR BROWN: Thank you, Mr. Chairman.
11 Please rise with me.

12 (Pledge of Allegiance.)

13 CHAIRMAN UPTON: Okay. The first order of
14 business today is the approval of the minutes from
15 May 2, 2023. We'll take those up together, that's
16 1.1 and 1.2 on the agenda. Do I -- any discussion on
17 the minutes? A motion to approve the minutes?

18 VICE CHAIR BROWN: Chairman, I move to approve
19 items 1.1 and 1.2 meeting minutes.

20 COMMISSIONER D'AQUILA: Chairman, I'll second.

21 CHAIRMAN UPTON: Okay. All in favor?

22 ALL MEMBERS: Aye.

23 CHAIRMAN UPTON: Approval of the minutes is
24 unanimous. Moving on to the discussion of the
25 consent orders. We have that agenda to be taken up

1 together, unless one of the commissioners has
2 something they'd like to discuss on these. Okay.
3 Can I get a motion to approve 2.1 through 2.3?

4 VICE CHAIR BROWN: Mr. Chairman, I'll go ahead
5 and move Items -- the staff recommendation on Items
6 2.1 through 2.3.

7 CHAIRMAN UPTON: Do I have a second? I'll
8 second it. All in favor?

9 ALL MEMBERS: Aye.

10 CHAIRMAN UPTON: Moving on to Agenda Item
11 No. 3, discussion of the default final orders
12 Again, do any of the commissioners have anything
13 they'd like to discuss here? All right.
14 I'll make a motion to approve the staff
15 recommendation here. Do I have a second?

16 VICE CHAIR BROWN: Second.

17 CHAIRMAN UPTON: All those in favor?

18 ALL MEMBERS: Aye.

19 CHAIRMAN UPTON: All right. Onto Agenda
20 Item 4, the discussion of application for transfer of
21 permit holder tax credit exemption.

22 Now, when I read through these, these all look
23 to be uncontested on the same issue. Do we have a
24 problem taking these up together as well? Any
25 discussion on these? All right. Then I'll make a

1 motion to approve 4.1 through 4.6. Do we have a
2 second on that?

3 COMMISSIONER D'AQUILA: Second.

4 CHAIRMAN UPTON: All those in favor?

5 ALL MEMBERS: Aye.

6 CHAIRMAN UPTON: All right. It's unanimous.
7 We'll move on to Agenda Item 5 No. 5, discussion of
8 renewal application for slot machine license, that's
9 5.1, that's Gretna Racing. We have someone from
10 staff who would like to present on this.

11 MS. POUNCEY: Good morning, Jamie Pouncey,
12 Permit Holder Program Administrator for Pari-Mutuel
13 Wagering. Item No. 5.1, Case No. 2023-035062. It is
14 the annual slot license renewal for Gretna Racing,
15 LLC, d/b/a Magic City Casino. The slot machine
16 license application was submitted on June 19, 2023,
17 the application was deemed complete as of June 27,
18 2023, they have submitted all the required
19 documentation to include the application, the other
20 numerous requirements to be elements to the slot
21 machine license, and the division recommends
22 approval.

23 CHAIRMAN UPTON: We'll open it up for
24 discussion.

25 VICE CHAIR BROWN: Mr. Chairman, all of the

1 prerequisites have been met and there's been all of
2 the appropriate disclosures with this application.
3 With that, I'd move the approval of the application
4 renewal.

5 CHAIRMAN UPTON: I'll second that motion. All
6 those in favor?

7 ALL MEMBERS: Aye.

8 CHAIRMAN UPTON: All right. In unanimous.
9 Moving on to Agenda Item No. 6. We'll do 6.1, that's
10 the Florida Standardbred Breeders' and Owners'
11 Association. It's a renewal application for
12 non-wagering pari-mutuel license.

13 MS. POUNCEY: That's Case No. 2023-001563. The
14 Florida Standardbred Breeders' and Owners'
15 Association has submitted their annual admission for
16 renewal of their non-wagering license for calendar
17 year 2024. They have requested to operate seven
18 non-wagering performances, they have submitted the
19 required information for their license, they possess
20 the qualifications, and the division is recommending
21 approval of their non-wagering license for the
22 calendar year of '24.

23 CHAIRMAN UPTON: Thank you. We'll open it up
24 for discussion. All right.

25 COMMISSIONER D'AQUILA: [Indiscernible].

1 CHAIRMAN UPTON: I'll second that. All those
2 in favor?

3 ALL MEMBERS: Aye.

4 CHAIRMAN UPTON: All right. 6.1 is approved.
5 Moving on to Agenda Item No. 7. 7.1, that's the
6 discussion of final orders by request from
7 respondent, that's Mr. Timothy McDonald. I'd like to
8 hear from staff on this.

9 MS. ALVARADO: This is Emily Alvarado for the
10 record. That's Case No. 2023-012964. In this case
11 the respondent was provided with an administrative
12 complaint seeking exclusion from all pari-mutuel and
13 slot machine facilities. He responded with an
14 election of rights requesting that a final order be
15 issued against him, and therefore the division would
16 ask that the commission enter a final order adding
17 respondent to the permanent exclusion list.

18 CHAIRMAN UPTON: Thank you. We'll open it up
19 for discussion.

20 VICE CHAIR BROWN: Mr. Chairman, if there's no
21 discussion, I would go ahead and move approval of the
22 final order.

23 CHAIRMAN UPTON: Okay. We've got a motion to
24 approve. I'll second that. All those in favor?

25 ALL MEMBERS: Aye.

1 CHAIRMAN UPTON: On to Agenda Item 7.2.

2 MS. ALVARADO: FGCC vs. Lisandro Sky,
3 Case No. 2023-013741. In this case, it was an
4 administrative complaint that was filed seeking
5 exclusion and revocation of the respondent's license
6 or slot machine card room pari-mutuel wagering
7 occupational license. They were excluded and fired
8 from Hialeah Park on February 20, 2023. He had
9 responded with an election of rights requesting that
10 a final order be issued against him, therefore the
11 division would ask that the commission exclude
12 respondent from all pari-mutuel slot machine
13 facilities as well as revoke his license.

14 CHAIRMAN UPTON: Thank you. We'll open it up
15 for discussion.

16 I have a question on this one, and maybe
17 I missed it in the materials.

18 When it says that the respondent asked for a
19 penalty, what was their request for in this case?

20 MS. ALVARADO: They don't make a specific
21 request. They're given a form that gives them
22 multiple options. In this case, they were given an
23 option for a formal hearing, an informal hearing, or
24 option three, which is what they checked. It just
25 says the division will make a decision on a final

1 order in this case.

2 CHAIRMAN UPTON: Are they aware of the severity
3 of the penalty?

4 MS. ALVARADO: Yes. The administrative
5 complaint does address what the penalty would be or
6 what the potential penalty could be.

7 CHAIRMAN UPTON: Do we have a motion on this?

8 COMMISSIONER DRAGO: I'll move to approve staff
9 recommendation.

10 CHAIRMAN UPTON: Okay. I'll second that. All
11 those in favor?

12 ALL MEMBERS: Aye.

13 CHAIRMAN UPTON: Unanimous on 7.2. On to
14 Agenda Item No. 8, discussion of recommended orders.
15 8.1, we'll hear from staff on that.

16 MS. ALVARADO: FGCC vs. Patty Anne Burns, Case
17 No. 2023-0511570. This case comes before you
18 following a recommended order that was issued by the
19 hearing officer. An informal hearing was conducted
20 on April 25, 2023 regarding an administrative
21 complaint seeking to suspend respondent's license for
22 an unpaid financial obligation relating to racing
23 conducted at a pari-mutuel in the state of Florida.
24 After the hearing, the hearing officer recommended
25 entering an order suspending respondent's license

1 until proof was provided that the unpaid financial
2 obligation has been satisfied. The hearing officer
3 gave the respondent until October 11, 2023 to provide
4 proof of past action of the debt. Therefore, the
5 Florida Gaming Commission would ask that that
6 commission adopt the hearing officer's recommended
7 order.

8 CHAIRMAN UPTON: All right. Thank you,
9 counsel. We'll open it up for discussion.

10 VICE CHAIR BROWN: Mr. Chairman, I think this
11 strikes the perfect balance of leniency, but also
12 giving the respondent an opportunity to rectify their
13 error. And with that, I would move approval if
14 there's no other discussion on the item.

15 CHAIRMAN UPTON: Any other discussion? Do we
16 have a second to Vice Chair Brown?

17 COMMISSIONER DRAGO: I'll second.

18 CHAIRMAN UPTON: All these in favor?

19 ALL MEMBERS: Aye.

20 CHAIRMAN UPTON: Unanimous for the
21 recommendation.

22 MR. MARSHMAN: Mr. Chair?

23 CHAIRMAN UPTON: Yes.

24 MR. MARSHMAN: I'm sorry to interrupt. I've
25 been informed that our audio might not be

1 broadcasting correctly on The Florida Channel's
2 website. We're trying to fix that. I'm not sure how
3 you'd like to proceed.

4 CHAIRMAN UPTON: You want to take a five-minute
5 recess, see if we can figure it out?

6 MR. MARSHMAN: I believe that would help.

7 CHAIRMAN UPTON: We'll stand in recess.

8 MR. MARSHMAN: Thank you.

9 (Brief recess taken.)

10 CHAIRMAN UPTON: I'd ask everybody to have a
11 seat, we're going to go back on the record here in a
12 few seconds. Okay. We'll go back on the record.

13 We'll take up Agenda Item 8.2. We'd ask to
14 hear from staff now.

15 MS. ALVARADO: This is Emily Alvarado for the
16 record. Item 8.2 is FGCC vs. Luis Y. Roll in
17 Case No. 2023-005746. This case comes before you
18 following the recommended order that was issued by
19 the hearing officer. An informal hearing was
20 conducted on April 25, 2023 regarding a two-count
21 administrative complaint alleging that respondent was
22 convicted of a felony and failed to inform us of the
23 felony within 48 hours. The hearing officer
24 recommended entering an order revoking respondent's
25 pari-mutuel wagering general and divisional

1 occupational license, therefore the division would
2 ask that the commission adopt this recommendation.

3 CHAIRMAN UPTON: Thank you, Ms. Alvarado.
4 We'll open it up for discussion. No discussion --

5 VICE CHAIR BROWN: This is a pretty clear-cut
6 case here, pretty onerous charges, and the fact that
7 he neglected to disclose it. With that, I would
8 agree with the hearing officer and approve the
9 recommended order.

10 CHAIRMAN UPTON: All right. Do we have a
11 second on the motion?

12 COMMISSIONER D'AQUILA: Second.

13 CHAIRMAN UPTON: All those in favor?

14 ALL MEMBERS: Aye.

15 CHAIRMAN UPTON: Staff recommendation is
16 approved. Moving on to agenda items 9.1 and 9.2,
17 discussions of order vacating final orders.

18 9.1, we will hear from staff, Ms. Alvarado.

19 MS. ALVARADO: 9.1 is 2023-003527, FGCC versus
20 Marquitta Jones. The commission seeks to vacate
21 the final order that was issued on June 9, 2023
22 permanently excluding respondent from all pari-mutuel
23 and slot machine facilities in the state. The
24 administrative complaint was served at the wrong
25 address and we reviewed notification of the new

1 address for respondent. So the division would ask
2 that the commission allow us to vacate the final
3 order and reissue the administrative complaint in
4 this case.

5 CHAIRMAN UPTON: Thank you. I'll open it up
6 for discussion. Seems pretty straightforward to me.
7 If the respondent didn't receive notice, we need to
8 provide them with proper notice. So I'll make a
9 motion to approve the staff recommendation.

10 COMMISSIONER DRAGO: Second.

11 CHAIRMAN UPTON: All those in favor?

12 ALL MEMBERS: Aye.

13 CHAIRMAN UPTON: Ms. Alvarado, on 9.2.

14 MS. ALVARDO: 2023-014450, Lucasindre Remy.

15 This case is similar to the last. The
16 commission entered a final order permanently
17 excluding respondent from all pari-mutuel slot
18 machine facilities in the state and the
19 administrative complaint was served at the wrong
20 address. So we'd ask that the commission allow us to
21 vacate the final order and serve the respondent at
22 the correct address.

23 CHAIRMAN UPTON: Okay. Motion to approve the
24 staff recommendation?

25 COMMISSIONER DRAGO: I'll make it. So moved.

1 CHAIRMAN UPTON: I'll second that. All those
2 in favor?

3 ALL MEMBERS: Aye.

4 CHAIRMAN UPTON: Staff recommendation is
5 approved for 9.2. Moving on to Agenda Item No. 10,
6 discussion of licensed denials. We'll hear from
7 staff on 10.1.

8 MS. ALVARADO: That is 2023-021465, Celestino
9 Lanza. The division received an application
10 for Celestino Lanza on April 6, 2023. He was
11 seeking a general and divisional occupational
12 license. After review of the application, it was
13 discovered that they were convicted of manufacture,
14 possession and delivery of more than one kilogram of
15 cocaine and manufacture, deliver or possession with
16 intent of a schedule five drug in 2017. They failed
17 to disclose this on their original admission and
18 disclosed one of the convictions on the amended
19 application. The applicant applied for waiver which
20 was declined by the executive director, therefore the
21 division would ask that that commission authorize the
22 issuance of a notice of intent to deny in this case.

23 CHAIRMAN UPTON: Thank you. We'll open it up
24 for discussion. No discussion, do we have a motion?

25 COMMISSIONER D'AQUILA: [Indiscernible].

1 CHAIRMAN UPTON: I'll second that motion. All
2 in favor?

3 ALL MEMBERS: Aye.

4 CHAIRMAN UPTON: It's unanimous. Staff
5 recommendation is approved for 10.1.

6 Ms. Alvarado on 10.2.

7 MS. ALVARADO: 2023-025733, Kaliyah Alexander.
8 The division received an application for the
9 applicant on May 3, 2023. They were seeking a slot
10 machine card room pari-mutuel combination
11 occupational license. After review of the
12 application, it was discovered that they were
13 convicted of possession of marijuana with intent to
14 sell or deliver in 2019. This was on the June
15 meeting materials, and the commission asked that we
16 include the arrest report into the packet, and that
17 has been included in the meeting materials. The
18 applicant did not apply for waiver because it is not
19 authorized under Chapter 551, and the division would
20 ask that the commission authorize the notice of
21 intent to deny in this case.

22 CHAIRMAN UPTON: Thank you. I will open it up
23 for discussion.

24 COMMISSIONER DRAGO: I just want to say thank
25 you for getting that extra information. It does

1 clarify it quite a bit for me anyway. So I
2 appreciate you getting that. That helps a lot in my
3 decisionmaking on this and where I want to go on it.

4 VICE CHAIR BROWN: I would agree. That second
5 judicial circuit affidavit as well provided a lot
6 more detail surrounding the incident. And it is
7 clear that this is -- I would agree with staff
8 recommendation on denying this applicant at this
9 time.

10 CHAIRMAN UPTON: Anyone else? Do we have a
11 motion?

12 COMMISSIONER DRAGO: So moved.

13 CHAIRMAN UPTON: All those in favor?

14 ALL MEMBERS: Aye.

15 CHAIRMAN UPTON: Okay. That one is unanimous
16 as well. And we'll hear from the staff on 10.3.

17 MS. ALVARADO: This is 2023-0030433, Kijuana
18 Larkins. The division received a license
19 application on May 10, 2023 seeking a slot machine
20 card room pari-mutuel wagering combination
21 occupational license. After review of the
22 application, it was discovered that she was convicted
23 of two grand thefts in 2003. The applicant did not
24 apply for waiver because it's not contemplated under
25 Chapter 551, therefore the division would ask the

1 commission issue a notice of intent to deny in this
2 case.

3 CHAIRMAN UPTON: Okay. I'll open it up for
4 discussion.

5 COMMISSIONER DRAGO: I have one question, Mr.
6 Chair.

7 CHAIRMAN UPTON: Okay, yes.

8 COMMISSIONER DRAGO: Did it turn out to be a
9 felony or misdemeanor conviction? I know it started
10 out as a felony. I thought I read something in there
11 that it ended up being misdemeanor.

12 MS. ALVARDO: It ended up being two felony
13 convictions, two grand theft felony convictions.

14 COMMISSIONER DRAGO: Thank you.

15 CHAIRMAN UPTON: Further discussion?

16 VICE CHAIR BROWN: Mr. Chairman, I would move
17 to approve the license denial recommendation.

18 CHAIRMAN UPTON: I'll second that. All in
19 favor?

20 ALL MEMBERS: Aye.

21 CHAIRMAN UPTON: Okay. We're moving on then to
22 Item No. 11, that's the executive director update.
23 And we'll hear from you, executive director.

24 MR. TROMBETTA: Thank you, Mr. Chair. I have
25 one -- there's one update on the agenda, and I'm

1 available for any additional questions. This update
2 really involves rulemaking, and there's a few kind of
3 subparts to this.

4 As I mentioned last meeting, the technical
5 change that was filed to move the existing rules into
6 a new chapter has now been completed. So all of our
7 forms that have previously existed in Chapter 61D are
8 now technically changed to I think Chapter 75 --
9 yeah, Chapter 75. So it's a good step in the right
10 direction in terms of the types of transfer that was
11 supposed to happen.

12 Secondly, the time period to adopt the
13 public comment rule has now passed. So with your
14 kind of authority, I do need the commission's consent
15 to move to adopt that rule. So this is the rule that
16 would provide public comment guidelines for meetings.
17 So that is what I'm seeking today for the second
18 point.

19 CHAIRMAN UPTON: All right. Any discussion?
20 Any questions on the public comment rule? Then you
21 need a motion -- you need us to approve the
22 rulemaking, correct? For the public comment.

23 MR. TROMBETTA: Yes, Mr. Chair.
24 I need essentially the authority to file
25 a notice of adoption as it relates to the public

1 comment rule.

2 CHAIRMAN UPTON: Okay. I'll make a motion that
3 we allow the executive director the authority that he
4 needs to file on the public comment.

5 COMMISSIONER DRAGO: I'll second that.

6 CHAIRMAN UPTON: All those in favor?

7 ALL MEMBERS: Aye.

8 MR. TROMBETTA: Thank you. Then I wanted to
9 touch on cashless rulemaking. This was one where at
10 the previous meeting, we had public comment about the
11 desire to engage in cashless rulemaking or rulemaking
12 towards cashless wagering at the slot facilities. I
13 wanted to just bring that up. And if that is
14 something the commission desires to go down the road,
15 same type of thing where I would need some authority
16 to initiate rulemaking.

17 So this is a different stage of rulemaking.
18 This would just be the initial process where it would
19 allow my staff to kind of formally begin determining
20 whether we -- how we're going to do that if that's
21 something that the commission does in fact want to go
22 do. I'm just kind of throwing that out there right
23 now. Essentially without commission's authority, my
24 staff is not authorized to go forward on that.

25 CHAIRMAN UPTON: Vice Chair Brown?

1 VICE CHAIR BROWN: Thank you, Mr. Chair. Going
2 to some of these conferences, it's such a common
3 topic, common theme. I think this is definitely ripe
4 to explore and go down to that rulemaking and open it
5 up. What's the time frame that you are thinking
6 about?

7 MR. TROMBETTA: So this is, you know, frankly
8 one of the more complex areas of rulemaking. It
9 would be a new technology that we would have to be --
10 we'd have to figure out how to implement. I think
11 that, as you mentioned, this is something that the
12 pari-mutuel industry has been asking my staff for for
13 a number of months. I think they're interested in
14 going down this road. Several other states have
15 rules, there's model rules. So it might be lengthy,
16 it might be several months. But essentially what I'm
17 seeking is the ability to initiate the process so
18 that my staff can kind of undergo a review.

19 So cashless is mentioned in statute. What we'd
20 do is try to figure out how we could best implement
21 that rule, whether we need a single rule, a cashless
22 specific rule, or if we have to modify additional
23 rules in our slot machine rule chapter. So
24 essentially what I'm seeking is the authority to
25 initiate the process. It's the first step in what's

1 a lengthy process. Once you initiate rulemaking, you
2 have to then formally develop the rule, you have to
3 move towards a proposed rule, which is another
4 filing, and then, like you just granted the authority
5 for the previous issue, before it gets adopted, the
6 commission would ultimately have to sign off on the
7 adoption.

8 So circling all the way back to your initial
9 question, it would take several months to get to the
10 point we're readied to adopt the rule. I think also
11 there probably would be a workshop or a hearing that
12 we'd like to get feedback from the industry on. So
13 that also would have to be incorporated in our plan.
14 But what I'd like to do is if you do grant this, we'd
15 initiate the process, and potentially at the next
16 meeting, I would provide a better overview of kind of
17 the plan.

18 CHAIRMAN UPTON: Yes, Commissioner?

19 COMMISSIONER D'AQUILA: [Indiscernible].

20 CHAIRMAN UPTON: Commissioner Drago?

21 COMMISSIONER DRAGO: My Tallahassee allergies.

22 I agree, and I think certainly everything is moving
23 that way, and everything that I hear, too, is from
24 operators across the state are interested in this.
25 So it might be better for players, for operators. I

1 think less cash that can be handled can be better for
2 everybody in terms of time spent on crime, etc. So I
3 would really like us to look into this and see if we
4 can work something out, and I'd be interested to hear
5 from the operators as to see how they feel about it
6 and how they think we should go about it to make it
7 work the best for everybody.

8 CHAIRMAN UPTON: What is the commission's role
9 in the workshop when the stakeholders are
10 participating?

11 MR. TROMBETTA: I'm going to ask Ross to be
12 ready just in case. It's essentially what you'd like
13 it to be I think is probably the best answer. Under
14 120, there's two phases of rulemaking. There's the
15 development phase and the proposed rule phase. In
16 the development phase, agencies are able to offer
17 workshops throughout the state to get initial
18 feedback. You don't have to have proposed language
19 at that point. The more formal process is the second
20 stage. At that point you're able to offer what I
21 call hearings, which is a more formal back and forth
22 with the industry.

23 The commission itself, we haven't had a
24 workshop yet under the five commissioners, so
25 that's why kind of I've started with how you'd like

1 it. In my head, if any of the commissioners want to
2 be involved, come to the meetings, I don't know,
3 really we can work with you on what you think and how
4 your role should be in this process.

5 CHAIRMAN UPTON: I think we'd like to get some
6 feedback on how that would work and how it would work
7 with Sunshine Laws and things like that. But I want
8 to make sure that we are informed of all the
9 different options that are on the table and all the
10 various things involved in the process along the way,
11 but I think it's an important issue and obviously
12 something we should be addressing. Specifically for
13 the next meeting, just broadly what are you thinking
14 about? You'd come here and say what generally?

15 MR. TROMBETTA: Whatever you'd like, Mr. Chair.
16 I'd be happy to propose a timeline, I think that
17 might help, as well as opportunities for workshops,
18 hearings. Would that help?

19 CHAIRMAN UPTON: Yes . I'm just trying to get a
20 better understanding of the process. With that, I
21 think I'd like to make a motion to approve the start
22 of the rulemaking process on cash less transaction,
23 cashless wagering. Do I have a second on that?

24 COMMISSIONER D'AQUILA: I'll second that.

25 CHAIRMAN UPTON: All those in favor?

1 ALL MEMBERS: Aye.

2 CHAIRMAN UPTON: Unanimous.

3 VICE CHAIR BROWN: If you don't mind, I just
4 want to share with our colleagues here that in my
5 previous life with workshops, it's been done both
6 staff driven and commissioner driven where the
7 commissioners kind of ran. It just depends on the
8 subject matter and the area of interest of the
9 commissioners, if would they want staff to run it or
10 if they want to run the meetings, the workshops.

11 So I just wanted to offer that up when staff is
12 formulating the different options of the format,
13 there are various methods and mechanisms. Thank you.

14 CHAIRMAN UPTON: Thank you, Vice Chair Brown.
15 That was helpful. If you can just give us those
16 options at the next meeting. I think this is just
17 the initial step, as I understand it.

18 MR. TROMBETTA: Yes, sir.

19 CHAIRMAN UPTON: Anything else for the
20 executive director?

21 MR. TROMBETTA: No, Mr. Chair. Sorry. One
22 other thing that -- just the discussion of the next
23 meetings. It is also not necessarily on the agenda,
24 but I think that that is something that I think would
25 probably be fruitful, not necessarily in an update

1 either, but in my individual conversations with each
2 of the commissioners, I think there is an interest in
3 trying to plan our calendars. So if there's any way
4 I can help through that discussion or just lead you
5 through that, I'd be happy to.

6 CHAIRMAN UPTON: I'll open that up for
7 discussion.

8 COMMISSIONER D'AQUILA: [Indiscernible].

9 MR. TROMBETTA: Yes, Commissioners D'Aquila.
10 Mr. Marshman, do you maybe want to provide just a
11 general overview of where we are with HISA?

12 MR. MARSHMAN: Mr. Chair.

13 CHAIRMAN UPTON: Yes, go ahead, general
14 counsel.

15 MR. MARSHMAN: To Commissioner D'Aquila's
16 point, after executing the agreement, we have started
17 to receive notices. As was described in the
18 agreement, we obviously can't discuss the content of
19 the notices in a public meeting, but staff has been
20 handling those with all due care and confidentiality
21 pursuant to the terms of the agreement, and we're
22 starting to create our own sort of internal tracking,
23 the information that's been shared with us, and the
24 plan is I think for us to compare that to historical
25 data related to drug testing, positive test results,

1 and see if there's any sort of pattern that emerges
2 or anything that we can tell what they're doing
3 versus what we were doing.

4 CHAIRMAN UPTON: Okay. Let's go back to the
5 calendar and the meeting. Any other questions
6 [indiscernible] on the calendaring of the meetings?
7 I feel very strongly, not necessarily for the next
8 meeting or even the one after that, but we ought to
9 have at least a year in advance a set meeting time
10 and location, preferably not a different location. I
11 know we're working without a meeting room, so that's
12 a difficult thing to arrange, but that's what I would
13 like to see going forward. We can do it on an ad hoc
14 basis for the next couple, but after that, that we
15 know what it is and everybody [indiscernible]. The
16 only thing -- whether it's the first Tuesday of every
17 month or the first Wednesday, that's open for
18 whatever everybody on the commission wants to do, but
19 we know and we can plan, that's the way most of the
20 other commissions operate. I'll open it up for
21 discussion. Yes, Commissioner.

22 COMMISSIONER DRAGO: I agree with that
23 wholeheartedly, and I think that we right now, I know
24 we have set up for the first Thursday of every month,
25 so that's how I plan it, that it's going to be the

1 first Thursday of every month, unless something
2 happens, 4th of July or whatever. Certainly I'm open
3 to if anybody wanted to change it to the third
4 Thursday or whatever, but I think we should -- I
5 agree that we should stick with some semblance of
6 order in terms of consistency, first Thursday, second
7 Thursday, whatever it is every month, so we can plan
8 way out, and we can also look at the calendar in that
9 fashion. We know 4th of July is coming, we know 4th
10 of July will fall on a certain day of the week and
11 that will effect our schedule. So we can do that way
12 in advance. We don't have to wait until a month
13 before.

14 Yeah, I'd hope that we can plan that out. I
15 think it makes it easier for everybody to have a
16 standard day of the month and then look forward to
17 dates that might interrupt or that we know. I know
18 there's always going to be things that are going to
19 come up and that we can't help, but I think it is
20 helpful for all of us and everybody that's involved
21 to have a schedule they can count on in terms of when
22 these meetings will happen. So I'd like to see that
23 happen as well.

24 CHAIRMAN UPTON: From my perspective, this is a
25 a great meeting room, technical difficulties aside,

1 but the PSC meeting room being right across the
2 street from our offices and not having to deal with
3 downtown parking, I have a strong preference that we
4 try to coordinate where we can meet in that meeting
5 room consistently.

6 VICE CHAIR BROWN: Mr. Chairman, I'd also add
7 that it does help the public, too, to know well in
8 advance if they want to talk on a topic or anything
9 that they can plan accordingly. I know we're all
10 pretty flexible on at least that first week of the
11 month. If we want to stick with Thursday, I'm
12 completely okay with that. And Commissioner Drago
13 said things come up and commissions have to be agile,
14 and we are, but if we can post a calendar, too, on
15 the website so that the public knows when our
16 meetings are going to be in advance, that will be
17 helpful, and any other important details or workshops
18 or forums that we'll be attending.

19 CHAIRMAN UPTON: I would suggest that we ask
20 staff to check on the availability of the PSC meeting
21 room. Since we don't have one of our own, we need to
22 find out if that one is going to be available on the
23 first Thursday of the month regularly, and if that's
24 okay with everybody, maybe that's the starting point.

25 COMMISSIONER D'AQUILA: [Indiscernible].

1 CHAIRMAN UPTON: That would be fine. I think
2 another option for a meeting room is the
3 [indiscernible] courtroom at the 1st DCA
4 [indiscernible]. We had checked for this time, but
5 it wasn't available, but that's much closer to our
6 offices and the parking is much better.

7 COMMISSIONER D'AQUILA: [Indiscernible].

8 CHAIRMAN UPTON: That would be fine with me.
9 Yes, Commissioner Repp.

10 COMMISSIONER REPP: [Indiscernible].

11 CHAIRMAN UPTON: I think telephonic appearance,
12 if you're open to that, we can [indiscernible].

13 COMMISSIONER REPP: I'm fine with
14 [indiscernible].

15 VICE CHAIR BROWN: The PSC has a big screen
16 behind you that we could see your face and you could
17 do FaceTime and call in.

18 CHAIRMAN UPTON: Okay. I think it says it's
19 not jumbled, staff gets the idea, you understand the
20 direction of the commission, and give us some options
21 on meeting rooms for those days, with the preference
22 of the PSC room.

23 MR. TROMBETTA: Mr. Chair, just to confirm the
24 dates, it would be August 3rd, September 7th,
25 October 5th, and I'll with my staff try to get the

1 PSC room. If that's not available, we'll try the
2 DCA. Does that kind of capture the --

3 CHAIRMAN UPTON: Yeah. Everybody take a
4 second, confirm on your calendars. August 3rd,
5 September 7th, and October 5th, correct?

6 MR. TROMBETTA: Yes, sir.

7 CHAIRMAN UPTON: Good for me. With the
8 exception of Commissioner Repp needing the one
9 telephonic appearance, I think we're all good for
10 those days in Tallahassee.

11 MR. TROMBETTA: Thank you, Mr. Chair. I will
12 coordinate with staff and try to get the locations
13 set up.

14 CHAIRMAN UPTON: Okay. Now -- anything further
15 from the executive director?

16 MR. TROMBETTA: No, sir. Thank you.

17 CHAIRMAN UPTON: Now we're going to open it up
18 for any discussion from the commissioners. Vice
19 Chair Brown?

20 VICE CHAIR BROWN: Thank you, Mr. Chairman.
21 With the start of a new fiscal year and the close of
22 a prior fiscal year and so many milestones that have
23 been achieved to date that maybe the public is not
24 aware of but we are aware of, is there anything you
25 or your staff would like to add?

1 CHAIRMAN UPTON: I will take the blame, I
2 thought this was going to be a much longer agenda. I
3 had pushed that off to another one in the interest of
4 time, so I'm not sure if the executive director is
5 prepared for that. That is my fault. And we are
6 going to do that in the future, but if there's
7 anything you'd like to discuss at this one, you're
8 welcome to do that, or we can put that on the future
9 agenda.

10 MR. TROMBETTA: Thank you, Mr. Chair. With
11 your permission here, I think outside of Susie
12 Whitmire, our head of IT, who is busy working on a
13 project today, I think I have several directors here
14 that I think would be able to answer questions or
15 provide an overview of some accomplishments from this
16 past year. I think we've done a lot. I'm very proud
17 of the work the team has done. I'd love to be able
18 to show it off if we have some time.

19 CHAIRMAN UPTON: The floor is yours. I just
20 didn't want to put anybody on the spot with something
21 that wasn't on the agenda.

22 MR. TROMBETTA: Mr. Chair, again, with your
23 permission, first is Lisa Mustain, the Director of
24 Administration.

25 CHAIRMAN UPTON: The floor is yours.

1 MS. MUSTAIN: Thank you. Thank you, Mr. Chair.
2 In reflection for the last fiscal year, at this time
3 we had two employees in the Division of
4 Administration, DBPR was complete, all of our
5 accounting, our budgeting. We have come a long way.
6 We now have a full staff of 19 employees, we are
7 currently on the Statewide Travel Management System,
8 My Florida Marketplace, People First. We're
9 independent from DBPR except for a few accounting
10 transactions that are linked through Versarray, which
11 we're working on.

12 The close of this fiscal year, we produced 450
13 purchase orders, we've on-boarded 75 employees,
14 mostly with two HR employees, and really we're doing
15 -- we've come a long way and we have a long way to
16 go. We have seven policies and procedures in place.
17 We've managed renovation of a building, we've moved
18 people in. There's just been a lot of moving parts,
19 and we've had a really successful year, proud of the
20 people that work for the Division of Administration.
21 Everybody is onboard and looking forward to a great
22 year next year, this year.

23 CHAIRMAN UPTON: Thank you.

24 COMMISSIONER DRAGO: Lisa, can you just for the
25 sake of the public who doesn't really understand or

1 know, what responsibilities are under your division?

2 What different kinds of areas do you manage?

3 MS. MUSTAIN: Commissioner Drago, I manage the
4 finance and accounting division, budgeting,
5 facilities management, property asset management,
6 leasing, accounting -- did I say accounting? Yes.
7 Just general operations. My job is to support the
8 people that work for the Florida Gaming Control
9 Commission, to support the Law Enforcement Division,
10 to support our operations, and to get them what they
11 need to do their jobs.

12 COMMISSIONER DRAGO: HR as well?

13 MS. MUSTAIN: Yes, sorry. HR as well.

14 COMMISSIONER DRAGO: It's a pretty big job that
15 you've done over the last year, and I know that
16 you've had an awful lot to do with helping law
17 enforcement get their feet on the ground and moving
18 forward. And that cooperation is so important when
19 you're starting a whole new police department
20 basically. And as somebody who understands it and
21 works with Carl in making sure that everything gets
22 up and running, I really appreciate that, because
23 that has really helped us move along as quickly as we
24 have. So thank you for that. And I know you've done
25 a lot of work. I'm glad you were able to get up here

1 and talk about it. You do a lot of the work behind
2 the scenes that people don't see. We certainly do
3 recognize it. Thank you for that.

4 MS. MUSTAIN: Thank you, Commissioner.

5 CHAIRMAN UPTON: Vice Chair Brown.

6 VICE CHAIR BROWN: Thank you, Mr. Chairman.
7 Thank you for the indulgence. We've seen -- even
8 just this past month, we've seen such major
9 milestones, but it's been a very gradual process, and
10 you've been very successful, and I can't be more
11 enthusiastic about the hires that the team has done
12 under Mr. Trombetta. You're just -- you've been
13 tremendous, a great asset, and you could feel the
14 energy in the new facilities, too, yesterday when the
15 team got together. It's very contagious. People are
16 excited to be at the gaming commission under your
17 tutelage in making everything such a smooth
18 transition from DBPR to the new entity. So just
19 really big compliments to you.

20 MS. MUSTAIN: Thank you, Commissioner. It's a
21 team effort. Again, we've come a long way, but Carl
22 has been wonderful, Ross is wonderful, the senior
23 leadership, Susie is wonderful. We're all in it to
24 make it work and we're all dedicated. It's been a
25 great effort. Thank you for the opportunity to work

1 at the Florida Gaming Control Commission.

2 CHAIRMAN UPTON: Commissioner D'Aquila?

3 COMMISSIONER D'AQUILA: Director Mustain, just
4 a special appreciation as a person who's spent many,
5 many years in both accounting and HR, in that role in
6 the lower middle mark companies, I understand how
7 difficult it is, and [indiscernible] the accounting
8 to work. So hats off. Great job. Thank you so
9 much.

10 MS. MUSTAIN: Thank you, sir.

11 CHAIRMAN UPTON: Mr. Executive director, I'll
12 kind of let you lead this.

13 MR. TROMBETTA: Thank you, Mr. Chair. Next up
14 I'm going to call Director Herold, who is our
15 Director of our Law Enforcement Team.

16 MR. HEROLD: Good morning. If I may?

17 CHAIRMAN UPTON: Yes.

18 MR. HEROLD: Thank you. My name is Carl
19 Herold, Director of Gaming Enforcement. And I have a
20 few notes here because I'm certainly not going to
21 remember everything.

22 This past year has been very interesting for
23 the Director of Gaming Enforcement. Bringing a law
24 enforcement agency up from essentially nothing is
25 quite the challenge, and it has been very important

1 all the stuff that we've done. So I'm going to start
2 with kind of the infrastructure to let everybody know
3 that in bringing a law enforcement agency up, there's
4 a lot of things you've got to put in place before you
5 can even start taking any kind of action. Criminal
6 justice access, you've got to have access to these
7 databases and things like that. Equipment, we're
8 still building out our evidence property management
9 system. Warehouses, we had no idea that we needed to
10 have warehouses for all this gambling equipment that
11 we're seizing, policies and those kind of things like
12 that. Those are all the pieces that you have to put
13 together that have to come in at different times and
14 different places, but they all need to kind of
15 intersect at the end where they can make the job for
16 gaming enforcement effective.

17 One of the things that we did in gaming
18 enforcement is we really emphasized, outreached out
19 our stakeholders, meetings with the stakeholders to
20 let them know that we were here essentially. And
21 that's part of the three-prong process that we have
22 of informing our stakeholders in law enforcement of
23 what we do in the gaming enforcement side. We had
24 meetings, multiple meetings with law enforcement,
25 Florida Sheriffs Association. In fact, I have

1 another meeting with them at their summer conference
2 at the end of the month. Meetings with local law
3 enforcement, and I've tried to make sure that we
4 educate the law enforcement unit and let them know
5 that we want to participate with them and be good
6 partners with them in the enforcement of gaming and
7 gambling violations. I think that part of the
8 outreach is also about relationship building. We've
9 worked very hard to try and build relationships with
10 our partners out there, and then also informing the
11 general public.

12 I'm going to take this opportunity to give a
13 shout-out to Eric Carr, our external affairs person,
14 because Eric has done a fantastic job of getting the
15 gaming enforcement and overall the agency's mission
16 out there. He's done a phenomenal job. He was able
17 to get me on a podcast. I've never been on a
18 podcast, and that was quite interesting. You know,
19 when we send letters -- whenever we get complaints
20 from the public on illegal gambling, we send letters
21 to businesses and letters out to the public informing
22 them about what's going on, and then we've also
23 recently put resources for the public and for law
24 enforcement on the gaming enforcement page on the
25 overall website. So that's part of the informing and

1 the educating as well, you know, educating the public
2 some and the stakeholders out there about what is
3 legal and illegal and what we're doing.

4 Lastly, the enforcement side of it. We've had
5 some enforcement action already, very proud of that.
6 We currently have a number of other investigations
7 going on that will have a significant impact, I hope,
8 and doing everything we can to try and mitigate the
9 illegal gambling that's going on out there.

10 CHAIRMAN UPTON: Thank you. Discussion?
11 Questions?

12 COMMISSIONER DRAGO: Just a couple of comments,
13 I think. I wanted to thank you for what you've done,
14 and I know what a job this is to create a law
15 enforcement agency from the ground up and all the
16 work that's involved and behind-the-scenes stuff that
17 people don't even realize that has to get done that's
18 so time consuming. And for the way that you've
19 introduced this agency to the state I think has been
20 -- the reputation is good, and it's because of what
21 you're doing and how you're doing it and the
22 partnerships you're creating and so forth and the way
23 you and Eric work together on that.

24 And Eric, thank you for what you do in getting
25 the word out. Fortunately, unfortunately, you're

1 getting the word out so good that people are
2 imitating us in the illegal operations, but that
3 shows that the word is getting out, everybody is
4 hearing about it, understanding about these machines
5 being illegal and the other illegal activities going
6 on around them. So thank you for all that work, and
7 especially the way you keep us apprised and involved
8 with what you're doing so we understand and know
9 what's happening all the time. So thank you for
10 that, Carl.

11 MR. HEROLD: My pleasure.

12 CHAIRMAN UPTON: Commissioner D'Aquila?

13 COMMISSIONER D'AQUILA: I'd like to echo
14 Commissioner Drago's comments, and in particular,
15 just to put on the record, with regard to the
16 podcast, that appeared on the Florida Sheriffs
17 Association website. For the benefit of the public
18 and the staff, if you haven't listened to this
19 podcast, it's less than 30 minutes --

20 MR. HEROLD: About 35.

21 COMMISSIONER D'AQUILA: 35 minutes absent
22 commercials. But it strikes at one of the pressing
23 many issues, but it's a very good summary of what
24 we're doing and also the recent developments in
25 illegal slot machines. And so I want to compliment

1 you on that, the education of the public in this
2 particular area [indiscernible]. And also the
3 education with regard to workshops on those machines
4 that was recently conducted by the staff,
5 commissioners, all interested parties, was an
6 extraordinary [indiscernible] on this somewhat
7 complex topic that I believe has much conclusion for
8 the public and within sometimes our own commission
9 your efforts [indiscernible] the same way is greatly
10 appreciated. [Indiscernible] a big thank you. Keep
11 it up. Thank you.

12 CHAIRMAN UPTON: Thank you. Vice Chair Brown?

13 VICE CHAIR BROWN: Thank you. All of that I
14 agree with, even more emphatically as well. You're
15 being very modest about the work you've done in your
16 summary. There are massive milestones you've
17 achieved in the what, ten months I think you've been
18 here?

19 MR. HEROLD: 11.

20 VICE CHAIR BROWN: 11, okay. 11 months. And
21 we [indiscernible] a lot of you when it's 12 months
22 because you went from being a singular employee to
23 now you've been building a team here in Tallahassee,
24 Central Florida, South Florida, finding space,
25 finding warehouse space, all on your own,

1 coordinating massive collaboration with
2 multi-jurisdictions to seize illegal property to help
3 -- continue to help prosecute cases, massive cases
4 across, again, multiple counties that will have a
5 significant impact on consumers and the state of
6 Florida as far as revenue that's being lost to the
7 illegal gambling.

8 Your collaboration with the help of Eric Carr
9 with attracting other entities, not just law
10 enforcement, but AARP, it goes on and on of the
11 amount of things that you've done, and you're
12 building such an amazing program here for everybody.
13 I hope that we are definitely tracking this and we're
14 able to put all of the statistics that we know that
15 you've been achieving in a document for our annual
16 report that we can send the legislature, the governor
17 so that he knows the great work that you've already
18 done in the past 11 months, too, and your team has
19 just been impeccable.

20 MR. HEROLD: Absolutely. I'm humbled. Thank
21 you. And I'm accepting all this praise, but I want
22 you to know it's everybody involved. I mean, the
23 team that I've put together so far, Lisa, Susie,
24 absolutely Lou. And so I appreciate the praise, but
25 it certainly should be showered on them as well,

1 because without them, I couldn't be successful. So,
2 thank you.

3 CHAIRMAN UPTON: Thank you. Mr. Executive
4 director?

5 MR. TROMBETTA: Thank you, Mr. Chair. And then
6 I think last that we have here is Mr. Joe Dillmore,
7 who's the director of our regulatory division,
8 Division of Pari-Mutuel Wagering.

9 MR. DILLMORE: Thank you. We were a little bit
10 different than the other divisions. They were
11 building from the ground up. So the Division of
12 Pari-Mutuel Wagering was involved in the Type 2
13 transfer from DBPR into the newly formed gaming
14 commission. So we kind of had existing operations in
15 place. And with that, one of our big goals was to
16 maintain the integrity of the gaming operations at
17 the licensed facilities in Florida. And we do that
18 through our regulatory responsibilities of licensing,
19 safeguarding our state revenue, inspections, ensuring
20 the welfare of not only the patrons, but also the
21 racing animals at the facilities.

22 So since July 1st, that's been a primary focus,
23 and I think we largely succeeded in maintaining those
24 operations without interruption. And I have to thank
25 our tremendous staff for that and the hard work they

1 did, and the division administration and the
2 technology, keeping the lights on, keeping IT stuff
3 going as we migrated from our other systems onto our
4 own platforms. So it has been I think very
5 successful, and like I said, greatly appreciated.

6 Second thing that we had was back in 2020 when
7 the Horseracing Integrity Safety Act was passed into
8 federal law, and as luck would have it, the
9 implementation date was July 1st, the same day the
10 commission went into existence. So it was kind of a
11 double-barrel shotgun there. So we got the safety
12 program in first and then there was some delays from
13 HISA with getting the anti-doping program in place,
14 and then there was also some legal challenges from
15 other states in getting that program. So with a
16 couple false starts and stops, we I think in May,
17 mid-May, we went into officially collecting samples
18 under the HISA program, getting our staff trained up
19 under their protocols and all of their technology as
20 far as protocols for using iPads and stuff to
21 identify the samples and get those shipped off to the
22 lab. The work there is not over, obviously, since
23 it's just really getting started.

24 And I'd also like to thank our general
25 counsel's office for the tremendous assistance they

1 provided us in getting to those agreements and also
2 providing that information to the commission. We
3 have a couple of other things we implemented in the
4 field, live fingerprint machines. We have those at
5 the slot facilities. We also implemented those for
6 our busiest places in the field, our horse racing
7 facilities. The one in Tampa Bay Downs is already up
8 and running. So we're already collecting live scan
9 fingerprints at those facilities. We're still
10 working at the Gulfstream location to get that one in
11 place. And again, with the migration to some of the
12 technology stuff, our staff has been tremendous in
13 user interface testing for the migration from the new
14 platforms on base and also help identifying
15 ultimately some requirements when we get to a place
16 where we're going to come into the new licensing
17 system hopefully. So that's kind of where we were as
18 far as our big level things.

19 Some of our stats we did: We had 19 Greyhound
20 licenses that were annually operating issued last
21 year, ten jai-alai, three Thoroughbred, six quarter
22 horse and one harness, 27 card room operating
23 licenses and eight slot machines. As far as
24 pari-mutuel, we only have a few facilities actually
25 conducting live races, but most of those are still

1 open along with their card rooms conducting
2 inter-track wagering. As far as revenue, we
3 collected approximately -- again, these figures are
4 preliminary because we're just finishing our fiscal
5 year, it takes us a couple months to finalize
6 those -- but around \$290 million in total revenue we
7 we collected. 6.3 from pari-mutuel operations,
8 22.6 million from card rooms, and 262 million from
9 slot operations.

10 Our occupational licenses, we did about 15,000
11 occupational licenses, processed the applications.
12 13,000 were in the pari-mutuel card room side and
13 2,800 were on the slot side. We collected around
14 8,500 samples from the racing animals which resulted
15 in 75 positive test findings, which you've seen some
16 of those drug positives and some of the penalties
17 associated with those. Really a lot of the other
18 stuff, we've just maintained continuing -- we've done
19 thousands of inspections, pari-mutuel card room,
20 obviously bar inspections, slot machine shipment
21 approvals. So you'll see a breakdown of all of that.
22 I can provide you a list or it will come out in the
23 annual report when we have that finished. But I'm
24 available to answer any questions you might have.

25 COMMISSIONER DRAGO: When you don't have the

1 live scan, the live scan fingerprinting, you just
2 have the old ink fingerprinting, is that what you're
3 still using in those other places?

4 MR. DILLMORE: So that's one of the options
5 people have. They can actually go to a private
6 service live scan provider if they want to. We have
7 I think a link to those sites on our website. They
8 can also just mail in the hard card and we actually
9 scan it in at our end. So we get them
10 electronically, get them in the system
11 electronically, but we still offer several options.

12 COMMISSIONER DRAGO: Do you know how many
13 facilities still need to get the live scan?

14 MR. DILLMORE: Well, so the horse racing is
15 where really our biggest on-site need is and our
16 highest demand. So they come in and they'd really
17 like to enter a race either the same day or next day.
18 So we've identified those highest needs first and
19 we'll continue to explore whether any other areas we
20 have any log jams.

21 COMMISSIONER DRAGO: And what did you say the
22 total revenue was? What was that number?

23 MR. DILLMORE: 290 million.

24 COMMISSIONER DRAGO: I just want to again thank
25 you, Joe, for all you and your division has done. I

1 mean, you had to -- even though you were already
2 there and the division was already there, the
3 changeover, everything that gets complicated by that,
4 you had to take on a new job, a new position. Even
5 though they were easy shoes to fill that you took
6 over for, you had to take that over in the middle of
7 all the changes, the commission, HISA, anti-doping,
8 the whole thing. We all recognize that, I think.
9 And applying all that that you had to do and all your
10 staff who had to adjust to all these changes, coming
11 to the commission and having to do things differently
12 now I know is challenging. But it's been done
13 without a bump in the road.

14 I mean, really, it just seems like it's moved
15 right over, everybody jumped right in with what
16 they've been doing and working, and it's just been
17 flowing so smoothly. So thank you to all your staff
18 and to you for all that. We really do appreciate
19 that and appreciate the updates. It's very
20 interesting to me to hear the updates on these
21 periodically and how much work is being done with the
22 licensees. So thank you for that.

23 COMMISSIONER D'AQUILA: I'll echo the
24 commissioner's comments. Just one question, would I
25 be correct that there's 7,500 [indiscernible] --

1 MR. DILLMORE: It was 8,500 samples collected
2 and 75 positives. That was for the fiscal year 2022
3 and 2023.

4 COMMISSIONER D'AQUILA: 8,500 samples, 75
5 positives [indiscernible] --

6 MR. DILLMORE: That's correct. And obviously,
7 you know, still being in transition, there may be a
8 couple that trickle in there, but that's about it.

9 COMMISSIONER D'AQUILA: [Indiscernible].

10 MR. DILLMORE: They did a tremendous job at
11 adapting to the new processes. Thank you.

12 CHAIRMAN UPTON: Vice Chair Brown.

13 VICE CHAIR BROWN: I can't not say anything
14 because you've been tremendous. You've been just a
15 steadfast leader for your whole team, for the whole
16 agency, and we are grateful that you're with us as
17 director of PMW. And I know that your team is also
18 grateful. You have this incredible institutional
19 knowledge of the agency that I think so many of us
20 depend on, and to have that and also have you be able
21 to do that as we migrate to a whole new agency
22 seamlessly really has just been amazing. So thank
23 you so much for everything that you do for us, and
24 we're grateful for you.

25 CHAIRMAN UPTON: Anything else, Mr. Executive

1 director?

2 MR. TROMBETTA: Yes, Mr. Chair. I forgot Ross.
3 So -- he's sitting right next to me. Mr. Marshman is
4 the general counsel, and I'd like to give him an
5 opportunity to also kind of show off what he's done.

6 MR. MARSHMAN: Mr. Chair?

7 CHAIRMAN UPTON: Yes.

8 MR. MARSHMAN: The best thing that I've done is
9 really reflected by my staff's efforts. So I'd like
10 to acknowledge them and congratulate them for
11 sticking with it, so-to-speak. The original three
12 were Emily Alvarado, Elizabeth Stinson, and Ebonie
13 Lanier. Ms. Stinson and Ms. Alvarado I think you've
14 seen almost every meeting, and Ms. Lanier is actually
15 the one that first alerted me today about the audio
16 issue. She is my assistant and she keeps me on the
17 straight and narrow. So I appreciate her. We've
18 also hired Darrell Garvey, who we're very grateful
19 with him helping Liz. Steve Woods is our new hire.
20 I'd like to introduce you to him after this meeting.
21 And Elina Valentine. I think most of you have
22 met at this point is my deputy. We also have Melba,
23 our clerk, who's sitting at the table as well. I
24 think most of you have met her before by now. And we
25 have Mindy, who's back at the office as well that

1 keeps all the lights going on our end. And we also
2 have an intern right now that we're trying to
3 convince to work for us, Cara Campbell. And without
4 them, none of this would be able to succeed. So I
5 appreciate all their efforts. Thank you.

6 CHAIRMAN UPTON: Thank you, Mr. Marshman. Mr.
7 Executive director?

8 MR. TROMBETTA: Just one final shout-out, two
9 maybe. Dixie and Brandy, they are instrumental in
10 putting these meetings together. There was an e-mail
11 sent immediately following the conversation about the
12 dates and locations. Dixie is already working on
13 trying to finalize locations. So they do a
14 phenomenal job in making sure that these meetings
15 happen, putting the materials together, and I'd hate
16 to kind of miss that. So thank you guys. Debbie,
17 too, she's been super helpful just getting me through
18 a lot of things this year. So it really is a team
19 effort from everybody who you've seen. Susie, who
20 was not able to be here, again, because our IT team
21 is preparing what she's calling a caravan of
22 goodness, she has termed this thing, we are -- she's
23 boxing up a whole bunch of equipment and driving to
24 South Florida next week to get our folks in South
25 Florida new equipment. So just it's taken all of her

1 time. She wanted to be here, but she's working on
2 that. Her whole team, it would be bad to not mention
3 all the work that IT has been doing to try to help
4 all of this other stuff happen. And it has not been
5 easy, it's been very challenging.

6 So I'm very -- just thank everybody that you
7 don't necessarily see behind the scenes for
8 everything they've been doing. It's been a big lift
9 on everybody's part. And from leadership to the
10 members of their team, I mean, really, everybody's
11 chipped in, and it's a phenomenal place to be a part
12 of. This last year has really been pretty
13 incredible. Thank you, Mr. Chair, for the time, and
14 thank you, commissioners, for the questions.

15 CHAIRMAN UPTON: Thank you. Commissioner
16 Drago?

17 COMMISSIONER DRAGO: Thank you. I certainly
18 don't want the lawyers to go without some compliments
19 because I personally really do appreciate everything
20 that they do. Since day one when I started here --
21 and I know the other commissioners, many went through
22 the beginning the same way -- we got so much -- I
23 learned so much from the lawyers here in that short
24 period of time, and I have tremendous faith in all of
25 you. I really appreciate the advice I get, the legal

1 advice. It's helped me so much. I can always count
2 on it. Mr. Marshman, everything that you've had to
3 deal with over the last year, it made it much easier
4 on me personally. As I've said before, I sit next to
5 a lawyer, so I feel like I'm pretty much qualified,
6 but I'm really not. So I appreciate all that
7 information. It's helped me get through a lot and
8 understand it and simplify it for me. And the way
9 you all work together is just such a good team and
10 everything that you do.

11 I know Emily has been put on the spot here in
12 dealing with some of the stuff, and even though we
13 may throw some crazy things at you, Emily, we
14 appreciate all of you and everything that you've
15 done. And thanks for all the help you've done for
16 me. The ethics training from Liz and everything has
17 just been top notch. So I want to make sure I said
18 that, how much I appreciate it. And I will still --
19 it doesn't mean you're going to get off easy. I'm
20 still going to be hounding you for advice.

21 Brandy and Dixie, thank you so much back there,
22 sitting in the back of the room, the two people that
23 I epitomize. The wind beneath your wings
24 kind of thing, you don't even know they're there, and
25 they're always helping. And I deal a lot with

1 Dixie of course, too, and like you said, you just
2 have to mention something, and boom, they're taking
3 care of it. So thank you ladies back there. You're
4 not lost in the back, you can't hide forever. We
5 really do appreciate everything.

6 And then of course, Lou, thank you for
7 everything that you do. This year -- I think this is
8 an appropriate time -- I know I'm boring everybody
9 with this -- but this is an appropriate time I think
10 to make mention of these things, a great job you've
11 done in putting this team together, and the hiring
12 you've done, you brought in top notch people, that's
13 what it's all about, especially when you're a
14 manager, a leader, it's the people that are around
15 you that you put together that make everything work,
16 and you've done a great job with that on every level.
17 And one of the things I mentioned, I remember when
18 you were first hired is one of the main things for me
19 is that any commission is always kept apprised of
20 what's going on, always involved, no surprises, make
21 sure we're all in this together, and you've been
22 great about that, always keeping us in the loop and
23 keeping us informed. I know sometimes when you have
24 a job like this, you're busy day to day to day, you
25 don't want to have to tell five people about what's

1 going on, but you've done a great job with it, and I
2 want to thank you for that.

3 MR. TROMBETTA: Thanks.

4 CHAIRMAN UPTON: Commissioner D'AQUILA?

5 COMMISSIONER D'AQUILA: [Indiscernible].

6 CHAIRMAN UPTON: Vice Chair Brown?

7 VICE CHAIR BROWN: Thank you. Seeing that this
8 is such an apt time for a tribute, your kind of
9 reflection, everything that Commissioner Drago said
10 was just so spot on. I'm happy that you highlighted
11 Executive Director Trombetta, too, because it hasn't
12 been necessarily a smooth ride the whole time for him
13 or for the lawyers or for Dixie and Brandy or Debbie.
14 I mean, they work 18 hours some days. I know a lot
15 of you all do, too, but I know directly each one of
16 you, we hear from you, one of you every single day,
17 and we're very dependent on you, the whole agency is.
18 Your leadership, Lou, has just been tremendous.
19 You've been faced with many challenges and obstacles
20 and you've stayed steadfast and resilient and you've
21 been great for the agency. You've sent the whole
22 state staffers for the gaming commission, you give
23 them updates regularly so they're not in the dark of
24 what's going on and what our progress is. I think
25 the employees really appreciate that from you. Of

1 course you're in touch with us all the time, the
2 lawyers, Mr. Marshman, Ms. Alvarado and Ms. Stinson.
3 I mean, you have always been the rock from the
4 beginning. We've had a lot of growing pains
5 together. So thank you for sticking it out and for
6 your hard work. I know how many hours you work and I
7 know you have multiple balls in the air that you're
8 constantly juggling and always do such a professional
9 job. And of course, Dixie and Brandy, we love you.
10 Thank you so much.

11 CHAIRMAN UPTON: Commissioner Repp?

12 COMMISSIONER REPP: Being new to the
13 commission, I didn't get to see all of the
14 transitions that took place, but I'd like to just
15 collectively thank everyone for everything you've
16 done, everything you're doing now, and for making me
17 feel welcome.

18 CHAIRMAN UPTON: All right. Thank you. Mr.
19 Executive director, anything further?

20 MR. TROMBETTA: Just to follow up on what
21 Dixie's been working on. We have the PSC room
22 confirmed for those three days. But that's it.
23 Thank you.

24 CHAIRMAN UPTON: We will move on now to public
25 comment if we have any. Okay. I don't think we have

1 any public comment.

2 There's one thing I wanted to say. I
3 understand there were some technical issues with the
4 sound today, and I know that some of the folks that
5 were parties, respondents or otherwise, were trying
6 to listen in. If you want a transcript, just contact
7 the office and we will get you a transcript of what
8 went on today if you weren't able to hear it on The
9 Florida Channel. Any further discussion? Anything
10 else from any of the commissioners? Okay. We'll
11 stand adjourned.

12 (Transcription concluded.)

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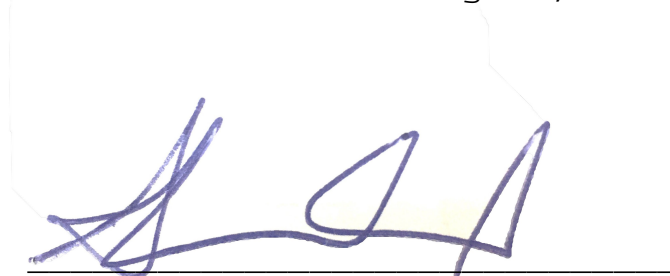
CERTIFICATE OF REPORTER

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STATE OF FLORIDA)
COUNTY OF BROWARD)

I, Shelby Rosenberg, Florida Professional Reporter,
certify that I was authorized to and did
stenographically transcribe the foregoing audio
recording to the best of my ability and that the
transcript is a true and complete record of my
stenographic notes.

Dated this 8th of August, 2023.



Shelby Rosenberg, Florida Professional Reporter

2. Discussion of Amended Application for Cardroom Licenses

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Dania Entertainment Center, LLC (JLAI274 and JLAI281)
2023-047080 Requests to add additional Card Tables
Date: August 21, 2023

Executive Summary

A cardroom operator is seeking permission to add additional card tables to its cardrooms. The Commission should approve this request.

Background

Dania Entertainment Center, LLC (“Dania”) possesses two jai alai permits. Dania has been issued a pari-mutuel operating license and a cardroom license for the 2023-2024 Fiscal Year. Dania is currently licensed to operate 22 card tables and is requesting permission to add 3 more to its cardrooms. Dania has paid the \$3,000 license fee associated with the additional tables.¹

Analysis

Aside from the \$1,000-per-card-table license fee, there is no other applicable restriction² to the number of card tables that Dania can add to its cardroom. Since Dania has paid the additional \$3,000 license fee, Dania should be authorized to add additional card tables to its cardroom.

Recommendation: The Florida Gaming Control Commission should approve Dania Entertainment Center, LLC (JLAI274 and JLAI281)’s request to add additional card tables to its cardrooms.

¹ The annual cardroom license fee costs \$1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

² There is no indication that permitholder is seeking to change the number of card tables for the play of poker games in a designated player method. *See* §§ 849.086(7)(h)2. & 4., Fla. Stat. (restricting the number of tables for the play of poker games in a designated player manner).

PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: Dania Entertainment Center, LLC (274/281) FISCAL YEAR: 2023/2024

DATE RECEIVED: August 14, 2023 CASE NUMBER: 2023-047080

DATE PROCESSED: August 21, 2023 (without fees) *paid*

REVIEWER'S NAME: La'Keshia Jelks

CHANGE REQUESTED: Adding three tables for a total of twenty-five.

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3160.	Y		
Payment for additional tables	Y		

CONTACT FROM OTHER FACILITIES WITHIN FIFTY (50) MILES:	CONTACTED?			OBJECTED?		
	NO	YES	DATE	NO	YES	DATE
NONE						

PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:

REVENUE SECTION	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u><i>K</i></u>	DATE: <u>8-23-23</u>
PERMIT ADMIN	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u><i>GP</i></u>	DATE: <u>8-23-23</u>
OGC	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u><i>GP</i></u>	DATE: <u>8-23-23</u>

Notes/Comments:

Revenue

Permit Admin

Fees paid 8/20/23

OGC

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
PARI-MUTUEL WAGERING

License Number: CR274
Permit Type: JLAI
Permit County: Broward
Amendment: A

LICENSE TO OPERATE A CARDROOM

For:

Dania Entertainment Center, LLC

D/B/A Dania Jai-Alai and/or The Casino @ Dania Beach

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

301 East Dania Beach Boulevard
Dania Beach, FL 33004
Broward County

Valid From: December 1, 2023

Expires On: June 30, 2024

Licensed to Operate: 25 Tables

Issued and dated, this _____ day of September, 2023.

By _____
Louis Trombetta, Executive Director
Florida Gaming Control Commission



This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.

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

License Number: CR281
Permit Type: JLAJ
Permit County: Broward
Amendment: A

LICENSE TO OPERATE A CARDROOM

For:

Dania Entertainment Center, LLC

D/B/A Dania Summer Jai-Alai and/or The Casino @ Dania Beach

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

301 East Dania Beach Boulevard
Dania Beach, FL 33004
Broward County

Valid From: July 1, 2023
Expires On: November 30, 2023
Licensed to Operate: 25 Tables

Issued and dated, this _____ day of September, 2023.

By _____
Louis Trombetta, Executive Director
Florida Gaming Control Commission



This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.

 THE CASINO @
DANIA BEACH

August 14, 2023

Florida Gaming Control Commission
4070 Esplanade Way
Suite 250
Tallahassee, FL 32399

Re: Amendment to Cardroom License #274 & #281- Adding three tables

Greetings FGCC,

Dania Entertainment Center, LLC is requesting to amend our current cardroom licenses to include the addition of three (3) tables. The required information has been emailed and the originals mailed with the check as follows:

1. Updated floor plan- emailed only
2. PMW form # 3220
3. PMW form # 3160
4. List of games- emailed only
5. Internal Controls- emailed only
6. Check # 10694 for \$3,000

Please let me know if you have any questions.

Regards,



Elisa Festa Tabasso
Director of Compliance

Enclosure

2023 AUG 22 PM 12: 59

FLORIDA GAMING
CONTROL COMMISSION

DBPR PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

www.myfloridalicense.com

INSTRUCTIONS

This form is to be submitted in conjunction with Form DBPR PMW-3220. Form DBPR PMW-3220 must be submitted with all pertinent cardroom operation information.

ORGANIZATION INFORMATION

Federal Employer ID Number: [REDACTED]

Permitholder's Legal Name: **Dania Entertainment Center, LLC # 274 & # 281**

Doing Business As (D/B/A) Name: **Dania Jai-Alai; Dania Summer Jai-Alai**

MAILING ADDRESS

Street Address or P.O. Box: **301 East Dania Beach Blvd**

City: **Dania Beach** State: **FL** Zip Code (+4 optional): **33004**

County (if Florida address): **Broward** Country: **USA**

CONTACT INFORMATION

Contact Name: **Arnaldo Suarez**

Primary Phone Number: [REDACTED] Primary E-Mail Address: [REDACTED]

PHYSICAL ADDRESS

Street Address: **301 EAST DANIA BEACH BLVD**

City: **DANIA BEACH** State: **FL** Zip Code (+4 optional): **33004**

County: **BROWARD**

ADDITIONAL CONTACT INFORMATION (OPTIONAL)

Alternate Phone Number: [REDACTED] Fax Number: **954-272-7622**

Alternate E-Mail Address: [REDACTED]

CARDROOM INFORMATION

Physical Location of Cardroom:

DANIA JAI-ALAI/DANIA SUMMER JAI-ALAI

2ND FLOOR SOUTH SIDE

What is the maximum number of card tables you intend to operate during the license period? **25**

A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be submitted with this application.

Name of cardroom manager or cardroom management company:
DAVID BERMAN

Cardroom manager or cardroom management company license number: **8083414**

Type of participation fee charged to players: Rake - Ante Seat Charge Both

Additional documentation requirements:

- 1) Attach a list of card games to be offered to your patrons.
- 2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of \$50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
- 3) Attach Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
- 4) Attach a copy of your internal controls.
- 5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.

Signature of Applicant or Applicant's Representative *DBerman*

Date 8/11/2023

DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom



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

INSTRUCTIONS

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR

Federal Employer ID Number: [REDACTED]

Name: **DANIA ENTERTAINMENT CENTER, LLC #274 & #281**

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
Eastern Poker, LLC dba Gorilla Gaming	12139450	cardroom supplies
TCS John Huxley America Inc.	8552813	cardroom supplies
916 Poker Depot Inc	12988018	cardroom supplies
Galaxy Gaming, Inc	11507733	card game
OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
Overlay Gaming Corp	11282099	tournament registration

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.

Signature of Applicant or Applicant's Representative *[Signature]*

Date _____

License

Fed Tax # [REDACTED]	Lic Type 1010 - Cardroom Business Occupational	Expires On 06/30/2025
File # 206	Name EASTERN POKER, LLC	Extended To
License # 12139450	Rank CBUS - Cardroom Business Occupational	Renewed On 07/14/2022
Entity # 12139450	Lic Status Current	

Address

Street # 200	Street LAVAN STREET, UNIT 1	
Line 2		
Line 3		
City WARWICK	State RI	Zip 02888
	Routing	

Other

1st License Date 08/15/2019	Rank Date 07/14/2022	Certificate #
Method I-S-1020	Status Date 07/14/2022	Certificate Date
Fee Exempt No	Birth Date	Renewal Sent

License

Fed Tax # [REDACTED]	Lic Type 1010 - Cardroom Business Occupational	Expires On 06/30/2025
File # 103	Name TCS JOHN HUXLEY AMERICA INC	Extended To
License # 8552813	Rank CBUS - Cardroom Business Occupational	Renewed On
Entity # 8552813	Lic Status Current	

Address

Street # 6171	Street MCLEOD DRIVE SUITE M	
Line 2		
Line 3		
City LAS VEGAS	State NV	Zip 89120
	Routing	

Other

1st License Date 03/17/2023	Rank Date 03/17/2023	Certificate #
Method I-S-1020	Status Date 03/17/2023	Certificate Date
Fee Exempt No	Birth Date	Renewal Sent

License

Fed Tax # [REDACTED]	Lic Type 1010 - Cardroom Business Occupational	Expires On 06/30/2024
File # 221	Name 916 POKER DEPOT INC	Extended To
License # 12988018	Rank CBUS - Cardroom Business Occupational	Renewed On
Entity # 12988018	Lic Status Current	

Address

Street # 1128	Street C SIBLEY STREET	
Line 2		
Line 3		
City FOLSOM	State CA	Zip 95630
	Routing	

Other

1st License Date 11/22/2021	Rank Date 11/22/2021	Certificate #
Method I-S-1020	Status Date 11/22/2021	Certificate Date
Fee Exempt No	Birth Date	Renewal Sent

DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom



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

INSTRUCTIONS

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR

Federal Employer ID Number [REDACTED]

Name: **Dania Entertainment Center #274 & #281**

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM

Name	License Number	Type of Product or Service
Genesis Gaming Solutions, Inc	7951003	Cardroom supplies
Game on Chip Company	10176844	Cardroom supplies
Avalon Gaming	11196683	Cards

OCCUPATIONAL LICENSEES WHO NO LONGER PROVIDE PRODUCTS AND SERVICES TO CARDROOM

Name	License Number	Type of Product or Service

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.

Signature of Applicant or Applicant's Representative *[Signature]*
 Date _____

License
Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2024**
File # **80** Name **GENESIS GAMING SOLUTIONS, INC.** Extended To
License # **7951003** Rank **CBUS - Cardroom Business Occupational** Renewed On **05/11/2021**
Entity # **7951003** Lic Status **Current**

Address
Street # **500** Street **AMIGO COURT SUITE150**
Line 2 **LICENSE AND COMPLIANCE**
Line 3
City **LAS VEGAS** State **NV** Zip **89119**
Routing

Other
1st License Date **08/31/2012** Rank Date **05/11/2021** Certificate #
Method **I-S-1020** Status Date **08/24/2018** Certificate Date
Fee Exempt **No** Birth Date Renewal Sent

License
Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
File # **137** Name **GAME ON CHIP COMPANY** Extended To
License # **10176844** Rank **CBUS - Cardroom Business Occupational** Renewed On **06/30/2023**
Entity # **10176844** Lic Status **Current**

Address
Street # **4301** Street **31ST STREET NORTH**
Line 2
Line 3
City **ST. PETERSBURG** State **FL** Zip **33714**
Routing

Other
1st License Date **08/20/2021** Rank Date **06/30/2023** Certificate #
Method **I-S-1020** Status Date **07/21/2021** Certificate Date
Fee Exempt **No** Birth Date Renewal Sent

License
Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2025**
File # **173** Name **AVALON GAMING, INC.** Extended To
License # **11196683** Rank **CBUS - Cardroom Business Occupational** Renewed On **07/19/2022**
Entity # **11196683** Lic Status **Current**

Address
Street # Street **PO BOX 1254**
Line 2
Line 3
City **BERTHOUD** State **CO** Zip **80513**
Routing

Other
1st License Date **10/11/2016** Rank Date **07/19/2022** Certificate #
Method **I-S-1020** Status Date **07/19/2022** Certificate Date
Fee Exempt **No** Birth Date Renewal Sent

Receipt #: 230021270

Batch #: 230021270

DANIA ENTERTAINMENT CENTER, LLC
301 E. DANIA BEACH BLVD
DANIA, FL 33004

FIRST HORIZON BANK

10694
63-1176/870
9715

DATE

*THREE THOUSAND AND XX / 100

CHECK ARMOR
FRAUD PROTECTION

AMOUNT

\$

8/8/2023

*****3,000.00*

PAY
TO THE
ORDER
OF:

FLORIDA GAMING CONTROL COMMISSION
2601 BLAIR STONE RD
Tallahassee, FL 32399

0008837

[Handwritten Signature]
AUTHORIZED SIGNATURE

Photo Safe Deposit

Details on Back.

State of Florida
Department of Business and Professional Regulation
Cash Listing Report

Client: 100 - Division of Pari-Mutuel Wagering
 Batch #: 23003642
 # Receipt: 1
 Total \$ Entered: \$ 3,000.00
 Receipts Entered: 1
 Origin: TLH Centra
 Deposit #: 110265
 Total: \$ 3,000.00
 Fiscal Year: 2023
 Deposit Date: 2023-08-22
 Status: Deposited

Receipt #	DLN	Received	Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File #	License #	Assigned
230024278		\$ 3,000.00	DEP	CHK		\$ 3,000.00	1002	DANIA ENTERTAINMENT CENTER, LLC	29	274	\$ 0.00
Total:						\$ 3,000.00					\$ 0.00

DEPOSIT TICKET
 SUPERIOR PRESS (800) 990-6466
 Wells Fargo Bank, N.A.
 WELLS FARGO

DATE: 8/22/2023

15

CURRENCY	COIN	LIST EACH CHECK	DOLLARS	CENTS
1		110265	3000	00
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
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110265

No 265

TOTAL ITEMS: 1

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

PLEASE ENTER TOTAL: 3000 00

TOTAL DEPOSIT: 3000.00

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

STATE OF FLORIDA DEPARTMENT OF FINANCIAL SERVICES #4150110 FGCC MAIN

4554875 DSP 10-T-BK

\$ 3000.00

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

Application Home | Change Application

Domain: 10 - Division of Pari-Mutuel Wagering

Logged in as: tjetks

VR Home > Application Search > Transaction Check List > Transaction Header

Fed Tax # [REDACTED]	Name DANIA ENTERTAINMENT CENTER, LLC	Lic Type 1002 - Cardroom License	Trans Class I - Initial
File # 29	Rank Cardroom Operating License	App # 2203	Sec Class S - Standard
License # 274	Lic Status Current	Status Open	
Entity # 274	Expires On 06/30/2024	Trans Code 1030 - Add Table to Cardroom	

<p>App Date: 08/22/2023 mm/dd/yyyy</p> <p>Normal Expiration Date: 08/22/2024</p> <p>Override Expiration Date: [REDACTED] mm/dd/yyyy</p> <p>Application Disposition: [REDACTED]</p> <p>1st Reminder</p> <p>2nd Reminder</p> <table border="0"> <tr><td>Total Fee \$</td><td>3,000.00</td></tr> <tr><td>Paid \$</td><td>3,000.00</td></tr> <tr><td>Released \$</td><td>3,000.00</td></tr> <tr><td>Due \$</td><td>0.00</td></tr> </table> <p>Notes</p> <p>Set License Expiry</p>	Total Fee \$	3,000.00	Paid \$	3,000.00	Released \$	3,000.00	Due \$	0.00	<p>Application For</p> <p>Rank Cardroom Operating License</p> <p>Lic Status</p> <p>Modifiers</p> <p>Type [REDACTED] Code <input checked="" type="checkbox"/> Additional Info [REDACTED] <input type="button" value="Add"/></p> <table border="1"> <thead> <tr> <th>Type</th> <th>Modifier</th> <th>Additional Info</th> <th>Actions</th> </tr> </thead> <tbody> <tr> <td colspan="4">No Items found.</td> </tr> </tbody> </table>	Type	Modifier	Additional Info	Actions	No Items found.				<input type="button" value="Dpsit History"/> <input type="button" value="History"/> <input type="button" value="Deficiencies"/> <input type="button" value="Regenerate"/> <input type="button" value="Notes"/> <input type="button" value="Notes History"/> <input type="button" value="Cancel"/> <input type="button" value="OK"/>
Total Fee \$	3,000.00																	
Paid \$	3,000.00																	
Released \$	3,000.00																	
Due \$	0.00																	
Type	Modifier	Additional Info	Actions															
No Items found.																		

Checklist | Release | Transfer | Approve | Exit

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State of Florida
Department of Business and Professional Regulation
Chronology Report

Case #: 2023047080 **Incident date:** 08/21/2023 **Status:** 10 - Initial Review

Lic Type: 1002 **Disposition:**

Case Type: Complaint

Responsible: ljelks - JELKS, LA'KESHA

Complainant: DANIA ENTERTAINMENT CENTER, LLC
 301 EAST DANIA BEACH BLVD., DANIA BEACH, FL 33004

Respondent: FLORIDA GAMING CONTROL COMMISSION
 4070 ESPLANADE WAY, TALLAHASSEE, FL 32399

Summary: PERMITHOLDER: Dania Entertainment Center, LLC (274/281) FISCAL YEAR: 2023/2024

DATE RECEIVED: August 14, 2023
 DATE PROCESSED: August 21, 2023 (without fees)
 REVIEWER'S NAME: La'Keshia Jelks
 CHANGE REQUESTED: Adding three tables for a total of twenty-five.

Chronology:	Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
	08/21/2023	R		ljelks	JELKS, LA'KESHA	ljelks	
	08/21/2023	S	1002	10	Initial Review	ljelks	

State of Florida
Department of Business and Professional Regulation
Chronology Report

3. Discussion of Initial Application for Cardroom License

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Ocala Breeders' Sales Company, Inc. (QHRS950) 2023-042076 Initial Cardroom License Application
Date: September 5, 2023

Executive Summary

A pari-mutuel facility has applied for a cardroom license.

Background

Ocala Breeders' Sales Company, Inc., d/b/a OcalaBets and/or Ocala Bets ("Ocala Bets") possesses a valid quarter horse permit. Ocala Bets held an operating license for the conduct of pari-mutuel wagering for the 2020-2021 Fiscal Year, and Ocala Bets was issued a pari-mutuel operating license for the 2023-2024 Fiscal Year. Ocala Bets has submitted an initial application for a cardroom license and paid a \$34,000 licensing fee to operate 34 tables.

Analysis

In order to issue Ocala Bets a cardroom license, the Commission must confirm that: Ocala Bets is a licensed pari-mutuel permitholder,¹ that Ocala Bets held an operating license for the conduct of pari-mutuel wagering for the 2020-2021 Fiscal Year,² that Ocala Bets has paid the \$1,000 per table annual licensing fee for the cardroom,³ and that the authorized cardroom will be operated at the same facility at which the permitholder is authorized under its valid pari-mutuel wagering permit to conduct pari-mutuel wagering activities.⁴ Additionally, the Commission must confirm that Ocala Bets has submitted written internal controls for approval by the Commission's Division of Pari-Mutuel Wagering,⁵ and that Ocala Bets has provided proof of authorization of the cardroom by the governing body where the cardroom will be operating.⁶

¹ § 849.086(5)(a), Fla. Stat.

² § 849.086(5)(c), Fla. Stat.

³ § 849.086(5)(e), Fla. Stat.

⁴ § 849.086(5)(a), Fla. Stat.

⁵ Fla. Admin. Code R. 75-11.007.

⁶ Fla. Admin. Code R. 75-11.007 and § 849.086(16), Fla. Stat.

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

License Number: CR950
Permit Type: QHRS
Permit County: Marion

LICENSE TO OPERATE A CARDROOM

For:

Ocala Breeders' Sales Company, Inc.
D/B/A OcalaBets and/or Ocala Bets

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

1781 SW 60th Avenue
Ocala, FL 34474
Marion County

Valid From: September 7, 2023
Expires On: June 30, 2024
Licensed to Operate: 34 Tables

Issued and dated, this _____ day of September, 2023.

By _____
Louis Trombetta, Executive Director
Florida Gaming Control Commission



This license is issued in accordance with the Florida Pari-Mutuel Wagering Act, Section 849.086, Fla. Stat., and the rules promulgated thereunder. This license is to be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.

**FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING
OPERATING AND CARDROOM RENEWAL APPLICATION(S)**

APPLICATION INFORMATION

Applicant Name/License #: OBS Breeders' Sales Company, Inc. QHRS950 **Date Received 01/03/2023**

Reviewer Name: La'Keshia Jelks, ORS **Case#: 2023-002428**

PARI-MUTUEL WAGERING LICENSE REQUIREMENTS

Requirement Description	Requirement Met? Y/N	Deficiency Letter Sent	Deficiency Resolved
Submission of complete original application form DBPR PMW-3060, pursuant to F.A.C 61D-4.004(1)	Y		
DBPR PMW-3190, All officers, directors, and shareholders holding 10% or more ownership interest in the business entity, pursuant to F.A.C 61D-4.004(1)	Y	1/13/2023	1/27/2023
Clerk Certificate (proof that the permitholder continues to possess the qualifications prescribed, and that the permit has not been disapproved at a later election, pursuant to Florida Statute Section 550.01215(2))	Y		
DBPR PMW-3105, Proof of \$50,000 Surety Bond, pursuant to Florida Statute 550.125(3)(a)	Y 12/28/2023		
Submission of complete original form DBPR PMW-3080, Permitholder Calendar, pursuant to F.A.C 61D-4.004(1)	Y		
61D-2.027 Each performances shall consist of a minimum of 8 races.	Mat - 0 Eve - 0	NONE	
Matinee start time: (prior to 6pm)		NONE	
Evening start time*: (6pm & later)		NONE	
Permitholder intends to accept wagers on intertrack or simulcast events? 550.01215(1)(a)1.	Y WILL ACCEPT		

*550.375(2) A harness racing permitholder may conduct harness racing only between the hours of 7 p.m. and 2 a.m.
*550.5251(1) A thoroughbred racing permitholder may not begin any race later than 7 p.m.

Cardroom Case#

Submission of complete original application form DBPR PMW-3160, pursuant to F.A.C 61D-11.007(2)	Y		
Pursuant to Florida Statute Section 849.086(5)(b) 90% Met	N/A (initial license)		
DBPR PMW-3220 Contracted Vendor list, pursuant to F.A.C 61D-11.012(4)	N Y	7/17/2023	8/15/23
Number of Tables and fees paid - \$1,000.00 per table, pursuant to Florida Statute Section 849.086(5)(d) & F.A.C 61D-11.007(2)	Y \$34,000		
Verify Surety Bond guarantee's that the cardroom operator will redeem, for cash, all tokens or chips used in games, pursuant to Florida Statute Section 849.086(9)	Y		
A copy of the binding written agreements between the facility and respective associations (horseman's agreement) as required by Section 849.086(13)(d)(3), Florida Statutes. (Quarter Horse Only)	N Y <i>Not required</i>	7/17/2023	7/31/23
Games offered 2023/2024	Y		

PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:

OFFICE OF REVENUE
PERMIT ADMIN
OGC

REVIEWED
 REVIEWED
 REVIEWED

INITIALS: [Signature]
INITIALS: [Signature]
INITIALS: [Signature]

DATE: 8/23/2023
DATE: 8-23-23
DATE: _____

*Cardroom case #: 2023-01207-10
App # 22201 Type: 1002
File # 70*

La'Kesha Jelks

From: Thomas Ventura <TomV@obssales.com>
Sent: Tuesday, July 11, 2023 8:28 PM
To: La'Kesha Jelks; Jamie Pouncey; Joe Dillmore
Cc: Chris Schoonover
Subject: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets
Attachments: Ocala Breeders' Sales Company, Inc. dba OcalaBets FGCC 7-11-23 packet submitted with initial cardroom application.pdf

Dear Ms. Jelks:

Please find the completed packet enclosed for the initial application for a 2023/2024 Annual License to Operate a Cardroom for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets (Pari-Mutuel Permit #950).

The original documentation and the \$34,000 payment for table fees has been sent for Wednesday delivery tracking number 772707534828.

We would appreciate beginning the review process as soon as possible.

Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you for your assistance.

Tom Ventura
President
Ocala Breeders' Sales Company, Inc.



OCALA BREEDERS' SALES COMPANY, INC.

P. O. Box 99 • Ocala, Florida 34478
Telephone (352) 237-2154 • Fax (352) 237-3566
Website: www.obssales.com • Email: obs@obssales.com



July 10, 2023

La'Kesha Jelks, Operations Review Specialist
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, FL 32399-1035
La'Kesha Jelks LaKesha.Jelks@flgaming.gov

RECEIVED
2023 JUL 12 AM 11:24
FLORIDA GAMING
CONTROL COMMISSION

Re: 2023/2024 Initial Cardroom Application

Dear Ms. Jelks:

Please find the completed packet enclosed for the initial application for a 2023/2024 Annual License to Operate a Cardroom for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets (Pari-Mutuel Permit #950). There have been no changes in ownership or officers since the 2023-2024 annual operating license application.

Initial Cardroom License

- Permitholder Application for Annual License to Operate a Cardroom DBPR PMW 3160
- List of Cardroom Business Occupational Licensees Providing Products and Services DBPR PMW-3220
- A list of card games offered
- Payment of \$34,000 for Table Fees
 - Table and camera layout to follow
- Current Internal Controls
- Security Plan
- Proof of authorization by a local government (City of Ocala) per 849.086 (16), F.S.
- Permitholder Calendar amended to reflect cardroom operating hours DBPR PMW-3080

A copy of the fictitious name registration for OcalaBets and Ocala Bets is attached for your information.
Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you for your assistance with this matter.

Sincerely,

By 

Thomas Ventura, as President of Ocala Breeders' Sales Company, Inc.

Cc: Jamie Pouncey, Program Administrator - jamie.pouncey@flgaming.gov
Joe Dillmore, Director, Joe Dillmore - Joe.Dillmore@flgaming.gov

DBPR PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

www.myfloridalicense.com

INSTRUCTIONS

This form is to be submitted in conjunction with Form DBPR PMW-3220. Form DBPR PMW-3220 must be submitted with all pertinent cardroom operation information.

ORGANIZATION INFORMATION

Federal Employer ID Number: [REDACTED]
Permitholder's Legal Name: Ocala Breeders' Sales Company, Inc.
Doing Business As (D/B/A) Name: OcalaBets and/or Ocala Bets

MAILING ADDRESS

Street Address or P.O. Box: P.O. Box 99
City: Ocala State: FL Zip Code (+4 optional): 34478
County (if Florida address): Marion Country: USA

CONTACT INFORMATION

Contact Name: Thomas Ventura
Primary Phone Number: [REDACTED] Primary E-Mail Address: [REDACTED]

PHYSICAL ADDRESS

Street Address: 1701 SW 60th Avenue
City: Ocala State: FL Zip Code (+4 optional): 34474
County: Marion


ADDITIONAL CONTACT INFORMATION (OPTIONAL)

Alternate Phone Number: [REDACTED] Fax Number: 352 237-3566
Alternate E-Mail Address: [REDACTED]

CARDROOM INFORMATION	
Physical Location of Cardroom:	1781 SW 60th Avenue, Ocala, FL 34474
What is the maximum number of card tables you intend to operate during the license period?	34
A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be submitted with this application.	
Name of cardroom manager or cardroom management company:	Brian C. Matthews
Cardroom manager or cardroom management company license number:	8251823
Type of participation fee charged to players:	Rake - Ante <input type="checkbox"/> Seat Charge <input type="checkbox"/> Both <input checked="" type="checkbox"/>

Additional documentation requirements:

- 1) Attach a list of card games to be offered to your patrons.
- 2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of \$50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
- 3) Attach Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
- 4) Attach a copy of your internal controls.
- 5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT	
I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.	
Signature of Applicant or Applicant's Representative	
Date	8-22-2023

RECEIVED

2023 JUL 12 AM 11:24

DBPR PMW-3160 – Permitholder Application for Annual License to Operate a Cardroom



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

FLORIDA QUALIFIED
COMMISSION

www.myfloridalicense.com

INSTRUCTIONS

This form is to be submitted in conjunction with Form DBPR PMW-3220. Form DBPR PMW-3220 must be submitted with all pertinent cardroom operation information.

ORGANIZATION INFORMATION

Federal Employer ID Number: [REDACTED]
Permitholder's Legal Name: Ocala Breeders' Sales Company, Inc.
Doing Business As (D/B/A) Name: OcalaBets and/or Ocala Bets

MAILING ADDRESS

Street Address or P.O. Box: P.O. Box 99
City: Ocala State: FL Zip Code (+4 optional): 34478
County (if Florida address): Marion Country: USA

CONTACT INFORMATION

Contact Name: Thomas Ventura
Primary Phone Number: [REDACTED] Primary E-Mail Address: [REDACTED]

PHYSICAL ADDRESS

Street Address: 1701 SW 60th Avenue
City: Ocala State: FL Zip Code (+4 optional): 34474
County: Marion

ADDITIONAL CONTACT INFORMATION (OPTIONAL)

Alternate Phone Number: [REDACTED] Fax Number: 352 237-3566
Alternate E-Mail Address: [REDACTED]

CARDROOM INFORMATION

Physical Location of Cardroom: 1701 SW 60th Avenue, Ocala, FL 34474

What is the maximum number of card tables you intend to operate during the license period? 34

A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be submitted with this application.

Name of cardroom manager or cardroom management company:
Brian C. Matthews

Cardroom manager or cardroom management company license number: 8251823

Type of participation fee charged to players: Rake - Ante Seat Charge Both

Additional documentation requirements:

- 1) Attach a list of card games to be offered to your patrons.
- 2) As specified in s. 849.086(9), Florida Statutes, provide evidence that there is in force a surety bond in the amount of \$50,000, payable to the state, or evidence that the pari-mutuel bond has been expanded to include cardroom operations.
- 3) Attach Form DBPR PMW-3220, List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom, with whom you intend to do business.
- 4) Attach a copy of your internal controls.
- 5) If this is your initial cardroom operator license application, attach proof that the county commission in the county where you desire to conduct cardroom gaming has voted to approve such activity within the county.

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.

Signature of Applicant or Applicant's Representative



Date

7-11-2023

License

Fed Tax # [REDACTED]	Lic Type	1012 - Cardroom Employee Occupational	Expires On	06/30/2025
File # 14464	Name	MATTHEWS, BRIAN C	Extended To	
License # 8251823	Rank	CEMP - Cardroom Employee Occupational	Renewed On	
Entity # 8251823	Lic Status	Current		

Address

Street # 2994	Street	FRANCO DRIVE		
Line 2				
Line 3				
City ODESSA	State	FL	Zip	33556
	Routing			



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[Next on List](#)
[Return to List](#)

Fictitious Name Search

No Filing History

Fictitious Name Detail

Fictitious Name

OCALA BETS

Filing Information

Registration Number G23000033185
 Status ACTIVE
 Filed Date 03/14/2023
 Expiration Date 12/31/2028
 Current Owners 1
 County MARION
 Total Pages 1
 Events Filed NONE
 FEVEIN Number 81-4607033

Mailing Address

P.O. BOX 99
 OCALA, FL 34478

Owner Information

OCALA BREEDERS' SALES COMPANY, INC.
 1701 SW 60TH AVENUE
 OCALA, FL 34474
 FEVEIN Number: ██████████
 Document Number: P15000092514

Document Images

[03/14/2023 - CANCELLATION/RE-REGISTRATION](#)

[Previous on List](#)
[Next on List](#)
[Return to List](#)

Fictitious Name Search

No Filing History



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[Return to List](#)

Fictitious Name Search

No Filing History

Fictitious Name Detail

Fictitious Name

OCALABETS

Filing Information

Registration Number G23000033187
 Status ACTIVE
 Filed Date 03/14/2023
 Expiration Date 12/31/2028
 Current Owners 1
 County MARION
 Total Pages 1
 Events Filed NONE
 FEI/EIN Number 59-1566113

Mailing Address

P.O. BOX 99
 OCALA, FL 34478

Owner Information

OCALA BREEDERS' SALES COMPANY, INC.
 1701 SW 60TH AVENUE
 OCALA, FL 34474
 FEI/EIN Number: ██████████
 Document Number: P15000092514

Document Images

[03/14/2023 - REGISTRATION](#)

[Previous on List](#)
[Next on List](#)
[Return to List](#)

Fictitious Name Search

No Filing History

RE: OBS cardroom license app - City resolution

Thomas Ventura <TomV@obssales.com>

Tue 8/22/2023 5:22 PM

To: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>

Cc: Chris Schoonover <Chris@cccfla.com>; Joe Dillmore <Joe.Dillmore@flgaming.gov>; Louis Trombetta <Louis.Trombetta@flgaming.gov>; Jamie Pouncey <Jamie.Pouncey@flgaming.gov>; Dan Hicks <weclose2@danielhickspa.com>

 1 attachments (714 KB)

DBPRPMW-3160-E OBS Initial Cardroom License application 2023-24 updated 8-22-2023.pdf;

La'Kesha:

I have updated form DBPR PMW-3160 to reflect the 911 address of the building that includes the Cardroom to 1781 SW 60th Avenue, Ocala, FL 34474

Thank you.

Tom Ventura

Ocala Breeders' Sales Company, Inc.

352 237-2154

352 895-3005 cell

From: Thomas Ventura

Sent: Friday, August 18, 2023 3:31 PM

To: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>

Cc: Chris Schoonover <Chris@cccfla.com>; Joe Dillmore <Joe.Dillmore@flgaming.gov>; Louis Trombetta <Louis.Trombetta@flgaming.gov>; jamie.pouncey@flgaming.gov; Dan Hicks <weclose2@danielhickspa.com>

Subject: OBS cardroom license app - City resolution

La'Kesha:

Please find information regarding the address on the City of Ocala Resolution (2020-11) on December 17, 2019 which approved a Cardroom at OBS. The resolution has the situs address listed on the Marion County Property Appraiser website of 1171 SW 60th Avenue. (The 216.43 acres (23320-005-01) includes multiple addresses: 1171 SW 60th Avenue, 1701 SW 60th Avenue, and 1781 SW 60th Avenue (the 911 address for Inter-track wagering building where the Cardroom is located).

The City of Ocala resolution 2020-11 paragraph C references the situs address 1171 SW 60th Avenue, Ocala, FL and includes ("a legal description of which is included in pari-mutual (sic) permits issued to OBS by the Division")

The OBS QH permit 950 was updated on June 28, 2018 to include the 216.43 acres (23320-005-01) and the contiguous parcel with 13.93 acres (23320-004-01 – situs address 791 SW 60th Ave Ocala). I have attached the parcel update request submitted on January 2, 2018 which includes details of the parcels. The DPMW final order filed June 28, 2018 is also attached.

Link to Marion County Property Appraiser website below:

Parcel 23320-005-01 (216.43 acres)

<https://www.pa.marion.fl.us/PRC.aspx?key=585980&YR=2023&mName=False&mSitus=False>

Parcel 23320-004-01 (13.93)

<https://www.pa.marion.fl.us/PRC.aspx?key=1880343&YR=2023&mName=False&mSitus=False>

I am available to discuss at your convenience.

Thank you.

Tom Ventura
Ocala Breeders' Sales Company, Inc.
352 237-2154
352 895-3005 cell

RESOLUTION 2020-11

A RESOLUTION APPROVING THE OPERATION OF A CARDROOM AT A FACILITY OWNED AND OPERATED BY OCALA BREEDERS' SALES COMPANY, INC.

WHEREAS:

- A. Section 849.086, Florida Statutes (2018) authorizes the operation of a cardroom pursuant to a cardroom license issued by the Division of Para-Mutual Wagering of the State of Florida Department of Business and Professional Regulation (the "Division").
- B. Section 849.086(16), Florida Statutes states that the Division shall not issue a license under Section 849.086 except upon proof "that the local government where the applicant for such license desires to conduct cardroom gaming has voted to approve such activity by a majority vote of the governing body of the" local government.
- C. Ocala Breeders' Sales Company, Inc. ("OBS") has requested the City Council of the City of Ocala to approve the operation of a cardroom at its facility located at 1171 SW 60th Avenue, Ocala, Florida (a legal description of which is included in para-mutual permits issued to OBS by the Division).
- D. On December 17, 2019, City Council considered such request and approved the activity by a majority vote.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session as follows:

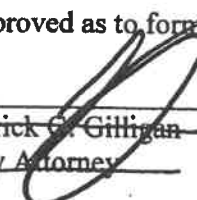
- 1. The City of Ocala, pursuant to a majority vote of the City Council of the City of Ocala, approves the operation of a cardroom at the OBS facility referred to above.

This resolution adopted this 17 day of December, 2019.

CITY OF OCALA

By: 
Jay A. Musleh
President, Ocala City Council

ATTEST
By: 
Angel B. Jacobs
City Clerk

Approved as to form and legality:
By: 
~~Patrick G. Gilligan~~
City Attorney
W. James Gooding III
Assistant City Attorney

La'Kesha Jelks

From: Thomas Ventura <TomV@obssales.com>
Sent: Friday, August 18, 2023 3:31 PM
To: La'Kesha Jelks
Cc: Chris Schoonover; Joe Dillmore; Louis Trombetta; Jamie Pouncey; Dan Hicks
Subject: OBS cardroom license app - City resolution
Attachments: OBS QH permit 950 parcel update request to DPMW January 2, 2018.pdf; 2018033746 - OCALA BREEDERS' SALES COMPANY, INC. - FINAL ORDER GRANTING MODIFICATION TO PERMIT 6-28-18.pdf; OBS Cardroom - signed City Resolution 2020-11 authorizing operation of a cardroom.pdf

La'Kesha:

Please find information regarding the address on the City of Ocala Resolution (2020-11) on December 17, 2019 which approved a Cardroom at OBS. The resolution has the situs address listed on the Marion County Property Appraiser website of 1171 SW 60th Avenue. (The 216.43 acres (23320-005-01) includes multiple addresses: 1171 SW 60th Avenue, 1701 SW 60th Avenue, and 1781 SW 60th Avenue (the 911 address for Inter-track wagering building where the Cardroom is located).

The City of Ocala resolution 2020-11 paragraph C references the situs address 1171 SW 60th Avenue, Ocala, FL and includes ("a legal description of which is included in pari-mutual (sic) permits issued to OBS by the Division")

The OBS QH permit 950 was updated on June 28, 2018 to include the 216.43 acres (23320-005-01) and the contiguous parcel with 13.93 acres (23320-004-01 – situs address 791 SW 60th Ave Ocala). I have attached the parcel update request submitted on January 2, 2018 which includes details of the parcels. The DPMW final order filed June 28, 2018 is also attached.

Link to Marion County Property Appraiser website below:

Parcel 23320-005-01 (216.43 acres)

<https://www.pa.marion.fl.us/PRC.aspx?key=585980&YR=2023&mName=False&mSitus=False>

Parcel 23320-004-01 (13.93)

<https://www.pa.marion.fl.us/PRC.aspx?key=1880343&YR=2023&mName=False&mSitus=False>

I am available to discuss at your convenience.

Thank you.

Tom Ventura
Ocala Breeders' Sales Company, Inc.
352 237-2154
352 895-3005 cell



OCALA BREEDERS' SALES COMPANY, INC.

P.O. BOX 99 • Ocala, Florida 34478

Telephone (352) 237-2154 • Fax (352) 237-3566

Website: www.obssales.com • Email: obs@obssales.com

January 2, 2018

Robert Ehrhardt, Director
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, FL 32399-1035
Phone: 850.487.1395
Fax: 850.488.0550
Robert.Ehrhardt@myfloridalicense.com

Dear Mr. Ehrhardt:

As discussed, please find information attached regarding the Ocala Breeders' Sales Company, Inc. Pari-Mutuel Permit #950. The Permit was originally issued on June 28th, 1985 (attached). In order to accurately reflect the current property of Ocala Breeders' Sales Company, please update the Permit records to include the following contiguous parcels.

Link to Marion County Property Appraiser for parcel - 23320-005-01 - Acres: 216.43
<http://216.255.243.135/DEFAULT.aspx?Key=585980&YR=2017>

Link to Marion County Property Appraiser for parcel - 23320-004-01 - Acres: 13.93
<http://216.255.243.135/DEFAULT.aspx?key=1880343&YR=2017>

I have attached the detailed property description recorded in Marion County. This information was previously provided to the DPMW as part of the 2016-17 Annual Operating License application packet submitted on January 2, 2016 (cover letter attached).

Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you.

Sincerely,

Thomas Ventura
President

Ocala Breeders' Sales Company Permit Parcel Information – January 2, 2016

Information for each parcel included: link to Marion County Property Appraiser website, parcel number, acreage, legal description, and property map.

Link to Marion County Property Appraiser for parcel - 23320-005-01 - Acres: 216.43

<http://216.255.243.135/DEFAULT.aspx?Key=585980&YR=2015>

Legal description:

SEC 21 TWP 15 RGE 21

NW 1/4 EXC SR 225A & EXC E 25 FT &

N 1/2 OF SW 1/4 LYING N & E OF SR 225A EXC E 25 FT & EXC

ANY PART OF OAK PARK CONDO DESC IN OR 753-726 & EXC

COM AT NW COR, N 89-36-34 E 293.59 FT, S 00-27-42 E

60 FT TO POB, N 89-36-34 E 986.87 FT, S 00-23-26 E

664.60 FT, S 89-34-52 W 664.16 FT, N 00-27-42 W

142.91 FT, S 89-34-52 W 321.89 FT, N 00-27-42 W

522.18 FT TO POB(23320-004-01)

& EXC S 225 FT OF N 480 FT OF FOLLOWING:

COM AT NW COR OF NW 1/4 TH N 89-36-34 E 15 FT

TH S 0-28-58 E 60 FT TO POB TH N 89-36-34 E 278.57 FT

TH S 00-27-42 E 1265.09 FT TH S 89-34-51 W 278.10 FT

TH N 00-28-58 W 1265.23 FT TO POB SUBJECT TO ESMT DESC AS:

S 50 FT OF N 60 FT OF W 1002 FT OF NW 1/4 OF SEC 21 EXC RD

ROW FOR CTY RD 225-A & EXC

THE N 255 FT OF THE FOLLOWING DESC PARCEL:

COM AT THE NW COR OF NW 1/4 OF SEC 21 TH N 89-36-34 E 15 FT

TH S 00-28-58 E 60 FT TO THE POB TH N 89-36-34 E 278.57 FT

TH S 00-27-42 E 1265.09 FT TH S 89-34-51 W 278.10 FT TH

N 00-28-58 W 1265.23 FT TO THE POB &

TOGETHER WITH A 40 FT EASEMENT LYING 40 FT S OR E OF THE

FOLLOWING DESC LINE: COM AT THE NW COR OF SEC 21 TH

N 89-36-34 E 15 FT TH S 00-27-42 E 1325.14 FT TO THE POB TH

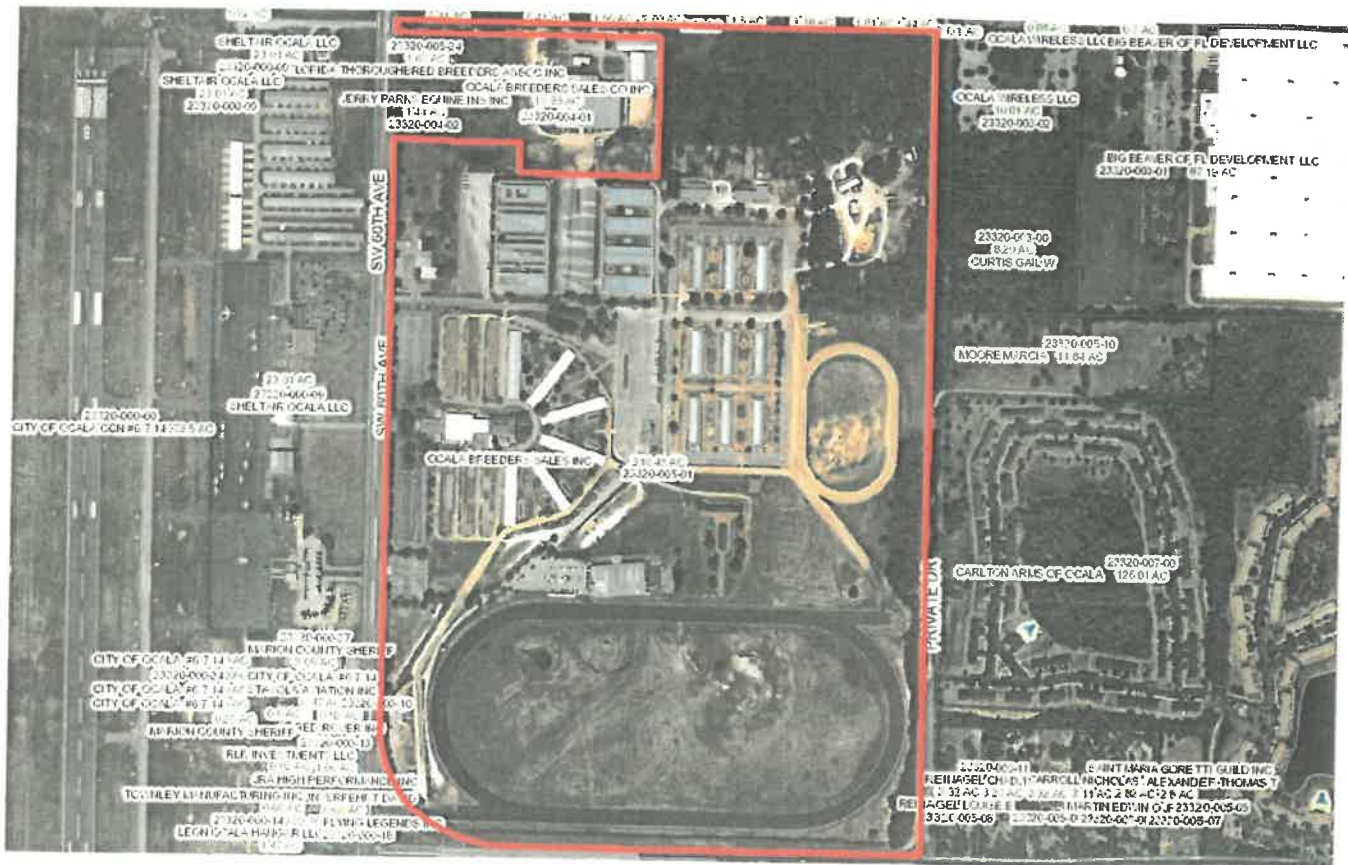
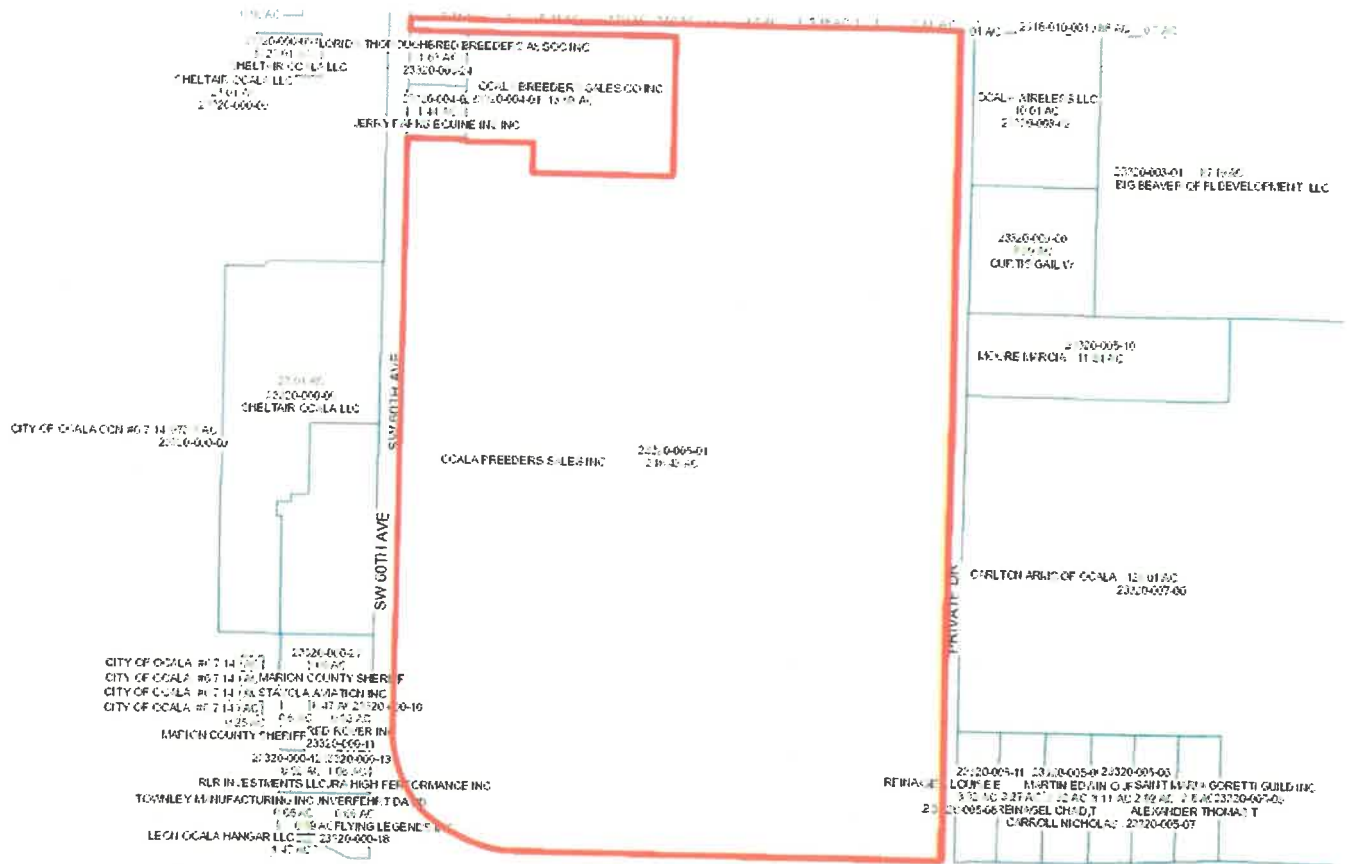
N 89-34-52 E 278.59 FT TH N 00-27-42 W 600 FT TH

N 89-34-52 E 361.89 FT TO THE ELY TERMINUS OF THE HEREIN

DESC EASEMENT

Ocala Breeders' Sales Company Permit Parcel Information – January 2, 2016

Marion County Property Appraiser for parcel - 23320-005-01 - Acres: 216.43



Ocala Breeders' Sales Company Permit Parcel Information – January 2, 2016

Link to Marion County Property Appraiser for parcel - 23320-004-01 - Acres: 13.93

<http://216.255.243.135/DEFAULT.aspx?key=1880343&YR=2015>

Legal description:

SEC 21 TWP 15 RGE 21

COM AT NW SEC COR, N 89-36-34 E 293.59 FT TH S 00-27-42 E

60 FT TO POB TH N 89-36-34 E 986.87 FT TH S 00-27-42 E

664.60 FT TH S 89-34-52 W 664.16 FT TH N 00-27-42 W 142.91 FT

TH S 89-34-52 W 321.89 FT TH N 00-27-42 W 522.18 FT TO POB

EXC THE FOLLOWING:

COM AT THE NW COR OF SEC 21 TH N 89-36-34 E 293.59 FT TH

S 00-27-42 E 60 FT TO THE POB TH N 89-36-34 E 12 FT TH

S 00-23-26 E 255.14 FT TH S 89-34-52 W 12 FT TH N 00-27-42 W

255.14 FT TO THE POB &

40 FT EASEMENT DESC IN OR 1217-535

TOGETHER WITH A NON-EXCLUSIVE ESMT FOR INGRESS & EGRESS

OVER & ACROSS THE FOLLOWING DESC: S 50 FT OF N 60 FT OF

W 1002 FT OF THE NW 1/4 OF SEC 21 & &

SUBJECT TO A 40 FT EASEMENT LYING 40 FT S OR E OF THE

FOLLOWING DESC LINE: COM AT THE NW COR OF SEC 21 TH

N 89-36-34 E 15 FT TH S 00-27-42 E 1325.14 FT TO THE POB TH

N 89-34-52 E 278.59 FT TH N 00-27-42 W 600 FT TH

N 89-34-52 E 361.89 FT TO THE ELY TERMINUS OF THE HEREIN

DESC EASEMENT

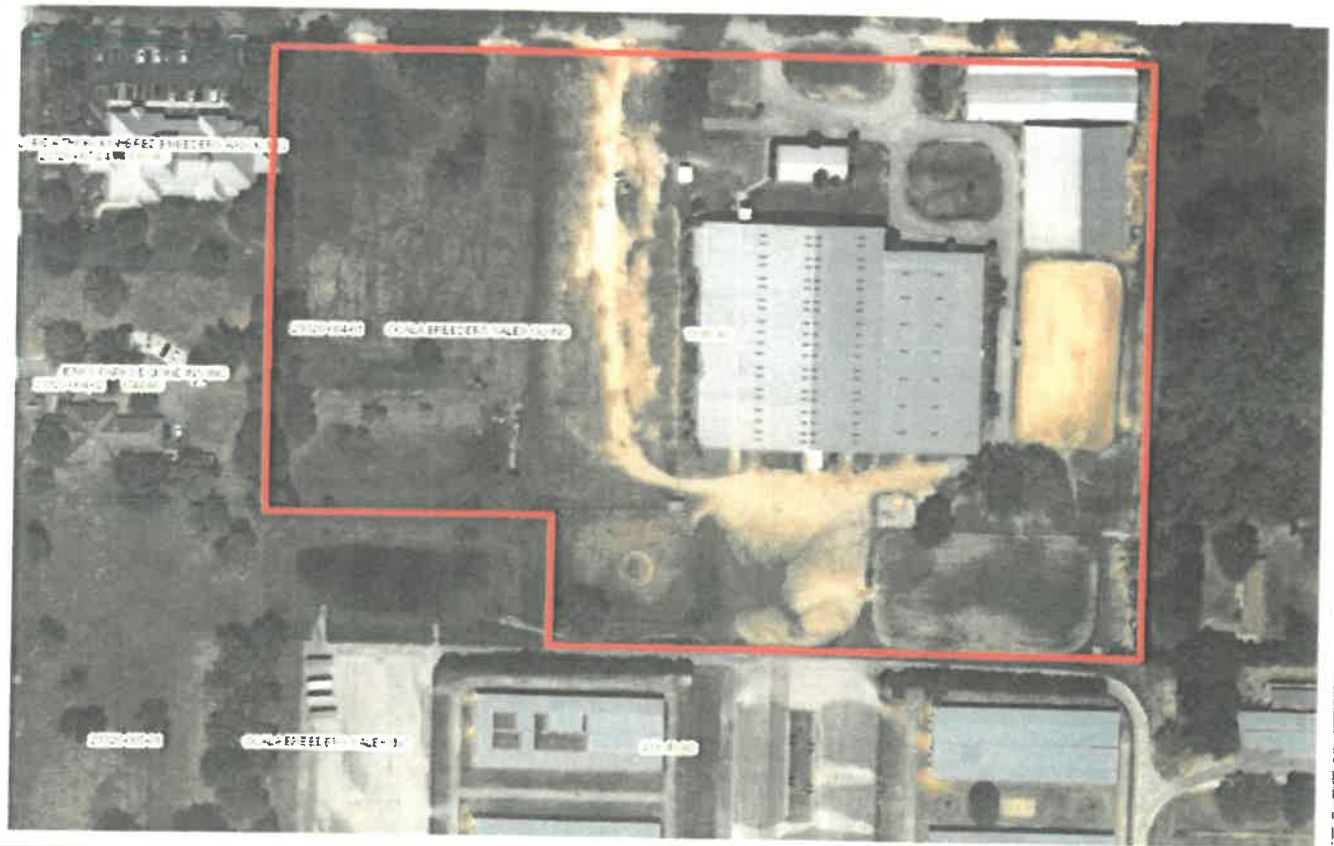
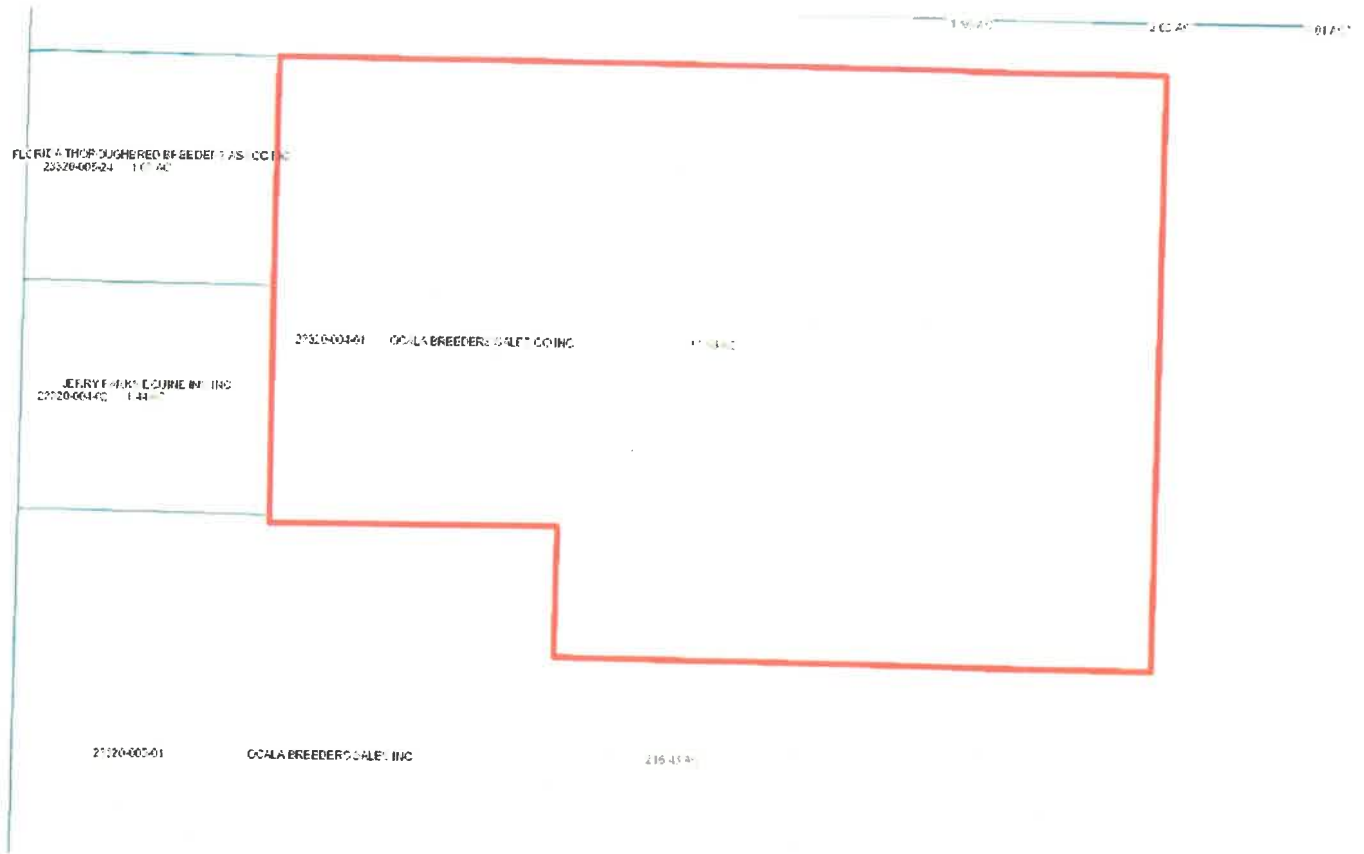
TOGETHER WITH A NON EXCLUSIVE 50 FT EASEMENT DEAC AS FOLLOWS:

S 50 FT OF N 60 FT OF W 1002 FT OF NW 1/4 OF SEC 21

EXCPET RD ROW OF 225 A

Ocala Breeders' Sales Company Permit Parcel Information – January 2, 2016

Marion County Property Appraiser for parcel - 23320-004-01 - Acres: 13.93



STATE OF FLORIDA
DEPARTMENT OF BUSINESS REGULATION-DIVISION OF PARI-MUTUEL WAGERING

P E R M I T

TO CONDUCT QUARTER HORSE
RACING PURSUANT TO SECTION
550.33, FLORIDA STATUTES

WHEREAS, Ocala Breeders' Sales Company, Inc., an incorporated cooperative duly authorized to transact business in the State of Florida, has applied to the Division of Pari-Mutuel Wagering for a permit to conduct quarter horse race meetings, pursuant to the provisions of Chapter 550, Florida Statutes; and

WHEREAS, Ocala Breeders' Sales Company, Inc., has demonstrated that it has the financial ability to satisfy the reasonably anticipated operational expenses of the first racing year following the issuance of this permit, and that the location where the permit will be used, in the city of Ocala, Marion County, Florida is available for such use on the following described premises, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

WHEREAS, Ocala Breeders' Sales Company, Inc., has stated, with reasonable supporting evidence provided, that substantial construction of its facility will be started within 1 year of the date on which this permit is granted; and

WHEREAS, the stockholders of Ocala Breeders' Sales Company, Inc., are qualified, under Section 550.181, Florida Statutes, to hold an interest in a pari-mutuel wagering permit; and

WHEREAS, the application of OCALA BREEDERS' SALES COMPANY, INC., for a quarter horse racing permit has been examined and considered by the Division of Pari-Mutuel Wagering and has been found to be sufficient and in due form and in accordance with the law warranting the issuance of the permit applied for; said quarter horse racing to be conducted upon the following described premises in Marion County, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

NOW, THEREFORE, BE IT KNOWN that a Permit to conduct a quarter horse racing meet in Marion County is hereby GRANTED TO OCALA BREEDERS' SALES COMPANY, INC., for the operation and conduct of a quarter horse racing meet pursuant to Section 550.33, Florida Statutes, upon the following described premises in Marion County, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

in accordance with the laws of the State of Florida and the rules and regulations of the Division of Pari-Mutuel Wagering, in the manner and form provided by law.

IN WITNESS WHEREOF, The Division of Pari-Mutuel Wagering
of The State of Florida Department of Business Regulation has granted
this permit by its Director in Miami, Florida as of this 28th day of
June 1985.

DIVISION OF PARI-MUTUEL WAGERING
OF THE DEPARTMENT OF BUSINESS REGULATION

By: 
ROBERT M. ROSENBERG, DIRECTOR



OCALA BREEDERS' SALES COMPANY, INC.

P.O. BOX 99 • Ocala, Florida 34478
Telephone (352) 237-2154 • Fax (352) 237-3566
Website: www.obssales.com • Email: obs@obssales.com

January 2, 2016

Jamie Pouncey, Licensing Administrator
Division of Pari-Mutuel Wagering
1940 North Monroe Street
Suite 44
Tallahassee, FL 32399-1037
850.717.1073 Office - 850.410.5350 FAX

Dear Ms. Pouncey:

Please find the completed Application packet enclosed for the 2016/17 Annual Operating License for Ocala Breeders' Sales Company, Inc.

Permitholder Application for Annual License and Operating Dates	DBPR PMW-3060
Permitholder Calendar	DBPR PMW-3080
Surety Bond For Florida Pari-Mutuel Wagering	DBPR PMW-3105
Officers and Directors	DBPR PMW-3190

Certificate of Clerk of the Circuit Court that there has been no election resulting in a recall.

Parcel information is included as a separate attachment. Ocala Breeders' Sales Company, Inc. has purchased an adjoining parcel and we would like to include as part of our permitted property.

Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you.

Sincerely,

Thomas Ventura
President

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Brandon Nichols
Date	6/28/2018
File #	2018-05116

IN RE: REQUEST TO MODIFY PERMIT OF
OCALA BREEDERS' SALES COMPANY, INC.,

DBPR CASE NO. 2018-033746

FINAL ORDER GRANTING MODIFICATION TO PERMIT

This cause has come before the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, wherein Ocala Breeders' Sales Company, Inc., has requested modification to its permit authorizing it to conduct quarter horse racing to include newly acquired land in accordance with the provisions of section 550.054(3)(d), Florida Statutes, and all other applicable law.

1. On June 28, 1985, the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Division"), which was formally known as the "Department of Business Regulation," issued a permit, number 950, to conduct quarter horse racing on a parcel of land, numbered 23320-005-01, pursuant to section 550.33, Florida Statutes (1984), to Ocala Breeders' Sales Company, Inc. ("OBS") (the "Permit"). A true and correct copy of the Permit is attached hereto as Exhibit "A."

2. On or about January 2, 2018, OBS requested the Division update the Permit to include a parcel of land numbered 23320-004-01, totaling approximately 13.93 acres, acquired by OBS, which is contiguous to the parcel delineated within the Permit. The foregoing indicates that this information was previously included in OBS's 2016-2017 Annual Operating License Application submitted on or about January 2, 2016. A true and correct copy of this Request, including the description of the foregoing 13.93 acres, is attached hereto as Exhibit "B."

ORDER

Having come before the Director of Pari-Mutuel Wagering, it is therefore ORDERED:

1. OBS's Request to Modify Permit is GRANTED.
2. OBS's permit, number 950, is hereby updated to reflect the legal description contained in its Request to Modify.
3. This Final Order Granting Modification to Permit shall become effective upon its filing with the Agency Clerk of the Department of Business and Professional Regulation.

DONE AND ORDERED this 26 day of June, 2018, in Tallahassee, Florida.



ROBERT EHRHARDT, DIRECTOR
Division of Pari-Mutuel Wagering
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, Florida 32399-1035
(850) 717-1768

Copies furnished to:
Deborah Matthews

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 Agency Clerk, 2601 Blair Stone Road, Mail Stop G3, Tallahassee, Florida 32399-2203 (email: agc.filing@myfloridalicense.com), 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) in the Office of the Agency Clerk within thirty (30) days after the date this Order is filed with the Clerk.

CERTIFICATE OF SERVICE

I hereby certify this 28th day of June, 2018, that a true copy of the foregoing "Final Order Granting Modification to Permit" has been provided by regular and electronic mail to:

Ocala Breeders' Sales Company, Inc.
c/o Thomas Venture, President
PQ Box 99
Ocala, Florida 34478
<tomv@obssales.com>



AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

STATE OF FLORIDA
DEPARTMENT OF BUSINESS REGULATION-DIVISION OF PARI-MUTUEL WAGERING

P E R M I T

TO CONDUCT QUARTER HORSE
RACING PURSUANT TO SECTION
550.33, FLORIDA STATUTES

WHEREAS, OCALA BREEDERS' SALES COMPANY, INC., an incorporated cooperative duly authorized to transact business in the State of Florida, has applied to the Division of Pari-Mutuel Wagering for a permit to conduct quarter horse race meetings, pursuant to the provisions of Chapter 550, Florida Statutes; and

WHEREAS, OCALA BREEDERS' SALES COMPANY, INC., has demonstrated that it has the financial ability to satisfy the reasonably anticipated operational expenses of the first racing year following the issuance of this permit, and that the location where the permit will be used, in the city of Ocala, Marion County, Florida is available for such use on the following described premises, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the west 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

WHEREAS, OCALA BREEDERS' SALES COMPANY, INC., has stated, with reasonable supporting evidence provided, that substantial construction of it's facility will be started within 1 year of the date on which this permit is granted; and

WHEREAS, the stockholders of OCALA BREEDERS' SALES COMPANY, INC., are qualified, under Section 550.181, Florida Statutes, to hold an interest in a pari-mutuel wagering permit; and

Exhibit A

WHEREAS, the application of OCALA BREEDERS' SALES COMPANY, INC., for a quarter horse racing permit has been examined and considered by the Division of Pari-Mutuel Wagering and has been found to be sufficient and in due form and in accordance with the law warranting the issuance of the permit applied for; said quarter horse racing to be conducted upon the following described premises in Marion County, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

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The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

NOW, THEREFORE, BE IT KNOWN that a Permit to conduct a quarter horse racing meet in Marion County is hereby GRANTED TO OCALA BREEDERS' SALES COMPANY, INC., for the operation and conduct of a quarter horse racing meet pursuant to Section 550.33, Florida Statutes, upon the following described premises in Marion County, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

In accordance with the laws of the State of Florida and the rules and regulations of the Division of Pari-Mutuel Wagering, in the manner and form provided by law.

IN WITNESS WHEREOF, The Division of Pari-Mutuel Wagering
of The State of Florida Department of Business Regulation has granted
this permit by its Director in Miami, Florida as of this 28th day of
June 1985.

DIVISION OF PARI-MUTUEL WAGERING
OF THE DEPARTMENT OF BUSINESS REGULATION

By:


ROBERT M. ROSENBERG, DIRECTOR

STATE OF FLORIDA
DEPARTMENT OF BUSINESS REGULATION-DIVISION OF PARI-MUTUEL WAGERING

P E R M I T

TO CONDUCT QUARTER HORSE RACE MEETING
PERSUANT TO SECTION 550.33, FLORIDA STATUTES

WHEREAS, OCALA BREEDERS SALES COMPANY, INC., a corporation duly authorized to transact business in the State of Florida, has made application on October 7, 1982, to the Division of Pari-Mutuel Wagering for the issuance of a permit to conduct a quarter horse race meeting in accordance with Chapter 550, Florida Statutes; and

WHEREAS, OCALA BREEDERS SALES COMPANY, INC. filed a supplement to its application for a permit with the Division of Pari-Mutuel Wagering on February 11, 1983, pursuant to the request by the Division for additional information; and

WHEREAS, OCALA BREEDERS SALES COMPANY, INC. has demonstrated to the Division its ability to conduct a quarter horse race meeting in conformity with Chapter 550, Florida Statutes, on the following described premises in Marion County, to wit:

The SW 1/4 of the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

AND

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres, more or less.

AND

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less.

AND

The West 1/2 of the Northeast 1/4 of the Southwest 1/4 Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 20 acres, more or less.

WHEREAS, OCALA BREEDERS SALES COMPANY, INC. has presented the Division with a statement with reasonable supporting evidence that substantial construction of the aforementioned premises will be completed within one(1) year of the date of the issuance of this permit; and

WHEREAS, the application of OCALA BREEDERS SALES COMPANY, INC. for a quarter horse racing permit has been examined and considered by the Division of Pari-Mutuel Wagering and has been found to be sufficient and in due form, and in conformity with the requirements of Section 550.33, Florida Statutes; said quarter horse racing to be conducted upon the aforementioned described premises in Marion County.

NOW, THEREFORE, BE IT KNOWN that a Permit to conduct a quarter horse race meeting in Marion County is hereby granted to OCALA BREEDERS SALES COMPANY, INC., in accordance with the provisions of Section 550.33, Florida Statutes, upon the following described premises, to wit:

The SW 1/4 of the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

AND

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 840.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres, more or less.

AND

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less.

AND

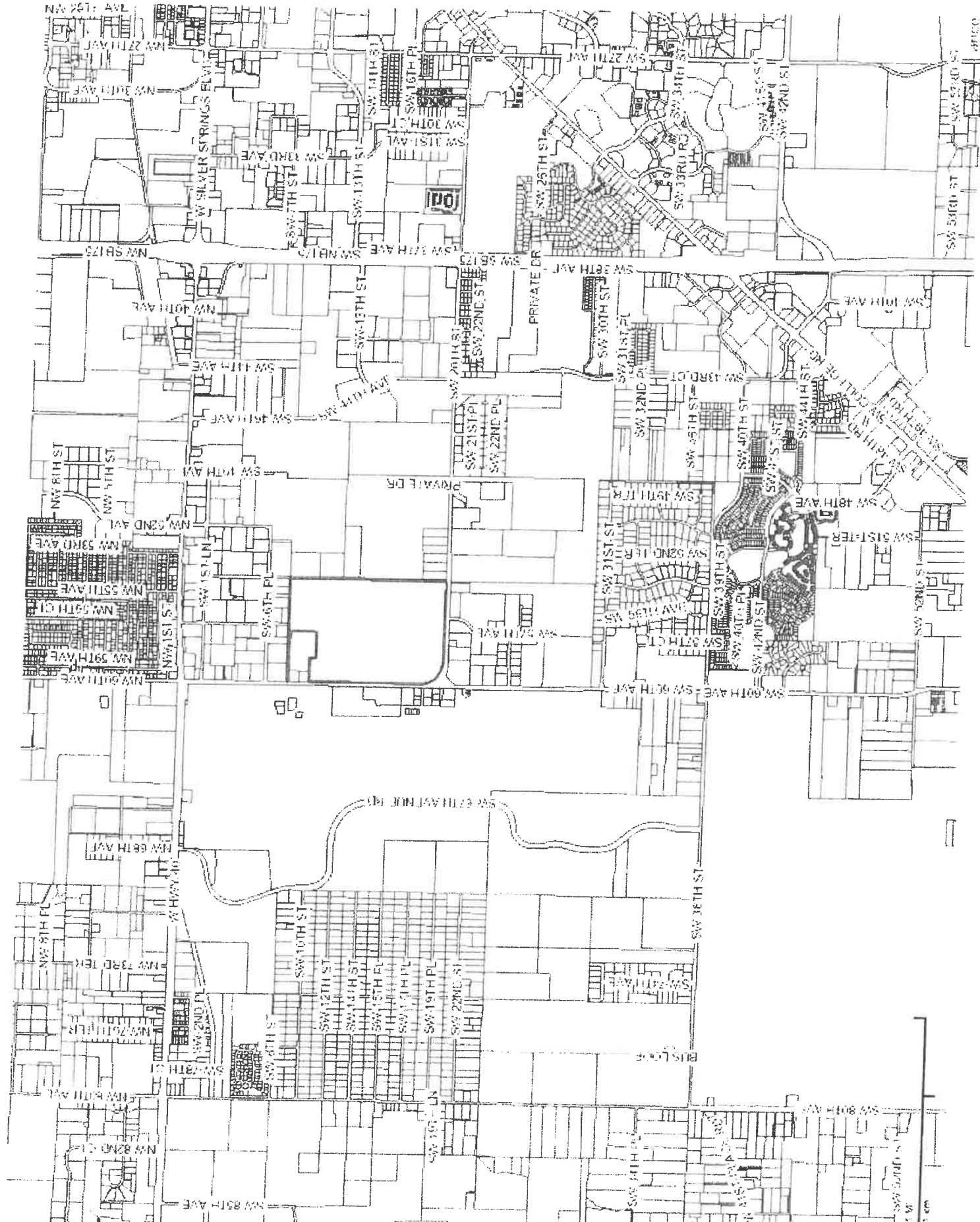
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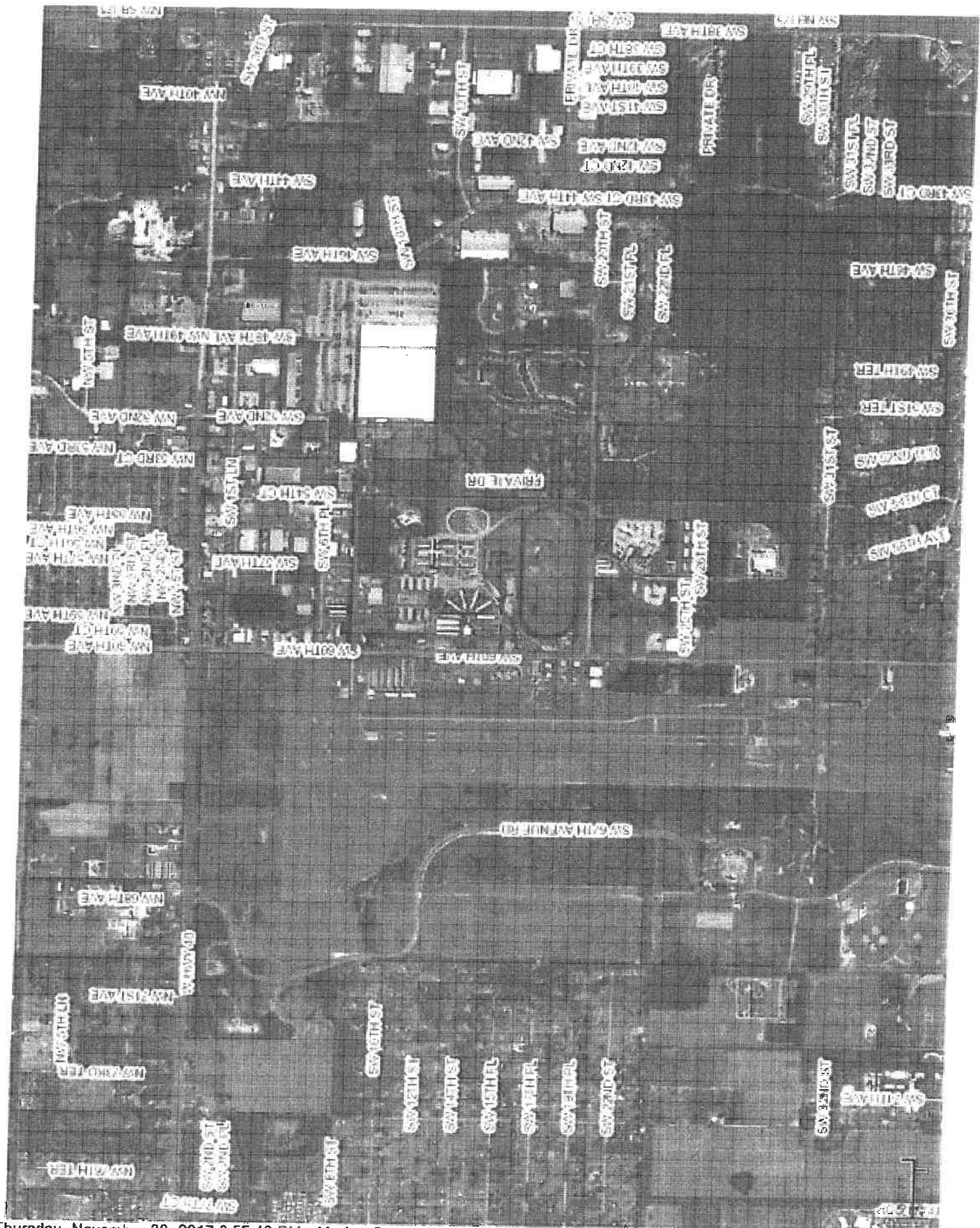
Races comprised of breeds other than quarter horse are authorized to be run under this permit pursuant to Section 550.33, Florida Statutes, but in no event shall the number of thoroughbred races in one day exceed the number of quarter horse races. In all respects, the racing conducted under this Permit shall be in accordance with the laws of the State of Florida and the rules and regulations of the Division of Pari-Mutuel Wagering.

IN WITNESS WHEREOF, the Division of Pari-Mutuel Wagering of the Department of Business Regulation of the State of Florida has granted this Permit by its Director at Miami, Florida as of this ____ day of March, 1983.

DIVISION OF PARI-MUTUEL WAGERING OF
THE DEPARTMENT OF BUSINESS REGULATION

BY: ROBERT H. SMITH, JR., DIRECTOR







OCALA BREEDERS' SALES COMPANY, INC.

P.O. BOX 99 • Ocala, Florida 34478
Telephone (352) 237-2154 • Fax (352) 237-3566
Website: www.obssales.com • Email: obs@obssales.com

January 2, 2018

Robert Ehrhardt, Director
Division of Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, FL 32399-1035
Phone: 850.487.1395
Fax: 850.488.0550
Robert.Ehrhardt@myfloridalicense.com

Dear Mr. Ehrhardt:

As discussed, please find information attached regarding the Ocala Breeders' Sales Company, Inc. Pari-Mutuel Permit #950. The Permit was originally issued on June 28th, 1985 (attached). In order to accurately reflect the current property of Ocala Breeders' Sales Company, please update the Permit records to include the following contiguous parcels.

Link to Marion County Property Appraiser for parcel - 23320-005-01 - Acres: 216.43
<http://216.255.243.135/DEFAULT.aspx?Key=585980&YR=2017>

Link to Marion County Property Appraiser for parcel - 23320-004-01 - Acres: 13.93
<http://216.255.243.135/DEFAULT.aspx?key=1880343&YR=2017>

I have attached the detailed property description recorded in Marion County. This information was previously provided to the DPMW as part of the 2016-17 Annual Operating License application packet submitted on January 2, 2016 (cover letter attached).

Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you.

Sincerely,

Thomas Ventura
President

Exhibit B

Ocala Breeders' Sales Company Permit Parcel Information – January 2, 2016

Information for each parcel included: link to Marion County Property Appraiser website, parcel number, acreage, legal description, and property map.

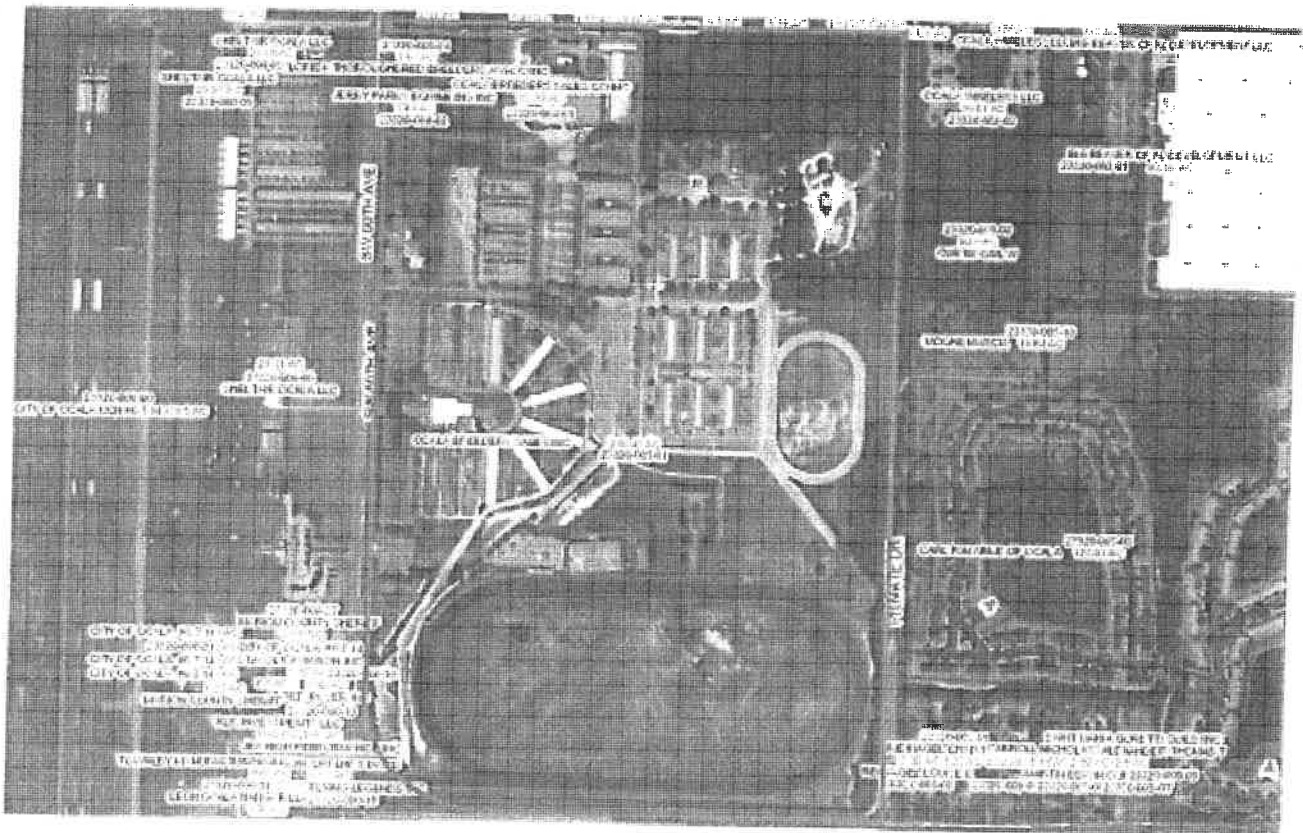
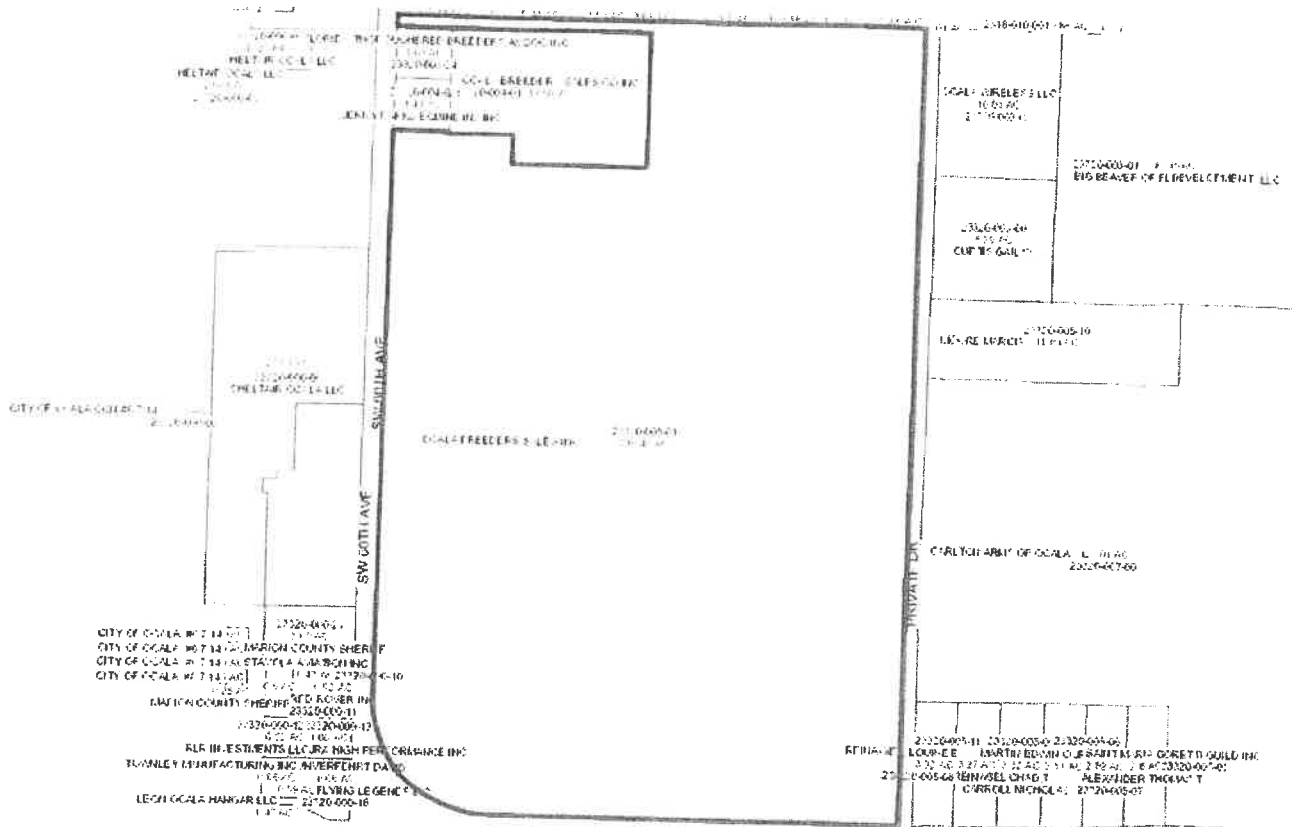
Link to Marion County Property Appraiser for parcel - 23320-005-01 - Acres: 216.43
<http://216.255.243.135/DEFAULT.aspx?Key=585980&YR=2015>

Legal description:

SEC 21 TWP 15 RGE 21
NW 1/4 EXC SR 225A & EXC E 25 FT &
N 1/2 OF SW 1/4 LYING N & E OF SR 225A EXC E 25 FT & EXC
ANY PART OF OAK PARK CONDO DESC IN OR 753-726 & EXC
COM AT NW COR, N 89-36-34 E 293.59 FT, S 00-27-42 E
60 FT TO POB, N 89-36-34 E 986.87 FT, S 00-23-26 E
664.60 FT, S 89-34-52 W 664.16 FT, N 00-27-42 W
142.91 FT, S 89-34-52 W 321.89 FT, N 00-27-42 W
522.18 FT TO POB(23320-004-01)
& EXC S 225 FT OF N 480 FT OF FOLLOWING:
COM AT NW COR OF NW 1/4 TH N 89-36-34 E 15 FT
TH S 0-28-58 E 60 FT TO POB TH N 89-36-34 E 278.57 FT
TH S 00-27-42 E 1265.09 FT TH S 89-34-51 W 278.10 FT
TH N 00-28-58 W 1265.23 FT TO POB SUBJECT TO ESMT DESC AS:
S 50 FT OF N 60 FT OF W 1002 FT OF NW 1/4 OF SEC 21 EXC RD
ROW FOR CTY RD 225-A & EXC
THE N 255 FT OF THE FOLLOWING DESC PARCEL:
COM AT THE NW COR OF NW 1/4 OF SEC 21 TH N 89-36-34 E 15 FT
TH S 00-28-58 E 60 FT TO THE POB TH N 89-36-34 E 278.57 FT
TH S 00-27-42 E 1265.09 FT TH S 89-34-51 W 278.10 FT TH
N 00-28-58 W 1265.23 FT TO THE POB &
TOGETHER WITH A 40 FT EASEMENT LYING 40 FT S OR E OF THE
FOLLOWING DESC LINE: COM AT THE NW COR OF SEC 21 TH
N 89-36-34 E 15 FT TH S 00-27-42 E 1325.14 FT TO THE POB TH
N 89-34-52 E 278.59 FT TH N 00-27-42 W 600 FT TH
N 89-34-52 E 361.89 FT TO THE ELY TERMINUS OF THE HEREIN
DESC EASEMENT

Ocala Breeders' Sales Company Permit Parcel Information - January 2, 2016

Marion County Property Appraiser for parcel - 23320-005-01 - Acres: 216.43



Ocala Breeders' Sales Company Permit Parcel Information – January 2, 2016

Link to Marion County Property Appraiser for parcel - 23320-004-01 - Acres: 13.93
<http://216.255.243.135/DEFAULT.aspx?key=1880343&YR=2015>

Legal description:

SEC 21 TWP 15 RGE 21

COM AT NW SEC COR, N 89-36-34 E 293.59 FT TH S 00-27-42 E

60 FT TO POB TH N 89-36-34 E 986.87 FT TH S 00-27-42 E

664.60 FT TH S 89-34-52 W 664.16 FT TH N 00-27-42 W 142.91 FT

TH S 89-34-52 W 321.89 FT TH N 00-27-42 W 522.18 FT TO POB

EXC THE FOLLOWING:

COM AT THE NW COR OF SEC 21 TH N 89-36-34 E 293.59 FT TH

S 00-27-42 E 60 FT TO THE POB TH N 89-36-34 E 12 FT TH

S 00-23-26 E 255.14 FT TH S 89-34-52 W 12 FT TH N 00-27-42 W

255.14 FT TO THE POB &

40 FT EASEMENT DESC IN OR 1217-535

TOGETHER WITH A NON-EXCLUSIVE ESMT FOR INGRESS & EGRESS

OVER & ACROSS THE FOLLOWING DESC: S 50 FT OF N 60 FT OF

W 1002 FT OF THE NW 1/4 OF SEC 21 & &

SUBJECT TO A 40 FT EASEMENT LYING 40 FT S OR E OF THE

FOLLOWING DESC LINE: COM AT THE NW COR OF SEC 21 TH

N 89-36-34 E 15 FT TH S 00-27-42 E 1325.14 FT TO THE POB TH

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DESC EASEMENT

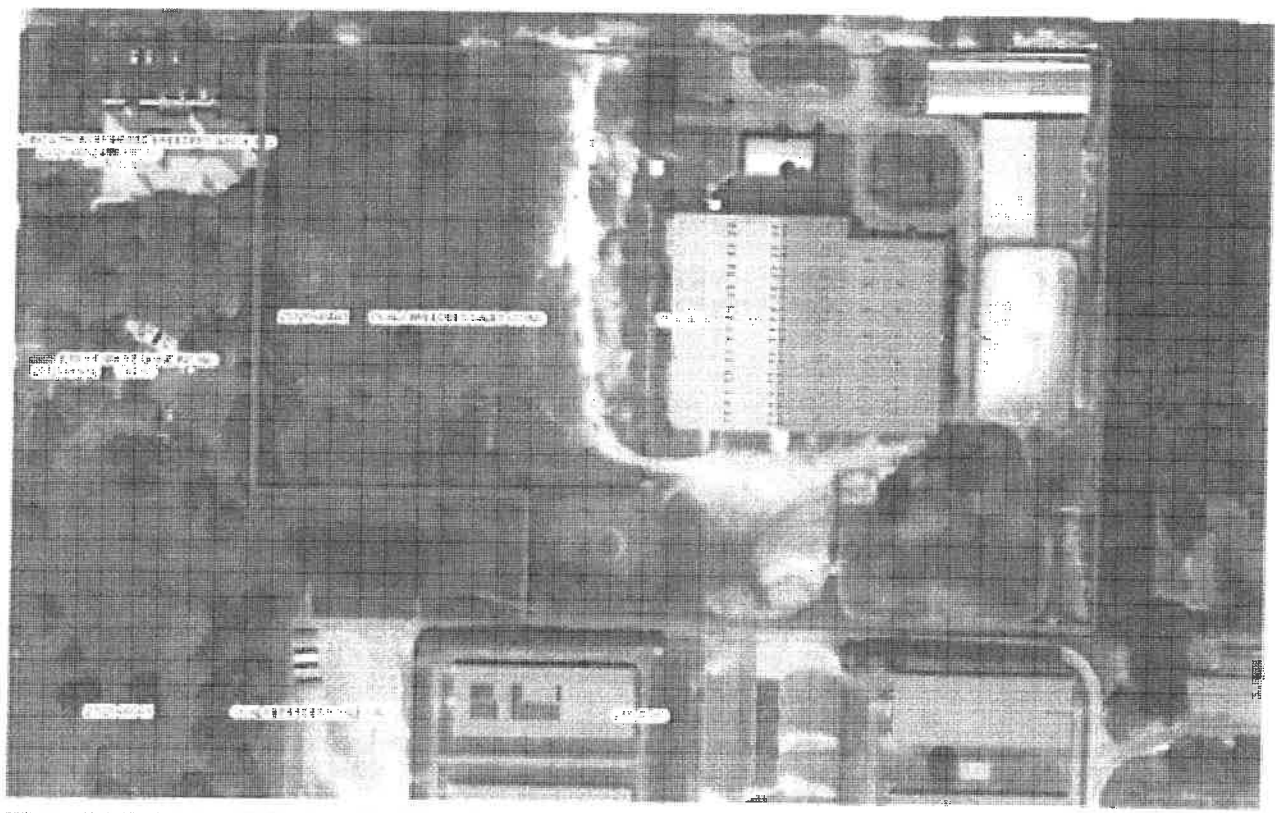
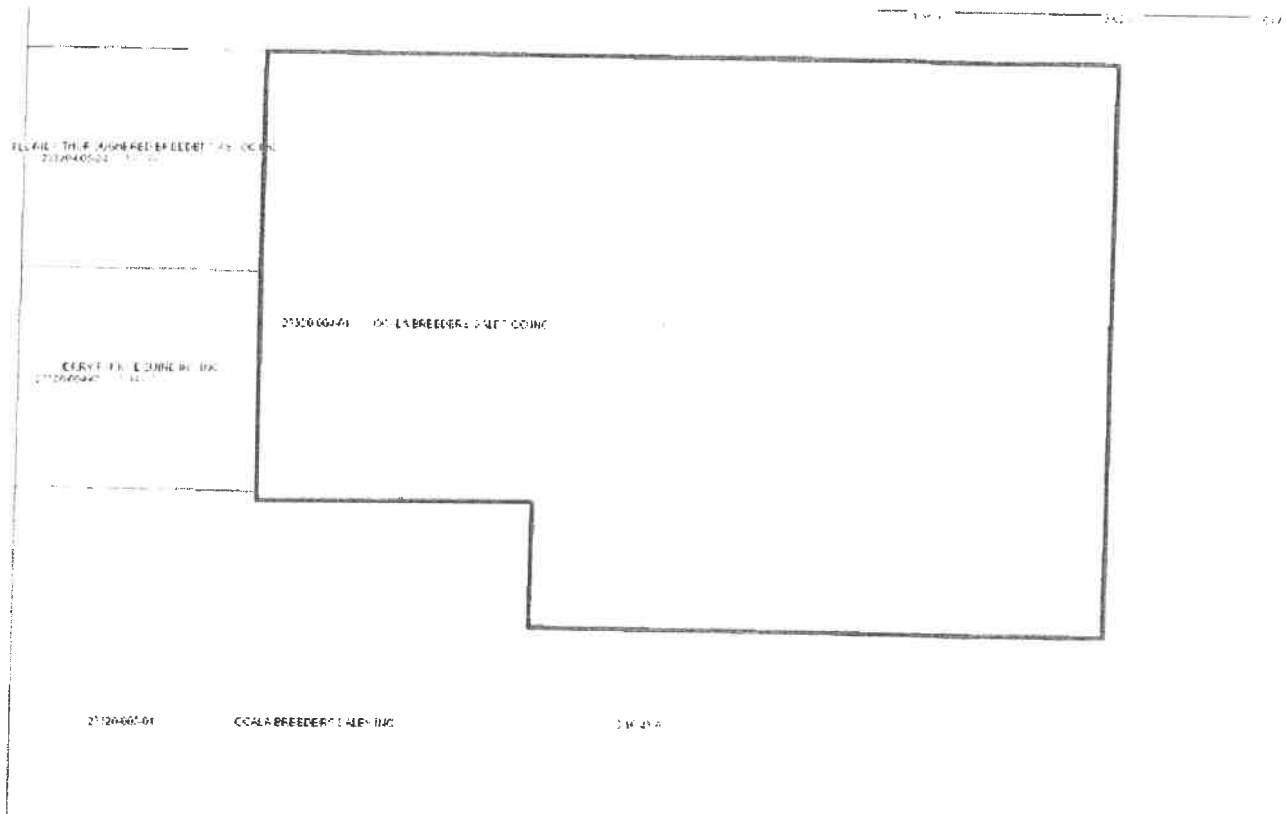
TOGETHER WITH A NON EXCLUSIVE 50 FT EASEMENT DEAC AS FOLLOWS:

S 50 FT OF N 60 FT OF W 1002 FT OF NW 1/4 OF SEC 21

EXCPET RD ROW OF 225 A

Ocala Breeders' Sales Company Permit Parcel Information - January 2, 2016

Marion County Property Appraiser for parcel - 23320-004-01 - Acres: 13.93





OCALA BREEDERS' SALES COMPANY, INC.

P.O. BOX 99 • Ocala, Florida 34478
Telephone (352) 237-2154 • Fax (352) 237-3566
Website: www.obssales.com • Email: obs@obssales.com

January 2, 2016

Jamie Pouncey, Licensing Administrator
Division of Pari-Mutuel Wagering
1940 North Monroe Street
Suite 44
Tallahassee, FL 32399-1037
850.717.1073 Office - 850.410.5350 FAX

Dear Ms. Pouncey:

Please find the completed Application packet enclosed for the 2016/17 Annual Operating License for Ocala Breeders' Sales Company, Inc.

Permitholder Application for Annual License and Operating Dates	DBPR PMW-3060
Permitholder Calendar	DBPR PMW-3080
Surety Bond For Florida Pari-Mutuel Wagering	DBPR PMW-3105
Officers and Directors	DBPR PMW-3190

Certificate of Clerk of the Circuit Court that there has been no election resulting in a recall.

Parcel information is included as a separate attachment. Ocala Breeders' Sales Company, Inc. has purchased an adjoining parcel and we would like to include as part of our permitted property.

Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you.

Sincerely,

Thomas Ventura
President

STATE OF FLORIDA
DEPARTMENT OF BUSINESS REGULATION-DIVISION OF PARI-MUTUEL WAGERING

P E R M I T

TO CONDUCT QUARTER HORSE
RACING PURSUANT TO SECTION
550.33, FLORIDA STATUTES

WHEREAS, Ocala Breeders' Sales Company, Inc., an incorporated cooperative duly authorized to transact business in the State of Florida, has applied to the Division of Pari-Mutuel Wagering for a permit to conduct quarter horse race meetings, pursuant to the provisions of Chapter 550, Florida Statutes; and

WHEREAS, Ocala Breeders' Sales Company, Inc., has demonstrated that it has the financial ability to satisfy the reasonably anticipated operational expenses of the first racing year following the issuance of this permit, and that the location where the permit will be used, in the city of Ocala, Marion County, Florida is available for such use on the following described premises, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

WHEREAS, Ocala Breeders' Sales Company, Inc., has stated, with reasonable supporting evidence provided, that substantial construction of its facility will be started within 1 year of the date on which this permit is granted; and

WHEREAS, the stockholders of Ocala Breeders' Sales Company, Inc., are qualified, under Section 550.181, Florida Statutes, to hold an interest in a pari-mutuel wagering permit; and

WHEREAS, the application of OCALA BREEDERS' SALES COMPANY, INC., for a quarter horse racing permit has been examined and considered by the Division of Pari-Mutuel Wagering and has been found to be sufficient and in due form and in accordance with the law warranting the issuance of the permit applied for; said quarter horse racing to be conducted upon the following described premises in Marion County, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

NOW, THEREFORE, BE IT KNOWN that a Permit to conduct a quarter horse racing meet in Marion County is hereby GRANTED TO OCALA BREEDERS' SALES COMPANY, INC., for the operation and conduct of a quarter horse racing meet pursuant to Section 550.33, Florida Statutes, upon the following described premises in Marion County, to wit:

"The SW 1/4 and the NW 1/4 and that portion of the NW 1/4 of the SW 1/4 of the North and the East of Highway of Section 21, Township 15, Range 21, all lying and being situate in Marion County, Florida and contains 76.75 acres, more or less.

And

The North 780.00 feet, of the West 1/2 of the SE 1/4 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, and the South 160.00 feet of the North 940.00 feet of the West 75.00 feet of the said West 1/2 of the SE 1/4 of the NW 1/4, all lying and being situate in Marion County, Florida and contains 12.11 acres more or less.

And

The North 1/2 of the NW 1/4 of Section 21, Township 15 South, Range 21 East, Except road right of way, all lying and being situate in Marion County, Florida and contains 80 acres, more or less."

in accordance with the laws of the State of Florida and the rules and regulations of the Division of Pari-Mutuel Wagering, in the manner and form provided by law.

IN WITNESS WHEREOF, The Division of Pari-Mutuel Wagering
of The State of Florida Department of Business Regulation has granted
this permit by its Director in Miami, Florida as of this 28th day of
June 1985.

DIVISION OF PARI-MUTUEL WAGERING
OF THE DEPARTMENT OF BUSINESS REGULATION

By: 
ROBERT M. ROSENBERG, DIRECTOR

RESOLUTION 2020-11

A RESOLUTION APPROVING THE OPERATION OF A CARDROOM AT A FACILITY OWNED AND OPERATED BY OCALA BREEDERS' SALES COMPANY, INC.

WHEREAS:

- A. Section 849.086, Florida Statutes (2018) authorizes the operation of a cardroom pursuant to a cardroom license issued by the Division of Para-Mutual Wagering of the State of Florida Department of Business and Professional Regulation (the "Division").
- B. Section 849.086(16), Florida Statutes states that the Division shall not issue a license under Section 849.086 except upon proof "that the local government where the applicant for such license desires to conduct cardroom gaming has voted to approve such activity by a majority vote of the governing body of the" local government.
- C. Ocala Breeders' Sales Company, Inc. ("OBS") has requested the City Council of the City of Ocala to approve the operation of a cardroom at its facility located at 1171 SW 60th Avenue, Ocala, Florida (a legal description of which is included in para-mutual permits issued to OBS by the Division).
- D. On December 17, 2019, City Council considered such request and approved the activity by a majority vote.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OCALA, FLORIDA, in regular session as follows:

- 1. The City of Ocala, pursuant to a majority vote of the City Council of the City of Ocala, approves the operation of a cardroom at the OBS facility referred to above.

This resolution adopted this 17 day of December, 2019.

CITY OF OCALA

By: Jay A. Musleh
Jay A. Musleh
President, Ocala City Council

ATTEST:
By: Angel B. Jacobs
Angel B. Jacobs
City Clerk

Approved as to form and legality:

By: Patrick G. Gilligan
Patrick G. Gilligan
City Attorney

W. James Gooding III
Assistant City Attorney

La'Kesha Jelks

From: Randa Samson
Sent: Monday, August 21, 2023 7:52 PM
To: La'Kesha Jelks
Subject: Ocala Bets Address
Attachments: IMG_0303.jpg; IMG_0301.jpg; IMG_0304.PNG

Get [Outlook for iOS](#)

LA BETS

1781







OCALA BREEDERS' SALES COMPANY, INC.

P. O. Box 99 • Ocala, Florida 34478

Telephone (352) 237-2154 • Fax (352) 237-3566

Website: www.obssales.com • Email: obs@obssales.com



August 18, 2023

La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
Tallahassee, FL 32399-7033
Phone: (850) 794-8114

La'Kesha Jelks LaKesha.Jelks@flgaming.gov

Re: 2023/2024 Initial Cardroom Application update Internal Controls Section Q. Internal Audit and Dispute Resolution

Dear Ms. Jelks:

Please find a redline version and a clean copy of the Internal Controls attached which were revised to update Internal Controls Section Q. Internal Audit and Dispute Resolution. The changes to the Internal Controls are also listed below.

1. Header
 - o change date from 08.07.2023 to 08.18.2023
2. Title Page (page 1) – Section Q.
 - o change “Internal and Dispute Resolution” to “Internal Audit and Dispute Resolution”
3. Section Q. Internal Audit and Dispute Resolution 1) Internal Audit (page 15)
 - o add section Q. 1) f. include a footnote as to the date the audit is completed.

An updated form DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom is attached which includes Marion Music Inc. The Business license for Marion Music, Inc. has been renewed (10047547).

<https://www.myfloridalicense.com/LicenseDetail.asp?SID=&id=4AB2126EB840BD164A2A047CE107A1F4>

Thank you for your assistance in processing the application.

Sincerely,

Thomas Ventura
President

Cc: Jamie Pouncey, Program Administrator - jamie.pouncey@flgaming.gov
Joe Dillmore, Director, Joe Dillmore - Joe.Dillmore@flgaming.gov

DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom



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

INSTRUCTIONS

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR

Federal Employer ID Number [REDACTED]

Name: Ocala Breeders' Sales Company, Inc. dba OcalaBets and/or Ocala Bets

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM

Name	License Number	Type of Product or Service
OVERLAY GAMING CORPORATION - Poker Atlas	11282099	Cardroom Supplies
GAME ON CHIP COMPANY	10176844	Cardroom Supplies
LNW GAMING INC	7805891	Cardroom Supplies
FADED SPADE POKER	11548928	Cardroom Supplies
...		
Name	License Number	Type of Product or Service
Marion Music Inc.	10047547	Cardroom Supplies
916 POKER DEPOT INC	12988018	Cardroom Supplies

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.

Signature of Applicant or Applicant's Representative

[Handwritten Signature]

Date

8-18-2023

License		
Fed Tax # [REDACTED] File # 177	Lic Type 1010 - Cardroom Business Occupational Name OVERLAY GAMING CORPORATION	Expires On 06/30/2025 Extended To Renewed On 06/15/2022
License # 11282099 Entity # 11282099	Rank CBUS - Cardroom Business Occupational Lic Status Current	

Address		
Street # 1421 Line 2 Line 3	Street EAST SUNSET RD SUITE 8	
City LAS VEGAS	State NV	Zip 89119
Routing		

Other		
1st License Date 07/15/2019 Method I-S-1024 Fee Exempt No	Rank Date 06/15/2022 Status Date 07/15/2019 Birth Date	Certificate # Certificate Date Renewal Sent

License		
Fed Tax # [REDACTED] File # 137	Lic Type 1010 - Cardroom Business Occupational Name GAME ON CHIP COMPANY	Expires On 06/30/2026 Extended To Renewed On 06/30/2023
License # 10176844 Entity # 10176844	Rank CBUS - Cardroom Business Occupational Lic Status Current	

Address		
Street # 4301 Line 2 Line 3	Street 31ST STREET NORTH	
City ST. PETERSBURG	State FL	Zip 33714
Routing		

Other		
1st License Date 08/20/2021 Method I-S-1020 Fee Exempt No	Rank Date 06/30/2023 Status Date 07/21/2021 Birth Date	Certificate # Certificate Date Renewal Sent

License		
Fed Tax # [REDACTED] File # 9	Lic Type 1050 - Slot Machine Business Name LNW GAMING INC	Expires On 06/30/2024 Extended To Renewed On 06/22/2012
License # 7805891 Entity # 7805891	Rank SBUS - Slot Machine Bus Occupational License Lic Status Current	

Address		
Street # 6601 Line 2 Line 3	Street SOUTH BERMUDA ROAD	
City LAS VEGAS	State NV	Zip 89119
Routing		

Other		
1st License Date 06/28/2021 Method I-S-1020 Fee Exempt No	Rank Date 06/28/2021 Status Date 06/28/2021 Birth Date	Certificate # Certificate Date Renewal Sent

La'Kesha Jelks

From: Thomas Ventura <TomV@obssales.com>
Sent: Monday, August 14, 2023 2:25 PM
To: La'Kesha Jelks
Cc: Chris Schoonover
Subject: Re: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets
Attachments: OBS 2023-24 DBPR PMW-3220 List DPMW Cardroom Business Occupational Licenses - Initial application updated-signed 8-14-2023.pdf
Categories: ICs, Amendment

La'Kesha:

I have attached an updated vendor list DBPR-PMW-3220 without Marion Music. Once licensed, I will send a new form.

Thank you.

Tom Ventura

From: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>
Sent: Friday, August 11, 2023 2:29 PM
To: Thomas Ventura <TomV@obssales.com>
Cc: Chris Schoonover <Chris@cccfla.com>
Subject: RE: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets

Greetings,

The deadline for files/applications to be added to the Sept. Commission's Meeting Agenda is August 20, 2023. We have not received a business license application for Marion Music, Inc. We have two options: (1) remove them from your vendor's list and add them back once their license is approved (2) wait to receive the application and approval of the licenses, possibly moving your file/application to the October meeting.

Which option would you prefer?

Best,

La'Kesha Jelks



La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
Phone: (850) 794-8114

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](#)

DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom



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

INSTRUCTIONS

This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR

Federal Employer ID Number [REDACTED]

Name: **Ocala Breeders' Sales Company, Inc. dba OcalaBets and/or Ocala Bets**

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM

Name	License Number	Type of Product or Service
OVERLAY GAMING CORPORATION - Poker Atlas	11282099	Cardroom Supplies
GAME ON CHIP COMPANY	10176844	Cardroom Supplies
LNW GAMING INC	7805891	Cardroom Supplies
FADED SPADE POKER	11548928	Cardroom Supplies

Name	License Number	Type of Product or Service
916 POKER DEPOT INC	12988018	Cardroom Supplies

ATTEST STATEMENT

I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.

Signature of Applicant or Applicant's Representative *[Handwritten Signature]*

Date **8-14-2023**

License

Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2025**
File # **177** Name **OVERLAY GAMING CORPORATION** Extended To
License # **11282099** Rank **CBUS - Cardroom Business Occupational** Renewed On **06/15/2022**
Entity # **11282099** Lic Status **Current**

Address

Street # **1421** Street **EAST SUNSET RD SUITE 8**
Line 2
Line 3
City **LAS VEGAS** State **NV** Zip **89119**
Routing

License

Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2026**
File # **137** Name **GAME ON CHIP COMPANY** Extended To
License # **10176844** Rank **CBUS - Cardroom Business Occupational** Renewed On **06/30/2023**
Entity # **10176844** Lic Status **Current**

Address

Street # **4301** Street **31ST STREET NORTH**
Line 2
Line 3
City **ST. PETERSBURG** State **FL** Zip **33714**
Routing

License

Fed Tax # [REDACTED] Lic Type **1050 - Slot Machine Business** Expires On **06/30/2024**
File # **9** Name **LNW GAMING INC** Extended To
License # **7805891** Rank **SBUS - Slot Machine Bus Occupational License** Renewed On **06/22/2012**
Entity # **7805891** Lic Status **Current**

Address

Street # **6601** Street **SOUTH BERMUDA ROAD**
Line 2
Line 3
City **LAS VEGAS** State **NV** Zip **89119**
Routing

License

Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2023**
File # **185** Name **FADED SPADE POKER** Extended To
License # **11548928** Rank **CBUS - Cardroom Business Occupational** Renewed On
Entity # **11548928** Lic Status **Lic Expired**

26 Renewed

Address

Street # **2279** Street **SPRINGS LANDING BOULEVARD**
Line 2
Line 3
City **LONGWOOD** State **FL** Zip **32779**
Routing

License

Fed Tax # [REDACTED] Lic Type **1020 - Pari-Mutuel Business Occupational** Expires On **06/30/2021**
File # **9196** Name **MARION MUSIC INC** Extended To
License # **10047547** Rank **PBUS - Pari-Mutuel Business Occupational** Renewed On
Entity # **10047547** Lic Status **Lic Expired**

Address

Street # **2421** Street **NE 18TH PLACE SUITE # 4**
Line 2
Line 3
City **OCALA** State **FL** Zip **34470**
Routing

License

Fed Tax # [REDACTED] Lic Type **1010 - Cardroom Business Occupational** Expires On **06/30/2024**
File # **221** Name **916 POKER DEPOT INC** Extended To
License # **12988018** Rank **CBUS - Cardroom Business Occupational** Renewed On
Entity # **12988018** Lic Status **Current**

Address

Street # **1128** Street **C SIBLEY STREET**
Line 2
Line 3
City **FOLSOM** State **CA** Zip **95630**
Routing

License

Fed Tax # [REDACTED]
File # **185**
License # **11548928**
Entity # **11548928**

Lic Type **1010 - Cardroom Business Occupational**
Name **FADED SPADE POKER**
Rank **CBUS - Cardroom Business Occupational**
Lic Status **Current**

Expires On **06/30/2026**
Extended To
Renewed On **08/11/2023**

Address

Street # **2279**

Street **SPRINGS LANDING BOULEVARD**

Line 2

Line 3

City **LONGWOOD**

State **FL**

Zip **32779**

Routing

Other

1st License Date **05/13/2021**

Rank Date **08/11/2023**

Certificate #

Method **I-S-1020**

Status Date **08/11/2023**

Certificate Date

Fee Exempt **No**

Birth Date

Renewal Sent

is a pari-mutuel facility as defined in s. 550.002(22); if such permitholder has been issued a slot machine license, the facility where such permit is located remains an eligible facility as defined in s. 551.102(4), continues to be eligible for a slot machine license pursuant to s. 551.104(3), and is exempt from ss. 551.104(4)(c) and (10) and 551.114(2); is eligible, but not required, to be a guest track and, if the permitholder is a harness horse racing permitholder, to be a host track for purposes of intertrack wagering and simulcasting pursuant to ss. 550.3551, 550.615, 550.625, and 550.6305; and remains eligible for a cardroom license

- Faded Spade Poker, a vendor for cardroom supplies, PMW's Business License expired on 06/30/2023; a valid business license is required by Section 849.086(6)(b), Florida Statutes 11518928 *waiting for approval 8/11/23*
 - Their renewal application is in process
- Marion Music, Inc, a vendor for cardroom supplies, PMW's Business License expired on 06/30/2021 10047547 *No app as of 8/11/23*
 - Their renewal application will be submitted this week

Per your email of July 28, 2023 regarding the internal controls, we will submit revised internal controls for your review.

Thank you for your assistance in processing the application.

Tom Ventura
President
Ocala Breeders' Sales Company, Inc.
352 237-2154

From: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>
Sent: Wednesday, July 12, 2023 9:44 AM
To: Thomas Ventura <TomV@obssales.com>
Subject: RE: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets

Good morning,

Please provide the following at your convenience:

1. Floor plan
2. Picture of chips (front and back for each value including tournament chips)
3. Number of Designated Player table games (if any)

I will process the documents provided and will contact you if I need any further documentation.

Best,

La'Kesha Jelks



La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
Phone: (850) 794-8114

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La'Kesha Jelks

From: La'Kesha Jelks
Sent: Monday, July 17, 2023 8:49 AM
To: Thomas Ventura
Subject: RE: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets

Categories: Amendment

Greetings,

The items listed below require submission and/or correction before the processing of Ocala Breeder's Sales Company, Inc. initial/annual cardroom application can be completed:

- A copy of the binding written agreement between the facility and respective associations (horseman's agreement) as required by Section 849.086(13)(d)(3), Florida Statutes
- Faded Spade Poker, a vendor for cardroom supplies, PMW's Business License expired on 06/30/2023; a valid business license is required by Section 849.086(6)(b), Florida Statutes
- Marion Music, Inc, a vendor for cardroom supplies, PMW's Business License expired on 06/30/2021

If you have any questions regarding the deficiencies, please contact me at your earliest convenience.

Please note that the deficiencies above are only for the initial application process. The Commission has not reviewed the other required items/documentation to operate a cardroom at this time.

Best,

La'Kesha Jelks



La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
4070 Esplanade Way, Suite 250
Tallahassee, FL 32399-7033
Phone: (850) 794-8114

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From: Thomas Ventura <TomV@obssales.com>
Sent: Tuesday, July 11, 2023 8:28 PM
To: La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>; Jamie Pouncey <Jamie.Pouncey@flgaming.gov>; Joe Dillmore <Joe.Dillmore@flgaming.gov>

DBPR PMW-3220 – List of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom



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

INSTRUCTIONS
 This form is to be submitted to the division annually in conjunction with Form DBPR PMW-3160. List all of the Cardroom Vendors with which the Cardroom Operator will be conducting business during the next state fiscal year.

CARDROOM OPERATOR
 Federal Employer ID Number [REDACTED]
 Name: Ocala Breeders' Sales Company, Inc. dba OcalaBets and/or Ocala Bets

OCCUPATIONAL LICENSEES WHO PROVIDE PRODUCTS AND SERVICES TO CARDROOM		
Name	License Number	Type of Product or Service
OVERLAY GAMING CORPORATION - Poker Atlas	11282099	Cardroom Supplies
GAME ON CHIP COMPANY	10176844	Cardroom Supplies
LNW GAMING INC	7805891	Cardroom Supplies
FADED SPADE POKER	11548928	Cardroom Supplies
....		
Name	License Number	Type of Product or Service
Marion Music Inc.	10047547	Cardroom Supplies
916 POKER DEPOT INC	12988018	Cardroom Supplies

ATTEST STATEMENT
 I hereby certify that every statement contained herein is true and correct and that I understand any misstatement or omission in this application may result in denial or revocation of my pari-mutuel 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.
 Signature of Applicant or Applicant's Representative Mass Venter
 Date _____



OCALA BREEDERS' SALES CO., INC.

P.O. BOX 99
OCALA, FLORIDA 34478
(352) 237-2154
OPERATING ACCOUNT

Account # 85000077
85000027

FLORIDA CREDIT UNION
OCALA, FLORIDA
63-7980/2631

096346

VOID AFTER 120 DAYS

PAY *THIRTY-FOUR THOUSAND AND XX / 100

DATE
7/11/2023

CHECK AMOUNT
*****34,000.00*

TO THE ORDER OF
FGCC
2601 Blair Stone Rd.
TALLAHASSEE, FL 32399

TWO SIGNATURES REQUIRED
Randall Edmund
Travis ...
AUTHORIZED SIGNATURE

THIS CHECK IS VOID IF MICRO PRINT SIGNATURE LINE IS UNREADABLE AT 10X MAGNIFICATION

OCALA BREEDERS' SALES CO., INC. • Ocala, Florida

096346

DATE	INVOICE NO.	COMMENT	AMOUNT	DISCOUNT	NET AMOUNT
7/11/2023	07112023		34,000.00	0.00	34,000.00
FGCC	0000096346	7/11/2023 FGCC	TOTAL		34,000.00

State of Florida Department of Business and Professional Regulation Cash Listing Report

Client: 100 - Division of Pari-Mutuel Wagering Batch #: 23000592 # Receipt: 1	Total \$ Entered: \$ 34,000.00 Receipts Entered: 1	Origin: TLH Centra Deposit #: 110541 Total: \$ 34,000.00	Fiscal Year: 2023 Deposit Date: 2023-07-13 Status: Deposited
--	---	---	---

Receipt #	DLN	Received	Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File #	License #	Assigned
230006027		\$ 34,000.00	DEP	CHK		\$ 34,000.00					
							1002	OCALA BREEDERS' SALES COMPANY, INC.	69		\$ 0.00
Total:		\$ 34,000.00				\$ 34,000.00					\$ 0.00

DEPOSIT TICKET

SUPERIOR PRESS (800) 990-6466

WELLS FARGO BANK, N.A.

WELLS FARGO

DATE 7/13/23

CURRENCY	COIN	LIST EACH CHECK	DOLLARS	CENTS
1		34000	34000	00
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				

110541

No 541

TOTAL ITEMS 1

PLEASE BE SURE ALL ITEMS ARE PROPERLY ENDORSED.

PLEASE ENTER TOTAL 3400 00

TOTAL DEPOSIT
DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL.

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

STATE OF FLORIDA DEPARTMENT OF
FINANCIAL SERVICES #4150110
FGCC MAIN

4554875
DSP 10-T-BK

\$

34000.00

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

FAQ | Help | Sign Out

Application Home | Change Application

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: jtelks

VR Home > Application Search > Transaction Check List > Transaction Header

Fed Tax # [REDACTED]	Name OCALA BREEDERS' SALES COMPANY, INC.	Lic Type 1002 - Cardroom License
File # 70	Rank	App # 2201
License #	Lic Status Applicant	Status Open
Entity # 950	Expires On	Trans Class I - Initial
		Sec Class S - Standard
		Trans Code 1020 - Annual Cardroom License

App Date

Normal Expiration Date

Override Expiration Date

Application Disposition

1st Reminder

2nd Reminder

Total Fee \$	34,000.00
Paid \$	34,000.00
Released \$	34,000.00
Due \$	0.00

Notes

Set License Expiry

Application For

Rank **Cardroom Operating License**
Lic Status **Current**

-
-
-
-
-
-
-
-

Modifiers

Type Code Additional Info

Type	Modifier	Additional Info	Actions
No items found.			

Get Adobe Reader.

Responsible Surety WESTERN SURETY COMPANY

Bond # [REDACTED]

Date December 28th, 2022



SURETY BOND FOR FLORIDA PARI-MUTUEL WAGERING

RECEIVED
2023 JAN -4 PM 2:52
FLORIDA GAMING
CONTROL COMMISSION

STATE OF Florida

COUNTY OF Marion

KNOW ALL MEN BY THESE PRESENTS: That Ocala Breeders' Sales Company, Inc.

_____ as
Principal, and WESTERN SURETY COMPANY a corporation
incorporated under the laws of the State of South Dakota, licensed to transact
surety business in the State of Florida, and with a principal business address at
P. O. Box 5077, Sioux Falls, SD 57117-5077,

as Surety, are hereby held and firmly bound unto the Governor of the State of Florida as obligee, and his
or her successors in office in the sum of Fifty-Thousand Dollars (\$50,000) lawful money of the United
States of America, for which sum, well and truly to be paid, we hereby bind ourselves, our heirs,
executors, administrators, successors and assigns jointly and severally.

This obligation is conditioned as follows:

1. The Principal has applied for and/or obtained a license to conduct Pari-Mutuel Wagering in the
State of Florida pursuant to Chapter 550, Florida Statutes and Chapters 61D-2 through 9, Florida
Administrative Code (F.A.C.). If approved, the Principal, pursuant to the provisions of Chapter 550,
Florida Statutes, and Chapters 61D-2 through 9, F.A.C., is required to:

- (a) Remit payment of all license fees and taxes required by law.
- (b) Faithfully perform all requirements imposed by law or regulation or the conditions of the
license.
- (c) Furnish a bond in the amount of fifty-thousand dollars (\$50,000) through a corporation
qualified under the laws of the State of Florida as surety, payable to the State of Florida.

2. This bond must be established and held in trust for the benefit and protection of the State of
Florida. In addition the bond may not be released, in whole or in part except to the Florida DBPR on
written demand of the Director of the Division Pari-Mutuel Wagering of the DBPR or by the Principal
with the written instructions from the Director of the Division of Pari-Mutuel Wagering of the DBPR.
The Principal may receive income, if any, accruing on the reserve unless the Director of the Division
of Pari-Mutuel Wagering, of the DBPR instructs otherwise.

- (a) The agreement establishing the bond is effective upon DBPR approval of the Principal for
its annual operating dates and/or cardroom operator license.

Responsible Surety WESTERN SURETY COMPANY

Bond # [REDACTED]

Date December 28th, 2022

RECEIVED
2023 JAN -4 PM 2:52

FLORIDA GAMING CONTROL COMMISSION

(b) Amendments to any agreement establishing the bond may not be made without the prior written approval of the DBPR.

3. If the Principal complies with all of the provisions of Chapter 550, Florida Statutes, and Chapters 61D-2 through 9, F.A.C., and in particular, pay the license fees and taxes when due and demanded, then this obligation shall be null and void, but will otherwise remain in full force and effect.

4. Upon the Principal's failure to comply with Chapter 550, Florida Statutes, and Chapters 61D-2 through 9, F.A.C., including but not limited to the Principal's failure to promptly pay all gaming fees and taxes when due and demanded, the Director of the Division of Pari-Mutuel Wagering of the DBPR may make demand upon the surety for the payment of the amount of the default to also include any fines or administrative penalties imposed as a result of a default by said Principal up to but not to exceed the amount of its liability as defined by this bond.

5. THIS BOND WILL EXPIRE on the 28th day of December, 2023, but may be continued by continuation certificate signed by the Principal and Surety. The Surety reserves the right to withdraw, except the Surety may not withdraw as to any liability already incurred or accrued hereunder, and may do so only upon giving written notice of the withdrawal to the Director of the Division of Pari-Mutuel Wagering, State of Florida, DBPR 1940 North Monroe Street, Tallahassee, Florida, 32399. Withdrawal shall not be effective until sixty (60) days have elapsed after acknowledgement of the notice by the DBPR.

6. Withdrawal shall not in any case affect the surety's liability arising out of any outstanding amount incurred prior to the expiration of the 60-day period after which DBPR has acknowledged the surety's notice of withdrawal.

WITNESS our hand and seal this 17th day of December, 2022.

PRINCIPAL Ocala Breeders' Sales Company, Inc.

BY: [Signature] President

ATTEST: _____ Secretary (CORPORATE SEAL)

SURETY: WESTERN SURETY COMPANY

BY: [Signature] Paul T. Bruflat, Vice President
Attorney-in-Fact (Attach Power of Attorney or other Authority)



COUNTERSIGNED: _____ Resident Agent-Licensed in Florida

PRINT: _____ Name Registered Agent and Address

By [Signature]
Appointed Agent of Surety

Western Surety Company

POWER OF ATTORNEY

RECEIVED
2023 JAN -4 PM 2:52
FLORIDA GAMING
CONTROL COMMISSION

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls
State of South Dakota, its regularly elected Vice President
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One Pari Mutuel Wagering

bond with bond number [REDACTED]

for Ocala Breeders' Sales Company, Inc.

as Principal in the penalty amount not to exceed: \$50,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President with the corporate seal affixed this 17th day of December, 2022.

ATTEST

L. Bauder

L. Bauder, Assistant Secretary

WESTERN SURETY COMPANY

By

Paul T. Bruflat

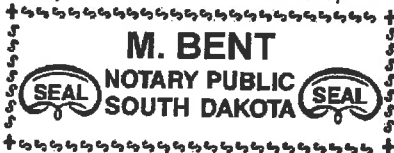
Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss



On this 17th day of December, 2022, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Bauder

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



M. Bent

Notary Public

My Commission Expires March 2, 2026
To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



La'Kesha Jelks

From: Thomas Ventura <TomV@obssales.com>
Sent: Monday, July 31, 2023 11:08 AM
To: La'Kesha Jelks
Cc: Jamie Pouncey; Joe Dillmore; Chris Schoonover
Subject: RE: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets
Attachments: Ocala Breeders' Sales Company, Inc. FGCC Cover letter 7-31-23 submitted with response to information requested.pdf; Attachment 1 - OBS 1st Floor Plan 071223 - Partin Architecture to FGCC 7-31-2023.pdf; Attachment 3 - Game On - Chipco - 300021-Tournament-Proof FINAL.pdf; Attachment 2 - Game On - Chipco - 300020-Proof-V6 FINAL.pdf
Categories: ICs, Amendment

La'Kesha:

Please find the information requested per your email of July 12th attached and below.

1. Floor Plan – the poker table and camera layout is not final. They will be located in the west side of the 1st floor on the attached plan. (Rooms 116 and 117 on attached Plan)
 - a. Attachment 1 - OBS 1st Floor Plan 071223 - Partin Architecture to FGCC 7-31-2023
2. Picture of Chips (Attachment 2- Poker Chips, Attachment 3 – Tournament Chips)
 - a. Attachment 2 - Game On - Chipco - 300020-Proof-V6 FINAL
 - b. Attachment 3 - Game On - Chipco - 300021-Tournament-Proof FINAL
3. Designated Player Table – our initial plan will have ten designated player tables

Regarding your email of July 17th – [see my comments in blue](#)

The items listed below require submission and/or correction before the processing of Ocala Breeder's Sales Company, Inc. initial/annual cardroom application can be completed:

- A copy of the binding written agreement between the facility and respective associations (horseman's agreement) as required by Section 849.086(13)(d)(3), Florida Statutes
 - It is my understanding that a horsemen's agreement is only required if conducting live racing. Per 550.01215 (1) (b)1. We elected not to conduct live Quarter Horse performances.
 - Section 849.086(13)(d)(3) No cardroom license or renewal thereof shall be issued to an applicant holding a permit under chapter 550 to conduct pari-mutuel wagering meets of quarter horse racing **and conducting live performances** unless the applicant has on file with the commission a binding written agreement between the applicant and the Florida Quarter Horse Racing Association or the association representing a majority of the horse owners and trainers at the applicant's eligible facility, governing the payment of purses on live quarter horse races conducted at the licensee's pari-mutuel facility. The agreement governing purses may direct the payment of such purses from revenues generated by any wagering or gaming the applicant is authorized to conduct under Florida law. All purses shall be subject to the terms of chapter 550.
 - Section 550.01215 (1) (b)1. A greyhound permitholder may not conduct live racing. A jai alai permitholder, harness horse racing permitholder, **or quarter horse racing permitholder may elect not to conduct live racing** or games. A thoroughbred permitholder must conduct live racing. A greyhound permitholder, jai alai permitholder, harness horse racing permitholder, or quarter horse racing permitholder that does not conduct live racing or games retains its permit;

From: Thomas Ventura <TomV@obssales.com>

Sent: Tuesday, July 11, 2023 8:28 PM

To: La'Keshia Jelks <LaKeshia.Jelks@flgaming.gov>; Jamie Pouncey <Jamie.Pouncey@flgaming.gov>; Joe Dillmore <Joe.Dillmore@flgaming.gov>

Cc: Chris Schoonover <Chris@cccfla.com>

Subject: Initial cardroom application for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets

Dear Ms. Jelks:

Please find the completed packet enclosed for the initial application for a 2023/2024 Annual License to Operate a Cardroom for Ocala Breeders' Sales Company, Inc. dba OcalaBets or Ocala Bets (Pari-Mutuel Permit #950).

The original documentation and the \$34,000 payment for table fees has been sent for Wednesday delivery tracking number 772707534828.

We would appreciate beginning the review process as soon as possible.

Please contact me at tomv@obssales.com or (352) 237-2154 for any additional information that may be required.

Thank you for your assistance.

Tom Ventura
President
Ocala Breeders' Sales Company, Inc.



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

PERMITHOLDER INFORMATION	
Name Ocala Breeders' Sales Company, Inc. dba OcalaBets and/or Ocala Bets	Permit # 950

INSTRUCTIONS
Submit this form in conjunction with the form DBPR PMW-3060 – Permitholder Application for License and Operating Dates.
Please do not overlook the cardroom section and the required application oath on page 4.
Please fill in appropriate year, and date below and on the following pages. Using the letter code below, write the type of performance in each box. Fill in the total number of performances for each month.
LETTER CODES
M = Matinee E = Evening C = Charity S = Scholarship

Example

1	2	3	4	5	6	7
	E	M	M	S	C	C
8	9	10	11	12	13	14
	M					

July Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

M 0 E 0 C/S 0

August Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

M 0 E 0 C/S 0

Total 0

Total 0

September

Year: 2023

October

Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

M 0 E 0 C/S 0

M 0 E 0 C/S 0

Total 0

Total 0

November Year: 2023

December Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

M 0 E 0 C/S 0

M 0 E 0 C/S 0

Total 0

Total 0

January Year: 2024

February Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

M 0 E 0 C/S 0

M 0 E 0 C/S 0

Total 0

Total 0

March Year: 2024

April Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

M 0 E 0 C/S 0

M 0 E 0 C/S 0

Total 0

Total 0

May Year: 2024

June Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

M 0 E 0 C/S 0
Total 0

M 0 E 0 C/S 0
Total 0

CARDROOM OPERATORS ONLY						
Hours of Cardroom Operations						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
10 AM	10 AM	10 AM	10 AM	10 AM	10 AM	10 AM
4 AM	4 AM	4 AM	4 AM	4 AM	4 AM	4 AM
Year Round? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, Dates: _____						

OATH

I swear or affirm that the information provided in this application is true and complete. I understand that knowingly providing false information on this application could subject the applicant to criminal penalties relating to perjury or other offenses.

Thomas Ventura as President of Ocala Breeders' Sales Thomas Ventura 7-11-2023
Name (Please Print) Title (Please Print) Signature Date

State of Florida,
County of Marion
Sworn to (or affirmed) and subscribed before me this 11 day of July, 2023

Thomas Ventura, who is personally known to me or produces the following as identification:

Dorothy Williams
Notary Public
My Commission Expires: 8-4-2025





OCALA BREEDERS' SALES COMPANY, INC.

P. O. Box 99 • Ocala, Florida 34478

Telephone (352) 237-2154 • Fax (352) 237-3566

Website: www.obssales.com • Email: obs@obssales.com



July 10, 2023

DBPR PMW-3160 Permitholder Application for Annual License to Operate a Cardroom

Ocala Breeders' Sales Company, Inc. d/b/a OcalaBets and/or Ocala Bets

List of Card Games Offered

Texas Hold'em
Double Flop Texas Hold'em
Short Deck Hold'em
Omaha
Omaha High
Omaha Hi-Lo (8 or Better)
Five Card Omaha (Big O)
Pineapple
Crazy Pineapple
Lazy Pineapple (Tahoe Hold'em)
Super Lazy pineapple (Super Hold'em)
Draw lowball (California Lowball Or Kansas City Lowball)
Ace-to-Five Lowball (California Lowball)
Deuce-to-Seven Lowball (Kansas City Lowball)
Five Card Draw
Seven Card Draw
Jacks or Better
Draw High / Low Split
Badugi
Badeucy
Badacey
Five Card Stud
Six Card Stud
Seven Card Stud
Seven Card Stud Low (Razz)
Deuce-to-Seven Razz
Seven Card Stud Higo Low Split (8 or Better)
H.O.R.S.E / H.E.R.O.S. (Any combination)
Seven Card Mutual
Chinese Poker
One Card Poker
Three Card Poker
Ultimate Texas Hold'em
DJ Wild Stud Poker
Pai Gow Poker
Fortune Pai Gow Poker
Face Up Fortune Pai Gow Poker
I Luv Suits Poker
No-Limit and Pot Limit Lowball

State of Florida
Department of Business and Professional Regulation
Chronology Report

Case #: 2023042076 **Incident date:** 07/11/2023 **Status:** 10 - Initial Review

Lic Type: 1002 **Disposition:**

Case Type: Complaint

Responsible: ljelks - JELKS, LA'KESHA

Complainant: OCALA BREEDERS' SALES
 1701 SOUTHWEST 60TH AVENUE, OCALA, FL 34474

Respondent: FGCC - DIVISION OF PARI-MUTUEL WAGERING
 2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399-1032

Summary: Ocala Breeders' Sales Company, Inc. (QHRS950) is applying for an initial cardroom license (CR950).

Chronology:

Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
07/27/2023	R		ljelks	JELKS, LA'KESHA	ljelks	
07/27/2023	S	1002	10	Initial Review	ljelks	

4. Discussion of Amended Application for Pari-Mutuel Operating License

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Gulfstream Park Racing Association, Inc. (TBRD321)
2023-046935 Amending 23/24 Operating License
Date: August 18, 2023

Executive Summary

A permitholder applied to amend its operating license on August 18, 2023, by canceling five thoroughbred performances.¹ The Commission should approve this request with an effective date of September 4, 2023.

Background

Gulfstream Park Racing Association, Inc. ("Gulfstream Park") possesses a valid thoroughbred permit. Gulfstream Park was issued a pari-mutuel operating license for the 2023-2024 fiscal year. When Gulfstream Park applied for its operating license, it included 174 performances (169 matinee and 5 charity).² Now, Gulfstream Park wants to amend its operating license by canceling five thoroughbred performances resulting in a new total of 169 performances (164 matinee and 5 charity) for its schedule.

Analysis

In addition to submitting a complete application, a thoroughbred permitholder may request a minor amendment to their license.³ Gulfstream Park has satisfied all requirements and is requesting an amendment to less than 49 percent of total performances from the current year's initial license.

Recommendation: The Florida Gaming Control Commission should approve Gulfstream Park Racing Association, Inc.'s application to amend its 2023-2024 fiscal year operating license schedule.

¹ The commission shall have the authority to approve minor changes in racing dates after a license has been issued. § 550.01215(3), Fla. Stat.

² "Performance" means "a series of events, races, or games performed consecutively under a single admission charge." § 550.002(25), Fla. Stat.

³ § 550.012155(1), Fla. Stat.

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

License Number: 321
Permit Type: TBRD
Permit County: Broward
Amendment: A

LICENSE TO CONDUCT PARI-MUTUEL WAGERING

For:

Gulfstream Park Racing Association, Inc.
D/B/A Gulfstream Park Racing and Casino

Licensed to Operate, At the Pari-Mutuel Facility, Located At:

901 South Federal Highway
Hallandale Beach, FL 33009
Broward County

Valid From: July 1, 2023

Expires On: June 30, 2024

Permitholder does intend to accept wagers on intertrack or simulcast events.

Issued and dated, this _____ day of September, 2023.

By _____
Louis Trombetta, Executive Director
Florida Gaming Control Commission



This license and attached schedule of live performances are issued in accordance with the Florida Pari-Mutuel Wagering Act and the rules promulgated thereunder. This license shall be operated at the location of a pari-mutuel permit and is subject to any and all laws of the State of Florida.

PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: Gulfstream Park (TBRD321) **FISCAL YEAR:** 2023/2024
DATE RECEIVED: August 18, 2023 **CASE NUMBER:** 2023-046935
CHANGE REQUESTED: Cancel performance on September 4th and all Thursday performances/racing days in October (5th, 12th, 19th, and 26th).
REVIEWER'S NAME: La'Keshia Jelks

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3060.	Y		
Original Calendar DBPR PMW 3080.	Y		
Pursuant to FAC 61D-4.004(4) Non-objection letters from permitholders within 50 miles (if applicable)	Y		
61D-2.027 Each performances shall consist of a minimum of 8 races.	Y		
Matinee start time: (prior to 6pm)	Y		
Evening start time*: (6pm & later)	Y		
*550.375(2) A harness racing permitholder may conduct harness racing only between the hours of 7 p.m. and 2 a.m. *550.5251(1) A thoroughbred racing permitholder may not begin any race later than 7 p.m.			

CONTACT FROM OTHER FACILITIES WITHIN FIFTY (50) MILES:	OBJECTION?		RACING?
	NO	YES	
831 Federal Highway (141/144)	X		Not Live
South Florida Racing Association, LLC (544)	X		Not Live
Casino Miami, LLC (273)	X		Not Live
Dania Entertainment Center, LLC (274/281)	X		Live 274
Calder Race Course, Inc. (285)	X		Not Live
West Flagler Associates, Ltd. (283/286)	X		Live
PPI, Inc. (430)	X		Not Live
Investment Corporation of Palm Beach (149)	X		Not Live
Gretna Racing, LLC (155)	N/A		Not Live

PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:

REVENUE SECTION	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>LS</u>	DATE: <u>8.24.2023</u>
PERMIT ADMIN	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>JP</u>	DATE: <u>8.24.23</u>
OGC	<input type="checkbox"/>	REVIEWED	INITIALS: _____	DATE: _____

Notes/Comments

Revenue Section:

Permit Admin.

OGC:

PERMITHOLDER LICENSE CHANGE REQUEST CHECKLIST

PERMITHOLDER: Gulfstream Park (TBRD321)

FISCAL YEAR: 2023/2024

DATE RECEIVED: August 18, 2023

CASE NUMBER: 2023-046935

CHANGE REQUESTED: Cancel performance on September 4th and all Thursday performances/racing days in October (5th, 12th, 19th, and 26th).

REVIEWER'S NAME: La'Kesha Jelks

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3060.	Y		
Original Calendar DBPR PMW 3080.	Y		
Pursuant to FAC 61D-4.004(4) Non-objection letters from permitholders within 50 miles (if applicable)	Y		
61D-2.027 Each performances shall consist of a minimum of 8 races.	Y		
Matinee start time: (prior to 6pm)	11AM	Y	
Evening start time*: (6pm & later)	N/A	Y	
*550.375(2) A harness racing permitholder may conduct harness racing only between the hours of 7 p.m. and 2 a.m. *550.5251(1) A thoroughbred racing permitholder may not begin any race later than 7 p.m.			

CONTACT FROM OTHER FACILITIES WITHIN FIFTY (50) MILES:	CONTACTED?			OBJECTED?		
	NO	YES	DATE	NO	YES	DATE
Big Easy ^{191/144} * <u>NOT Live</u> N/A		X		X		N/A Not Live
Hialeah <u>544</u> <u>Not Live</u> N/A		X		X		
Miami Jai Alai <u>273</u> <u>Not Live</u> N/A		X		X		
Dania Jai Alai <u>274</u> ✓ (281 <u>Not Live</u>)		X		X		
Calder <u>285</u> <u>Not Live</u> N/A		X		X		
West Flagler (Jai-alais) <u>283 286</u>		X				
Pompano Park <u>430</u> <u>Not Live</u>		X		X		
Palm Beach <u>Gretna 155</u> <u>Not Live</u>		X		X		

PMW / CARDROOM LICENSE FORWARDED TO THE FOLLOWING FOR FINAL REVIEW:

REVENUE SECTION	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>to</u>	DATE: <u>8-21-2023</u>
PERMIT ADMIN	<input type="checkbox"/>	REVIEWED	INITIALS: _____	DATE: _____
OGC	<input checked="" type="checkbox"/>	REVIEWED	INITIALS: <u>BJ</u>	DATE: <u>8-21-23</u>

Notes:

Revenue Section:

See change to memo -
Also didn't see Flagler (West) or Gretna (KS) contacts?

Permit Admin.

OGC:

Gulfstream Park 2023/2024 Calendar

(Per License #321A) Page 2 of 2

JULY 2023						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
						1 Mat
2 Mat	3	4	5	6	7 Mat	8 Mat
9 Mat	10	11	12	13	14 Mat	15 Mat
16 Mat	17	18	19	20	21 Mat	22 Mat
23 Mat	24	25	26	27	28 Mat	29 Mat
30 Mat	31					

14 Matinee 0 Evening 0 C/S Perf.

AUGUST 2023						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
		1	2	3	4 Mat	5 Mat
6 Mat	7	8	9	10	11 Mat	12 Mat
13 Mat	14	15	16	17	18 Mat	19 Mat
20 Mat	21	22	23	24	25 Mat	26 Mat
27 Mat	28	29	30	31		

12 Matinee 0 Evening 0 C/S Perf.

SEPTEMBER 2023						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
					1 Mat	2 Mat
3 Mat	4	5	6	7	8 Mat	9 Mat
10 Mat	11	12	13	14	15 Mat	16 Mat
17 Mat	18	19	20	21	22 Mat	23 Mat
24 Mat	25	26	27	28	29 Mat	30 Mat

14 Matinee 0 Evening 0 C/S Perf.

OCTOBER 2023						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
1 Mat	2	3	4	5	6 Mat	7 Mat
8 Mat	9	10	11	12	13 Mat	14 Mat
15 Mat	16	17	18	19	20 Mat	21 Mat
22 Mat	23	24	25	26	27 Mat	28 Mat
29 Mat	30	31				

13 Matinee 0 Evening 0 C/S Perf.

NOVEMBER 2023						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

0 Matinee 0 Evening 0 C/S Perf.

DECEMBER 2023						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
					1	2 Mat
3 Mat	4	5	6 Mat	7 Mat	8 Mat	9 Mat
10 Mat	11	12	13 Mat	14 Mat	15 Mat	16 Mat
17 Mat	18	19	20 Mat	21 Mat	22 Mat	23 Mat
24 Mat	25	26 Mat	27 Mat	28 Mat	29 Mat	30 C/Mat
31 Mat						

21 Matinee 0 Evening 1 C/S Perf.

JANUARY 2024						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
	1 Mat	2	3 Mat	4 Mat	5 Mat	6 Mat
7 Mat	8	9	10 Mat	11 Mat	12 Mat	13 Mat
14 Mat	15	16	17 Mat	18 Mat	19 Mat	20 Mat
21 Mat	22	23	24 Mat	25 Mat	26 Mat	27 C/Mat
28 Mat	29	30	31 Mat			

21 Matinee 0 Evening 1 C/S Perf.

FEBRUARY 2024						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
				1 Mat	2 Mat	3 C/Mat
4 Mat	5	6	7 Mat	8 Mat	9 Mat	10 Mat
11 Mat	12	13	14 Mat	15 Mat	16 Mat	17 Mat
18 Mat	19	20	21 Mat	22 Mat	23 Mat	24 Mat
25 Mat	26	27	28 Mat	29 Mat		

20 Matinee 0 Evening 1 C/S Perf.

MARCH 2024						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
					1 Mat	2 C/Mat
3 Mat	4	5	6 Mat	7 Mat	8 Mat	9 Mat
10 Mat	11	12	13 Mat	14 Mat	15 Mat	16 Mat
17 Mat	18	19	20 Mat	21 Mat	22 Mat	23 Mat
24 Mat	25	26	27 Mat	28 Mat	29 Mat	30 C/Mat
31 Mat						

21 Matinee 0 Evening 2 C/S Perf.

APRIL 2024						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
	1	2	3	4 Mat	5 Mat	6 Mat
7 Mat	8	9	10	11 Mat	12 Mat	13 Mat
14 Mat	15	16	17	18 Mat	19 Mat	20 Mat
21 Mat	22	23	24	25 Mat	26 Mat	27 Mat
28 Mat	29	30				

16 Matinee 0 Evening 0 C/S Perf.

MAY 2024						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

0 Matinee 0 Evening 0 C/S Perf.

JUNE 2024						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
						1
2	3	4	5	6	7	8
9	10	11	12	13 Mat	14 Mat	15 Mat
16 Mat	17	18	19	20 Mat	21 Mat	22 Mat
23 Mat	24	25	26	27 Mat	28 Mat	29 Mat
30 Mat						

12 Matinee 0 Evening 0 C/S Perf.

Note: Full-card simulcast schedule subject to change.
Calendar considered informational only.

Initial Date

169 Totals 164 Matinee 0 Evening 5 C/S Perf.



Friday August 18, 2023

Mr. Louis Trombetta
Executive Director
Florida Gaming Control Commission
4070 Esplanade Way
Ste 250
Tallahassee, FL 32399

Dear Mr. Trombetta,

Re: Gulfstream Park Racing Association Inc – License #321 – 2023/24 -Request for Date Changes

Gulfstream Park respectfully requests the following cancellations of race days on the previously approved GPRA racing license #321 for the 2022-2023 license year calendar due to repair and maintenance to the turf track and limited horse population. Specifically, the following dates;

Cancel Monday Sept 4
Cancel Thursday October 5, 12, 19 & 26

The result is a reduction of 5 race days to the 2023 2024 approved licensed dates.

Non-objection letters from the surrounding pari-mutuel facilities are attached.

Thank you for your time and consideration of our request.
Sincerely,

A handwritten signature in blue ink that reads "Sheri L R Holmes Stirling".

Sheri L R Holmes Stirling
Vice President Administration
Gulfstream Park



Friday August 18, 2023

Mr. Joe Dillmore
Director
Florida DBPR, Division of Pari-Mutuel Wagering
4070 Esplanade Way
Ste 250
Tallahassee, FL 32399

Dear Director,

Re: Gulfstream Park Racing Association Inc – License #321 – 2023/24 -Request for Date Changes

Gulfstream Park respectfully requests the following cancellations of race days on the previously approved GPRA racing license #321 for the 2022-2023 license year calendar due to repair and maintenance to the turf track and limited horse population. Specifically, the following dates;

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Sincerely,

A handwritten signature in blue ink that reads "Sheri L R Holmes Stirling".

Sheri L R Holmes Stirling
Vice President Administration
Gulfstream Park

La'Kesha Jelks

From: La'Kesha Jelks
Sent: Friday, August 18, 2023 3:59 PM
To: 'Holmes, Sheri'; Jamie Pouncey
Subject: RE: Gulfstream Park - Request for Date Change

In these letters (excuse me).

From: La'Kesha Jelks
Sent: Friday, August 18, 2023 3:58 PM
To: Holmes, Sheri <Sheri.Holmes@gulfstreampark.com>; Jamie Pouncey <Jamie.Pouncey@flgaming.gov>
Subject: RE: Gulfstream Park - Request for Date Change

Greetings,

Should the highlighted areas on this letter be changed?
Our address is 4070 Esplanade Way, Suite, 250, Tallahassee, FL 32399 (not too important being that we received the docs electronically).

Let me know what you think.

Best,

La'Kesha Jelks



La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
Phone: (850) 794-8114

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](#)

From: Holmes, Sheri <Sheri.Holmes@gulfstreampark.com>
Sent: Friday, August 18, 2023 12:57 PM
To: Jamie Pouncey <Jamie.Pouncey@flgaming.gov>; La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>
Subject: Gulfstream Park - Request for Date Change

Please see the attached for a request to reduce our racing calendar by 5 days due to the continue work on the turf surface and therefore limited horses to enter.



Friday August 18, 2023

Mr. Louis Trombetta
Executive Director
Florida Gaming Control Commission
4050 Esplanade Way
Ste 250
Tallahassee, FL 32399

Dear Mr. Trombetta,

Re: Gulfstream Park Racing Association Inc – License #321 – 2023/24 -Request for Date Changes

Gulfstream Park respectfully requests the following cancellations of race days on the previously approved GPRA racing license #321 for the 2022-2023 license year calendar due to repair and maintenance to the turf track and limited horse population. Specifically, the following dates;

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Sincerely,

A handwritten signature in blue ink, appearing to read "Sheri L R Holmes Stirling".

Sheri L R Holmes Stirling
Vice President Administration
Gulfstream Park



Friday August 18, 2023

Mr. Joe Dillmore
Director

Florida DBPR, Division of Pari-Mutuel Wagering
1940 North Monroe St., Suite 50
Tallahassee, FL 32399

Dear Director,

Re: Gulfstream Park Racing Association Inc – License #321 – 2023/24 -Request for Date Changes

Gulfstream Park respectfully requests the following cancellations of race days on the previously approved GPRA racing license #321 for the 2022-2023 license year calendar due to repair and maintenance to the turf track and limited horse population. Specifically, the following dates;

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Thank you for your time and consideration of our request.
Sincerely,

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Sheri L R Holmes Stirling
Vice President Administration
Gulfstream Park

Division of Pari-Mutuel Wagering
 Permitholder Operating License Amendment Tracking
 Fiscal Year 2023-2024

PERMIT NO.	LICENSE NAME	# of Initial Perf.	Amendments										Aggregate % Change YTD
			A	B	C	D	E	F	G	H	I	J	
GREYHOUND RACING PERMITS													
0000140	TAMPA GREYHOUND TRACK & LUCKY'S CARD ROOM												#DIV/0!
0000141	H & T; MARDI GRAS GAMING												#DIV/0!
0000142	NAPLES-FT. MYERS GREYHOUND RACING & POKER												#DIV/0!
0000143	DAYTONA BEACH KENNEL CLUB, INC.												#DIV/0!
0000144	HARTMAN & TYNER; MARDI GRAS GAMING												#DIV/0!
0000145	JACKSONVILLE KENNEL CLUB; BESTBET												#DIV/0!
0000146	JEFFERSON COUNTY KENNEL CLUB, INC.												#DIV/0!
0000148	ORANGE PARK; BESTBET												#DIV/0!
0000149	PALM BEACH KENNEL CLUB												#DIV/0!
0000150	PENSACOLA GREYHOUND TRACK												#DIV/0!
0000151	DERBY LANE												#DIV/0!
0000152	SANFORD ORLANDO KENNEL CLUB												#DIV/0!
0000153	SARASOTA KENNEL CLUB, INC.												#DIV/0!
0000154	EBRO GREYHOUND PARK												#DIV/0!
0000155	FLAGLER DOG TRACK & MAGIC CITY CASINO												#DIV/0!
0000157	ST. JOHNS GREYHOUND PARK												#DIV/0!
0000158	PENN SANFORD; SANFORD ORLANDO KENNEL CLUB												#DIV/0!
0000171	PALM BEACH GREYHOUND RACING												#DIV/0!
0000175	WEST VOLUSIA RACING, INC.												#DIV/0!
0000176	MELBOURNE GREYHOUND PARK, LLC												#DIV/0!
JAI-ALAI PERMITS													
0000270	ORLANDO LIVE EVENTS	40											0.00%
0000273	CASINO MIAMI JAI-ALAI	0											#VALUE!
0000274	DANIA JAI-ALAI	91											0.00%
0000277	OBS REAL ESTATE HOLDINGS, LLC	0											#VALUE!
0000278	FORT PIERCE JAI-ALAI & POKER												#DIV/0!
0000280	SUMMER JAI ALAI PARTNERSHIP	26											0.00%
0000281	DANIA SUMMER JAI-ALAI	0											#DIV/0!
0000283	WEST FLAGER / MAGIC CITY JAI ALAI	22											0.00%
0000284	KINGS COURT KEY, LLC	0											#VALUE!
0000285	CALDER CASINO & RACE COURSE	0											#VALUE!
0000286	EDGEWATER JAI-ALAI	40											0.00%
THOROUGHBRED RACING PERMITS													
0000320	TAMPA BAY DOWNS, INC.	92	2										2.17%
0000321	GULFSTREAM PARK RACING & CASINO	174	5										2.87%
0000323	TROPICAL PARK, LLC												#VALUE!
0000325	CALDER CASINO & RACE COURSE												#VALUE!
0000336	GULFSTREAM PARK THOROUGHBRED AFTER RACING	44											0.00%
HARNESS RACING PERMITS													
0000430	THE ISLE CASINO AND RACING AT POMPAHO PARK												#VALUE!
QUARTER HORSE RACING PERMITS													
0000537	TAMPA BAY DOWNS, INC.												#VALUE!
0000542	CREEK ENTERTAINMENT GREYNA												#VALUE!
0000544	HIALEAH PARK												#VALUE!
0000545	SOUTH MARION; OXFORD DOWNS												#VALUE!
0000547	HAMILTON DOWNS HORSETRACK, LLC												#VALUE!
0000950	OCALA BREEDERS' SALES COMPANY, INC.												#VALUE!

NO
LIVE
GREYHOUND
RACING

DBPR PMW-3060 – Permitholder Application for License and Operating Dates



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

INSTRUCTIONS

This form is to be submitted in conjunction with Form DBPR PMW-3080 – Permitholder Calendar and Form DBPR PMW-3190 – Officers and Directors.

Check the box that designates the purpose of this form filing:

- Application for Annual License and Operating Dates
 Application for Amendment to Annual License and Operating Dates

PERMITHOLDER INFORMATION

Permitholder Name Gulfstream Park Racing Association Inc.	Permit # 321	FEID# or SSN * 59-0526292
Doing Business As (D/B/A) Gulfstream Park		

MAILING ADDRESS

Street Address or P.O. Box 901 South Federal Highway		
City Hallandale Beach	State FL	Zip Code (+4 optional) 33009
County (if Florida address) Broward	Country USA	

CONTACT INFORMATION

Contact Name Sheri Holmes Stirling	Title V P Administration
Primary Phone Number [REDACTED]	Fax Number 954-457-6510
Primary E-Mail Address [REDACTED]	Cell Phone Number [REDACTED]

PHYSICAL LOCATION OF PARI-MUTUEL FACILITY

Street Address 901 South Federal Highway		
City Hallandale Beach	State FL	Zip Code (+4 optional) 33009

If there is a lease agreement to operate live performances at another pari-mutuel facility, the applicant shall attach a copy of the lease agreement containing the following information:

- (1) The name of the applicant and the lessor;
- (2) The address of the applicant and the lessor;
- (3) The type of permit held by both the applicant and the lessor;
- (4) The exact location where the applicant is currently permitted to conduct pari-mutuel performances;
- (5) The exact location where the lessor is currently permitted to conduct pari-mutuel performances; and
- (6) The exact location where the applicant intends to conduct pari-mutuel performances pursuant to the lease agreement.

*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.

ADDITIONAL INFORMATION

Since the submission of your last application, has a permit recall/cancellation election been held in your county?
 Yes No If no, please attach a certificate from the Clerk of the Circuit Court or other authorized County Official certifying that the permit has not been recalled.

Has there been any change in ownership interest, officers, partners, or directors; or a change in ownership or location of the pari-mutuel facility? If changed, state fully. If none, state "No change." Use additional pages, if necessary.

No change

Is the applicant incorporated? Yes No If yes, under the laws of which state? State of Florida

Please list all officers and directors of the applicant using Form DBPR PMW-3190 – Officers and Directors.

Please document persons who are the bona fide and beneficial owners of the entire stock of the applicant using Form DBPR PMW-3190 – Officers and Directors. If corporation, list name of corporation and stockholders; if partnership, list partners.

Please list the stockholders of record of the applicant using Form DBPR PMW-3190 – Officers and Directors.

Please list the stockholders of the applicant who are subject to a voting trust or have been pledged to a trustee or party other than the beneficial owner using Form DBPR PMW-3190 – Officers and Directors.

Have any persons listed on Form DBPR PMW-3190 – Officers and Directors ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges (other than minor traffic violations) in any state or county? Yes No
 If yes, list the individual(s) name, license number and title:

OPERATING SEASON INFORMATION

The applicant desires to conduct a racing/jai alai meet for the 20²³ - 20²⁴ season during the following period(s). Please follow instructions on calendars attached to permit application to mark days, dates, and types of performances.

Opening Date(s): <u>July 1, 2023</u>	Closing Date(s): <u>June 30, 2024</u>
Number of Dark Days: <u>1</u>	Number of Live Days: <u>174</u>

Performances

Number of Evening Performances	<u>0</u>
Number of Matinee Performances	<u>164</u>
Number of Charity/Scholarship Performances	<u>5</u>
Total Number of Performances	<u>169</u>

Number of races/games during evening performances: <u>n/a</u>	Number of races/games during matinee performances: <u>8-15</u>
Starting time:	Starting time: <u>11:00 am.</u>

For greyhound tracks only:
 Do you intend to hold an additional charity day for the greyhound adoption program? Yes No
 If yes, please indicate the date when the "Greyhound Adopt-a-Pet Day" will be held: _____

OATH

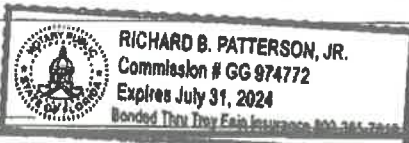
I swear or affirm that the information provided in this application is true and complete. I understand that knowingly providing false information on this application could subject the applicant to criminal penalties relating to perjury or other offenses.

Name (Please Print) <u>Sheri Holmes Stirling</u>	Title (Please Print) <u>VP Administration</u>	Signature 	Date <u>8/16/2023</u>
---	--	---------------	--------------------------

State of Florida,
 County of Broward
 Sworn to (or affirmed) and subscribed before me this 16th day of August, 2023.

Sheri Holmes Stirling, who is personally known to me or produced the following as identification:

Notary Public
 My Commission Expires: 7/31/2024





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

PERMITHOLDER INFORMATION	
Name Gulfstream Park Racing Association Inc.	Permit # 321

INSTRUCTIONS
Submit this form in conjunction with the form DBPR PMW-3060 – Permitholder Application for License and Operating Dates.
Please do not overlook the cardroom section and the required application oath on page 4.
Please fill in appropriate year, and date below and on the following pages. Using the letter code below, write the type of performance in each box. Fill in the total number of performances for each month.
LETTER CODES
M = Matinee E = Evening C = Charity S = Scholarship

Example

1	2	3	4	5	6	7
	E	M	M	S	C	C
	E	E		M	E	E
8	9	10	11	12	13	14
	M					

July Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
						M
2	3	4	5	6	7	8
M					M	M
9	10	11	12	13	14	15
M					M	M
16	17	18	19	20	21	22
M					M	M
23	24	25	26	27	28	29
M					M	M
30	31					
M						

M 14 E 0 C/S 0

August Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
		1	2	3	4	5
					M	M
6	7	8	9	10	11	12
M					M	M
13	14	15	16	17	18	19
M					M	M
20	21	22	23	24	25	26
M					M	M
27	28	29	30	31		
M						

M 12 E 0 C/S 0

Total 14

Total 12
Initials: *B*

September

Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
					M	M
3	4	5	6	7	8	9
M					M	M
10	11	12	13	14	15	16
M					M	M
17	18	19	20	21	22	23
M					M	M
24	25	26	27	28	29	30
M					M	M

M 14 E 0 C/S 0

Total 14

October

Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
1	2	3	4	5	6	7
M					M	M
8	9	10	11	12	13	14
M					M	M
15	16	17	18	19	20	21
M					M	M
22	23	24	25	26	27	28
M					M	M
29	30	31				
M						

M 13 E 0 C/S 0

Total 13

November

Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
27	28	29	30			

M 0 E 0 C/S 0

Total 0

December

Year: 2023

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
						M
3	4	5	6	7	8	9
M			M	M	M	M
10	11	12	13	14	15	16
M			M	M	M	M
17	18	19	20	21	22	23
M			M	M	M	M
24	25	26	27	28	29	30
M		M		M	M	C
31						
M						

M 21 E 0 C/S 1

Total 22

Initials: 

January Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
	M		M	M	M	M
7	8	9	10	11	12	13
M			M	M	M	M
14	15	16	17	18	19	20
M			M	M	M	M
21	22	23	24	25	26	27
M			M	M	M	C
28	29	30	31			
M			M			

M 21 E 0 C/S 1

Total 22

February Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
				1	2	3
				M	M	C
4	5	6	7	8	9	10
M			M	M	M	M
11	12	13	14	15	16	17
M			M	M	M	M
18	19	20	21	22	23	24
M			M	M	M	M
25	26	27	28	29		
M			M	M		

M 20 E 0 C/S 1

Total 21

March Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
					1	2
					M	C
3	4	5	6	7	8	9
M			M	M	M	M
10	11	12	13	14	15	16
M			M	M	M	M
17	18	19	20	21	22	23
M			M	M	M	M
24	25	26	27	28	29	30
M			M	M	M	C
31						
M						

M 21 E 0 C/S 2

Total 23

April Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
	1	2	3	4	5	6
				M	M	M
7	8	9	10	11	12	13
M				M	M	M
14	15	16	17	18	19	20
M				M	M	M
21	22	23	24	25	26	27
M				M	M	M
28	29	30				
M						

M 16 E 0 C/S 0

Total 16

Initials: AB

May Year: 2024

June Year: 2024

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Sun	Mon	Tues	Wed	Thurs	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
				M	M	M
16	17	18	19	20	21	22
	M			M	M	M
23	24	25	26	27	28	29
	M			M	M	M
30	31					

M 0 E 0 C/S 0

M 12 E 0 C/S 0

Total 0

Total 12

CARDROOM OPERATORS ONLY						
Hours of Cardroom Operations						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
10:00 AM	10:00 AM	10:00 AM	10:00 AM	10:00 AM	24 Hours	24 Hours
4:00 AM	4:00 AM	4:00 AM	4:00 AM	4:00 AM	—	—

Year Round? Yes No If No, Dates: At this time card room closed

OATH


I swear or affirm that the information provided in this application is true and complete. I understand that knowingly providing false information on this application could subject the applicant to criminal penalties relating to perjury or other offenses.

SHERI HOLMES STIKLING VP ADMINISTRATION [Signature] 8/16/2023
 Name (Please Print) Title (Please Print) Signature Date

State of Florida,
 County of Duval
 Sworn to (or affirmed) and subscribed before me this 16th day of August, 2023.

_____, who is personally known to me or produces the following as identification:

[Signature]
 Notary Public
 My Commission Expires: 7/31/2024



RICHARD B. PATTERSON, JR.
 Commission # GG 974772
 Expires July 31, 2024
 Bonded Three Year Fain Insurance 800-265-7619



July 30, 2023

Mr. Dan Adkins
The Big Easy

Dear Mr. Adkins,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th

Cancel Thursdays in October, Oct 5, 12, 19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection

Objection

Keely Lee 8/16/23

Reason for objection: _____



July 30, 2023

Mr. Steve Calabro
President & CEO
Hialeah Park

Dear Steve,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank-you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection

Objection

Reason for objection: _____



July 30, 2023

Mr. Daniel Licciardi
Casino Miami

Dear Daniel,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5, 12, 19 & 26

We appreciate your prompt attention in this matter.

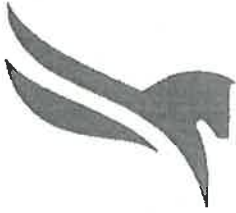
Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank-you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection Dan Licciardi 8/16/2023
 Objection _____

Reason for objection: _____



July 30, 2023

Mr. Juan Pablo Villamayor
The Casino @ Dania Beach

Dear Juan,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection
 Objection

Reason for objection: _____



July 30, 2023

Mr. Richard Sukhu
President & General Manager
Calder Casino

Dear Richard,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection

Objection

Reason for objection: _____

La'Kesha Jelks

From: Jamie Pouncey
Sent: Thursday, August 24, 2023 1:37 PM
To: Holmes, Sheri; La'Kesha Jelks
Subject: RE: Gulfstream - Magic City -West Flagler

Yes, works for me!!

Thank you,



FLORIDA
GAMING CONTROL
COMMISSION

Jamie Pouncey
Program Administrator
Office: 850-717-1073 Cell:850-964-1705

From: Holmes, Sheri <Sheri.Holmes@gulfstreampark.com>
Sent: Thursday, August 24, 2023 12:55 PM
To: Jamie Pouncey <Jamie.Pouncey@flgaming.gov>; La'Kesha Jelks <LaKesha.Jelks@flgaming.gov>
Subject: Gulfstream - Magic City -West Flagler

Please see attached and advise if this is sufficient.

Thanks
Sheri



SHERI HOLMES STIRLING
VICE PRESIDENT ADMINISTRATION

901 S FEDERAL HWY
HALLANDALE BEACH, FL 33009

P /1.954.457.6298
C /954.815.0027



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July 30, 2023

Mr. Jerry Mong
Magic City Casino

Dear Jerry,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

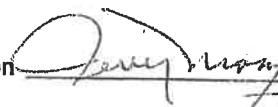
Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection 
 Objection _____

no objection letter for permit holder 283 & 286 & 8/24/23
Reason for objection: _____



July 30, 2023

Mr. Jerry Mong
Magic City Casino

Dear Jerry,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

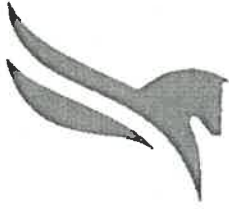
Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection _____
 Objection _____

Reason for objection: _____



July 30, 2023

Mr. John Keenan II
Mr. Troy Buswell
Isle Casino at Pompano Park

Dear Mr. Keenan &/ Mr. Buswell,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection

Objection

Reason for objection: _____



July 30, 2023

Mr. Michael Glenn
General Manager
Palm Beach Kennel Club

Dear Mr. Glenn,

Gulfstream Park is requesting a change to our race dates for the 2023-2024 license year to continue the necessary changes to the Turf track surface.

Cancel Monday Sept 4th
Cancel Thursdays in October, Oct 5,12,19 & 26

We appreciate your prompt attention in this matter.

Please indicate whether you object to this requested change in the appropriate space below. Sign and email back to Sheri Holmes at Sheri.Holmes@gulfstreampark.com. If you have any issues or concerns, please contact me at 954-815-0027.

Sincerely and Thank- you,

Sheri Holmes Stirling
Vice President, Administration
Gulfstream Park

No objection _____ 
 Objection _____

Reason for objection: _____



State of Florida
Department of Business and Professional Regulation
Chronology Report

Case #: 2023046935 **Incident date:** 08/18/2023 **Status:** 10 - Initial Review

Lic Type: 1001 **Disposition:**

Case Type: Complaint

Responsible: ljelks - JELKS, LA'KESHA

Complainant: GULFSTREAM PARK RACING ASSOCIATION, INC.
901 SOUTH FEDERAL HIGHWAY, HALLANDALE, FL 33009-3099

Respondent: FLORIDA GAMING CONTROL COMMISSION
2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

Summary: Cancel performance on September 4th and all Thursday performances/racing days in October (5th, 12th, 19th, and 26th).

Chronology:

<u>Effective Date</u>	<u>Type</u>	<u>Lic Type</u>	<u>Code</u>	<u>Description</u>	<u>Responsible Party</u>	<u>Respondent</u>
08/18/2023	R		ljelks	JELKS, LA'KESHA	ljelks	
08/18/2023	S	1001	10	Initial Review	ljelks	

5. Discussion of Application for Transfer of Permit Tax Credit/Exemption

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Request to Transfer Tax Credit Case #2023-044800
Date: August 9, 2023

Executive Summary

A greyhound permitholder request approval to transfer \$250,000.00 in tax credits to another greyhound permitholder. The Commission should approve this request.

Background

TBD Entertainment, LLC., d/b/a TGT Poker & Racebook (# 140) possesses a greyhound permit.¹ TBD Entertainment, LLC., d/b/a TGT Poker & Racebook has been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.² Daytona Beach Kennel Club, Inc. also possesses a greyhound permit. Daytona Beach Kennel Club, Inc. has also been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.

TBD Entertainment, LLC., d/b/a TGT Poker & Racebook request to transfer \$250,000.00 of their tax credits to Daytona Beach Kennel Club, Inc. For purposes of intertrack wagering,³ Daytona Beach Kennel Club, Inc. acts as a host track⁴ for TBD Entertainment, LLC., d/b/a TGT Poker & Racebook. TBD Entertainment, LLC., d/b/a TGT Poker & Racebook has \$250,000.00 of tax credits available for transfer. Additionally, TBD Entertainment, LLC., d/b/a TGT Poker & Racebook has not previously elected to transfer these tax credits. Neither TBD Entertainment, LLC., d/b/a TGT Poker & Racebook nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes.

¹ Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

² A permitholder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

³ See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

⁴ See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

Analysis

A greyhound permitholder may receive tax credits from another greyhound permitholder if certain requirements are satisfied.⁵ First, the receiving greyhound permitholder must act as the host track for the other greyhound permitholder for purposes of intertrack wagering.⁶ Second, the transferring greyhound permitholder can only make this election once per state fiscal year.⁷ Third, the transferring greyhound permitholder must have available unused tax credits to transfer.⁸ Lastly, neither the receiving nor transferring greyhound permitholder can owe any unpaid taxes to the state.⁹

Daytona Beach Kennel Club, Inc. and TBD Entertainment, LLC., d/b/a TGT Poker & Racebook meet these requirements. First, Daytona Beach Kennel Club, Inc. acts as a host track for TBD Entertainment, LLC., d/b/a TGT Poker & Racebook. Second, TBD Entertainment, LLC., d/b/a TGT Poker & Racebook has not elected to transfer its available tax credits this state fiscal year. Third, TBD Entertainment, LLC., d/b/a TGT Poker & Racebook has \$250,000.00 in available tax credits that they seek to transfer to Daytona Beach Kennel Club, Inc. Lastly, neither TBD Entertainment, LLC., d/b/a TGT Poker & Racebook nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes. Therefore, TBD Entertainment, LLC., d/b/a TGT Poker & Racebook should be permitted to transfer \$250,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve TBD Entertainment, LLC., d/b/a TGT Poker & Racebook request to transfer \$250,000.00 in tax credits to Daytona Beach Kennel Club, Inc.

⁵ See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

⁶ *Id.*

⁷ *Id.*

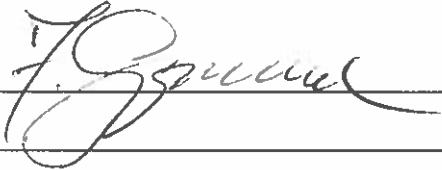
⁸ *Id.*

⁹ *Id.*

FLORIDA GAMING CONTROL COMMISSION
 DIVISION OF PARI-MUTUEL WAGERING
 OFFICE OF REVENUE AND FINANCIAL ANALYSIS

TRANSFER OF GREYHOUND PERMITHOLDER
 TAX CREDIT/EXEMPTION

Guest Greyhound Permitholder Transferring
 Credit/Exemption: TBDG Entertainment LLC (Permit #140)

Host Greyhound Permitholder(s) Receiving Credit	Signature of Host Permitholder Representative Receiving Tax Credit	Requested Effective Date of Transfer	Dollar Amount To Be Transferred
Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing & Card Club (Permit 143)		9/1/2023	\$ 250,000.00



 Signature of Permitholder Representative
 Authorizing Transfer of Tax Credit/Exemption

 Revenue Program Administrator
 Office of Revenue and Financial Analysis

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Request to Transfer Tax Credit Case #2023-044824
Date: August 9, 2023

Executive Summary

A greyhound permitholder request approval to transfer \$250,000.00 in tax credits to another greyhound permitholder. The Commission should approve this request.

Background

Pensacola Greyhound Racing, LLP (# 150) possesses a greyhound permit.¹ Pensacola Greyhound Racing, LLP has been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.² Daytona Beach Kennel Club, Inc. also possesses a greyhound permit. Daytona Beach Kennel Club, Inc. has also been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.

Pensacola Greyhound Racing, LLP request to transfer \$250,000.00 of their tax credits to Daytona Beach Kennel Club, Inc. For purposes of intertrack wagering,³ Daytona Beach Kennel Club, Inc. acts as a host track⁴ for Pensacola Greyhound Racing, LLP. Pensacola Greyhound Racing, LLP has \$250,000.00 of tax credits available for transfer. Additionally, Pensacola Greyhound Racing, LLP has not previously elected to transfer these tax credits. Neither Pensacola Greyhound Racing, LLP nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes.

Analysis

¹ Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

² A permitholder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

³ See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

⁴ See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

A greyhound permitholder may receive tax credits from another greyhound permitholder if certain requirements are satisfied.⁵ First, the receiving greyhound permitholder must act as the host track for the other greyhound permitholder for purposes of intertrack wagering.⁶ Second, the transferring greyhound permitholder can only make this election once per state fiscal year.⁷ Third, the transferring greyhound permitholder must have available unused tax credits to transfer.⁸ Lastly, neither the receiving nor transferring greyhound permitholder can owe any unpaid taxes to the state.⁹

Daytona Beach Kennel Club, Inc. and Pensacola Greyhound Racing, LLP meet these requirements. First, Daytona Beach Kennel Club, Inc. acts as a host track for Pensacola Greyhound Racing, LLP. Second, Pensacola Greyhound Racing, LLP has not elected to transfer its available tax credits this state fiscal year. Third, Pensacola Greyhound Racing, LLP has \$250,000.00 in available tax credits that they seek to transfer to Daytona Beach Kennel Club, Inc. Lastly, neither Pensacola Greyhound Racing, LLP nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes. Therefore, Pensacola Greyhound Racing, LLP should be permitted to transfer \$250,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve Pensacola Greyhound Racing, LLP request to transfer \$250,000.00 in tax credits to Daytona Beach Kennel Club, Inc.

⁵ See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*


⁹ *Id.*

**FLORIDA GAMING CONTROL COMMISSION
 DIVISION OF PARI-MUTUEL WAGERING
 OFFICE OF REVENUE AND FINANCIAL ANALYSIS**

**TRANSFER OF GREYHOUND PERMITHOLDER
 TAX CREDIT/EXEMPTION**

Guest Greyhound Permitholder Transferring
 Credit/Exemption:

Pensacola Greyhound Racing, LLP (Permit #150)

Host Greyhound Permitholder(s) Receiving Credit	Signature of Host Permitholder Representative Receiving Tax Credit	Requested Effective Date of Transfer	Dollar Amount To Be Transferred
<u>Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing & Card Club (Permit 143)</u>		<u>9/1/2023</u>	<u>\$ 250,000.00</u>



Signature of Permitholder Representative
 Authorizing Transfer of Tax Credit/Exemption

 Revenue Program Administrator
 Office of Revenue and Financial Analysis

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Request to Transfer Tax Credit Case #2023-044826
Date: August 9, 2023

Executive Summary

A greyhound permitholder request approval to transfer \$250,000.00 in tax credits to another greyhound permitholder. The Commission should approve this request.

Background

Sarasota Kennel Club, Inc. (# 153) possesses a greyhound permit.¹ Sarasota Kennel Club, Inc. has been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.² Daytona Beach Kennel Club, Inc. also possesses a greyhound permit. Daytona Beach Kennel Club, Inc. has also been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.

Sarasota Kennel Club, Inc. request to transfer \$250,000.00 of their tax credits to Daytona Beach Kennel Club, Inc. For purposes of intertrack wagering,³ Daytona Beach Kennel Club, Inc. acts as a host track⁴ for Sarasota Kennel Club, Inc.. Sarasota Kennel Club, Inc. has \$250,000.00 of tax credits available for transfer. Additionally, Sarasota Kennel Club, Inc. has not previously elected to transfer these tax credits. Neither Sarasota Kennel Club, Inc. nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes.

Analysis

¹ Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

² A permitholder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

³ See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

⁴ See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

A greyhound permitholder may receive tax credits from another greyhound permitholder if certain requirements are satisfied.⁵ First, the receiving greyhound permitholder must act as the host track for the other greyhound permitholder for purposes of intertrack wagering.⁶ Second, the transferring greyhound permitholder can only make this election once per state fiscal year.⁷ Third, the transferring greyhound permitholder must have available unused tax credits to transfer.⁸ Lastly, neither the receiving nor transferring greyhound permitholder can owe any unpaid taxes to the state.⁹

Daytona Beach Kennel Club, Inc. and Sarasota Kennel Club, Inc. meet these requirements. First, Daytona Beach Kennel Club, Inc. acts as a host track for Sarasota Kennel Club, Inc.. Second, Sarasota Kennel Club, Inc. has not elected to transfer its available tax credits this state fiscal year. Third, Sarasota Kennel Club, Inc. has \$250,000.00 in available tax credits that they seek to transfer to Daytona Beach Kennel Club, Inc. Lastly, neither Sarasota Kennel Club, Inc. nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes. Therefore, Sarasota Kennel Club, Inc. should be permitted to transfer \$250,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve Sarasota Kennel Club, Inc. request to transfer \$250,000.00 in tax credits to Daytona Beach Kennel Club, Inc.

⁵ See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

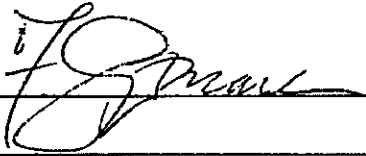
⁹ *Id.*

**FLORIDA GAMING CONTROL COMMISSION
 DIVISION OF PARI-MUTUEL WAGERING
 OFFICE OF REVENUE AND FINANCIAL ANALYSIS**

**TRANSFER OF GREYHOUND PREMITHOLDER
 TAX CREDIT/EXEMPTION**

Guest Greyhound Permitholder Transferring
 Credit/Exemption:

Sarasota Kennel Club, Inc. (Permit #153)

Host Greyhound Permitholder(s) Receiving Credit	Signature of Host Permitholder Representative Receiving Tax Credit	Requested Effective Date of Transfer	Dollar Amount To Be Transferred
Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing & Card Club (Permit 143)		9/1/2023	\$ 250,000.00


 Signature of Permitholder Representative
 Authorizing Transfer of Tax Credit/Exemption

 Revenue Program Administrator
 Office of Revenue and Financial Analysis

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Request to Transfer Tax Credit Case #2023-044831
Date: August 9, 2023

Executive Summary

A greyhound permitholder request approval to transfer \$250,000.00 in tax credits to another greyhound permitholder. The Commission should approve this request.

Background

Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park (# 154) possesses a greyhound permit.¹ Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park has been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.² Daytona Beach Kennel Club, Inc. also possesses a greyhound permit. Daytona Beach Kennel Club, Inc. has also been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.

Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park request to transfer \$250,000.00 of their tax credits to Daytona Beach Kennel Club, Inc. For purposes of intertrack wagering,³ Daytona Beach Kennel Club, Inc. acts as a host track⁴ for Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park. Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park has \$250,000.00 of tax credits available for transfer. Additionally, Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park has not previously elected to transfer these tax credits. Neither Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes.

¹ Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

² A permitholder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

³ See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

⁴ See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

Analysis

A greyhound permitholder may receive tax credits from another greyhound permitholder if certain requirements are satisfied.⁵ First, the receiving greyhound permitholder must act as the host track for the other greyhound permitholder for purposes of intertrack wagering.⁶ Second, the transferring greyhound permitholder can only make this election once per state fiscal year.⁷ Third, the transferring greyhound permitholder must have available unused tax credits to transfer.⁸ Lastly, neither the receiving nor transferring greyhound permitholder can owe any unpaid taxes to the state.⁹

Daytona Beach Kennel Club, Inc. and Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park meet these requirements. First, Daytona Beach Kennel Club, Inc. acts as a host track for Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park. Second, Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park has not elected to transfer its available tax credits this state fiscal year. Third, Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park has \$250,000.00 in available tax credits that they seek to transfer to Daytona Beach Kennel Club, Inc. Lastly, neither Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes. Therefore, Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park should be permitted to transfer \$250,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park request to transfer \$250,000.00 in tax credits to Daytona Beach Kennel Club, Inc.

⁵ See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

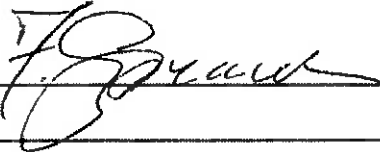
⁹ *Id.*

**FLORIDA GAMING CONTROL COMMISSION
 DIVISION OF PARI-MUTUEL WAGERING
 OFFICE OF REVENUE AND FINANCIAL ANALYSIS**

**TRANSFER OF GREYHOUND PREMITHOLDER
 TAX CREDIT/EXEMPTION**

Guest Greyhound Permitholder Transferring
 Credit/Exemption:

Washington County Kennel Club, Inc. d/b/a Ebro Greyhound Park (Permit #154)

Host Greyhound Permitholder(s) Receiving Credit	Signature of Host Permitholder Representative Receiving Tax Credit	Requested Effective Date of Transfer	Dollar Amount To Be Transferred
Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing & Card Club (Permit 143)		9/1/2023	\$ 250,000.00


 Signature of Permitholder Representative
 Authorizing Transfer of Tax Credit/Exemption

Revenue Program Administrator
 Office of Revenue and Financial Analysis

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Re: Request to Transfer Tax Credit Case #2023-044925
Date: August 9, 2023

Executive Summary

A greyhound permitholder request approval to transfer \$250,000.00 in tax credits to another greyhound permitholder. The Commission should approve this request.

Background

831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino (# 141) possesses a greyhound permit.¹ 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino has been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.² Daytona Beach Kennel Club, Inc. also possesses a greyhound permit. Daytona Beach Kennel Club, Inc. has also been issued a pari-mutuel operating license for the 2023-2024 Fiscal Year.

831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino request to transfer \$250,000.00 of their tax credits to Daytona Beach Kennel Club, Inc. For purposes of intertrack wagering,³ Daytona Beach Kennel Club, Inc. acts as a host track⁴ for 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino. 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino has \$250,000.00 of tax credits available for transfer. Additionally, 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino has not previously elected to transfer these tax credits. Neither 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes.

¹ Permitting is a prerequisite for gaming in this state. § 550.054, Fla. Stat.

² A permitholder must apply for and be issued an annual operating license before conducting any gaming activities. § 550.01215, Fla. Stat.

³ See § 550.002(17), Fla. Stat. (defining “intertrack wagering.”).

⁴ See §§ 550.002(12) & (16), Fla. Stat. (defining “guest track” and “host track.”).

Analysis

A greyhound permitholder may receive tax credits from another greyhound permitholder if certain requirements are satisfied.⁵ First, the receiving greyhound permitholder must act as the host track for the other greyhound permitholder for purposes of intertrack wagering.⁶ Second, the transferring greyhound permitholder can only make this election once per state fiscal year.⁷ Third, the transferring greyhound permitholder must have available unused tax credits to transfer.⁸ Lastly, neither the receiving nor transferring greyhound permitholder can owe any unpaid taxes to the state.⁹

Daytona Beach Kennel Club, Inc. and 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino meet these requirements. First, Daytona Beach Kennel Club, Inc. acts as a host track for 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino. Second, 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino has not elected to transfer its available tax credits this state fiscal year. Third, 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino has \$250,000.00 in available tax credits that they seek to transfer to Daytona Beach Kennel Club, Inc. Lastly, neither 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino nor Daytona Beach Kennel Club, Inc. owe any unpaid taxes. Therefore, 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino should be permitted to transfer \$250,000.00 of their tax credits to Daytona.

Recommendation: The Florida Gaming Control Commission should approve 831 Federal Highway Acquisition, LLC d/b/a The Big Easy Casino request to transfer \$250,000.00 in tax credits to Daytona Beach Kennel Club, Inc.

⁵ See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*


⁹ *Id.*

FLORIDA GAMING CONTROL COMMISSION
 DIVISION OF PARI-MUTUEL WAGERING
 OFFICE OF REVENUE AND FINANCIAL ANALYSIS

TRANSFER OF GREYHOUND PERMITHOLDER
 TAX CREDIT/EXEMPTION

Guest Greyhound Permitholder Transferring
 Credit/Exemption:

831 Federal Highway Acquisition Holding, LLC d/b/a The Big Easy Casino (Permit #141)

Host Greyhound Permitholder(s) Receiving Credit	Signature of Host Permitholder Representative Receiving Tax Credit	Requested Effective Date of Transfer	Dollar Amount To Be Transferred
Daytona Beach Kennel Club Inc. d/b/a Daytona Beach Racing & Card Club (Permit 143)		9/1/2023	\$ 250,000.00


 Signature of Permitholder Representative
 Authorizing Transfer of Tax Credit/Exemption

Revenue Program Administrator
 Office of Revenue and Financial Analysis

6. 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. Daytona Beach Kennel Club, Inc. Case No. 2023-021983;
Consent Order
Date: August 22, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Daytona Beach Kennel Club, Inc. (“Respondent”) to resolve Case No. 2023-021983. Pursuant to the terms of the proposed order, Respondent would be issued a \$750 administrative fine for violating rule 75-11.012(8), Florida Administrative Code.

Background

On or about April 1, 2023, it was discovered that Respondent allowed an employee to access the count room during the count when they were not listed on the authorized list. Respondent has one prior violation of this rule which resulted in a \$500 fine in case number 2021-029533.

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 adopted pursuant to that section.¹

Rule 75-11.012(8), Florida Administrative Code, provides that “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.”

¹ § 849.086(14)(c), Fla. Stat.

Because Respondent allowed an employee to access the count room during the count when they were not listed on the authorized list, it is subject to an administrative fine of up to \$1000 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-021983.

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 1002 - Cardroom License	Status 90 Closed	Status Date 07/03/2023
Complaint # 2023021983	Case Type CMP - Complaint	Disposition
Docket#	Respondent DAYTONA BEACH KENNEL CLUB, INC.	Responsible bjones - JONES, BRADFORD
		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 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 04/05/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region CR - Central Region	Received 04/17/2023	<input type="checkbox"/> Inspection	
Reference 75-11.012	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 04/17/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	143 - Daytona Beach Kennel Club, INC. - 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.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 07/05/2023 14:57:41	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

79 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: PMW	Region: CENTRAL	Date of Complaint: APRIL 17, 2023	Case Number: 2023 02 1983
Respondent: DAYTONA BEACH KENNEL CLUB, INC. 960 S. WILLIAMSON BOULEVARD. DAYTONA BEACH, FLORIDA 32114 Phone: 386-252-6484		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: 143 / 1002		Profession: PERMIT HOLDER	Report Date: MAY 22, 2023
Period of Investigation: APRIL 5, 2023 – MAY 22, 2023		Type of Report: FINAL	
Alleged Violation: 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.			
Synopsis: On Wednesday, April 5, 2023, the DAYTONA BEACH KENNEL CLUB allowed an unauthorized employee into the surveillance room. The employee was not listed on the Surveillance Room Access List as required by the above-cited rule (EXHIBIT#1) .			
Related Case:			
Investigator / Date <i>/s/ Lee Ann Rounds</i> Lee Ann Rounds / May 22, 2023		Investigator Supervisor / Date <i>C. Derek Washington</i> <i>/s/ C. Derek Washington</i> C. Derek Washington / May 26, 2023	
Chief of Investigations / Date <i>Bradford D. Jones</i> Bradford D. Jones / July 3, 2023			

CONTINUATION

On April 5, 2023, I conducted a routine facility visit at the **DAYTONA BEACH KENNEL CLUB (DBKC)**. At approximately 3:00 PM, I was present in the DBKC Surveillance Room. While reviewing the Surveillance Log in the office of Surveillance Director Miguel Melendez-Santiago (PMW License #7670022), I noticed an unfamiliar name in the Surveillance Log showing that on April 1, 2023, this person was allowed entry into the Surveillance Room (**EXHIBIT#2**). I then asked Santiago about it, and he stated that Cardroom Manager John Atkins (PMW License #11443704), who was not authorized, was allowed entry into the Surveillance Room. Melendez-Santiago further stated that he was "writing up" his Surveillance employee, Reagan Miles (PMW License #13480637) for allowing Atkins entry into the Surveillance Room, because Atkins was not on the Surveillance Room Access List. Melendez-Santiago then showed me a recorded surveillance video of Miles on April 1, 2023, receiving a telephone call and checking all access lists before allowing Atkins into the Surveillance Room. Melendez-Santiago issued a written reprimand to Miles for allowing Atkins access to the Surveillance Room (**EXHIBIT#3**).

On April 17, 2023, at approximately 4:40 PM, I interviewed Cardroom Manager Joseph LaRosa (PMW License #10152488). LaRosa stated John Atkins is one of his night shift managers. He said Atkins called him that evening on April 1, 2023, with an issue, and he told him to go to the Surveillance Room and review the video to see if he could resolve the matter. LaRosa stated he was unaware that his managers were not on the Surveillance Access List.

On May 19, 2023, at approximately 11:30 AM, I spoke with Atkins by telephone. He said he was the night shift manager on duty on April 1, 2023. He explained there was a multi-day tournament that weekend and that there was an issue where two players ended up with the same ticket for the nighttime tournament play. Atkins stated he contacted Cardroom Manager LaRosa to inform him of the matter. He said LaRosa told him to go to the Surveillance Room and see what he could determine from the surveillance video. Atkins said he went to Surveillance as directed to review the video and was able to resolve the issue.

After reviewing all information obtained, **DAYTONA BEACH KENNEL CLUB** is in violation of Rule 75-11.012 (8). **DBKC** Surveillance employee Reagan **MILES** after checking all access lists, still allowed Cardroom Manager John **ATKINS** entry into the DBKC Surveillance Room knowing he was not on the facility Surveillance Access List.

Conclusion: A check of Versa Regulations Enforcement database showed a prior violation, in which access was granted to an unauthorized employee to enter the DBKC Surveillance Room (Case #2021 02 9533). A Consent Order was issued and a \$500 fine was paid (**EXHIBIT#8**).

Case Status: Investigations case closed and case forwarded to Legal for review.

TABLE OF CONTENTS

- I. INVESTIGATIVE REPORT COVERSHEET
- II. INVESTIGATIVE REPORT
- III. EXHIBITS
 - 1. Property Receipt.....1-1
 - 2. Visitor’s Log.....1-1
 - 3. Written Associate Counseling.....1-3
 - 4. Daytona Beach Kennel Club License.....1-1
 - 5. LA ROSA License.....1-1
 - 6. MILES License.....1-1
 - 7. ATKINS License.....1-1
 - 8. Prior Violation1-8
 - 9. Prior ROI.....1-3



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.)

PROPERTY RECEIPT

Complaint # 2023 02 1983 Date 5-17-23 Lab # _____

Item No.	Quantity	Description
1	1	4/1/23 unauthorized access surveillance

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]

 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]

 Signature - Impounding Investigator

RETURNED PROPERTY RECEIPT

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

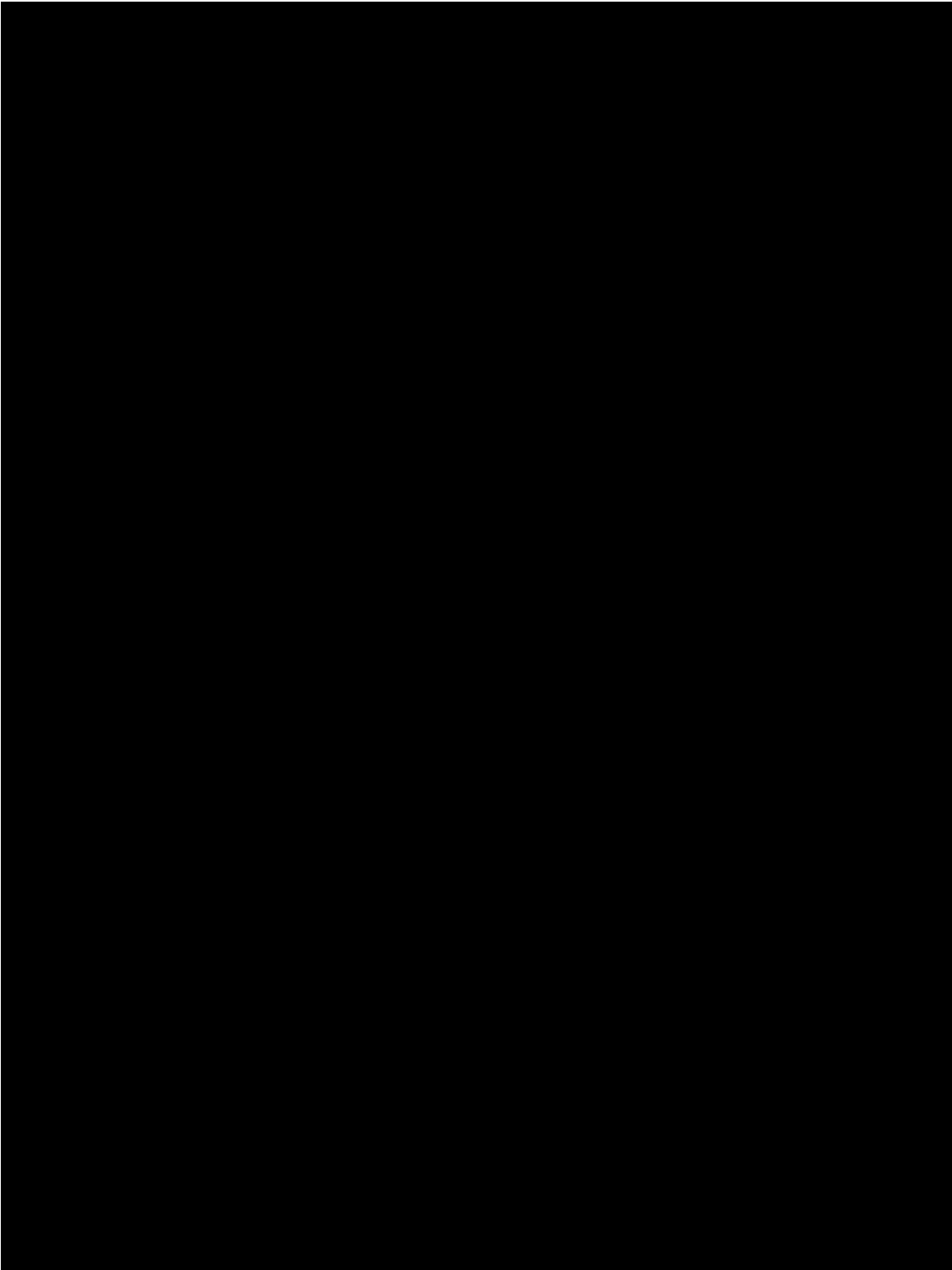
.....
 Signature _____ Date _____

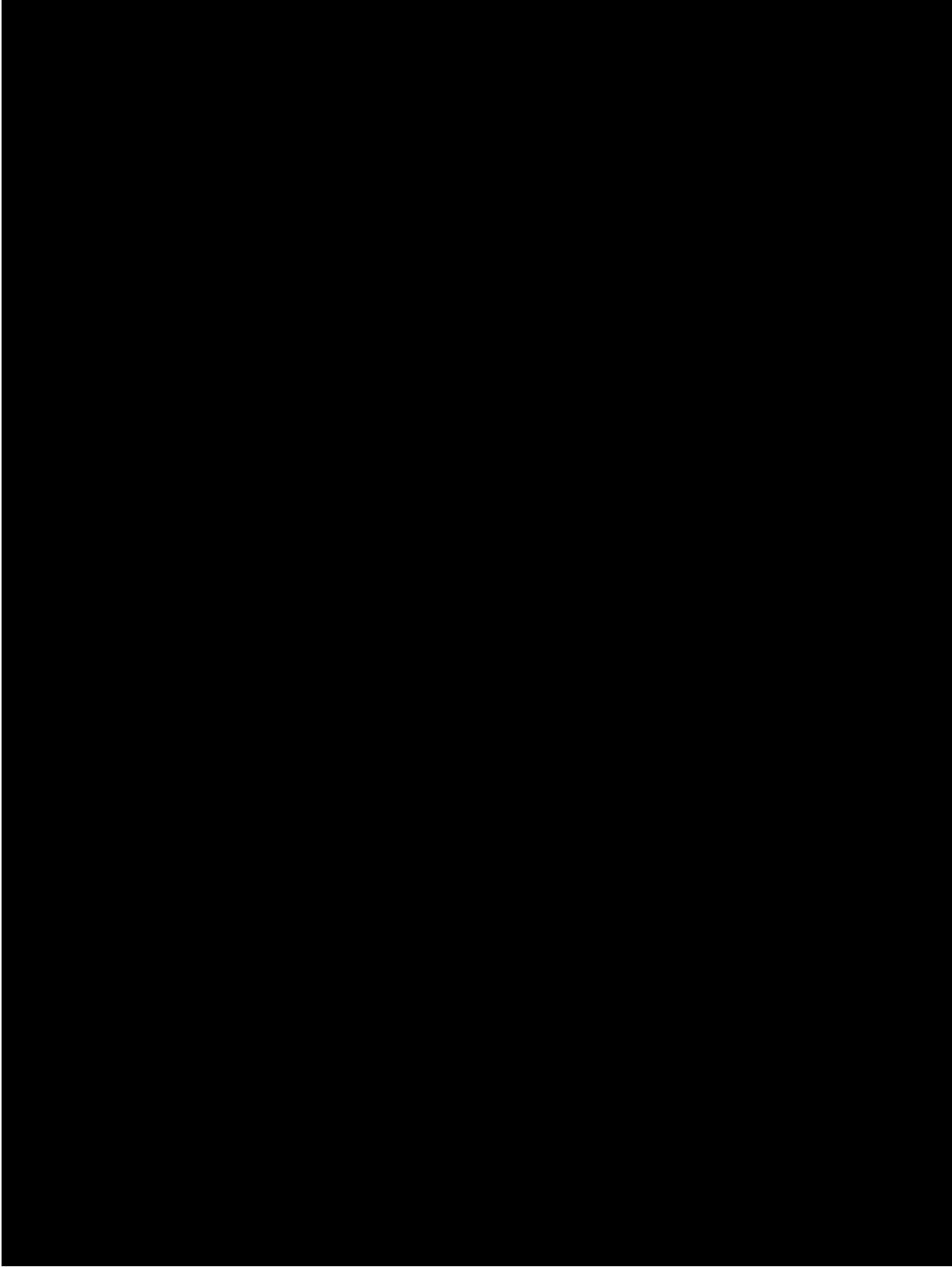
Received by: _____ Date: _____
 Received by: _____ Date: _____
 Received by: _____ Date: _____

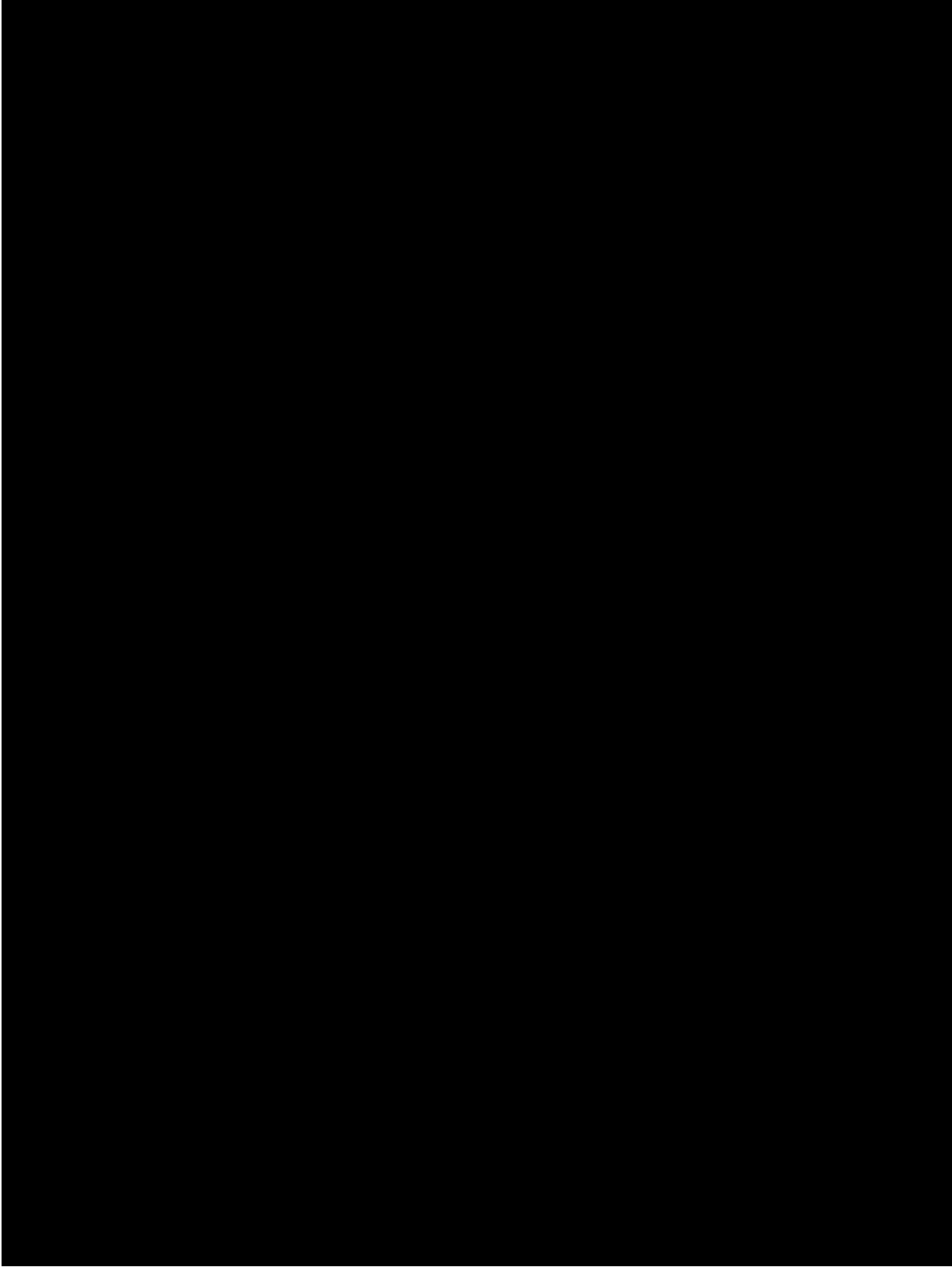
Copies for: File, Transmittal, Laboratory, Property Receipt

Daytona Beach Kennel Club Observation Room Visitors' Log

Date	Time In	Printed Name	Reason for Visit	Time Out	Signature	Operator
3/29	1753	Mike Stringer	Review Fine	1759	<i>[Signature]</i>	RCM
4/1	1816	John Atkins	Review	1827	<i>[Signature]</i>	RCM
4/2	14:38	Joseph LaRosa	REVIEW	1450	Joe LaRosa 383082	AR
4/3	1830	Mike Stringer	Review	1432	<i>[Signature]</i>	<i>[Signature]</i>
4/5/23	3:00pm	LeeAnn Rounds	Inspection	3:15p	<i>[Signature]</i>	<i>[Signature]</i>
4/6	1525	Michael Stringer	Review	1523	<i>[Signature]</i>	MJM
4/6	1525	Joe LaRosa	" "	1533	Joe LaRosa	MJM
4/17	4:28pm	LEE ANN ROUNDS	facility visit	4:37pm	<i>[Signature]</i>	LA
4/27	2:18pm	DRECK WASHINGTON	FACC Insp	1441	<i>[Signature]</i>	<i>[Signature]</i>
4/27	2:25pm	LeeAnn Rounds	Inspection	1442	<i>[Signature]</i>	<i>[Signature]</i>
5/4/23	1602	LeeAnn Rounds	Inspection	16:07	<i>[Signature]</i>	<i>[Signature]</i>
5/11/23	2:33	LeeAnn Rounds	Inspection	2:43pm	<i>[Signature]</i>	AR
5/16	1543	Ray Thomas	INVEST	1546	<i>[Signature]</i>	AR









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 **100 - Division of Pari-Mutuel Wagering**

Logged in as: **Imoore**

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

License Fed Tax # ██████████ Lic Type 1002 - Cardroom License Expires On 06/30/2024 File # 30 Name DAYTONA BEACH KENNEL CLUB, INC. Extended To License # 143 Rank CLIC - Cardroom Operating License Renewed On Entity # 143 Lic Status Current			<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back								
Address Street # 960 Street S. WILLIAMSON BOULEVARD Line 2 Line 3 City DAYTONA BEACH State FL Zip 32114 Routing											
Other 1st License Date 04/05/2023 Rank Date 04/05/2023 Certificate # Method I-S-1020 Status Date 06/24/2002 Certificate Date Fee Exempt No Birth Date Renewal Sent											
Select Action <input type="text"/>  											
Modifiers <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>143 - Daytona Beach Kennel Club Inc</td> <td>03/30/2007</td> <td></td> </tr> </tbody> </table>				Type	Modifier	Effective Date	Additional Info	L	143 - Daytona Beach Kennel Club Inc	03/30/2007	
Type	Modifier	Effective Date	Additional Info								
L	143 - Daytona Beach Kennel Club Inc	03/30/2007									
DBA Name DBA Daytona Beach Kennel Club & Poker Room											
Alt Keys BEST LIC NBR CLI143											

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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 **100 - Division of Pari-Mutuel Wagering**

Logged in as: **Imoore**

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

License

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **06/30/2025**

File # **7523** Name **LA ROSA, JOSEPH** Extended To

License # **10152488** Rank **CEMP - Cardroom Employee Occupational** Renewed On **06/13/2022**

Entity # **10152488** Lic Status **Current**

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

Address

Street # **1955** Street **LANCASTER LANE**

Line 2

Line 3

City **THE VILLAGES** State **FL** Zip **32162**

Routing



Other

1st License Date **06/13/2019** Rank Date **06/13/2022** Certificate #

Method **I-S-1024** Status Date **06/13/2019** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action  

Modifiers

Type	Modifier	Effective Date	Additional Info
C	CMAN - Cardroom Manager	07/28/2021	
I	GHND - Greyhound	02/22/2017	
L	143 - Daytona Beach Kennel Club, Inc.	02/22/2017	
Y	3YR - 3 Year License	05/09/2013	

Alt Keys

BEST LIC NBR **10152488**

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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 **100 - Division of Pari-Mutuel Wagering**

Logged in as: **Imoore**

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

License

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **06/30/2025**

File # **14522** Name **Miles, Reagan C.** Extended To

License # **13480637** Rank **CEMP - Cardroom Employee Occupational** Renewed On

Entity # **13480637** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

Address

Street # **344** Street **WARREN AVE.**

Line 2

Line 3

City **NEW SMYRNA BEACH** State **FL** Zip **32168**

Routing

Other

1st License Date **02/21/2023** Rank Date **02/21/2023** Certificate #

Method **I-S-1024** Status Date **02/21/2023** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action  

Modifiers

Type	Modifier	Effective Date	Additional Info
C	SUR - Surveillance Operator	02/08/2023	
I	GHND - Greyhound	02/08/2023	
L	143 - Daytona Beach Kennel Club, Inc.	02/08/2023	
Y	3YR - 3 Year License	02/08/2023	

Alt Keys

BEST LIC NBR **13480637**

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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 **100 - Division of Pari-Mutuel Wagering**

Logged in as: **Imoore**

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

License

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **06/30/2023**

File # **10283** Name **Atkins, John Douglas** Extended To

License # **11443704** Rank **CEMP - Cardroom Employee Occupational** Renewed On **06/08/2020**

Entity # **11443704** Lic Status **Current**

-
-
-
-
-

Address

Street # **412** Street **CHERRY STREET**

Line 2

Line 3

City **SOUTH DAYTONA** State **FL** Zip **32119**

Routing



Other

1st License Date **07/31/2017** Rank Date **06/08/2020** Certificate #

Method **I-S-1024** Status Date **07/31/2017** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action  

Modifiers

Type	Modifier	Effective Date	Additional Info
C	FLOR - Floor/Floor Manager	05/08/2023	
I	GHND - Greyhound	07/06/2017	
L	143 - Daytona Beach Kennel Club, Inc.	07/06/2017	
Y	3YR - 3 Year License	07/06/2017	

Alt Keys

BEST LIC NBR **11443704**

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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.: 2021-029533

DAYTONA BEACH KENNEL CLUB, INC,

Respondent.

_____ /

STIPULATION AND CONSENT ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Division”), and Daytona Beach Kennel Club, 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 143-1002, issued by the Division.

2. This Consent Order is to be entered in resolution of DBPR Case Number 2021-029533, alleging that on or about May 23, 2021 and June 9, 2021, Respondent was in violation of Rule 61D-11.025(7)(b), Florida Administrative Code, by failing to limit access into the surveillance room to employees listed on the employee authorized list as required by Rule 61D-11.012, Florida Administrative Code.

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 they are 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 constitute 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.

EXHIBIT 8
PAGE 2/7

11. **FINE:** Respondent agrees to, and must pay to the Division, the 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 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.

12. 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 Number 2021-029533 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 original.

17. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

EXHIBIT 8
PAGE 4/7

[Signature pages to follow]

Respondent, DAYTONA BEACH KENNEL CLUB, INC agrees and consents to the terms and conditions of this Stipulation and Consent Order in DBPR Case Number 2021-029533, this 16 day of AUGUST, 2021.

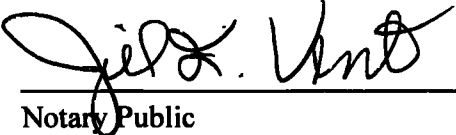

DAYTONA BEACH KENNEL CLUB, INC,
Respondent

Signed on behalf of Daytona Beach Kennel Club, Inc.
by:

Fred Guzman
Printed Name
President & GM
Title

STATE OF Florida
COUNTY OF Volusia

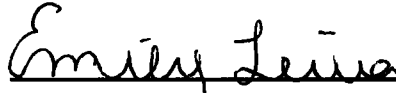
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 16 day of August, 2021, by Fred Guzman, who is personally known to me or who produced the following as identification: _____


Notary Public



My commission expires:

This Stipulation and Consent Order in DBPR Case Number 2021-029533 is APPROVED for legal sufficiency this 24 day of August, 2021.



EMILY A. LEIVA
ASSISTANT GENERAL COUNSEL
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 Number 2021-029533, once it is filed with the Agency Clerk.

DONE AND ORDERED this 26 day of August, 2021, 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 30th day of September, 2021, that a true copy of the foregoing has been furnished by U.S. mail to:

Daytona Beach Kennel Club, Inc.
960 South Williamson Boulevard
Daytona Beach, Florida 32114

Brandon M. Nichols

AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

CC: Ebonie Lanier

EXHIBIT 8
PAGE 7/7

Julie I. Brown, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Complaint: JUNE 28, 2021	Case Number: 2021 02 9533
Respondent: DAYTONA BEACH KENNEL CLUB 960 S WILLIAMSON BLVD DAYTONA BEACH, FL 32114 TEL# (386)252-6484		Complainant: STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING	
License # and Type: 143 - 1002		Profession: PERMIT HOLDER	Report Date: July 14, 2021
Period of Investigation: May 23, 2021 Thru July 14, 2021		Type of Report: FINAL	
<p>Alleged Violation: 61D-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. (9) Cardroom operators are required to issue a photo identification to all cardroom employees. The photo identification shall include, at a minimum, the name of the cardroom facility, cardroom employee occupational license number, and the employee's name.</p> <p>61D-11.025 Cardroom Electronic Surveillance. (7) The surveillance room: (b) Access must be limited to personnel authorized pursuant to subsection 61D-11.012(9), F.A.C</p>			
Synopsis: On June 21, 2021, during a routine Bi-Weekly Cardroom inspection at DAYTONA BEACH KENNEL CLUB , it was discovered that Poker Room floor Supervisor KAYLA MARIE GIACCIO was granted access to the surveillance room to review recorded surveillance video; however, she was not listed on the employee-authorized list to enter the surveillance room.			
Related Case:			
Investigator / Date Randa Samson <i>/s/ Randa Samson</i> Randa Samson / July 14, 2021		Investigator Supervisor / Date <i>Julio Minaya</i> Julio Minaya / July 27, 2021	
Chief of Investigations / Date <i>Steven E. Kogan</i> Steven E. Kogan / July 27, 2021			

CONTINUATION

Investigative Activity: During a routine Bi-Weekly Cardroom Inspection on June 21, 2021, at approximately 11:45 A.M., at **DAYTONA BEACH KENNEL CLUB, (EXHIBIT #1)** it was discovered that Poker Room floor Supervisor Kayla Marie Giaccio (PMW LIC # 10803010) was granted access to the surveillance room on May 23, 2021, to review recorded surveillance video; **(EXHIBIT #2)** however, she was not listed on the employee-authorized list to enter the surveillance room. **(EXHIBIT# 3)**

Giaccio was escorted by Poker Room Manager Juan Jose Montes De Oca (PMW LIC #7509796) and both of them signed in at 2:23 P.M., **(EXHIBIT #2)** Giaccio was asked to immediately leave the surveillance room and was signed out by surveillance personnel Andres M. Benero (PMW LIC # 12372552) due to her not being on the list of approved personnel to enter the surveillance room. Giaccio and Montes De Oca signed out at 2:24 P.M. **(EXHIBIT# 2)**

Further Investigative steps discovered that **DAYTONA BEACH KENNEL CLUB**, Maintenance Manager Keith Dwayne Barbee (PMW LIC #10103392) was also granted access to the surveillance room on June 9, 2021, at 4:05 P.M. thru 4:16 P.M., while being escorted by **DAYTONA BEACH KENNEL CLUB** Director of Operations, Michael F. Stringer (PMW LIC# 721023) in order to review recorded surveillance coverage of another employee. However, Barbee was not on the list of approved personnel to enter the surveillance room. This violation was brought to the attention of Surveillance Manager Miguel Melendez-Santiago (PMW LIC# 7670022). Melendez-Santiago stated that Barbee should be on the list of employees with access to the surveillance room and he would fix it immediately.

This is a violation of the above stated regulations. **(EXHIBIT# 2 & 3)**

Status: Investigation case closed and case referred to Legal for review.

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET
II. INVESTIGATIVE REPORT
III. EXHIBITS
1. License.....1-1
2. Photo of sign in log.....1-1
3. Photo of Approved Access List1-1

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.: 2023-021983

DAYTONA BEACH KENNEL CLUB, INC.,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Daytona Beach Kennel Club, 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 143-1002, 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 2023-021983, alleging that on April 1, 2023, Respondent was in violation of rule 75-11.012(8) Florida Administrative Code, by failing to limit access into the surveillance room to employees listed on the employee authorized list.
3. Aggravation: This Consent Order is entered into in consideration of Respondent’s disciplinary history, including one prior violation of rule 75-11.012(8), Florida Administrative Code, in DBPR Case No. 2021-029533.

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 sum of **SEVEN HUNDRED FIFTY DOLLARS (\$750.00)**, 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.

12. 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 2023-021983 on the face of the payment.

13. 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.

14. 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.

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 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.

16. This Consent Order may be signed in counterparts, and copies shall be treated as original.

17. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

18. 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, for the meeting materials, agenda, and contact information.

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]

WHEREFORE, **DAYTONA BEACH KENNEL CLUB, INC**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 20th day of July, 2023.


DAYTONA BEACH KENNEL CLUB, INC,
Respondent

Signed on behalf of Daytona Beach Kennel Club, Inc.
by:

Fred Guzman
Printed Name

President
Title

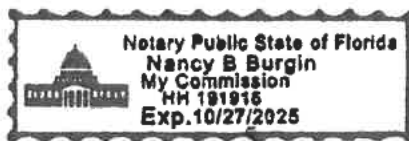
STATE OF Florida

COUNTY OF Volusia

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 20th day of July, 2023, by Fred Guzman, who is personally known to me or who produced the following as identification: _____

Nancy B Burgin
Notary Public

My commission expires:



APPROVED this 16 day of August, 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.: 2023-021983

DAYTONA BEACH KENNEL CLUB, INC.,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Daytona Beach Kennel Club, 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 143-1002, issued by Petitioner.
3. On or about April 1, 2023, Respondent allowed an unauthorized employee to gain access to the surveillance room.
4. Rule 75-11.012(8), Florida Administrative Code, provides in full:

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 75-11.012(8), Florida Administrative Code, by failing to limit access into the surveillance room to employees listed on the employee authorized list.

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 2023-021983 is signed this 7th 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
2601 Blair Stone Road
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.

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: FGCC v. Doniel Nieto De Malas Case No. 2023-026181, Consent Order
Date: August 22, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Doniel Nieto De Malas (“Respondent”) to resolve Case No. 2023-026181. Pursuant to the terms of the proposed order, Respondent would be pay an administrative fine of \$50 for his violation of rule 75-14.065(2)(j), Florida Administrative Code.

Background

On March 14, 2023, Respondent was employed as a count team member at Casino Miami, LLC.¹ Respondent was observed via surveillance footage continuing to process money during the count when one of the count members was not present in the room. Respondent has no prior violations of this rule.

The Division served Respondent with an administrative complaint. The Commission sent Respondent a settlement agreement seeking to impose a \$50 penalty for his violation.

Analysis

¹Casino Miami. is operated by a pari-mutuel wagering permitholder that also possesses a pari-mutuel, slot machine, and cardroom license.

The Commission may resolve matters informally through a negotiated settlement.² Rule 75-14.065(2)(j), Florida Administrative Code, provides “[i]f a count team member leaves the count room, all count team members shall secure all of the bills, tickets, and vouchers in the count room, and notify security that the count team is needs to leave the count room. No count team member shall remain in the count room alone.” Accordingly, Respondent can be issued an administrative fine up to \$1000 for failing to ensure that the bills in the count room remained secure during the interruption of the count.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2023-026181.

² 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.”)

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.: 2023-026181

DONIEL NIETO DE MALAS,

Respondent.

_____ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Doniel Nieto De Malas (“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 Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 10994021-1055, 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 2023-026181, alleging that Respondent was in violation of rule 75-14.065(2)(j), Florida Administrative Code, by failing to ensure that all bills in the count room remained secure during an interruption of the count.
3. Mitigation: This Consent Order was entered into in consideration of Respondent’s previous disciplinary history, including no prior violations of rule 75-14.065(2)(j), Florida Administrative Code.

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 he 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 sum of **FIFTY DOLLARS (\$50.00)**, 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).** The Division's adoption of this Consent Order constitutes acknowledgment of receipt of payment of the above amount.

12. Respondent must mail this Consent Order and 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 2023-026181 on the face of the payment.

13. 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.

14. 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.

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 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.

16. This Consent Order may be signed in counterparts, and copies shall be treated as original.

17. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

18. 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, for the meeting materials, agenda, and contact information.

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]

WHEREFORE, Respondent, **DONIEL NIETO DE MALAS**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 17 day of JULY, 2023.



DONIEL NIETO DE MALAS
Respondent

STATE OF Florida

COUNTY OF Miami - Dade

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 17th day of July, 2023, by DONIEL NIETO DE MALAS, who is personally known to me or who produced the following as identification:

Beatriz Perez
Notary Public



My commission expires: September 8, 2027

APPROVED this 16 day of August, 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.: 2023-026181

DONIEL NIETO DE MALAS,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Doniel Nieto De Malas (“Respondent”), and alleges:

1. Petitioner is the state agency charged with regulating pari-mutuel wagering, cardroom, and slot machine operations pursuant to chapters 550, 551, and 849, Florida Statutes.
2. At all times material hereto, Respondent held a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 10994021-1055, issued by Petitioner.
3. On or about March 24, 2024, Respondent was employed by Casino Miami to work as one of the count room team members.
4. At all times material hereto, Casino Miami was a facility operated by a permit holder authorized to conduct pari-mutuel wagering, cardroom, and slot machine operations in the state of Florida under chapters 550, 551, and 849, Florida Statutes.

5. On or about March 24, 2023, Respondent was observed via surveillance footage continuing to process money during the count when one of the count members was not present in the room.

6. Rule 75-14.065(2)(j) Florida Administrative Code, provides “[i]f a count team member leaves the count room, all count team members shall secure all of the bills, tickets and vouchers in the count room, and notify security that the count team needs to leave the count room. No count team member shall remain in the count room alone.”

7. Based on the foregoing, Respondent violated rule 75-14.065(2)(j) Florida Administrative Code, by failing to ensure that all bills in the count room remained secure during an interruption of the count.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission enter an Order imposing against Respondent one or more of the penalties that the Commission is authorized to impose pursuant to chapter 551, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2023-026181 is signed this 6th 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 Ste. 250
Tallahassee, Florida 32399
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.

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	1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination	Status	90 Closed	Status Date	05/29/2023
Complaint #	2023026181	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	NIETO DE MALAS, DONIEL	Responsible	bjones - JONES, BRADFORD	Private Case

Complaint	Respondent	Complainant	Add'l Info
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Source	INTN - Internal	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities	
Form	INTR - Internal	Priority				
Class'n	IIF - Non-Compliance	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline	
Security	STND - Standard	Incident	03/24/2023	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance	
Region	SR - Southern Region	Received	05/05/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition	
Reference	75-14.065	Entered	05/05/2023	<input type="checkbox"/> Inspection		
Entered	05/05/2023	Entered By	nmelvai	<input type="checkbox"/> Costs		
Summary	<p>273 - Miami Casino, LLC - On March 24, 2023, Investigator Raul Suau conducted a facility inspection at Casino Miami. During his inspection, Inv. Suau visited the Surveillance Department and conducted a live review of the count. Per Inv. Suau, at approximately 10:02 A.M., one of the count personnel contacted the Surveillance Department and requested to use the restroom, which is located inside the count room. After receiving permission from surveillance personnel, he verbally notified his fellow workers in the count room that he was using the restroom. All personnel present raised both arms in acknowledgement. Immediately after this Inv. Suau observed Count Room Supervisor Doniel Nieto return to his station and continued processing money, taking out bundles of cash from the count machine. He brought this to the attention of Surveillance Supervisor Adrian Gordon who immediately called the count room. Nieto answered the phone and when informed of his actions and that it was a violation he became angry. Inv. Suau then requested video footage of the count, copies of the count log and surveillance report. He then transferred this incident to the undersigned Investigator for further investigating.</p>				<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Updated	05/30/2023 12:58:35	By	nmelvai	<input type="checkbox"/> Attachments	<input type="button" value="History"/>	
				<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>	



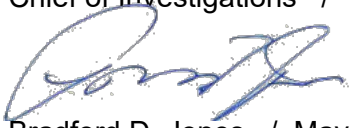
22 Days	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: May 5, 2023	Case Number: 2023 02 6181
Respondent: NIETO DE MALAS, DONIEL 3732 SW 27th STREET MIAMI, FLORIDA 33134		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: 10994021 - 1055	Profession: Count Room Supervisor		Report Date: May 16, 2023
Period of Investigation: March 27, 2023 through May 16, 2023		Type of Report: Final	
Alleged Violation: 75-14.065 Procedure for Slot Cash Storage Box Count.			
(j) The count team members shall not leave the count room until all money is counted, verified, sorted, and totaled into the computer and cash drop funds are transferred to the cash vault. If a count team member leaves the count room, all count team members shall secure all of the bills, tickets and vouchers in the count room, and notify security that the count team needs to leave the count room. No count team member shall remain in the count room alone. The count team members shall not reenter the count room until all count team members are present;			
Synopsis: On March 24, 2023, Investigator Raul Suau conducted a facility inspection at Casino Miami. During his inspection, Inv. Suau visited the Surveillance Department and conducted a live review of the count. Per Inv. Suau, at approximately 10:02 A.M., one of the count personnel contacted the Surveillance Department and requested to use the restroom, which is located inside the count room. After receiving permission from surveillance personnel, he verbally notified his fellow workers in the count room that he was using the restroom. All personnel present raised both arms in acknowledgement. Immediately after this Inv. Suau observed Count Room Supervisor, Doniel Nieto return to his station and continue processing money, taking out bundles of cash from the count machine. Suau brought this to the attention of Surveillance Supervisor Adrian Gordon who immediately called the count room. Nieto answered the phone and when informed of his actions and that it was a violation, he became angry. Inv. Suau then requested video footage of the count, copies of the count log and surveillance report. He then transferred this incident to the undersigned Investigator for further action. Upon review, an Open Case Request was submitted to Investigations Supervisor Julio Minaya for review and approval.			
Related Case:			
Investigator / Date  Ian Campbell / May 16, 2023		Investigator Supervisor / Date  Julio Minaya / May 19, 2023	
Chief of Investigations / Date  Bradford D. Jones / May 29, 2023			

CONTINUATION

On March 24, 2023, Investigator Raul Suau visited Casino Miami's Surveillance Department to conduct a live review of the count. At approximately 10:02 AM, Investigator Suau observed Count Team member Anthony Mallon (Lic #13172299) contact the Surveillance Department to request permission to use the restroom located within the Count Room. Upon receiving permission from Surveillance Assistant Manager Adrian Gordon (Lic #11117304), Mallon verbally notified the other Count Team members that he was going to use the restroom; at 10:02:07 A.M., all Count Team members raised both of their arms in acknowledgement. At approximately 10:02:20 A.M., Investigator Suau observed Count Room Supervisor Doniel **NIETO DE MALAS** (Lic #10994021) return to his work station and commence taking out bundles of cash from the count machine while Mallon was still in the restroom. Investigator Suau then brought this to Gordon's attention. Gordon immediately called the Count Room. **NIETO DE MALAS** answered the phone. When informed that his actions were a violation, **NIETO DE MALAS** became angry. Investigator Suau requested video footage of the count, copies of the count log and the related Surveillance Report; on March 27, 2023, these items were transferred to this Investigator for further examination.

Upon receiving the DVD copy of video footage from Investigator Suau, it was discovered that the disc was warped and could not be viewed. On April 27, 2023, this Investigator visited Casino Miami's Surveillance Department and obtained a flash drive containing video footage of the incident. On April 28, 2023, the flash drive was shipped to the Florida Gaming Control Commission (FGCC) Information Technology Office in Tallahassee for security/virus scanning.

On May 1, 2023, this Investigator contacted Casino Miami Vice President of Human Resources & State Compliance Beatriz Perez (Lic #634266), via email, to obtain surveillance footage from within the Surveillance Department on the day of the count incident. The footage requested would have provided a view of the phone call made to the Count Room by Surveillance Assistant Manager Gordon. That same afternoon, this Investigator was contacted by Casino Miami Surveillance Director William Hutcheson (Lic #591126914), via email, who advised that the requested footage was no longer available due to the date of the incident (March 24, 2023), being outside of the 30-day retention period of surveillance video.

On May 4, 2023, this Investigator was able to meet with Surveillance Assistant Manager Gordon at Casino Miami. When asked about the phone call he made to the Count Room on March 24, 2023, Gordon stated that once he made **NIETO DE MALAS** aware of his violations **NIETO DE MALAS** responded with an annoyed tone. During my conversation with Gordon in the Surveillance Department office, **NIETO DE MALAS** happened to call the office from the Count Room. Gordon answered the call on the speaker phone and **NIETO DE MALAS** seemed polite. However, upon finishing his conversation with **NIETO DE MALAS**, Gordon specified to this Investigator that the tone **NIETO DE MALAS** just used was contrary to the tone used on the day of the incident.

CONTINUATION

Upon leaving the Surveillance Department office, this Investigator met with **NIETO DE MALAS** in the hallway outside from the Count Room. When asked why he did not stop the count when Mallon notified the entire count team that he was taking a restroom break, and everyone including himself, raised their hands in acknowledgment; **NIETO DE MALAS** stated that he was not aware of the rule he had violated. When asked about the phone call he received from Surveillance that day, **NIETO DE MALAS** explained that he was “dumbfounded” and “caught off guard” when he received the phone call from Surveillance Assistant Manager Gordon. **NIETO DE MALAS** went on to state that he stopped immediately after the phone call from the Surveillance Department, that he is now aware of the rule, and has followed it ever since that day.

On May 5, 2023, the flash drive that contained the surveillance footage was received back from Tallahassee. The camera that provided the best view of the violation did not have any audio; the only camera with audio is the one over the Count Room table. A review of the surveillance video footage revealed the following:

On March 24, 2023, at approximately 10:02:06 A.M., Mallon is observed notifying everyone in the room that he is going to enter the restroom, every member of the Count Team is then observed raising their arms in acknowledgment.

At 10:02:07 A.M., **NIETO DE MALAS** acknowledged that Mallon was entering the restroom by raising his arms (**Exhibit #1, Page 1**).

At 10:02:19 A.M., **NIETO DE MALAS** removes stacks of money from the count machines, bands them together and places the money onto the count room table (**Exhibit #1, Page 2 - 9**).

At 10:02:49 A.M., **NIETO DE MALAS** is observed on the phone inside of the Count Room regarding an incoming call from Surveillance (**Exhibit #1, Page 10**).

At 10:03:13 A.M., **NIETO DE MALAS** concludes the phone call with Surveillance (**Exhibit #1, Page 11**).

At 10:15:35 A.M., Mallon re-enters the Count Room from the restroom (**Exhibit #1, Page 12**).

Conclusion: Review of the video by this Investigator revealed that **NIETO DE MALAS** remained in compliance with count procedures after the phone call he received from Surveillance. A review of the Versa Regulation Enforcement Database shows no prior violations for **NIETO DE MALAS**. When questioned by this Investigator, **NIETO DE MALAS** was cooperative and emphasized that he was not aware of the above noted Rule, and since that day he has maintained compliance with it.

Status: Case closed by Investigations and forwarded to Legal for further review.

TABLE OF CONTENTS

- I. INVESTIGATIVE REPORT COVERSHEET1
- II. INVESTIGATIVE REPORT2
- III. EXHIBITS
 - 1. Count Room Screenshots.....1-12
 - 2. Key Watch and Count Room Log.....1-2
 - 3. Surveillance Report.....1-1

[0302] 302_11_41

[1]

10:02:07.14 Paused

[0302] 302_11_41

[1]

10:02:20.09 Paused

[0302] 302_11_41

[1]

10:02:20.97 Paused

[0302] 302_11_41

[1]

10:02:21.84 Paused

[0302] 302_11_41

[1]

10:02:22.81 Paused



[0302] 302_11_41

[1]

10:02:23.86 Paused

[0302] 302_11_41

[1]

10:02:24.59 Paused

[0302] 302_11_41

[1]

10:02:27.24 Paused

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[1]

10:02:29.57 Paused

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[1]

10:02:48.92 Paused

[0302] 302_11_41

[1]

10:03:12.91 Paused

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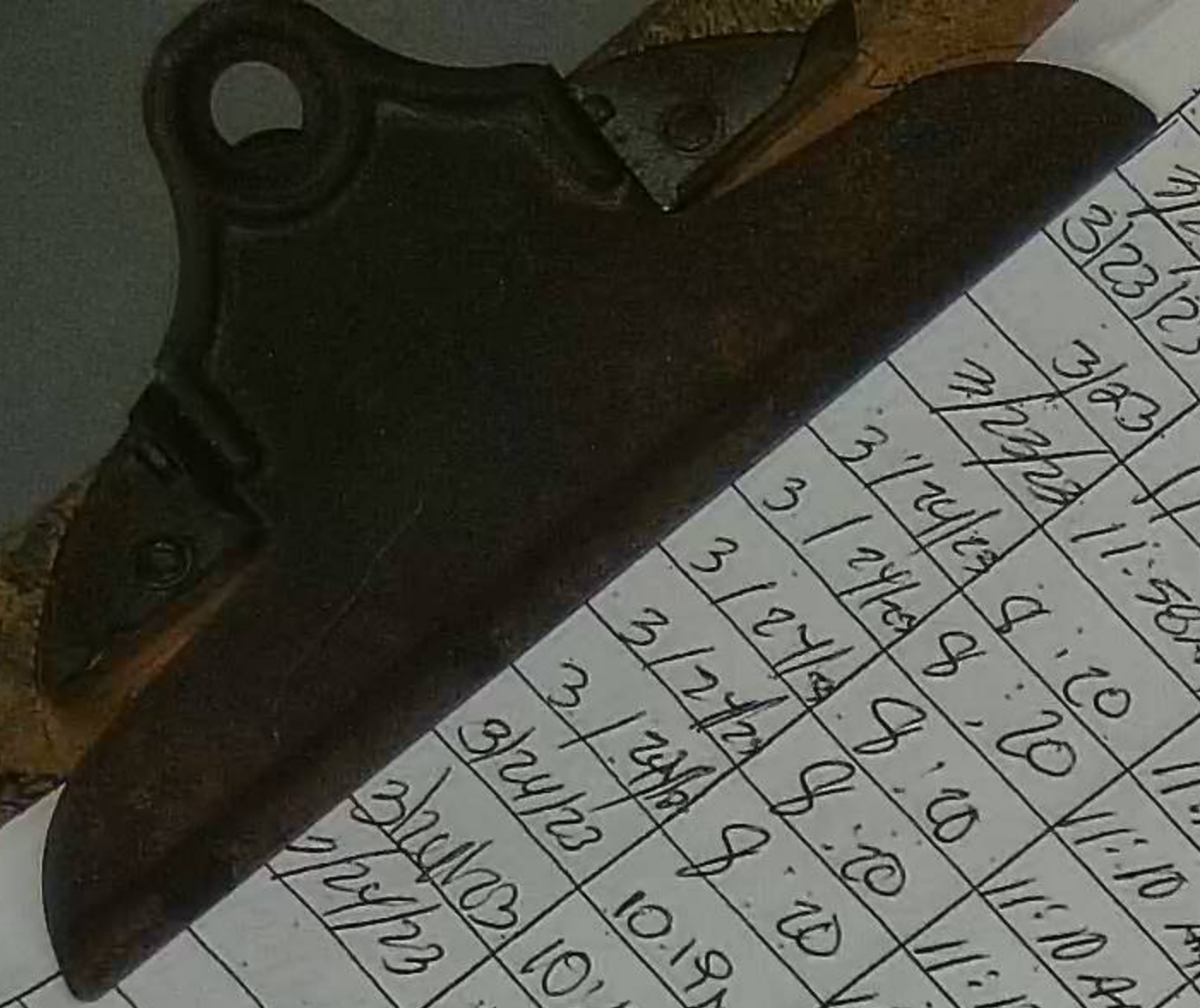
[1]

10:15:35.40 Paused

COVATCOM
Key Issue/Return Log

Date	Key #	Key Type		Time Out/Time In	Received by/Returned by Casino Signature	Issued by/Returned to Casino Signature
3/17/23	12345	Count	OUT	8:38 AM	[Signature] 1099401	[Signature] 1099401
3/17/23	12345	Count	IN	11:45 AM	[Signature] 1099401	[Signature] 1099401
3/18/23	12345	Count	OUT	8:45 AM	[Signature] 13172361	[Signature] 13172361
3/18/23	12345	Count	IN	12:35 PM	[Signature] 13172361	[Signature] 13172361
3/19/23	12345	Count	OUT	8:52 AM	[Signature] 13172361	[Signature] 13172361
3/19/23	12345	Count	IN	12:57 PM	[Signature] 13172361	[Signature] 13172361
3/20/23	12345	Count	OUT	8:30 AM	[Signature] 1099401	[Signature] 1099401
3/20/23	12345	Count	IN	11:38 AM	[Signature] 1099401	[Signature] 1099401
3/21/23	12345	Count	OUT	8:35 AM	[Signature] 1099401	[Signature] 1099401
3/21/23	12345	Count	IN	12:00 PM	[Signature] 1099401	[Signature] 1099401
3/22/23	12345	Count	OUT	8:15 AM	[Signature] 1099401	[Signature] 1099401
3/22/23	12345	Count	IN	10:40 AM	[Signature] 1099401	[Signature] 1099401
3/23/23	12345	Count	OUT	8:35 AM	[Signature] 1099401	[Signature] 1099401
3/23/23	12345	Count	IN	11:45 AM	[Signature] 1099401	[Signature] 1099401
3/24/23	12345	Count	OUT	8:15 AM	[Signature] 1099401	[Signature] 1099401
3/24/23	12345	Count	IN	11:00 AM	[Signature] 1099401	[Signature] 1099401

03-24-2023 11:35:16



Date	Time In	Time Out	Reason for Entry	Department	Signature	Lic No.
3/23/23	8:25 AM	12:05 PM	Do not	CT	[Signature]	1258008
3/23/23	10:50 AM	10:59 AM	Buy Stamps	HB	[Signature]	13010935
3/23/23	11:48 AM	11:58 AM	Buy Paper Drop	CT	[Signature]	1317288
3/23/23	11:58 AM	12:05 PM	Count	CT	[Signature]	1317288
3/23/23	9:00	11:10 AM	Count	CT	[Signature]	1317288
3/23/23	9:00	11:10 AM	Count	CT	[Signature]	1317288
3/23/23	9:00	11:10 AM	Count	CT	[Signature]	1317288
3/23/23	9:00	11:10 AM	Count	CT	[Signature]	1317288
3/23/23	10:19 AM	10:25 AM	Buy Stamps	HB	[Signature]	1317288
3/23/23	10:58 AM	11:02	Buy Paper Drop	CT	[Signature]	1317288
3/23/23	11:05 AM	11:10 AM	Count	CT	[Signature]	1317288

CMJ-000012084 - FGCC Slot Operation Request for Information - Reported 03/24/2023 10:40

Author: Adrian Gordon 11117304

Report Number: CMJ-000012084

Start Time: 03/24/2023 10:40

End Time: 03/24/2023 13:54

Report Group: Surveillance Reports

Report Type: FGCC Slot Operation Request for Information

Note: FGCC Investigation Specialist II, Raul Suau requested a video copy of the Slot Soft Count on 03/24/2023

Location / Origin: Information-FGCC Activity

Camera: 302, 305, 336



Narrative

On 03/24/2023 At 09:58:00 hours, FGCC Investigations Specialist, Raul Suau entered the Surveillance room and during this time, At 10:02 hours, Mr. Suau observed a FGCC state violaton while the soft count was occurring, and requested a video copy of the soft count from 08:17:00 to 10:26:30 hours, with requested cameras #302, 305 and 336. Mr. Suau also requested a Surveillance copy of the Slot Soft Count Log.

Refer to the followng information on log #000660026 :

"10:01 hours Count Room Member, Anthony Mallon notified Surveillance via telephone and advised that he would be using the restroom.

NOTE: At 10:02 hours, Count Room Supervisor, Doniel Nieto was observed removing money from the count machine and strapping the bundle, while Mr. Mallon was in the restroom. As per state rule, all count room members must step back from table and cease all activity until the count team member is back from the restroom. "

This report was written by Surveillance Assistant Manager, Adrian Gordon #11117304

This report was approved by Surveillance Director, William Hutcheson # 7874265.

Signature A

Date

Signature B

Date

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: FGCC v. John Rigattieri Case No. 2023-027827; Consent Order
Date: July 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by John Rigattieri (“Respondent”) to resolve Case No. 2023-027827. Pursuant to the terms of the proposed order, Respondent would be issued a written warning for violating section 550.2415(1)(a), Florida Statutes, and 61D-6.008(3)(b), Florida Administrative Code.

Background

Respondent was the trainer of record for the racing horse Caughtandcollected, who was owned by Manfred Roos. On April 15, 2023, Caughtandcollected finished 1st place in the 6th race of the performances held by Tampa Bay Downs. A blood sample was taken from Caughtandcollected 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 ketoprofen¹ in the blood. Ketoprofen was detected at a blood concentration 21.79 +/- 0.21 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 61D-6.008(3)(b), Florida Administrative Code, provides that it is a violation if ketoprofen exists at a primary serum concentration greater than 2 ng/mL.

The penalty for this violation if it is found less than 50 ng is a minimum of a written warning to a maximum of a \$500 fine under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. (“Guidelines”).

¹ Ketoprofen is an NSAID and Class 4 drug. See Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc.

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 written warning under rule 61D-6.011(3), Florida Administrative Code.

Staff Recommendation: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2023-027827.

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

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

Petitioner,

FGCC Case No.: 2023-027827

v.

JOHN RIGATTIERI,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”) and John Rigattieri (“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, 10623022-1021, 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 2023-027827, alleging that Respondent was in violation of section 550.2415, Florida Statutes, and rule 75-6.008(3)(b), Florida Administrative Code, by racing “Caughtandcollected” with an impermissible amount of **ketoprofen** in its body during the performances held at Tampa Bay Downs, Inc. (“TBD”) on April 15, 2023.

3. On April 15, 2023, Caughtandcollected participated in the 6th race of the performances held at TBD. Caughtandcollected finished 1st in the 6th 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. **WARNING:** The Parties agree that Respondent will be issued a **WRITTEN WARNING**. The Written Warning is not appealable and may be considered in aggravation of any future disciplinary proceedings against Respondent. Future violation of chapter 550, Florida Statutes may result in fines and/or suspension of Respondent's Pari-Mutuel Wagering Professional Individual Occupational License.

15. Respondent must execute and mail this Consent Order to: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.

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, 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, **JOHN RIGATTIERI**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 14 day of JUNE, 2023,




JOHN RIGATTIERI
Respondent

STATE OF DE
COUNTY OF New Castle

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 14 day of June, 2023, by JOHN RIGATTIERI, who is personally known to me or who produced the following as identification:

John Rigattieri

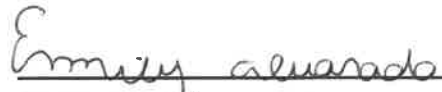


Notary Public

My commission expires: 04/14/25

YARA S DEL ROSARIO
NOTARY PUBLIC
STATE OF DELAWARE
My Commission Expires 04/14/2025

APPROVED this 19 day of July, 2023.



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.: 2023-027827

JOHN RIGATTIERI,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against John Rigattieri (“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, 10623022-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “Caughtandcollected,” with microchip number 981020033755130.
4. At all times material hereto, “Caughtandcollected” was owned by “Manfred Roos,” who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 10634895-1021, issued by Petitioner.
5. On April 15, 2023, “Caughtandcollected” participated in the 6th race of the performances held by Tampa Bay Downs, Inc. (“TBD”).

6. On April 15, 2023, “Caughtandcollected” finished in 1st place in the 6th 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 April 15, 2023, blood sample number 315402 was collected from “Caughtandcollected.”

9. Blood sample number 315402 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 315402 and found that it contained **ketoprofen**.

11. In blood sample number 315402, **ketoprofen** was detected at a serum concentration of 21.79 +/- 0.21 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 75-6.008(3)(b), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **ketoprofen** exists at a primary serum concentration greater than 2 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 75-6.002(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 75-6.008(3)(b), Florida Administrative Code, by racing "Caughtandcollected" with an impermissible concentration of a permitted substance in its body on April 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 75-6.011, 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 2023-027827 is signed this 30th day of May, 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.

NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to rule 75-6.006, 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

Received via email 5/4/23
- gRicks



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

May 03, 2023

Mr. Joe Dillmore, Director
Florida Gaming Control Commission
2601 Blair Stone Road
Tallahassee, FL
32399-1037

RE: Report of Positive Result

Sample 315402 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

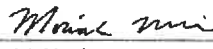
Ketoprofen (primary) found in serum

Ketoprofen (an anti-inflammatory and Class 4 drug) - the concentration of Ketoprofen (primary) is 21.79 +/- 0.21 ng/mL.

<u>E010742-FHB</u>	<u>Horse Serum</u>	<u>5 g</u>	<u>INTACT</u>
Laboratory Number	Specimen	Final Weight	Seal
<u>Tampa Bay Downs</u>		<u>04/15/2023</u>	<u>04/18/2023</u>
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 05/12/2023, or upon commencement of administrative action, whichever occurs first.


Dirk A Hunt Associate Director


Moriah Murrin Chemist III

RL 115

Page 1 of 1

23-71
University of Florida Racing Lab
ISO/IEC 17025-2017
Certificate # AT-1642



The Foundation for The Gator Nation
An Equal Opportunity Institution



DOCUMENTATION REQUIRED FOR ALL
DAMAGED OR VOIDED FORMS SECURE
STORAGE REQUIRED - ISSUE / USE
SEQUENTIALLY

315402 DATE 4.15.2003

TRACK 320

RACE 6 FINISH 1st

NAME OF ANIMAL Caught and collected
NOMBRE DEL ANIMAL

COLOR Grey SEX C AGE 3

ID NUMBER 981020033755130

MICROCHIP TATTOO FREEZE-BRAND

BLOOD Richard Rock DVM
SAMPLED BY

URINE Bismillah Hamid BH
SAMPLED BY

TRAINER John Rigathieri
ENTRENADOR / ENTRENADORA

WITNESS SIGNATURE [Signature]
FIRMA DE TESTIGO

WITNESS Juan Cano
LICENSE # 10627520
NÚMERO DE LICENCIA

RL-252-02

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.: 2023-027827

JOHN RIGATTIERI,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against John Rigattieri (“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, 10623022-1021, issued by Petitioner.
3. At all times material hereto, Respondent was the trainer of record for the racing horse “Caughtandcollected,” with microchip number 981020033755130.
4. At all times material hereto, “Caughtandcollected” was owned by “Manfred Roos,” who holds a Pari-Mutuel Wagering Professional Individual Occupational License, 10634895-1021, issued by Petitioner.
5. On April 15, 2023, “Caughtandcollected” participated in the 6th race of the performances held by Tampa Bay Downs, Inc. (“TBD”).

6. On April 15, 2023, “Caughtandcollected” finished in 1st place in the 6th 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 April 15, 2023, blood sample number 315402 was collected from “Caughtandcollected.”

9. Blood sample number 315402 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 315402 and found that it contained **ketoprofen**.

11. In blood sample number 315402, **ketoprofen** was detected at a serum concentration of 21.79 +/- 0.21 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 75-6.008(3)(b), Florida Administrative Code, it is a violation of section 550.2415, Florida Statutes, if **ketoprofen** exists at a primary serum concentration greater than 2 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 75-6.002(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 75-6.008(3)(b), Florida Administrative Code, by racing "Caughtandcollected" with an impermissible concentration of a permitted substance in its body on April 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 75-6.011, 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 2023-027827 is signed this 30th day of May, 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.

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Received via email 5/4/23
- gRicks



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Department of Pathology, Immunology and Laboratory Medicine
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PO Box 100275
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May 03, 2023

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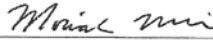
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<u>Tampa Bay Downs</u>		<u>04/15/2023</u>	<u>04/18/2023</u>
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Dirk A Hunt Associate Director


Moriah Murrin Chemist III

RL. 115

Page 1 of 1

23-71

University of Florida Racing Lab
ISO/IEC 17025-2017
Certificate # AT-1642



The Foundation for The Gator Nation
An Equal Opportunity Institution



DOCUMENTATION REQUIRED FOR ALL
DAMAGED OR VOIDED FORMS SECURE
STORAGE REQUIRED - ISSUE / USE
SEQUENTIALLY

315402 DATE 4.15.2023

TRACK 320

RACE 4 FINISH 1st

NAME OF ANIMAL Caught and collected
NOMBRE DEL ANIMAL

COLOR Grey SEX C AGE 3

ID NUMBER 981020033755130

MICROCHIP TATTOO FREEZE-BRAND

BLOOD Richard Rock DVM
SAMPLED BY

URINE Bismillah Hamid BH
SAMPLED BY

TRAINER John Riza Hierri
ENTRENADOR / ENTRENADORA

WITNESS [Signature]
SIGNATURE FIRMA DE TESTIGO

WITNESS Juan Cano
LICENSE # NÚMERO DE LICENCIA 16427520

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
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May 03, 2023

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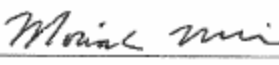
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Laboratory Number	Specimen	Final Weight	Seal
Tampa Bay Downs		04/15/2023	04/18/2023
Collected From		Date Collected	Date Received

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Dirk A Hunt Associate Director


Moriah Murrin Chemist III

RL 115

Page 1 of 1

23-71

University of Florida Racing Lab
ISO/IEC 17025-2017
Certificate # AT-1642





DOCUMENTATION REQUIRED FOR ALL
DAMAGED OR VOIDED FORMS SECURE
STORAGE REQUIRED - ISSUE / USE
SEQUENTIALLY

315402 DATE 4.15.2023

TRACK 320

RACE 6 FINISH 1st

NAME OF ANIMAL Caught and collected
NOMBRE DEL ANIMAL

COLOR Grey SEX C AGE 3

ID NUMBER 981020033755130

MICROCHIP TATTOO FREEZE-BRAND

BLOOD Richard Rock DVM
SAMPLED BY

URINE Bismillah Hamid BH
SAMPLED BY

TRAINER John Rigattieri
ENTRENADOR / ENTRENADORA

WITNESS [Signature]
SIGNATURE FIRMA DE TESTIGO

WITNESS Juan Cano
LICENSE # NÚMERO DE LICENCIA 10427520

FAQ | Help | Sign Out

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

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	05/15/2023
Complaint #	2023027827	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	RIGATTIERI, JOHN	Responsible	elanier - LANIER, EBONIE	Private Case

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

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	04/15/2023	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Region	CR - Central Region	Received	05/04/2023	<input type="checkbox"/>	Inspection		
Reference	315402			<input type="checkbox"/>	Costs		
Entered	05/15/2023	Entered By	gricks	<input type="checkbox"/>	Time Tracking	Auto Assign	
Summary	--- 320 - Tampa Bay Downs, Horse CAUGHTANDCOLLECTED, Drug Ketoprofen, Sample #315402, Lab# E010742-FHB ---			<input type="checkbox"/>	Attachments	History	
Updated	05/15/2023 12:42:26	By	gricks	<input type="checkbox"/>	Work Notes	Print Report	

Change	Save	OK	Cancel	Back
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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: gricks

VR Home > License Search > License Home

License

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2023**
 File # **61561** Name **RIGATTIERI, JOHN** Extended To
 License # **10623022** Rank **PIND - Professional Individual Occupational** Renewed On
 Entity # **10623022** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back



Address

Street # **2438** Street **DANA DRIVE**
 Line 2
 Line 3
 City **SAFETY HARBOR** State **FL** Zip **34695**
 Routing

Other

1st License Date **11/16/2020** Rank Date **11/16/2020** Certificate #
 Method **I-S-1024** Status Date **11/16/2020** Certificate Date
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action  

Modifiers

Type	Modifier	Effective Date	Additional Info
C	IOWN - Individual Animal Owner	11/19/2014	
C	TRNR - Trainer	12/05/2019	
I	TBRD - Thoroughbred	11/19/2014	
L	320 - Tampa Bay Downs	11/19/2014	
Y	3YR - 3 Year License	11/19/2014	

Alt Keys

BEST LIC NBR **10623022**

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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: gricks

VR Home > License Search > License Home

License

Fed Tax # [REDACTED] Lic Type **1021 - PMW Professional Individual Occupational** Expires On **06/30/2024**

File # **61718** Name **ROOS, MANFRED** Extended To

License # **10634895** Rank **PIND - Professional Individual Occupational** Renewed On **12/28/2017**

Entity # **10634895** Lic Status **Current**

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

Address

Street # **644** Street **TOWNE ST**

Line 2

Line 3

City **NORTH ATTLEBORO** State **MA** Zip **02760**

Routing

Other

1st License Date **03/10/2022** Rank Date **03/10/2022** Certificate #

Method **I-S-1024** Status Date **03/10/2022** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action

Modifiers

Type ↕	Modifier ↕	Effective Date ↕	Additional Info ↕
C	IOWN - Individual Animal Owner	12/05/2014	
I	TBRD - Thoroughbred	12/05/2014	
L	910 - TLH Licensing	03/09/2022	
Y	3YR - 3 Year License	12/05/2014	

Alt Keys

BEST LIC NBR **10634895**

Get Adobe Reader.

COMPARATIVE RANKINGS table with columns: Wins At Distance, Last 3 Finishes, Lifetime Wins, In The Money, J/T Meet Wins, Class Rating, Avg Last 3 Speed, Best Overall. Lists various horses and their performance metrics.

Daily Double / Exacta / Trifecta (\$.50 minimum) / Superfecta (\$.10 minimum) / Pick 3 (\$.50 minimum) (Races 6-7-8) / Pick 4 (\$.50 minimum) (Races 6-7-8-9) / Super High 5

6

Tampa Bay Downs

In Memory of Gilfredo Gonzalez

3yo ALLOWANCE OPTIONAL CLAIMING 75,000

Purse \$32,000. (Includes \$2,500 from FOA) Includes \$5,000 TBD/TBHPA Fund For Three Year Olds Which Have Never Won A Race Other Than Maiden, Claiming, Or Starter or Which Have Never Won Two Races or Optional Claiming Price Of \$75,000. Weight, 122 Lbs Non-winners Of A Race At A Mile Or Over Since March 15 Allowed 2 Lbs. Such A Race Since February 15 Allowed 4 Lbs. Claiming Price \$75,000 (Races Where Entered For \$40,000 Or Less Not Considered In Allowances). ONE MILE AND FORTY YARDS



Track Record: Downowner(7), 119 lbs; 1:38.68 (2-27-21)

Horse #1 Caughtandcollected. Includes pedigree, owner (Grifo c. 3), trainer (John Rigattieri), and race history table with columns for date, track, distance, and finish.

Horse #2 This Run's for You. Includes pedigree, owner (Khozan), trainer (Stonehedge LLC), and race history table.

Horse #3 Mikey Bananas. Includes pedigree, owner (WinStar Farm), trainer (Perrine Time Thoroughbreds), and race history table.

Handwritten number 1

Roses by Liam

\$75,000

ALONSO QUINONEZ (135-17-15-18 13%) 37%

B g 2 (Mar 7, 2020)
Liam's Nap (\$20,000) (Unbride's Song) - Congrats and Roses (Congrats)
B: Pete Mattson & Bruce Malkerson (MN)
Ow: Peter D. Mattson
Tr: Tim P. Padilla (70-9-10-9 13%) 40%

Life: 5 1 1 1 \$26,350 Dirt: 5 1 1 1 \$26,350
2023: 3 1 0 1 \$18,900 Wet Dirt: 0 0 0 0 \$0
2022: 2 0 1 0 \$7,450 Turf: 0 0 0 0 \$0
Tam Dirt: 3 1 0 1 \$18,900 Wet Turf: 0 0 0 0 \$0
Distance: 0 0 0 0 \$0 Synthetic: 0 0 0 0 \$0

Class Rating: 79

Green: Black "MH", Multi-Colored Sash

Table with columns: Race, Time, Splits, Odds, Distance, etc. Includes race results for various distances and conditions.

Roses by Liam 1201 Dale of Gloucester 1201 Classic Mo-Tow 1203 3p hd 6/8 gain clear 9
Smooth Flyin Mike 1203 Roberto's Pride 1204 Classic Mo-Tow 1205 sld gnd 1/4 improve 9
Relives 1201 City Humor 1202 Roses by Liam 1204 bnp brk chs Ap apt on 4

Previously trained by Van Winkle David 2022 (as of 09/10): 133-18-23-18 14% 1.44%

Table with columns: Race, Time, Splits, Odds, Distance, etc. for previously trained horses.

It's Bobs Business 1207 New Pay 1212 San Sez 1207 slow to gather, s/v 8 4
Hard Pay 1181 Roses by Liam 1180 Scot Macrae 1180 5w to tam, late stride 9

Estilo Magico

\$75,000

SAMUEL MARIN (237-26-27-37 11%) 38%

Bk B r c 3 (Apr 17, 2020) (OBS SPR ZYO 2022 \$42,000)
Good Magic (\$35,000) (Curlin) - Carleton Grinnell (Royal Academy)
B: E. H. Beau Lane III (KY)
Ow: Juan Arriagada
Tr: Juan Arriagada (89-24-15-9 27%) 54%

Life: 3 1 1 0 \$17,655 Dirt: 3 1 1 0 \$17,655
2023: 3 1 1 0 \$17,655 Wet Dirt: 0 0 0 0 \$0
2022: 0 0 0 0 \$0 Turf: 0 0 0 0 \$0
Tam Dirt: 3 1 1 0 \$17,655 Wet Turf: 0 0 0 0 \$0
Distance: 1 0 1 0 \$5,355 Synthetic: 0 0 0 0 \$0

Class Rating: 70

Beo: White "JA" and Braces, White Stripes on Sleeves

Table with columns: Race, Time, Splits, Odds, Distance, etc. for Estilo Magico.

Reinvest 1182 Estilo Magico 1181 Decatfull 1181 sld gnd, duel chase on 5
Estilo Magico 1202 Falk 1201 Dee's Wise Guy 1202 chase, 2p bid 1/4, clear 5
Notah 1203 All Our Hunny 1203 City Humor 1203 btwn, 3p, evenly 8

Dawgmentality

ERIN M. WALKER (28-0-2-2 0%) 14%

Ch g 3 (Apr 9, 2020)
Smarty Jones (\$3,900) (Evasive Quality) - Star of Luvina (Five Star Day)
B: James E. Hess (PA)
Ow: James E. Hess
Tr: Ron G. Potts (31-3-10-3 10%) 52%

Life: 6 1 2 1 \$64,650 Dirt: 1 0 0 0 \$240
2023: 1 0 0 0 \$240 Wet Dirt: 0 0 0 0 \$0
2022: 5 1 2 1 \$64,650 Turf: 0 0 0 0 \$0
Tam Dirt: 1 0 0 0 \$240 Wet Turf: 0 0 0 0 \$0
Distance: 0 0 0 0 \$0 Synthetic: 5 1 2 1 \$64,650

Class Rating: 71

Col: Green Dragons

Table with columns: Race, Time, Splits, Odds, Distance, etc. for Dawgmentality.

Call Me Ice Man 1182 Sanki Zulufo 1181 Bright Forecast 1183 track, Ap, faded 8
Gordan Knot 1221 Legend of Charlie 1182 Dawgmentality 1170 widest, edged for slow 10
Sr Lancelot 1182 Dawgmentality 1181 Camino de Santiago 1180 btck, angled out str 7
Dawgmentality 1204 Colonel Poppy 1201 Mike Knodd 1203 led on, drew off, shrug 8
Hendrickson 1203 Dawgmentality 1202 Decatfull 1203 shook clr 2nd tm 7
Camino de Santiago 1204 Schff Beezer Strong 1201 I Strong 1201 pc, word final fur 6

Decatfull

\$75,000

ANGEL SUAREZ (188-18-23-29 10%) 37%

B c 3 (Mar 27, 2020)
Hard Spun (\$40,000) (Danzig) - Girls Secret (Giant's Causeway)
B: Willis Horton Racing LLC (KY)
Ow: Ruth Peltrey, Gerard Nicoletta, Bob Tait, Rebecca J. Montaldo, Check Racing and Blazing Meadows Farm, LLC
Tr: Timothy E. Hamm (88-11-13-10 12%) 38%

Life: 6 1 0 2 \$29,600 Dirt: 2 0 0 1 \$3,315
2023: 3 0 0 1 \$3,570 Wet Dirt: 0 0 0 0 \$0
2022: 3 1 0 1 \$25,030 Turf: 2 0 0 0 \$1,765
Tam Dirt: 2 0 0 1 \$3,315 Wet Turf: 0 0 0 0 \$0
Distance: 2 0 0 1 \$3,315 Synthetic: 2 1 0 1 \$24,500

Class Rating: 67

Gold, Black Chevron, Gold Diamonds on Black Sleeves

Table with columns: Race, Time, Splits, Odds, Distance, etc. for Decatfull.

Reinvest 1182 Estilo Magico 1181 Decatfull 1181 prd pc, 2p, kept on 5
Kingsham's 1237 Mikey Bananas 1193 Cuvier 1189 trailed, 2p no threat 7
A Western Yarn 1202 Summer Deal 222 Love Me Not 1181 track, sld gnd, tired 8
Candice 1204 Dataman 1181 Furious 1181 inside, sld gnd, evenly 7
Decatfull 1201 Matchout forwesser 1201 dx, llyde 1202 4w str, drv chr late 7
Hendrickson 1202 Dawgmentality 1201 Decatfull 1202 rated back, sld gnd 7

15 Mar 23 Tam 4F ft :48.00 b 2/31 3 Mar 23 Tam 5F ft :1:03.00 b 7/10 5 Feb 23 Tam 4F ft :49.40 b 42/110 29 Jan 23 Tam 4F ft :51.80 b 100/108 1 Jan 23 Tam 4F gd :46.80 b 1/11

Selections: 3-2-4-5

NYRA BETS TAMPA BAY DOWNS \$200 DEPOSIT MATCH Bet Tampa Bay Downs and 300+ tracks NYRABets.com/TAMPA



MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: FGCC v. Washington Kennel Club, Inc. Case No. 2023-029082;
Consent Order
Date: August 22, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Washington Kennel Club, Inc. (“Respondent”) to resolve Case No. 2023-029082. Pursuant to the terms of the proposed order, Respondent would be issued a \$500 administrative fine for violating rule 75-11.0175(5)(c), Florida Administrative Code.

Background

On or about May 8, 2023, it was discovered that Respondent failed to ensure that count members’ clothing were in good condition and completely zipped for the duration of their time in the count room. Respondent has no prior violations of this rule.

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 adopted pursuant to that section.¹

Rule 75-11.0175(5)(c) Florida Administrative Code, provides that “[a]ll persons present in the count room during the counting process shall wear outer garments that must be a full-length, short sleeved, one-piece, pocket-less garment with openings for the arms, feet, and neck only, which are in good condition and completely closed, fastened, or zipped at all times while in the count room.”

¹ § 849.086(14)(c), Fla. Stat.

Because Respondent failed to ensure that count members' clothing were in good condition and completely zipped for the duration of their time in the count room, it is subject to an administrative fine of up to \$1000 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in case number 2023-029082.

- 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 1002 - Cardroom License	Status 90 Closed	Status Date 07/02/2023
Complaint # 2023029082	Case Type CMP - Complaint	Disposition
Docket#	Respondent WASHINGTON COUNTY KENNEL CLUB, INC	Responsible bjones - JONES, BRADFORD
		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 05/08/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region NR - Northern Region	Received 05/11/2023	<input type="checkbox"/> Inspection	
Reference 61D-11.0175	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 05/19/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary 154--- Washington County Kennel Club, INC. -(61D-11.0175)-- On May 8, 2023, during a cardroom inspection at WASHINGTON KENNEL CLUB, INC., I observed via saved recorded surveillance video of the count on May 8, 2023, count team member's BOGUSLAW JAN BINIEK, and NATHAN EDWARD HARCUS wearing outer garments that were in poor condition and not completely closed while they were in the count room. Upon further review I also observed Security Guard PAUL J JR DISCOLO fail to inspect the entire count room as require by state regulation.		<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 07/05/2023 09:48:21	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>



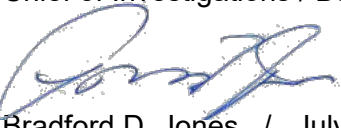
47 Days	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Complaint: MAY 11, 2023	Case Number: 2023 02 9082
Respondent: WASHINGTON COUNTY KENNEL CLUB, INC. 6558 DOG TRACK ROAD, EBRO, FLORIDA 32437 TEL# (850)234-3943		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: 154 / 1002		Profession: PERMIT HOLDER	Report Date: JUNE 6, 2023
Period of Investigation: MAY 8, 2023 – JUNE 6, 2023		Type of Report: FINAL	
Alleged Violation: 75D-11.0175 Cardroom Drop, Count Rooms, and Count Procedures.			
(5) Count Room procedures shall be as follows:			
(c) All persons present in the count room during the counting process shall wear outer garments that must be a full-length, short sleeved, one-piece, pocket-less garment with openings for the arms, feet, and neck only, <u>which are in good condition and completely closed, fastened, or zipped at all times while in the count room;</u>			
(6) Security employees shall inspect the entire count room, including all trash containers and counting equipment to verify that no chips, tokens, or currency remain in the room.			
Synopsis: On May 8, 2023, during a cardroom inspection at the WASHINGTON COUNTY KENNEL CLUB, INC. (WCKC) , I observed via saved recorded surveillance video of the count of May 8, 2023, Count Team members BOGUSLAW JAN BINIEK and NATHAN EDWARD HARCUS wearing outer garments that were in poor condition and not zipped at all times while they were in the count room. Upon further review, I also observed WCKC Security Manager PAUL J. DISCOLO JR. fail to inspect the entire Count Room as required by the above listed Rule.			
Related Case(s):			
Investigator / Date  Randa Samson / June 6, 2023		Investigator Supervisor / Date  /s/ C. Derek Washington / June 26, 2023	
Chief of Investigations / Date  Bradford D. Jones / July 2, 2023			

CONTINUATION

On May 8, 2023, at approximately 3:00 PM, during a routine cardroom inspection at the **WASHINGTON COUNTY KENNEL CLUB, INC.**, I reviewed recorded surveillance video of the count conducted on earlier that day. During my video review, I observed Count Team Members Boguslaw Jan **BINIEK** (PMW LIC. #9800341) and Nathan Edward **HARCUS** (PMW LIC. #10799514) enter the Count Room at approximately 9:13 AM, wearing outer garments that had multiple rips and holes in them. The garments of these team members also were not zipped at all times as required. Upon further review of the recorded surveillance video, I observed **WCKC** Security Manager Paul J **DISCOLO JR.** (PMW LIC. #1021629) enter the Count Room after the count was completed and he did not inspect the entire Count Room as required by Rule (**EXHIBITS #2 & #3**).

Following my review, Security Manager **DISCOLO** was advised of the violations. **DISCOLO** and I then went to the dealers' lockers to further inspect the Count Team outer garments. We found two garments in poor condition with multiple rips and holes.

Cage Manager Nichole Owens Kennedy (PMW LIC# 8645103) was also informed of the violations. She stated she would immediately acquire new jumpsuits for Count Team use.

Conclusion: **WASHINGTON COUNTY KENNEL CLUB, INC.** violated F.A.C. Rule 75-11.0175 (5)(c)(6) because Count Room procedures were not followed as required.

Status: Case closed by Investigations and forwarded to Legal for review.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1-1

II. INVESTIGATIVE REPORT 1-3

III. EXHIBITS

 1. License.....1-1

 2. Photos.....1-6

 3. Property Receipt.....1-2



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: **nmelvai**

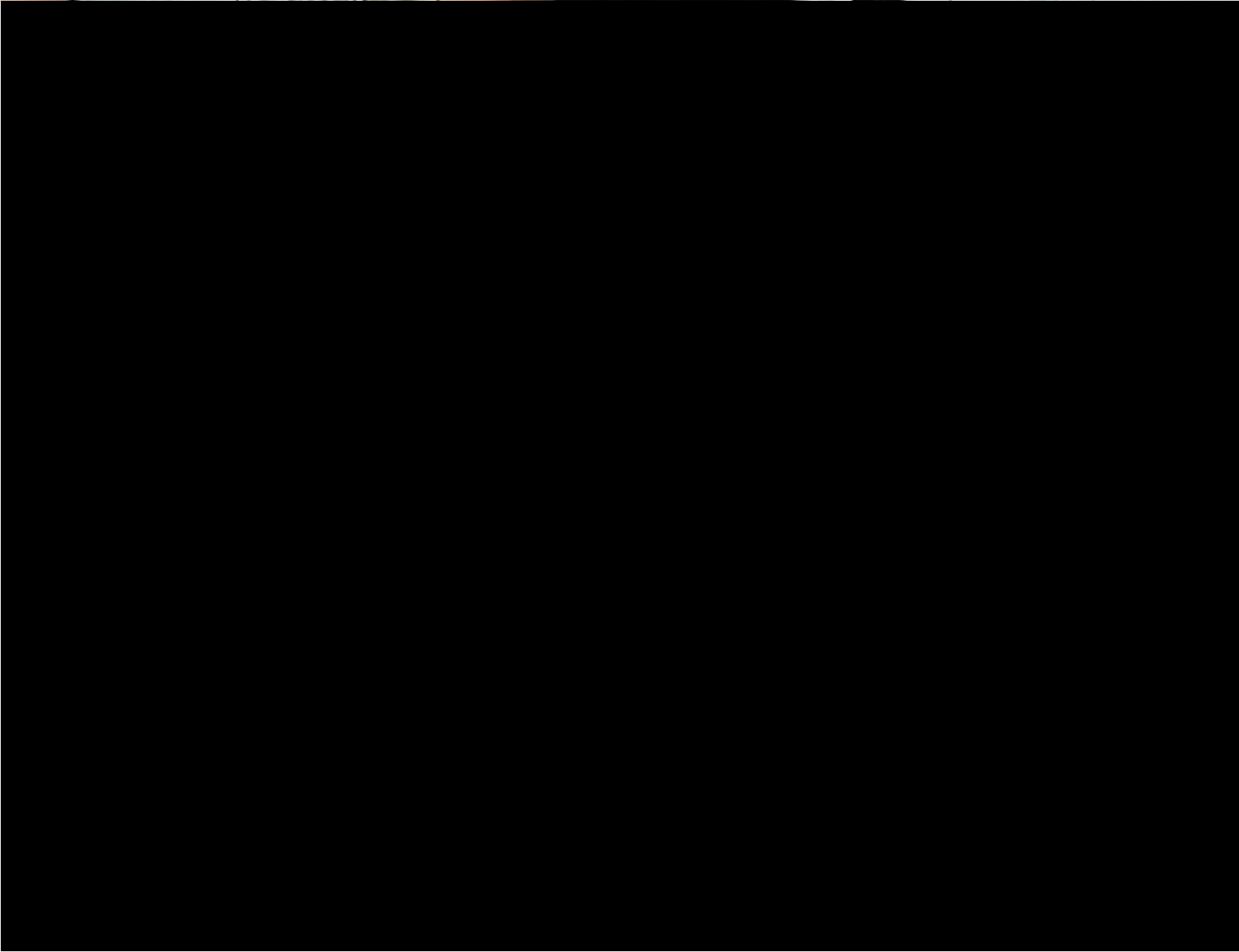
VR Home > Complaint Search > Maintain Complaint > **License Home**

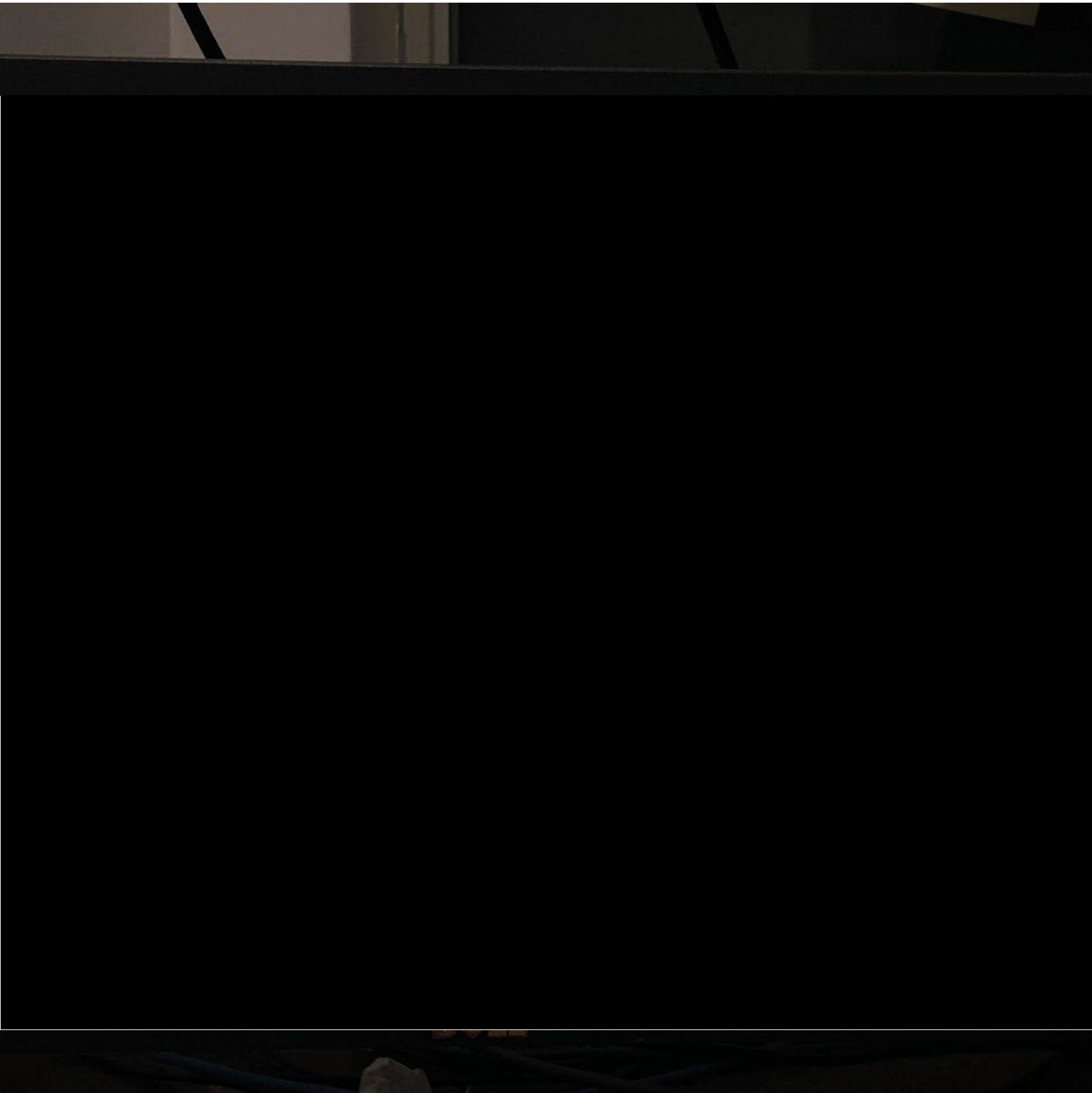
License Fed Tax # [REDACTED] Lic Type 1002 - Cardroom License Expires On 06/30/2024 File # 37 Name WASHINGTON COUNTY KENNEL CLUB, INC Extended To License # 154 Rank CLIC - Cardroom Operating License Renewed On Entity # 154 Lic Status Current			<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back							
Address Street # 6558 Street DOG TRACK ROAD Line 2 Line 3 City EBRO State FL Zip 32437 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 <input type="text"/>  										
Modifiers <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>154 - Washington County Kennel Club, Inc.</td> <td>03/30/2007</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	154 - Washington County Kennel Club, Inc.	03/30/2007	
Type	Modifier	Effective Date	Additional Info							
L	154 - Washington County Kennel Club, Inc.	03/30/2007								
DBA Name DBA EBRO GREYHOUND PARK										
Alt Keys BEST LIC NBR CL1154										

 Get Adobe Reader.



08-2023 Mon 09:16:44 (S)





3-2023 Mon 09:13:56 (S)

Max. C

C1 C

2023 Mon 09 Feb 18:48 (S)

C1 COU

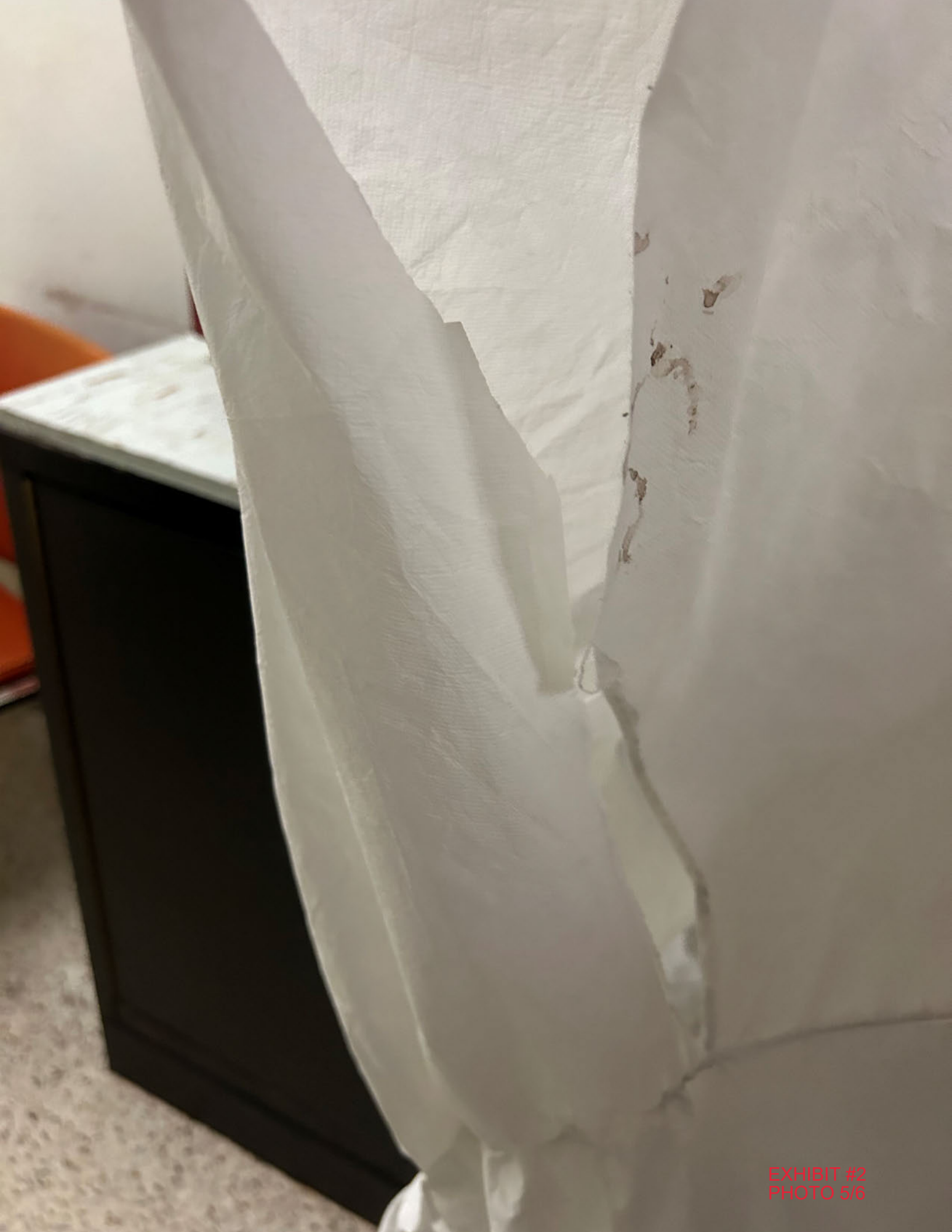


EXHIBIT #2
PHOTO 5/6

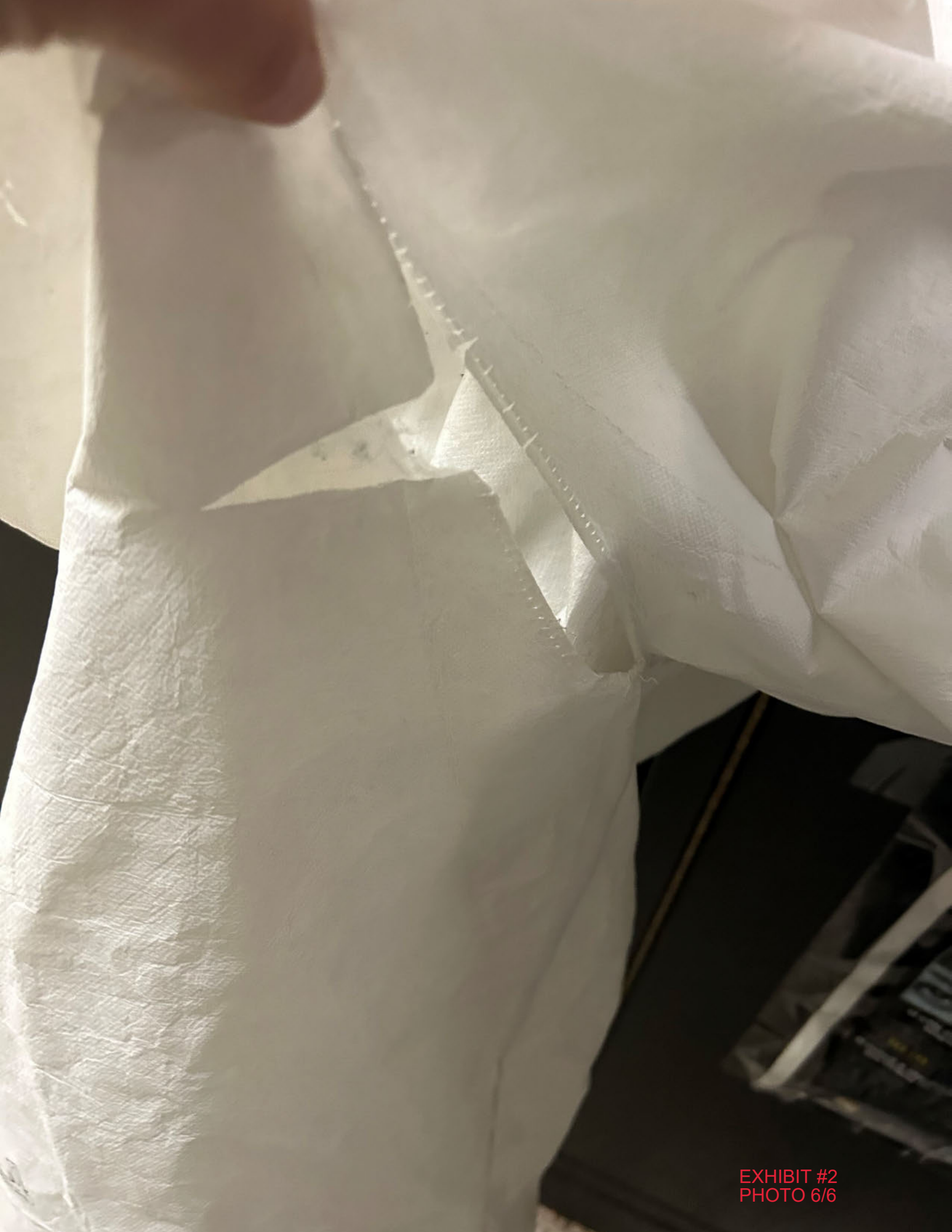


EXHIBIT #2
PHOTO 6/6



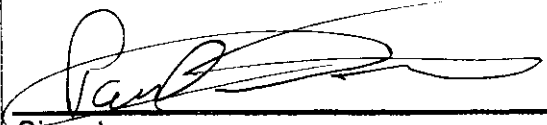
**State of Florida
Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
Investigations Section**

PROPERTY RECEIPT

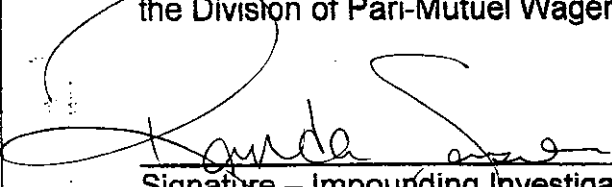
Complaint # 2023 02 9082 Date 5/8/23 Lab # _____

Item No.	Quantity	Description
	1	Blue Thunder Verbatim
		Security Manager Paul J JK Discolo
		failing to inspect entire Court
		room and town Court room
		records.

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: _____

**EXHIBIT #3
PAGE 1/2**

Copies for: File, Transmittal, Laboratory, Property Receipt


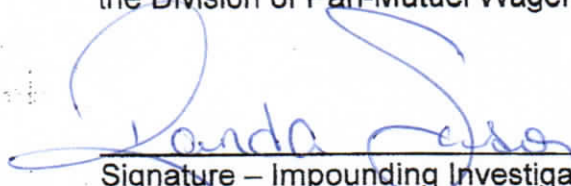


**State of Florida
Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering
Investigations Section**

PROPERTY RECEIPT

Complaint # 2023 02 9082 Date 6/5/23 Lab # _____

Item No.	Quantity	Description
	1	Shorthand
		Blue Verbatim
		Security Manager Paul J Jr DeSoto
		failing to inspect entire courtroom
		and torn courtroom transcripts

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

RETURNED PROPERTY RECEIPT

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

.....

Signature	Date
.....

Received by: _____ Date: _____
 Received by: _____ Date: _____
 Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

**EXHIBIT #3
PAGE 2/2**

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.: 2023-029082

WASHINGTON COUNTY KENNEL CLUB,
INC.,

Respondent.

_____ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and Washington County Kennel Club, 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 145-1002, 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 2023-029082, alleging that on May 8, 2023, Respondent was in violation of rule 75-11.0175(5)(c), Florida Administrative Code, by failing to ensure that count members clothing were in good condition and completely zipped for the duration of their time in the count room.

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. 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 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 2023-029082 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, 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.

[Signature pages to follow]

WHEREFORE, WASHINGTON COUNTY KENNEL CLUB, INC., requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 13 day of July, 2023.

**WASHINGTON COUNTY KENNEL CLUB,
INC., Respondent**

Signed on behalf of Washington County Kennel Club,
Inc. by:

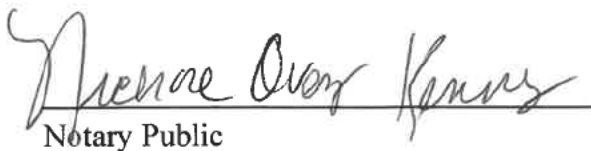


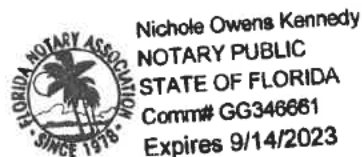
Printed Name

Title

STATE OF Florida
COUNTY OF Washington

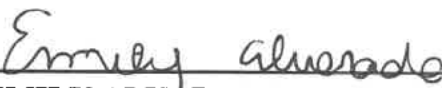
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 13 day of July, 2023, by Stockton Hess, who is personally known to me or who produced the following as identification: _____


Notary Public



My commission expires: 9/14/23

APPROVED this 16 day of August, 2023.



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.: 2023-029082

WASHINGTON COUNTY KENNEL CLUB,
INC.,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Washington County Kennel Club, 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 154-1002, issued by Petitioner.
3. On or about May 8, 2023, two count members were observed via surveillance video wearing outer garments not in good condition and were not zipped at all times while in the count room.
4. Rule 75-11.0175(5)(c), Florida Administrative Code, provides in full:

All persons present in the count room during the counting process shall wear outer garments that must be a full-length, short sleeved, one-piece, pocket-less garment with openings for the arms, feet, and neck only, which are in good condition and completely closed, fastened, or zipped at all times while in the count room[.]

5. Based on the foregoing, Respondent violated rule 75-11.0175(5)(c), Florida Administrative Code, by failing to ensure that count members clothing were in good condition and completely zipped for the duration of their time in the count room.

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 2023-029082 is signed this 7th 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
2601 Blair Stone Road
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.

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: FGCC v. St. Petersburg Kennel Club, Inc. Case No. 2023-029445;
Consent Order
Date: July 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by St. Petersburg Kennel Club, Inc. (“Respondent”) to resolve Case No. 2023-029445. Pursuant to the terms of the proposed order, Respondent would be issued a \$750 administrative fine for violating rule 75-11.012(8), Florida Administrative Code.

Background

On or about May 27, 2023, it was discovered that Respondent failed have the most current employee access list in the surveillance room and allowed an employee to access the count room during the count when they were not listed on the authorized list. Respondent has one prior violation of this rule which resulted in a \$250 fine in case number 2022-020796.

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 adopted pursuant to that section.¹

Rule 75-11.012(8), Florida Administrative Code, provides that “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.”

¹ § 849.086(14)(c), Fla. Stat.

Because Respondent failed have the most current employee access list in the surveillance room and allowed an employee to access the count room during the count when they were not listed on the authorized list, it is subject to an administrative fine of up to \$1000 per count.

Staff Recommendation: The Florida Gaming Control Commission should adopt the settlement and consent order in cased number 2023-029445.

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.: 2023-029445

ST. PETERSBURG KENNEL CLUB, INC.,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and St. Petersburg Kennel Club, 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 151-1002, 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 2023-029445, alleging that:
 - a. On May 27, 2023, Respondent was in violation of Rule 75-11.012(8) Florida Administrative Code, by failing to have the most current employee access list in the surveillance room.
 - b. On May 20, 2023, Respondent was in violation of Rule 75-11.012(8), Florida Administrative Code, by allowing an employee to access the count room during the count when they were not on the authorized list.

3. Aggravation: This consent order is entered into in consideration of Respondent's disciplinary history including one prior violation on rule 75-11.012(8), Florida Administrative Code.

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 sum of SEVEN HUNDRED FIFTY DOLLARS (\$750.00), 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.

12. 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 2023-029445 on the face of the payment.

13. 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.

14. 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.

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 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.

16. This Consent Order may be signed in counterparts, and copies shall be treated as original.

17. The Parties agree that this serves as notice that the signed Consent Order will be placed on the next available Commission meeting.

18. 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, for the meeting materials, agenda, and contact information.

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]

WHEREFORE, **ST. PETERSBURG KENNEL CLUB, INC.**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 21st day of June, 2023.

[Signature]
ST. PETERSBURG KENNEL CLUB, INC.,
Respondent

Signed on behalf of St. Petersburg Kennel Club, Inc.
by:

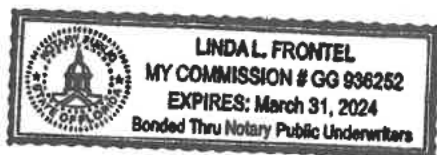
Adam Hlas
Printed Name
Secretary
Title

STATE OF Florida
COUNTY OF Pinellas

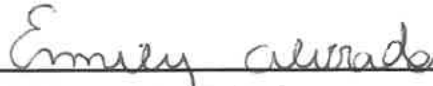
The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 21st day of June, 2023, by Adam Hlas, who is personally known to me or who produced the following as identification: _____

Linda L. Frontel
Notary Public

My commission expires:



APPROVED this 19 day of July, 2023.



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.: 2023-029445

ST. PETERSBURG KENNEL CLUB, INC.,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against St. Petersburg Kennel Club, 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 151-1002, 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 May 27, 2023, Respondent failed to have an the most current employee access list in the surveillance room.
5. Rule 75-11.012(8), Florida Administrative Code, provides, in pertinent part, 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.”

6. Based on the foregoing, Respondent violated rule 75-11.021(8), Florida Administrative Code, by failing to have an the most current employee access list in the surveillance room.

COUNT II

7. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

8. On or about May 20, 2023, Respondent allowed an employee to access the count room during the count who was not on the authorized list.

9. Rule 75-11.012(8), Florida Administrative Code, provides in pertinent part, that the “[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 include the position titles of all employees who have access to these areas.”

10. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by allowing an employee to access the count room during the count when they were not on the authorized list.

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 2023-029445 is signed this 13th 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

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 1002 - Cardroom License	Status 90 Closed	Status Date 06/02/2023
Complaint # 2023029445	Case Type CMP - Complaint	Disposition
Docket#	Respondent ST. PETERSBURG KENNEL CLUB, INC.	Responsible bjones - JONES, BRADFORD
		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 05/20/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region CR - Central Region	Received 05/22/2023	<input type="checkbox"/> Inspection	
Reference 75-11.012	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 05/22/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	151--- St. Petersburg Kennel Club, Inc (75-11.012)---On May 22, 2023 during a bi-weekly cardroom inspection at ST. PETERSBURG KENNEL CLUB (DERBY LANE), I discovered that there was no surveillance access list posted in the surveillance room. In addition, after further review of saved surveillance coverage of May 20, 2023, I observed Cashier Hayley Aron Hoggatt participating in the count; however, she is not listed on the employee-authorized access list to enter the count room as required.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 06/02/2023 09:26:09	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>


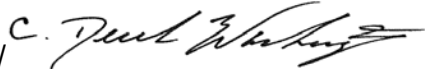

11 Days	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Complaint: MAY 23, 2023	Case Number: 2023 02 9445
Respondent: ST. PETERSBURG KENNEL CLUB, INC. 10490 GANDY BLVD. ST. PETERSBURG, FLORIDA 33702 TEL# (727) 812-3236		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: 151 / 1002	Profession: PERMIT HOLDER	Report Date: JUNE 1, 2023	
Period of Investigation: MAY 27, 2023 – JUNE 1, 2023		Type of Report: FINAL	
Alleged Violation: 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.			
Synopsis: On May 22, 2023, during a bi-weekly cardroom inspection at ST. PETERSBURG KENNEL CLUB (DERBY LANE) , I discovered no surveillance access list posted in the surveillance room. In addition, after further review of the saved surveillance video of May 20, 2023, I observed Cashier Hayley Aron Hoggatt participating in the count, who was not listed on the employee-authorized access list as being authorized to enter the count room.			
Related Case: Case# 2021 05 9100 & Case# 2022 02 0796			
Investigator / Date /s/  Randa Samson / June 1, 2023		Investigator Supervisor / Date /s/  C. Derek Washington / June 1, 2023	
Chief of Investigations / Date  Bradford D. Jones / June 1, 2023			

CONTINUATION

On May 27, 2023, at approximately 10:50 AM, I conducted a routine bi-weekly cardroom inspection at the **ST. PETERSBURG KENNEL CLUB (DERBY LANE)**. During my cardroom inspection, I noticed no Surveillance Employee Access list posted in the Surveillance Room. In addition, upon review of the saved recorded video of the count performed on May 20, 2023, I observed Hayley Aron Hogatt (PMW Lic. #8075652), who was not listed on the Count Room Employee Access list, participating in the count (**EXHIBITS #2 & #3**).

After my cardroom inspection, I informed Poker Room Manager Jason Christopher Hogatt (PMW Lic. #7777471) of the violation. He acknowledged the violation and stated that he would update the lists immediately.

Based on the findings of my inspection, ST. PETERSBURG KENNEL CLUB (DERBY LANE) violated F.A.C. Rule: 75-11.012(8) by (1) failing to update the Count Room Employee Access list, (2) allowing an employee who was not listed on the Count Room Employee Access list to enter the Count Room (3) allowing that unauthorized employee to participate in the count and (4) failing to post a Surveillance Room Employee Access List in the Surveillance Room.

A review of the Versa Regulation Enforcement database revealed **ST. PETERSBURG KENNEL CLUB (DERBY LANE)** has two previous violations of the above-cited rule:

- Case 2021 05 2022 – Verbal Warning was given
- Case # 2022 02 0796 - Two hundred fifty dollar fine (\$250.00) issued (**EXHIBIT #4**).

Status: Investigation case closed and case referred to Legal for review

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET1-1

II. INVESTIGATIVE REPORT1-3

III. EXHIBITS

1. LICENSE.....1-1

2. COUNT ROOM PAPERWORK.....1-6

3. PHOTOS.....1-6

4. CONSENT ORDER CASE# 2022 02 0796.....1-19



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: **nmelvai**

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

License Fed Tax # XXXXXXXXXX Lic Type 1002 - Cardroom License Expires On 06/30/2024 File # 34 Name ST. PETERSBURG KENNEL CLUB, INC. Extended To License # 151 Rank CLIC - Cardroom Operating License Renewed On Entity # 151 Lic Status Current			<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										
Address Street # 10490 Street GANDY BOULEVARD Line 2 Line 3 City ST. PETERSBURG State FL Zip 33702 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 <input type="text"/>  										
Modifiers <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>151 - St. Petersburg Kennel Club, Inc.</td> <td>03/20/2006</td> <td></td> </tr> </tbody> </table>			Type	Modifier	Effective Date	Additional Info	L	151 - St. Petersburg Kennel Club, Inc.	03/20/2006	
Type	Modifier	Effective Date	Additional Info							
L	151 - St. Petersburg Kennel Club, Inc.	03/20/2006								
DBA Name DBA DERBY LANE										
Alt Keys BEST LIC NBR CLI151										

 Get Adobe Reader.

St. Petersburg Kennel Club - Card Room Revenue Chip Count

Date: **05/19/23**
 Save As Date

Page 1 of 3

Today's Date:
5/20/2023

Table	Count	Cash
E1	Grn	0
	Red	0
	Yel	0
	Wht	0
Total		-
E2	Grn	0
	Red	336
	Yel	195
	Wht	149
Total	680	2,219.00
E3	Grn	0
	Red	232
	Yel	149
	Wht	92
Total	473	1,550.00
E4	Grn	0
	Red	294
	Yel	190
	Wht	114
Total	598	1,964.00
E5	Grn	0
	Red	171
	Yel	133
	Wht	124
Total	428	1,245.00
E6	Grn	0
	Red	148
	Yel	82
	Wht	62
Total	292	966.00
E7	Grn	0
	Red	400
	Yel	407
	Wht	115
Total	922	2,929.00
E8	Grn	0
	Red	271
	Yel	140
	Wht	98
Total	509	1,733.00
E9	Grn	0
	Red	210
	Yel	185
	Wht	136
Total	531	1,556.00
E10	Grn	0
	Red	282
	Yel	285
	Wht	71
Total	638	2,051.00

Table	Count	Cash
E11	Grn	0
	Red	56
	Yel	41
	Wht	28
Total	125	390.00
E12	Grn	0
	Red	0
	Yel	0
	Wht	0
Total	0	-
E13	Grn	0
	Red	258
	Yel	316
	Wht	96
Total	670	2,018.00
E14	Grn	0
	Red	0
	Yel	0
	Wht	0
Total	0	-
E15	Grn	0
	Red	0
	Yel	0
	Wht	0
Total	0	-
E16	Grn	0
	Red	273
	Yel	286
	Wht	94
Total	653	2,031.00
E17	Grn	0
	Red	0
	Yel	0
	Wht	0
Total	0	-
E18	Grn	0
	Red	191
	Yel	198
	Wht	32
Total	421	1,383.00
E19	Grn	0
	Red	0
	Yel	0
	Wht	0
Total	0	-
E20	Grn	0
	Red	0
	Yel	0
	Wht	0
Total	0	-

Table	Count	Cash
M1	Grn	0
	Red	84
	Yel	90
	Wht	595
Total	769	1,195.00
M2	Grn	0
	Red	210
	Yel	458
	Wht	654
Total	1322	2,620.00
M3	Grn	0
	Red	0
	Yel	0
	Wht	365
Total	365	365.00
M4	Grn	0
	Red	0
	Yel	257
	Wht	550
Total	807	1,064.00
M5	Grn	0
	Red	0
	Yel	1
	Wht	93
Total	94	95.00
M6	Grn	0
	Red	70
	Yel	140
	Wht	742
Total	952	1,372.00
M7	Grn	0
	Red	91
	Yel	327
	Wht	677
Total	1095	1,786.00
M8	Grn	0
	Red	88
	Yel	220
	Wht	603
Total	911	1,483.00
M9	Grn	0
	Red	36
	Yel	159
	Wht	672
Total	867	1,170.00
M10	Grn	0
	Red	62
	Yel	147
	Wht	528
Total	737	1,132.00

25 Grn	0	\$ -
5 Red	3870	\$ 19,350.00
2 Yel	4905	\$ 9,810.00
1 Wht	8925	\$ 8,925.00
REVENUE TOTAL		\$ 38,085.00

St. Petersburg Kennel Club - Card Room Revenue Chip Count

Date: 05/19/23

Page 2 of 3

Table	Count	Cash	Table	Count	Cash	Table	Count	Cash			
M11	Grn	0	-	W4	Grn	0	-	W13	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	10	20.00		Yel	0	-		Yel	0	-
	Wht	31	31.00		Wht	0	-		Wht	0	-
	Total	41	51.00		Total	0	-		Total	0	-
M12	Grn	0	-	W5	Grn	0	-	W14	Grn	0	-
	Red	33	165.00		Red	0	-		Red	0	-
	Yel	230	460.00		Yel	0	-		Yel	0	-
	Wht	461	461.00		Wht	0	-		Wht	0	-
	Total	724	1,086.00		Total	0	-		Total	0	-
M13	Grn	0	-	W6	Grn	0	-	W15	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	0	-		Wht	0	-		Wht	0	-
	Total	0	-		Total	0	-		Total	0	-
M14	Grn	0	-	W7	Grn	0	-	W16	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	0	-		Wht	0	-		Wht	0	-
	Total	0	-		Total	0	-		Total	0	-
M15	Grn	0	-	W8	Grn	0	-	W17	Grn	0	-
	Red	8	40.00		Red	0	-		Red	0	-
	Yel	51	102.00		Yel	0	-		Yel	0	-
	Wht	257	257.00		Wht	0	-		Wht	0	-
	Total	316	399.00		Total	0	-		Total	0	-
M16	Grn	0	-	W9	Grn	0	-	W18	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	45	90.00		Yel	0	-		Yel	0	-
	Wht	191	191.00		Wht	0	-		Wht	0	-
	Total	236	281.00		Total	0	-		Total	0	-
W1	Grn	0	-	W10	Grn	0	-	W19	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	0	-		Wht	0	-		Wht	0	-
	Total	0	-		Total	0	-		Total	0	-
W2	Grn	0	-	W11	Grn	0	-				
	Red	0	-		Red	0	-				
	Yel	0	-		Yel	0	-				
	Wht	0	-		Wht	0	-				
	Total	0	-		Total	0	-				
W3	Grn	0	-	W12	Grn	0	-				
	Red	0	-		Red	0	-				
	Yel	0	-		Yel	0	-				
	Wht	0	-		Wht	0	-				
	Total	0	-		Total	0	-				

25 Grn	0	\$ -
5 Red	3870	\$ 19,350.00
2 Yel	4905	\$ 9,810.00
1 Wht	8925	\$ 8,925.00
REVENUE TOTAL		\$ 38,085.00

St. Petersburg Kennel Club - Card Room Revenue Chip Count

Date: 05/19/23

Page 3 of 3

Table	Count	Cash	Table	Count	Cash	Table	Count	Cash
Table# M2	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0
Table# M6	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0
Table# M7	Grn	0	Table#	Grn	-	Table#	Grn	-
	Red	55		Red	-		Red	-
	Yel	105		Yel	-		Yel	-
	Wht	177		Wht	-		Wht	-
	Total	337		Total	0		Total	0
Table# M9	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0
Table# M12	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0
Table# M10	Grn	0	Table#	Grn	-	Table#	Grn	-
	Red	11		Red	-		Red	-
	Yel	58		Yel	-		Yel	-
	Wht	1118		Wht	-		Wht	-
	Total	1187		Total	0		Total	0
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total	0		Total	0		Total	0

Verified: Print Name License #
 Count
 Supervisor H. Hagggett 8075682
J. Powell 12440469
G. Marshall 2964395

25 Grn	0	\$ -
5 Red	3870	\$ 19,350.00
2 Yel	4905	\$ 9,810.00
1 Wht	8925	\$ 8,925.00
REVENUE TOTAL		\$ 38,085.00

St. Petersburg Kennel Club - Card Room Jackpot Chip Count

Date: 05/19/23

Page 1 of 3

Table	Count	Cash
JE1	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JE2	Grn	0
	Red	0
	Yel	437
	Wht	424
	Total	861
JE3	Grn	0
	Red	0
	Yel	314
	Wht	309
	Total	623
JE4	Grn	0
	Red	0
	Yel	392
	Wht	393
	Total	785
JE5	Grn	0
	Red	0
	Yel	255
	Wht	246
	Total	501
JE6	Grn	0
	Red	0
	Yel	185
	Wht	190
	Total	375
JE7	Grn	0
	Red	0
	Yel	416
	Wht	427
	Total	843
JE8	Grn	0
	Red	0
	Yel	345
	Wht	331
	Total	676
JE9	Grn	0
	Red	0
	Yel	306
	Wht	306
	Total	612
JE10	Grn	0
	Red	0
	Yel	292
	Wht	301
	Total	593

Table	Count	Cash
JE11	Grn	0
	Red	0
	Yel	85
	Wht	82
	Total	167
JE12	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JE13	Grn	0
	Red	0
	Yel	297
	Wht	325
	Total	622
JE14	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JE15	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JE16	Grn	0
	Red	0
	Yel	290
	Wht	300
	Total	590
JE17	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JE18	Grn	0
	Red	0
	Yel	191
	Wht	198
	Total	389
JE19	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JE20	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0

Table	Count	Cash
JM1	Grn	0
	Red	53
	Yel	85
	Wht	172
	Total	310
JM2	Grn	0
	Red	80
	Yel	314
	Wht	422
	Total	816
JM3	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JM4	Grn	0
	Red	60
	Yel	356
	Wht	462
	Total	878
JM5	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0
JM6	Grn	0
	Red	27
	Yel	229
	Wht	458
	Total	714
JM7	Grn	0
	Red	11
	Yel	85
	Wht	104
	Total	200
JM8	Grn	0
	Red	3
	Yel	6
	Wht	51
	Total	60
JM9	Grn	0
	Red	15
	Yel	215
	Wht	523
	Total	753
JM10	Grn	0
	Red	0
	Yel	0
	Wht	0
	Total	0

25 Grn	0	\$ -
5 Red	337	\$ 1,685.00
2 Yel	5622	\$ 11,244.00
1 Wht	6960	\$ 6,960.00
JACKPOT TOTAL		\$ 19,889.00

EXHIBIT #2
PAGE 4/6

St. Petersburg Kennel Club - Card Room Jackpot Chip Count

Date: 05/19/23

Page 2 of 3

Table	Count	Cash	Table	Count	Cash	Table	Count	Cash			
JM11	Grn	0	-	JW4	Grn	0	-	JW13	Grn	0	-
	Red	6	30.00		Red	0	-		Red	0	-
	Yel	16	32.00		Yel	0	-		Yel	0	-
	Wht	12	12.00		Wht	0	-		Wht	0	-
	Total	34	74.00		Total	0	-		Total	0	-
JM12	Grn	0	-	JW5	Grn	0	-	JW14	Grn	0	-
	Red	25	125.00		Red	0	-		Red	0	-
	Yel	211	422.00		Yel	0	-		Yel	0	-
	Wht	363	363.00		Wht	0	-		Wht	0	-
	Total	0	910.00		Total	0	-		Total	0	-
JM13	Grn	0	-	JW6	Grn	0	-	JW15	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	0	-		Wht	0	-		Wht	0	-
	Total	0	-		Total	0	-		Total	0	-
JM14	Grn	0	-	JW7	Grn	0	-	JW16	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	0	-		Wht	0	-		Wht	0	-
	Total	0	-		Total	0	-		Total	0	-
JM15	Grn	0	-	JW8	Grn	0	-	JW17	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	2	2.00		Wht	0	-		Wht	0	-
	Total	2	2.00		Total	0	-		Total	0	-
JM16	Grn	0	-	JW9	Grn	0	-	JW18	Grn	0	-
	Red	13	65.00		Red	0	-		Red	0	-
	Yel	14	28.00		Yel	0	-		Yel	0	-
	Wht	76	76.00		Wht	0	-		Wht	0	-
	Total	103	169.00		Total	0	-		Total	0	-
JW1	Grn	0	-	JW10	Grn	0	-	JW19	Grn	0	-
	Red	0	-		Red	0	-		Red	0	-
	Yel	0	-		Yel	0	-		Yel	0	-
	Wht	0	-		Wht	0	-		Wht	0	-
	Total	0	-		Total	0	-		Total	0	-
JW2	Grn	0	-	JW11	Grn	0	-				
	Red	0	-		Red	0	-				
	Yel	0	-		Yel	0	-				
	Wht	0	-		Wht	0	-				
	Total	0	-		Total	0	-				
JW3	Grn	0	-	JW12	Grn	0	-				
	Red	0	-		Red	0	-				
	Yel	0	-		Yel	0	-				
	Wht	0	-		Wht	0	-				
	Total	0	-		Total	0	-				

25 Grn	0	\$ -
5 Red	337	\$ 1,685.00
2 Yel	5622	\$ 11,244.00
1 Wht	6960	\$ 6,960.00
JACKPOT TOTAL		\$ 19,889.00

EXHIBIT #2
PAGE 5/6

St. Petersburg Kennel Club - Card Room Jackpot Chip Count

Date: 05/19/23

Page 3 of 3

Table	Count	Cash	Table	Count	Cash	Table	Count	Cash
Table# M7	Grn 0	-	Table#	Grn	-	Table#	Grn	-
	Red 44	220.00		Red	-		Red	-
	Yel 286	572.00		Yel	-		Yel	-
	Wht 483	483.00		Wht	-		Wht	-
	Total 813	1,275.00		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-
Table#	Grn	-	Table#	Grn	-	Table#	Grn	-
	Red	-		Red	-		Red	-
	Yel	-		Yel	-		Yel	-
	Wht	-		Wht	-		Wht	-
	Total 0	-		Total 0	-		Total 0	-

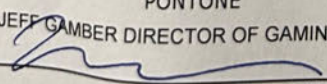
Verified: Print Name License #
 Count W. H. Russell 8098652 ✓
 Supervisor E. Powell D. McCall
G. MORRISON 13943951

25 Grn	0	\$ -
5 Red	337	\$ 1,685.00
2 Yel	5622	\$ 11,244.00
1 Wht	6960	\$ 6,960.00
JACKPOT TOTAL		\$ 19,889.00

INDIVIDUAL AUTHORIZED ACCESS
COUNT ROOM

EMPLOYEE NAME	POSITION	LICENSE
JEFF GAMBER	Director Of Gaming & Wagering	
TONY CARTER	Shift Manager	3906422
JASON HOGGATT	Shift Manager	7898586
JANET KIEFER	Office Manager	7777471
SONDRA HALBERT	Controller	12478649
DAVID DILLEY	Vault Services Manager	1523981
MICHAEL BLACK	Supervisor	12983644
RICK MCPHEE	Supervisor	8076801
ISAAC EDWARDS	Supervisor	149850
PAUL CAIN	Supervisor	12719105
NICHOLAS HERY	Supervisor	8973973
DANIEL LIZCANO	Supervisor	8216204
DENNIS MONAHAN	Supervisor	8156946
TOBY OETKEN	Supervisor	332389
DANIEL SULLIVAN	Supervisor	7245954
CURTIS EDWARDS	Supervisor	10833946
CURTIS DOERR	Supervisor	8285796
JON MAY	Supervisor	10930609
CHANDLER GREER	Brush	7295115
SAUDARA AUSTIN	Brush	13242947
RAUL SANCHEZ-LOPEZ	Brush	13590613
ROBERT MAILHOT	Brush	13474934
JUAN MIRAVETE	Brush	13523378
GREGG MORRISON	Brush	13371441
JESSICA POWELL	Brush	12943951
REINER ROJAS-GOMEZ	Brush	12440469
GABRIELLE PERDOMO	Brush	8119945
CASEY WEINERT	Brush	13500409
HOI MAI	Supervisor	13096758
SHAYLA BALDWIN	Lead Cashier	12237118
ALEXIS WINNING	Lead Cashier	13147232
HERLIN RODRIGUEZ	Admin Assistant	7788646
SCOTT BERGER	Cashier	13074502
REEZE ALGOSO	Cashier	13193006
POLSON HAILEY	Cashier	13300351
KAYLEE VOSKUHL	Cashier	10760362
BARANICH-WOLFENDALE JACQUI	Cashier	13543991
DAVID TIANO	HR Generalist	11268932
ADAM HLAS	Vice President	1493706
PATRICK BRENNAN	Compliance Officer	7980316
TERI FARLOW	Chief Information Officer	2005301
GREG BROMELOW	IT Tech	2010202
JAMES BUBSER	Security	10243156
BOB DICKSON	Security	11313490
EDWARD DIEBERT	Security	12951400
MICHAEL GIALELIS	Security	8938502
VERNON HAUGHBROOK	Security	8477205
RITA HILLIARD	Security	435376
PAUL LECLAIR	Security	9935058
LENNON PEOPLES	Security	9963044
PAUL KEGLOVICH	Security	8290514
FREDERICK WITT	Security	12932563
CHARES TROMBELEY	Security	10073662
GEORGE MAGANIARIS	Electrician	8804613
MARIO VACCARO	Electrician	13303298
CHRISTINE LINDSEY	Maintenance	8479857
JESSIE PIZANO	Maintenance	9782224
JOSH SCHNEIDER	Maintenance	11400256
MICHAEL PONTONE	Maintenance	11683199
		1640312

AUTHORIZED BY: JEFF GAMBER DIRECTOR OF GAMING AND WAGERING



SIGNATURE

5/15/2023
DATE

COUNT ACCESS LIST POSTED IN COUNT ROOM

INDIVIDUAL AUTHORIZED ACCESS
COUNT ROOM

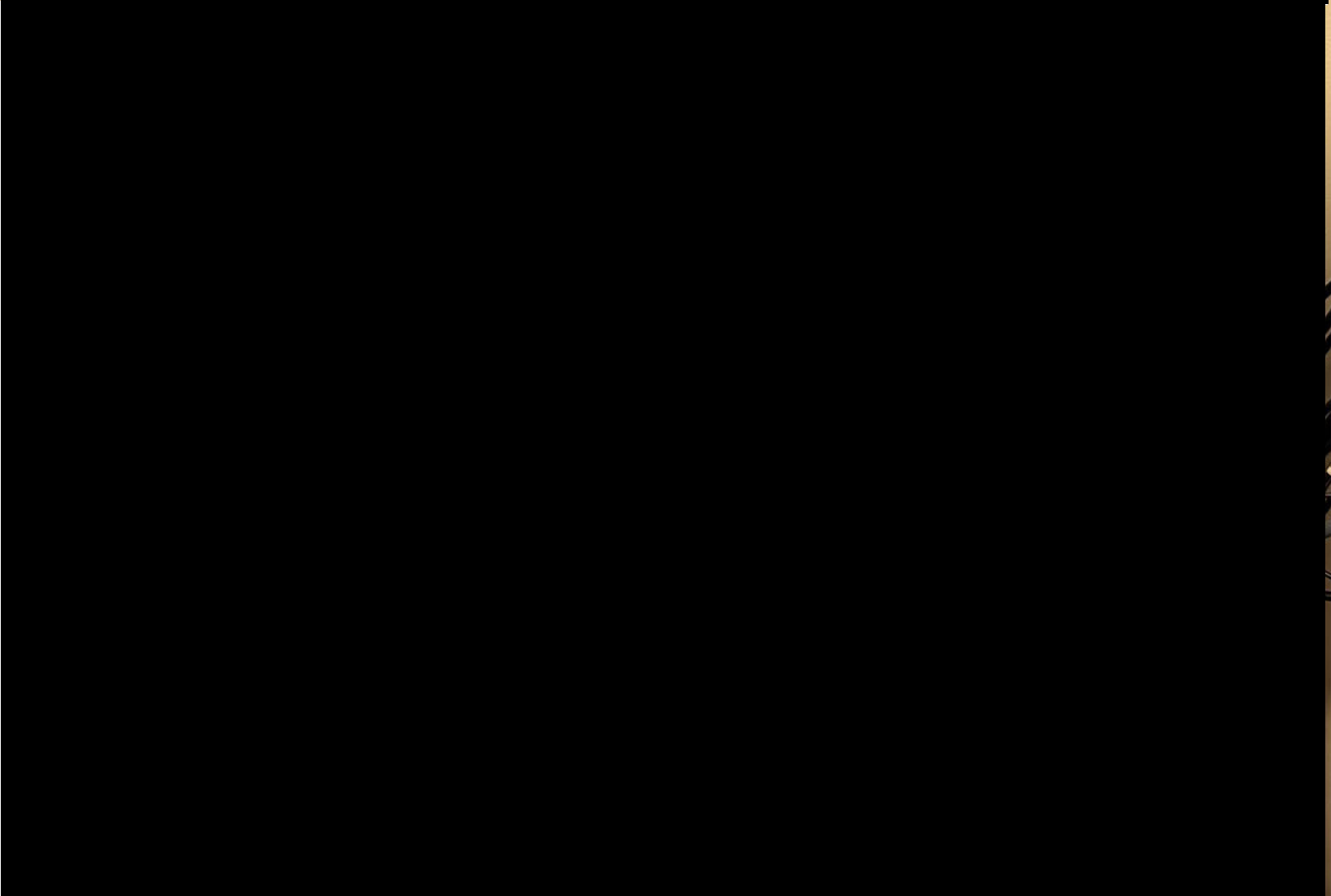
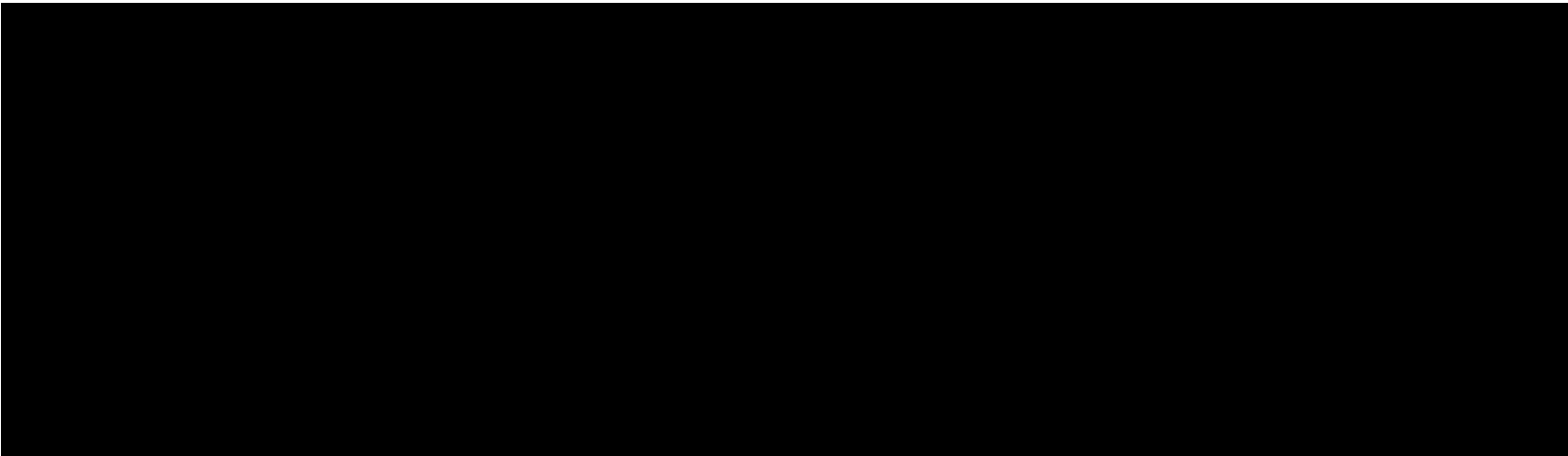
EMPLOYEE NAME	POSITION	LICENSE
	Director Of Gaming & Wagering	3906422
JEFF	GAMBER	7898586
TONY	CARTER	7777471
JASON	HOGGATT	12478649
JANET	KIEFER	1523981
SONDRA	HALBERT	12983644
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TOBY	OETKEN	10833946
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JUAN	MIRAVETE	12943951
GREGG	MORRISON	12440469
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HOI	MAI	13147232
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ALEXIS	WINNING	13074502
HERLIN	RODRIGUEZ	13193006
SCOTT	BERGER	13300351
REEZE	ALGOSO	10760362
POLSON	HAILEY	13543991
KAYLEE	VOSKUHL	11268932
BARANICH-WOLFENDALE	JACQUI	1493706
DAVID	TIANO	7980316
ADAM	HLAS	2005301
PATRICK	BRENNAN	2010202
TERI	FARLOW	10243156
GREG	BROMELOW	11313490
JAMES	BUBSER	12951400
BOB	DICKSON	8938502
EDWARD	DIEBERT	8477205
MICHAEL	GIALELIS	435376
VERNON	HAUGHBROOK	9935058
RITA	HILLIARD	9963044
PAUL	LECLAIR	8290514
LENNON	PEOPLES	12932563
PAUL	KEGLOVICH	10073662
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MARIO	VACCARO	9782224
CHRISTINE	LINDSEY	11400256
JESSIE	PIZANO	11683199
JOSH	SCHNEIDER	1640312
MICHAEL	PONTONE	
	Maintenance	

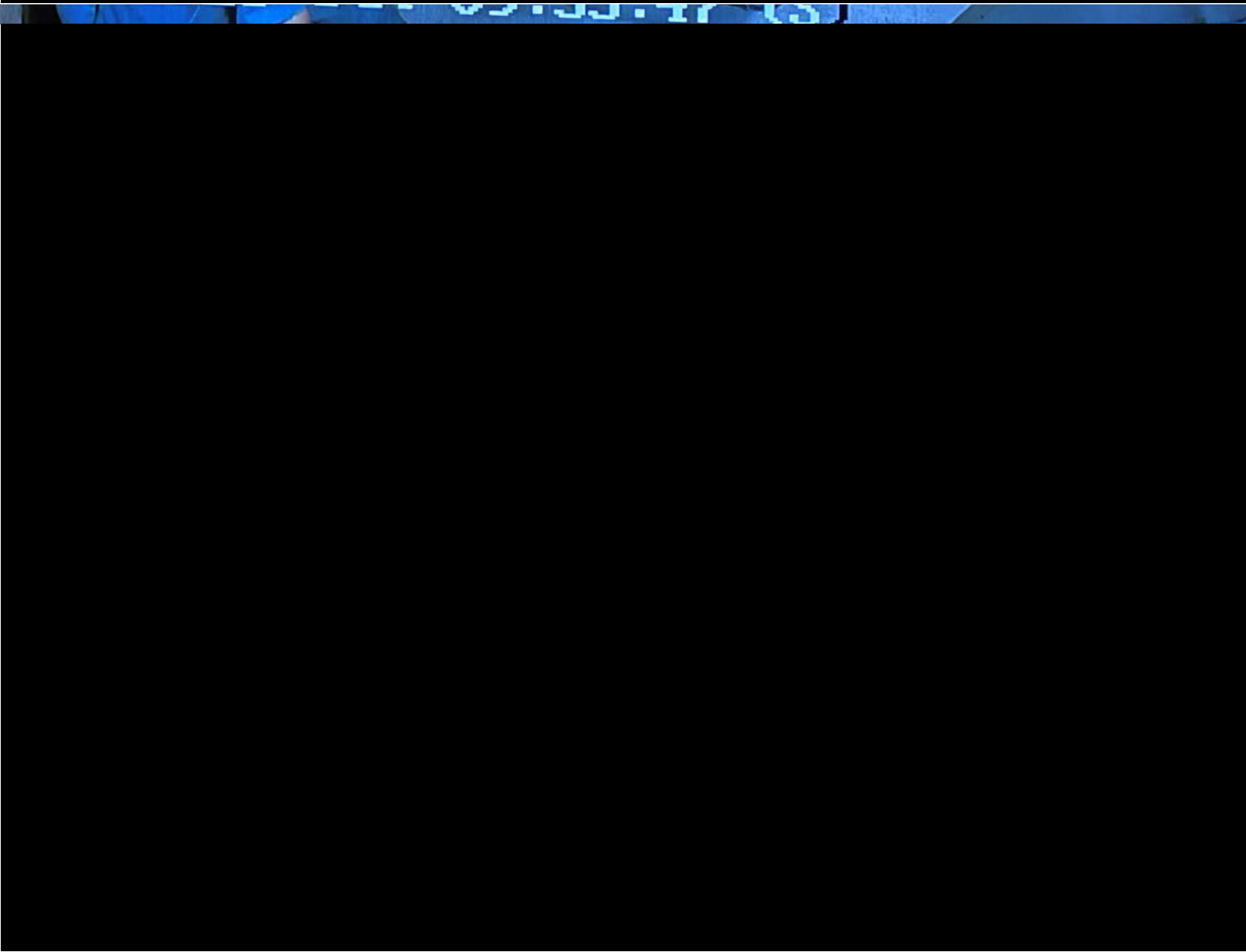
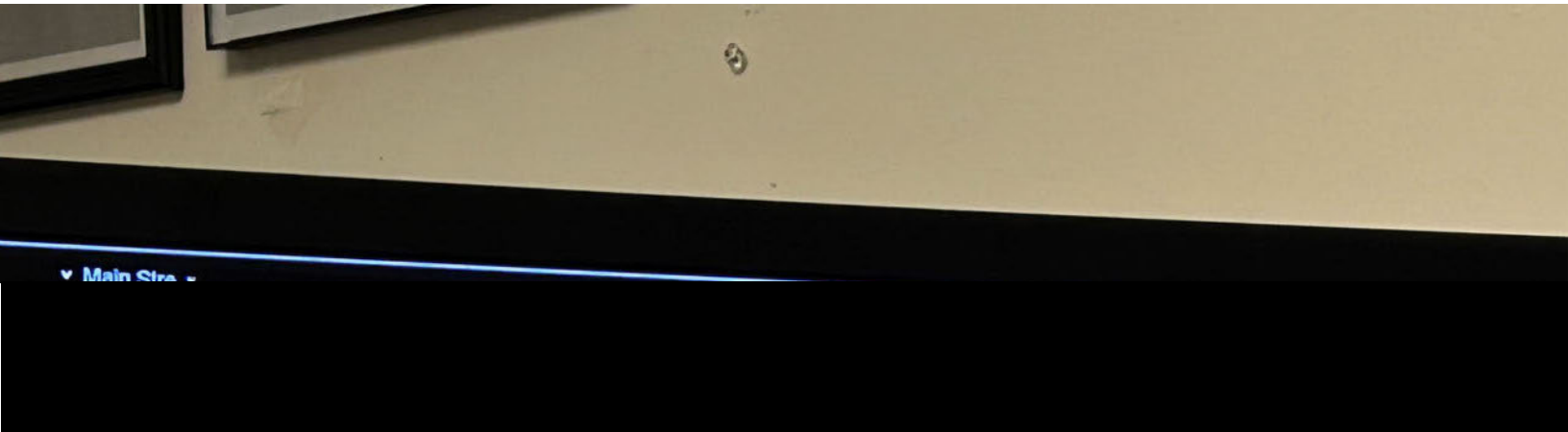
AUTHORIZED BY JEFF GAMBER DIRECTOR OF GAMING AND WAGERING

SIGNATURE

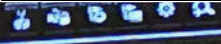
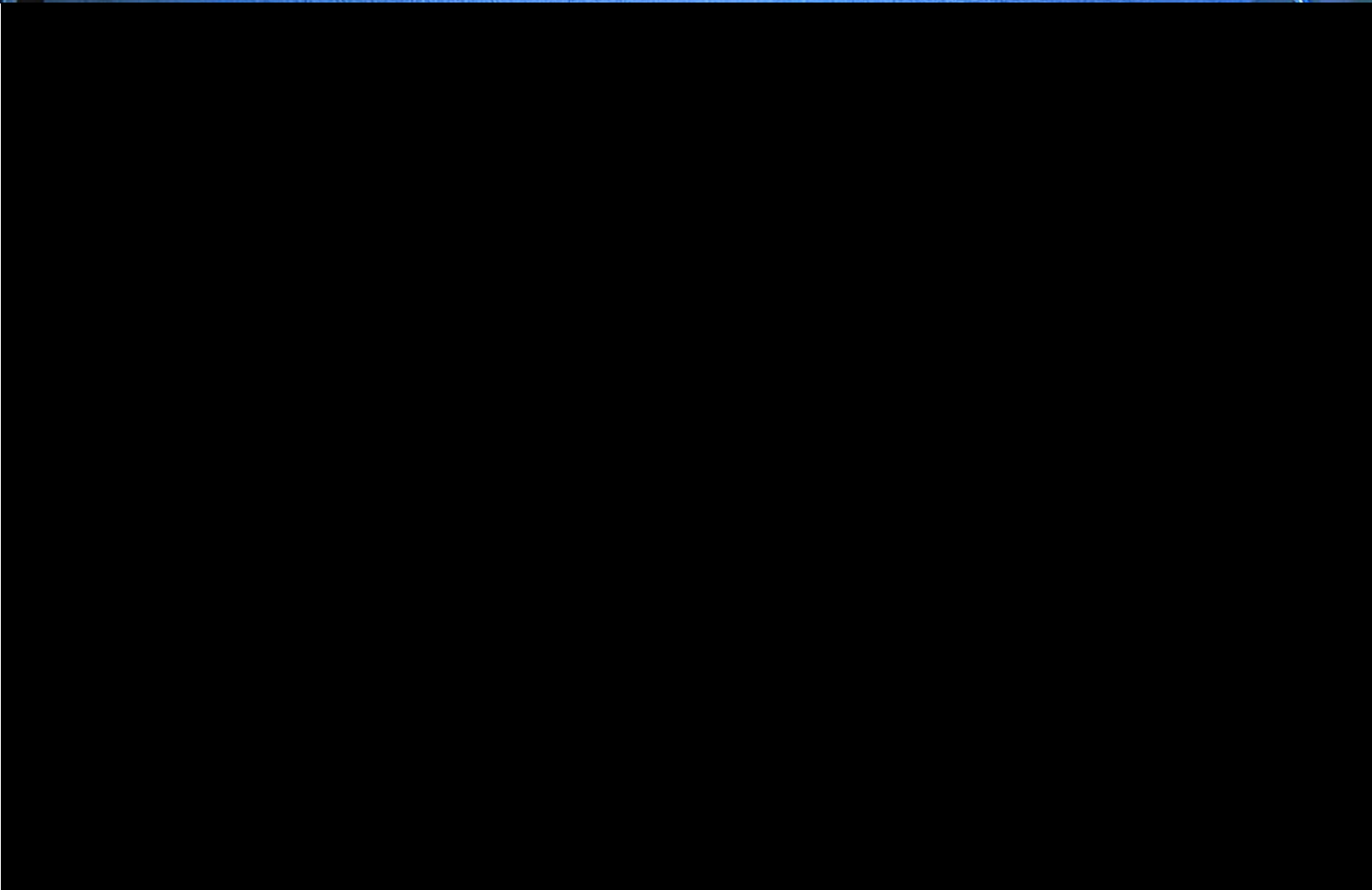
5/15/2023
DATE







20-2023 Sat 09:35:41 (S)



STATE OF FLORIDA
 FLORIDA GAMING CONTROL COMMISSION

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

v.

FGCC Case No.: 2022-020796

ST. PETERSBURG KENNEL CLUB, 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 October 6, 2022, 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.

Therefore 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 6th day of October, 2022.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

John MacIver, Chariman
 Michael Yaworsky, Vice-Chairman
 Julie Brown, Commissioner
 John D'Aquila, Commissioner
 Charles Drago, 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@fgcc.fl.gov), and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate Florida district court of appeal. The notice of appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of OCTOBER, 2022, a true and correct copy of this Final Order has been sent via U.S. Mail to:

St. Petersburg Kennel Club, Inc.
10490 Gandy Boulevard
St. Petersburg, Florida 33702



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.: 2022-020796

ST. PETERSBURG KENNEL CLUB, INC.,

Respondent.

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Division”), and St. Petersburg Kennel Club, 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 151-1002, 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 2022-020796, alleging that on April 27, 2022, Respondent was in violation of Rule 61D-11.012(8), Florida Administrative Code, by failing to have the most current Cashier Cage Access List posted in the surveillance room.

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. 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 sum of **TWO HUNDRED FIFTY DOLLARS (\$250.00)**, 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 2022-020796 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. 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, **ST. PETERSBURG KENNEL CLUB, INC.**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 15th day of August, 2022.

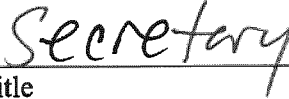


ST. PETERSBURG KENNEL CLUB, INC.,
Respondent

Signed on behalf of St. Petersburg Kennel Club, Inc.
by:



Printed Name



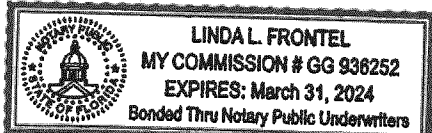
Title

STATE OF Florida
COUNTY OF Pinellas

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 15th day of August, 2022, by Adam Huas, who is personally known to me or who produced the following as identification: _____



Notary Public



APPROVED this 21 day of September, 2022.

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.: 2022-020796

ST. PETERSBURG KENNEL CLUB, INC.,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against St. Petersburg Kennel Club, 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 151-1002, issued by Petitioner.
3. On or about April 27, 2022, Respondent failed to have the most current Cashier Cage Access List posted in the surveillance room.
4. Rule 61D-11.012(8), Florida Administrative Code, provides that:

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 failing to have the most current Cashier Cage Access List posted in the surveillance room.

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 2022-020796 is signed this 11th day of August, 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

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

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

Logged in as: **Imuniz**

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

Lic Type	1002 - Cardroom License	Status	90 Closed	Status Date	07/27/2022
Complaint #	2022020796	Case Type	CMP - Complaint	Disposition	
Docket#	Respondent	Responsible	Disposition Date		
	ST. PETERSBURG KENNEL CLUB, INC.	rsamson - SAMSON, RANDA			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	04/27/2022
Region	CR - Central Region	Received	04/27/2022
Reference	61D-11.012(8)		
Entered	04/28/2022	Entered By	Imuniz
Summary	151-St. Petersburg Kennel Club, Inc. ----- / ----- . Duties of Cardroom Operators: On April 27, 2022 during a bi-weekly cardroom facility inspection at ST. PETERSBURG KENNEL CLUB (DERBY LANE), it was discovered that the Cashier Cage Access list posted in the surveillance room was not current.		
Updated	07/27/2022 15:21:01	By	Imuniz

Parties Activities
 Allegations Discipline
 Violations Compliance
 Related Disposition
 Inspection
 Costs
 Time Tracking
 Attachments
 Work Notes

90	<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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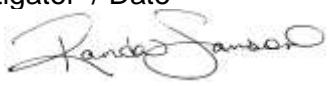
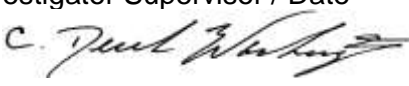
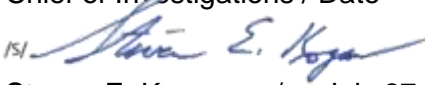
**EXHIBIT #4
PAGE 13/19**

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Complaint: APRIL 28, 2022	Case Number: 2022 02 0796
Respondent: ST. PETERSBURG KENNEL CLUB, INC. 10490 GANDY BOULEVARD ST. PETERSBURG , FL 33702 TEL# (727) 812-3236		Complainant: STATE OF FLORIDA, DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING	
License # and Type: 151 / 1002		Profession: PERMIT HOLDER	Report Date: APRIL 29, 2022
Period of Investigation: APRIL 27, 2022 – APRIL 29, 2022		Type of Report: FINAL	
<p>Alleged Violation: 61D-11.012 Duties of Cardroom Operators.</p> <p>(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.</p>			
<p>Synopsis: On April 27, 2022, during a bi-weekly cardroom inspection at ST. PETERSBURG KENNEL CLUB (DERBY LANE), it was discovered that the Cashier Cage Access List posted in the surveillance room was not accurate.</p>			
<p>Related Case: 2021 05 9100</p>			
Investigator / Date /s/  Randa Samson / April 29, 2022		Investigator Supervisor / Date /s/  C. Derek Washington / May 17, 2022	
<p>Chief of Investigations / Date /s/  Steven E. Kogan / July 27, 2022</p>			

CONTINUATION

Investigative Activity:

On April 27, 2022, at approximately 10:30 AM, I conducted a routine bi-weekly cardroom inspection at **ST. PETERSBURG KENNEL CLUB (DERBY LANE)**. As part of my inspection, I checked all access lists and found the Cashier Cage Employee Access list posted in the surveillance room was not current with the Access list posted in the Cashier's Cage. The current Access list posted in the Cashier cage had Lead Cashier **ANDREA A VASSALLO** (PMW LIC #12590038) omitted from the list, and cage cashier **AMBER ELIZABETH BETHKE** (PMW LIC#13168006) added. The Cashier Cage Access list posted in the surveillance room had **VASSALLO** still listed on the list (**EXHIBIT#2 PHOTO #2**) and **BETHKE** not listed (**EXHIBIT #2 PHOTO #1**).

Poker Room Floor Manager, **TONY LAWRENCE CARTER** (PMW LIC# 7898586), was advised of the discrepancy, and he stated he would update the list immediately.

ST. PETERSBURG KENNEL CLUB (DERBY LANE) violated F.A.C. Rule: 61D-11.012(8) for failing to update the Cashier Cage Employee Access list posted in the surveillance room.

A review of the Versa Regulation Enforcement database revealed **ST. PETERSBURG KENNEL CLUB (DERBY LANE)** has one previous violation of the above-cited rule (Refer to case # 2021 05 9100).

Status: Investigation case closed and case referred to Legal for review

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET1-1

II. INVESTIGATIVE REPORT1-3

III. EXHIBITS

 1. License1-1

 2. Photos.....1-2

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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**

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<p>License</p> <p>Fed Tax # [REDACTED] Lic Type 1002 - Cardroom License Expires On 06/30/2023</p> <p>File # 34 Name ST. PETERSBURG KENNEL CLUB, INC. Extended To</p> <p>License # 151 Rank CLIC - Cardroom Operating License Renewed On</p> <p>Entity # 151 Lic Status Current</p>		<input type="checkbox"/> <p>Licensee</p> <p>History</p> <p>Notes</p> <p>Notes History</p> <p>Back</p>								
<p>Address</p> <p>Street # 10490 Street GANDY BOULEVARD</p> <p>Line 2</p> <p>Line 3</p> <p>City ST. PETERSBURG State FL Zip 33702</p> <p>Routing</p>										
<p>Other</p> <p>1st License Date 03/22/2022 Rank Date 03/22/2022 Certificate #</p> <p>Method I-S-1020 Status Date 07/14/2008 Certificate Date</p> <p>Fee Exempt No Birth Date Renewal Sent</p>										
<p>Select</p> <p>Action <input type="text"/>  </p>										
<p>Modifiers</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>L</td> <td>151 - St. Petersburg Kennel Club, Inc.</td> <td>03/20/2006</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	L	151 - St. Petersburg Kennel Club, Inc.	03/20/2006		
Type	Modifier	Effective Date	Additional Info							
L	151 - St. Petersburg Kennel Club, Inc.	03/20/2006								
<p>DBA Name</p> <p>DBA DERBY LANE</p>										
<p>Alt Keys</p> <p>BEST LIC NBR CLI151</p>										

EXHIBIT #4
PAGE 17/19

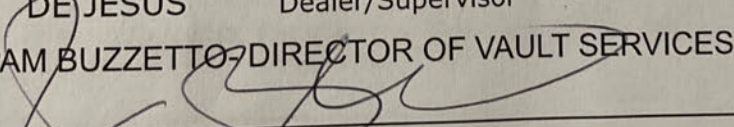
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EXHIBIT #1
PAGE 1/1

**INDIVIDUAL AUTHORIZED ACCESS
CASHIER CAGE ONLY**

EMPLOYEE NAME	POSITION	LICENSE	
PAMELA	BUZZETTO	Director of Vault Services	6915050
JIMMY	PHOEUNG	Assistant Manager	8738336
RICK	MCPHEE	Supervisor	149850
KEAGAN	BECK	Supervisor	10923160
ANDREA	VASSALLO	Lead Cashier	12590038
MELANIE	SEYMOUR	Lead Cashier	12779458
ISAAC	EDWARDS	Lead Cashier	12719105
DAVID	DILLEY	Lead Cashier	12983644
JAMAL	MOORE	Cashier	12763214
FE	RUBIO	Cashier	10320467
HOI	MAI	Cashier	12237118
MAURICIO	OROZCO	Cashier	13164188
MARISSA	JENISON	Cashier	12649838
SHAYLA	BALDWIN	Cashier	13147232
CASEY	WEINERT	Cashier	13096758
ALICIA	JIMENEZ	Cashier	13045916
DAVID	TIANO	Vice President	1493706
MARIO	VACCARO	Electrician	8479857
SONDRA	HALBERT	Controller	1523981
ADAM	HLAS	Compliance Officer	2010202
PATRICK	BRENNAN	Chief Information Officer	2005301
TERI	FARLOW	IT Tech	460780
EDWIN	DE JESUS	Dealer/Supervisor	7241141

AUTHORIZED BY: PAM BUZZETTO, DIRECTOR OF VAULT SERVICES



 SIGNATURE

4/18/2022

DATE

EXHIBIT #4
PAGE 18/19

EXHIBIT #2
PHOTO 1/2

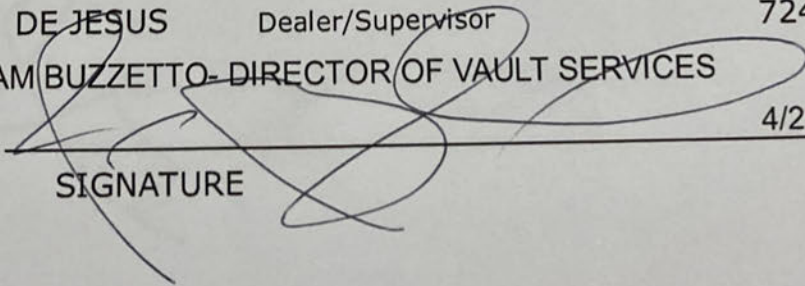
This list was posted in the Surveillance room

Stan

**INDIVIDUAL AUTHORIZED ACCESS
CASHIER CAGE ONLY**

EMPLOYEE NAME	POSITION	LICENSE
PAMELA BUZZETTO	Director of Vault Services	6915050
JIMMY PHOEUNG	Assistant Manager	8738336
RICK MCPHEE	Supervisor	149850
KEAGAN BECK	Supervisor	10923160
MELANIE SEYMOUR	Lead Cashier	12779458
ISAAC EDWARDS	Lead Cashier	12719105
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JAMAL MOORE	Cashier	12763214
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ADAM HLAS	Compliance Officer	2010202
PATRICK BRENNAN	Chief Information Officer	2005301
TERI FARLOW	IT Tech	460780
EDWIN DE JESUS	Dealer/Supervisor	7241141

AUTHORIZED BY: PAM BUZZETTO - DIRECTOR OF VAULT SERVICES



 SIGNATURE

4/25/2022

 DATE

EXHIBIT #4
PAGE 19/19

This list was posted in the Cashier Cage

EXHIBIT #2
PHOTO 2/2

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.: 2023-029445

ST. PETERSBURG KENNEL CLUB, INC.,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against St. Petersburg Kennel Club, 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 151-1002, 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 May 27, 2023, Respondent failed to have an the most current employee access list in the surveillance room.
5. Rule 75-11.012(8), Florida Administrative Code, provides, in pertinent part, 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.”

6. Based on the foregoing, Respondent violated rule 75-11.021(8), Florida Administrative Code, by failing to have an the most current employee access list in the surveillance room.

COUNT II

7. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.

8. On or about May 20, 2023, Respondent allowed an employee to access the count room during the count who was not on the authorized list.

9. Rule 75-11.012(8), Florida Administrative Code, provides in pertinent part, that the “[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 include the position titles of all employees who have access to these areas.”

10. Based on the foregoing, Respondent violated rule 75-11.012(8), Florida Administrative Code, by allowing an employee to access the count room during the count when they were not on the authorized list.

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 2023-029445 is signed this 13th 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

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.

7. 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. Ryan Austin Duarte Case No. 2023-019619; Default Final Order
Date: June 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Ryan Austin Duarte (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint seeking to exclude him, 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 Casino.¹ Respondent was involved in multiple incidents of using stolen credit cards for cash advances at the facility. Respondent was permanently excluded from Calder Casino², on September 21, 2022.

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. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days³ to file a written response to the administrative complaint. The Respondent was served on June 21, 2023 which means the Respondent had until July 12, 2023 to respond. He has never responded.

¹ Calder Casino is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

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

³ 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

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 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 permanently excluding Ryan Austin Duarte 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.: 2023-019619

RYAN AUSTIN DUARTE,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Ryan Austin Duarte (“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 21405 Northwest 39th Avenue Miami Gardens, Florida 33055.
3. At all times material hereto, Calder Casino 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 multiple days from September 6, 2022 to 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 his 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 2023-019619 is signed this 14th 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

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

Logged in as: **nmelvai**

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

Lic Type 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 06/13/2023
Complaint # 2023019619	Case Type CMP - Complaint	Disposition
Docket#	Respondent DUARTE, RYAN AUSTIN	Responsible bjones - JONES, BRADFORD
		Private Case

Complaint	Respondent	Complainant	Add'l Info
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Form INTR - Internal	Priority	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n UNLI - Unlicensed Activity Investigations	Complexity R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security STND - Standard	Incident 09/06/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region SR - Southern Region	Received 04/05/2023	<input type="checkbox"/> Inspection	
Reference 550.0251	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 04/06/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	285 - Calder Race Course, Inc. - 550.0251 (The powers and duties of the FGCC): On September 27, 2023, Calder Casino received a request for information from Synchrony Bank Fraud Department regarding a Synchrony Bank Credit cards that had been used fraudulently. Upon complying with the request, Ryan Austin Duarte was identified as using several credit cards for the purpose of obtaining cash advances. In total Duarte obtained \$10,100.00 in cash advances using a total of eight separate Synchrony Bank credit cards. These monies were acquired during ten separate transactions over four separate days. Duarte was permanently excluded.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 06/14/2023 09:47:17	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>



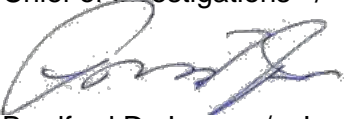
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: April 6, 2023	Case Number: 2023 01 9619
Respondent: DUARTE, RYAN AUSTIN 21405 NW 39 AVE MIAMI GARDENS, FL 33055		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309	
License # and Type: N/A - 1098		Profession: Patron	Report Date: June 6, 2023
Period of Investigation: April 6, 2023 through June 6, 2023		Type of Report: Final	
<p>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:</p> <p>(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>Synopsis: On September 20, 2023, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into numerous fraudulent credit card transactions involving cash advances that were successfully committed by a group of individuals. During Catlin's visit, numerous individuals were identified including Ryan Austin DUARTE. DUARTE, used several stolen Synchrony Bank credit cards to fraudulently obtain cash advances using his own name. In total DUARTE obtained \$10,100.00 in cash advances using a total of eight separate stolen Synchrony Bank credit cards. These monies were acquired during ten separate transactions over four separate days. Although not apprehended, DUARTE was permanently excluded by Calder Casino.</p>			
Related Case: 2023 01 8395, 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 a patron of Calder Casino identified as Carlos Jose Brogdon committed during his visit to the casino on September 12, 2022. Upon further inquiry it was discovered that Synchrony Bank's Fraud Department had been investigating a group of individuals that had wrongfully used stolen credit cards to fraudulently obtain cash advances impacting numerous local businesses including Calder Casino. According to Casino staff, Synchrony Bank has been investigating a group of individuals including **DUARTE** since April of 2022 for credit card fraud. During their monitoring of the credit cards in question, Synchrony Bank became aware that several stolen credit cards had been fraudulently utilized to obtain cash advances at Calder Casino.

According to Calder Compliance Officer Iliana Velazquez, on September 20, 2022, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into a fraudulent Cash advance that was completed by Carlos Jose Brogdon on September 12, 2022. It was during this meeting that Catlin provided Velazquez and Susan Flores, the former Calder Casino Compliance Officer an Excel spreadsheet containing numerous transaction numbers related to cash advances that were done by **DUARTE**, Brogdon and Shaniya Banae Murphy, 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 **DUARTE**, Carlos Jose Brogdon and Shaniya Banae Murphy had committed the listed transactions.

While the cage team looked through its own records, the Surveillance Department was reviewing video footage of potentially fraudulent transactions for September 12, 2022. It was during this review that surveillance noticed a male with Shaniya Banae 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 **DUARTE**, Carlos Jose Brogdon and Banae Murphy. **DUARTE**, Brogdon and Murphy were then permanently excluded from the facility (**Exhibit #4**).

During Investigator Catlin's visit with former Calder Compliance Officer Susan Flores and Velazquez, it was learned that Ryan Austin **DUARTE**, visited Calder Casino on five different occasions and used eight (8) different credit cards all under his name to obtain a total of \$10,100.00 in cash advances. This was done over four separate visits¹.

The fifth visit occurred while surveillance was beginning their investigation into the above incidents and resulted in **DUARTE** being observed on October 9, 2022, by a cage employee while standing in line waiting to conduct a transaction. **DUARTE** was approached by Security Shift Manager Jason Milam resulting in him fleeing the casino building and running to his vehicle

¹ On April 5, 2023, I requested via e-mail information from Craig Catlin, Synchrony Bank Fraud Investigator as to how the cards were obtained. He replied to me that the suspects called Synchrony Bank and fraudulently changed the address on the cards. They then requested replacement credit cards to be mailed to the fraudulent "new" address (**Exhibit #5**).

CONTINUATION

located in the casino parking lot. He then fled the casino parking lot at a high rate of speed. Because **DUARTE** fled, he did not complete the transaction.

DUARTE visited Calder Casino on the following dates (**Exhibit #3**):

- September 6, 2022 – One transaction conducted for a total of \$2,300.00.
- September 7, 2022 – One transaction conducted for a total of \$900.00.
- September 9, 2022 – Seven transactions conducted for a total of \$5,900.00.
- September 12, 2022 – One transaction conducted for a total of \$1,000.00.
- October 9, 2022 – Attempted to complete transaction was not successful.

PMW cases have been opened against Carlos Jose Brogdon 2023-01-8935 and Shaniya Branae Murphy 2023-02-8537.

On June 8, 2023, the undersigned investigator conducted a search of the Miami/Dade County Clerk of Courts to determine if **DUARTE** has any prior arrests on a state charges related to financial crimes. Results were negative for financial crimes; only three misdemeanor drug charges were discovered. I also conducted a search of the U.S. Bureau of Prisons to see if **DUARTE** was in federal custody. Results were also negative. I then requested that a check be conducted through the US Department of Justice paid website to see if an indictment had been filed against **DUARTE**. Per Chief of Investigations Bradford D. Jones, results were negative for any federal charges (**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

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET	1
II.	INVESTIGATIVE REPORT	2
III.	EXHIBITS	
	1. E-Mail from Synchrony Bank Investigator Craig Catlin.....	1-2
	2. Surveillance Report.....	1-5
	3. FABICASH Transaction Reports.....	1-10
	4. Driver's License.....	1-1
	5. E-Mail Explaining Origin of Credit Cards.....	1-2
	6. Exclusion List 09/25/2023.....	1-11
	7. Credit Card Listing Provided by Synchrony Bank.....	1-3
	8. Miami/Dade, DOJ Bureau of Prison Name Search & DOJ Court Search.....	1-17

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



Calder Casino & Race Course

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

Incident Report

Incident Number: SURV-2022-09-00080

Class/Category: Non Criminal/Informational Report

Occurred From Date/Time: 9/9/2022 1:03 AM

Status: Open



Incident Number: SURV-2022-09-00080

Class/Category: Non Criminal/Informational Report

Status: Open

Incident Details

Incident Details

Incident Number: SURV-2022-09-00080

Classification

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/22/2022 10:28 AM

Occurred From Date/Time: 9/9/2022 1:03 AM

Business Unit

Business Unit: Gaming

Department: Cash Ops

Physical Location

Site: Casino

Building: Front of House

Location: Cashier

Section: North

Summary:

On September 9, 2022 at approximately 1:03 am, it was observed that the guest named Ryan Duarte was observed requesting a credit cash transaction at our check cashing window.

Supplemental Details

Reported to Police: No

Incident Involvement Section

Linked Person

Total = 1

DUARTE, Ryan

Involvement Type:

Suspect



Date of Birth: [REDACTED]

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: Duarte, Ryan

Incident Narratives

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

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

Created By Date/Time	9/27/2022 11:40 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 Mr. Ryan Duarte was requesting a credit card advance at Calder Casino Check Chasing window on September 9, 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 2:34 PM GMT

Last Modified By leonides.martinez, 9/27/2022 3:44 PM GMT

Calder


Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/6/2022 9:05:19 PM

Clerk:	Patricia
Trans ID:	11013470
DXID:	FC20000000000000000011013470
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 5497
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$2,300.00
Fees US\$:	\$161.00
Tax US\$:	\$0.00
Total US\$:	\$2,461.00
Date/Time Trans:	9/6/2022 9:05:19 PM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

Calder


Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:48:32 AM

Clerk:	Veronica
Trans ID:	11048693
DXID:	FC2000000000000000000011048693
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8628
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:48:32 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

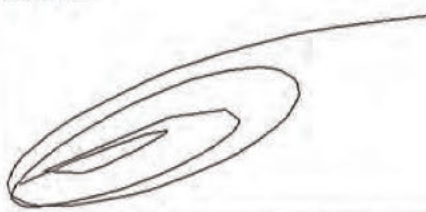
Calder

Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:47:17 AM



Customer Signature



Clerk:	Veronica
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Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8481
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/9/2022 1:47:17 AM
Trans Time Lapse:	
Clerk signature	
Cashier signature	

Calder


Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:25:16 AM

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Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
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Account No.:	[REDACTED] 2903
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:25:16 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

Calder

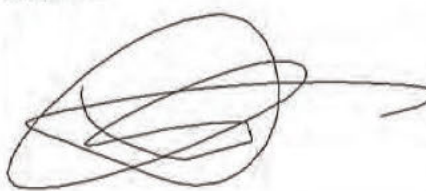
Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:14:41 AM

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IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/9/2022 1:14:41 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

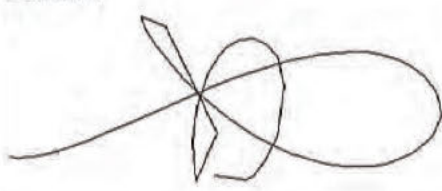
ca1der Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:13:26 AM

Clerk:	Veronica
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Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 2903
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/9/2022 1:13:26 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

Calder Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:22:45 AM

Clerk:	Veronica
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Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8935
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:22:45 AM
Trans Time Lapse:	



Customer Signature

Clerk Signature

Cashier Signature

Calder

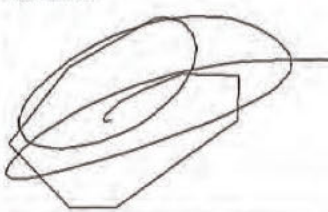
Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:45:56 AM

Clerk:	Veronica
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Transaction Type:	Credit
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Account No.:	[REDACTED] 9403
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:45:56 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

Calder

Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	██████████
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/7/2022 9:14:51 PM

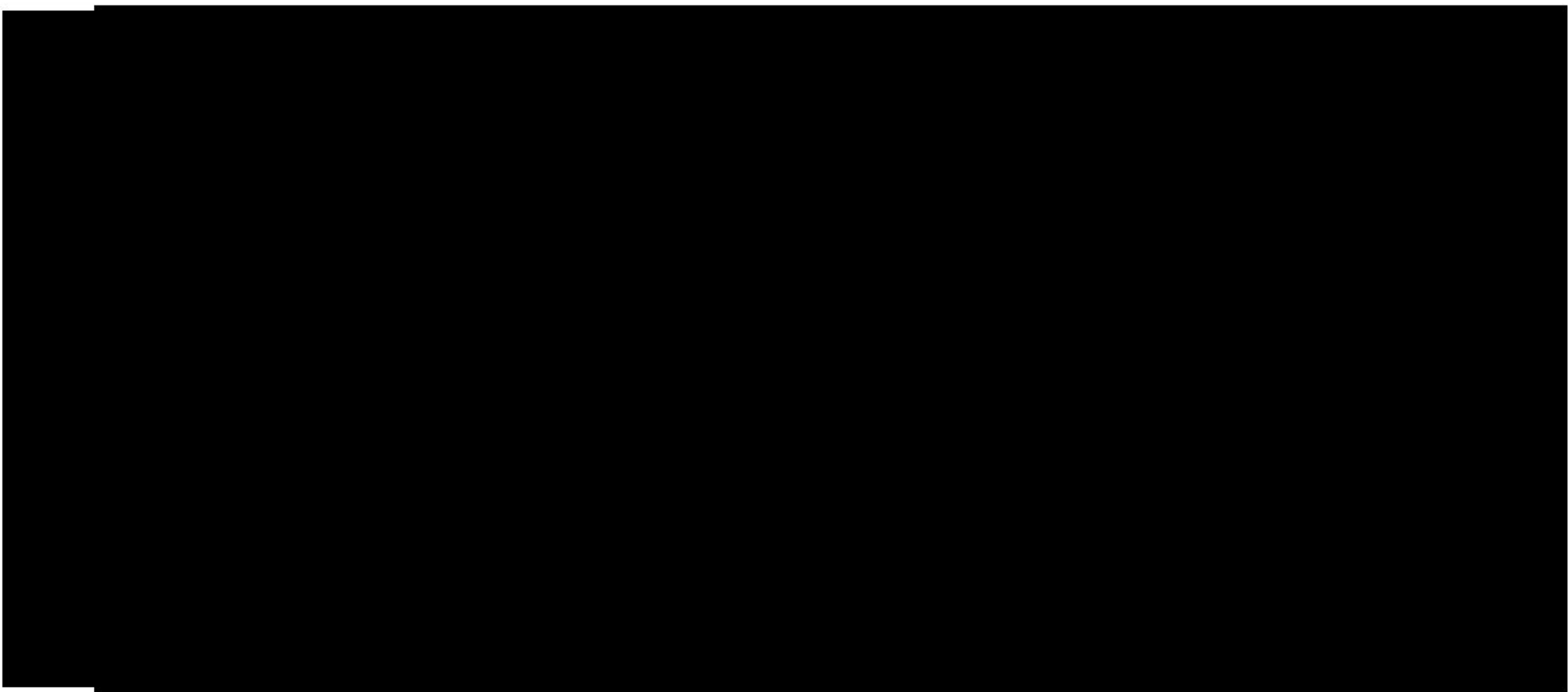
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Transaction Type:	Credit
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Account No.:	██████████104
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/7/2022 9:14:51 PM
Trans Time Lapse:	



Customer Signature

Clerk Signature

Cashier Signature



Florida

DRIVER LICENSE



CLASS E



4d DL [REDACTED]
1 DUARTE
2 RYAN AUSTIN
3 21405 NW 39TH AVE
4 MIAMI GARDENS, FL 33055

5 DOB [REDACTED] 15 SEX M
4b EXP [REDACTED] 16 HGT 5'-04"
12 REST [REDACTED] 17 END NONE

SAFE DRIVER
4a ISS 05/25/2021
5DD X632105251353



RYAN DUARTE

Operation of a motor vehicle constitutes consent to any sobriety test required by law.

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



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

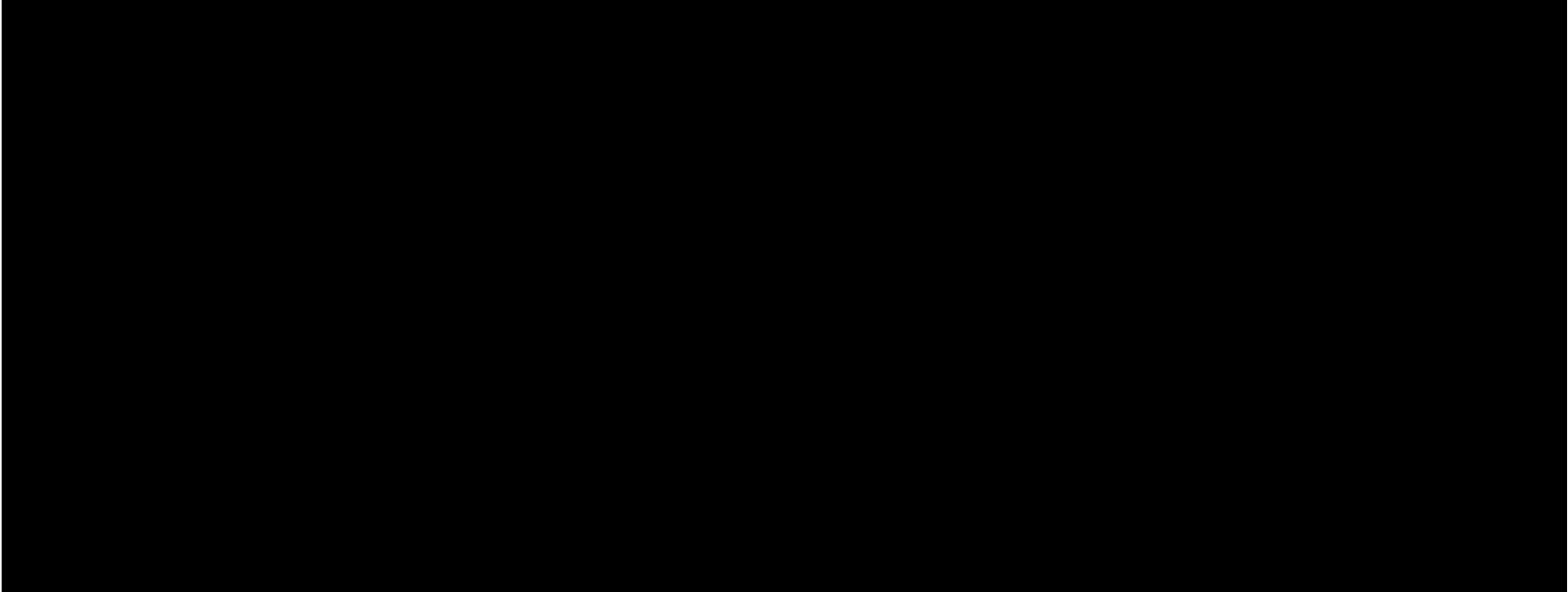
Investigations

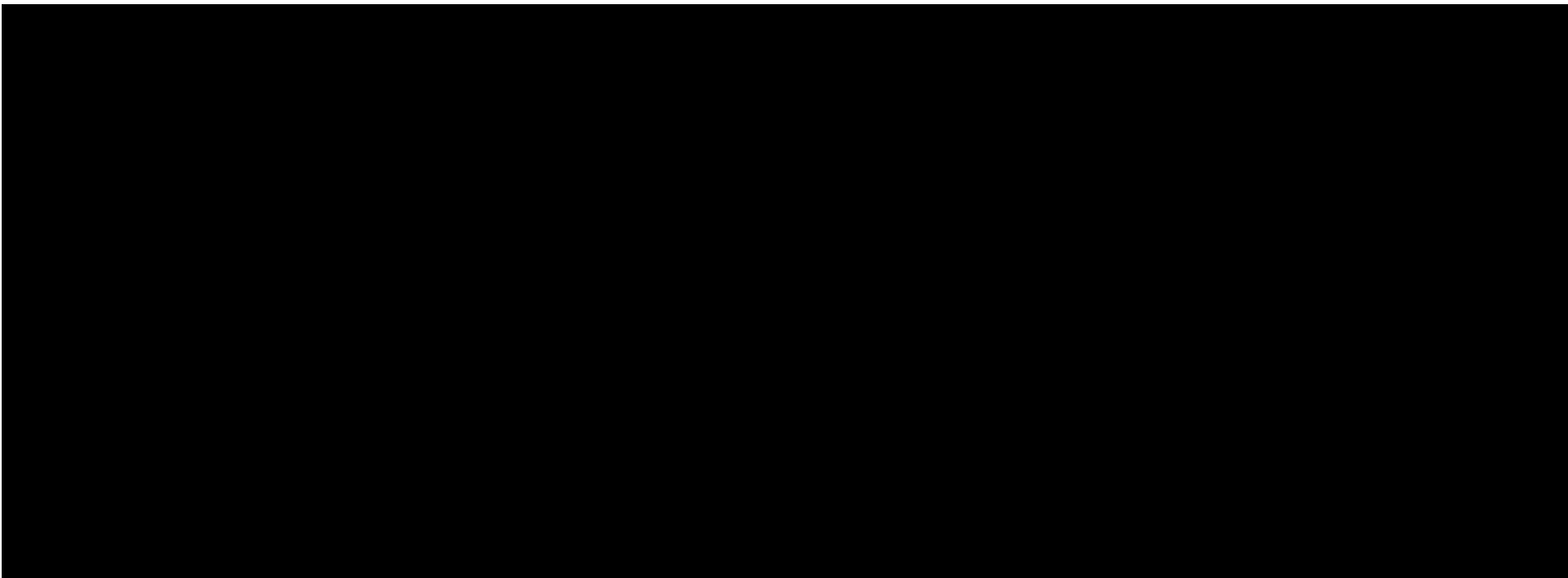
954-202-6787 Office 954-202-3930 FAX

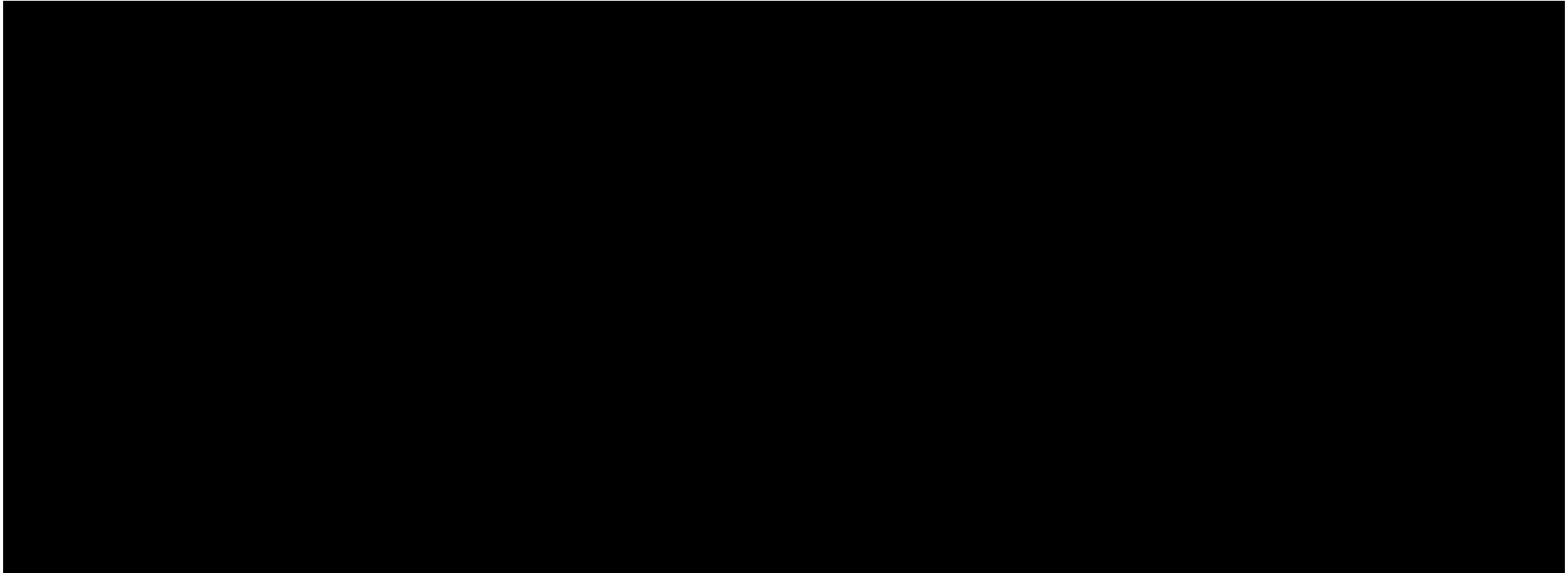
954-658-3663 Cell

Lifetime Evictions

DATE	Facility	LAST NAME	FIRST NAME	DOB	ADDRESS	CITY	STATE	ZIP	GENDER	RACE	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	LENGTH	REASON	REPORT #	Calder Player Account	Slots / Cards	Arrested Y/N	









MIAMI-DADE COUNTY CLERK OF THE COURTS
LUIS G. MONTALDO, CLERK AD INTERIM

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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Defendant List

Defendant(S) Found: 3

More Info. (Information)	<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Race</u>	<u>Sex</u>	<u>Date Of Birth</u>
	DUARTE	RYAN	AUSTIN	W	M	[REDACTED]
	DUARTE	RYAN	AUSTIN	W	M	[REDACTED]
	DUARTE	RYAN	AARON	W	M	[REDACTED]

← BACK

General

[Criminal Justice Home](#)

[Criminal Court Information](#)

[Login](#)

Help and Support

[Online Help](#)

[Emergency Services](#)

[e-DA Notice](#)

[Disclaimer](#)

[Contact Us](#)

EXHIBIT #8
PAGE # 1

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EXHIBIT # 8
PAGE # 2



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[My Bookmarks](#)



CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	B-16-022773	07/29/2016	10/28/2016	CANNABIS/POSN/0-20

← BACK

☰ DEFENDANTS

General

[Criminal Justice Home](#)

[Criminal Court Administration](#)

[Login](#)

Help and Support

[Clerk's Home](#)

[Privacy Statement](#)

[ADA Notice](#)

[Disclaimer](#)

[Contact Us](#)

EXHIBIT #8
PAGE #3



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Q Search Criteria

Court Case No.: B-16-022773

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

☰ Case Information

State Case No.: 13-2016-MM-022773-0001-XX	Name: DUARTE, RYAN AUSTIN	Date of Birth: [REDACTED]
Date Filed: 07/29/2016	Date Closed: 10/28/2016	
Warrant Type:	Warrant Amount: \$0.00	
Assessment Amount: \$0.00	Balance Due: \$0.00	Stay Due Date:
Judge: KRIEGER-MARTIN, LUISE	Defense Attorney:	
File Section: B263	File Location: RECORD CENTER	Box No: 2008-475
Bond Amount: \$0.00	Bond Status:	
Arresting Agency: MIAMI DADE POLICE	Arrest Date: 07/23/2016	

↩ Hearing

There are no scheduled hearings

☰ Charges

Total Of Charges: 2

↗ EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	CANNABIS/POSN/0-20	MISDEMEANOR	NOLLE PROS
2	DRUG PARAPHERNA/POSN	MISDEMEANOR	NOLLE PROS

📡 Dockets



Total Of Dockets: 5

↗ EXPORT TO CSV

Seq. No.	Date	Book/Page	Docket
----------	------	-----------	--------

EXHIBIT #8
PAGE # 5

7	10/28/2016	CLOSING JUDGE KRIEGER-MARTIN, LUISE
5	09/02/2016	MOTION FOR CONTINUANCE FILED 09/02/2016 ORAL SET FOR 09/02/2016 AT 16:12 GRANTED DEFS
4	09/02/2016	ARRAIGNMENT HEARING SCHEDULED FOR 10/28/2016 AT 09:30
2	08/15/2016	ARRAIGNMENT * HEARING SCHEDULED FOR 09/02/2016 AT 14:00
1	08/09/2016	DEFN CITY CHANGED BY FINALIST PURSUANT TO CLERK

← BACK

☰ CASES

General

[Criminal Justice Home](#)

[Criminal Court Information](#)

[Login](#)

Help and Support

[Clerk's Home](#)

[Privacy Statement](#)

[ADA Notice](#)

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EXHIBIT # 8
PAGE # 6



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[My Bookmarks](#)



CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	B-19-006508	03/12/2019	06/10/2019	CANN/POSN/-20/ATTEMP

← BACK

☰ DEFENDANTS

General

[Criminal Justice Home](#)

[Criminal Court Information](#)

[Login](#)

Help and Support

[Clerk's Home](#)

[Privacy Statement](#)

[ADA Notice](#)

[Disclaimer](#)

[Contact Us](#)

EXHIBIT #8
PAGE # 7



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[Contact Us](#) [My Account](#) [My Bookmarks](#) 

CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Court Case No.: B-19-006508

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

☰ Case Information

State Case No.: 13-2019-MM-006508-0001-XX	Name: DUARTE, RYAN AUSTIN	Date of Birth: [REDACTED]
Date Filed: 03/12/2019	Date Closed: 06/10/2019	
Warrant Type:	Warrant Amount: \$0.00	
Assessment Amount: \$0.00	Balance Due: \$0.00	Stay Due Date:
Judge: ENRIQUEZ, JAVIER A	Defense Attorney:	
File Section: B201	File Location: RECORD CENTER	Box No: 27-604
Bond Amount: \$0.00	Bond Status:	
Arresting Agency: MIAMI DADE POLICE	Arrest Date: 02/25/2019	

↶ Hearing

There are no scheduled hearings

☰ Charges

Total Of Charges: 1

↔ EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	CANN/POSN/-20/ATTEMP	MISDEMEANOR	NOLLE PROS

📄 Dockets



Total Of Dockets: 5

↔ EXPORT TO CSV

Seq. No.	Date	Book/Page	Docket
16	06/10/2019		CLOSING JUDGE WOODWARD, JACQUELINE

EXHIBIT #8
PAGE # 9

13	05/29/2019	REPORT RE: NOLLE PROS SET FOR 06/10/2019 AT 10:45
4	04/02/2019	INFORMATION FILED
2	03/18/2019	ARRAIGNMENT * HEARING SCHEDULED FOR 04/02/2019 AT 13:00
1	03/12/2019	DEFN STREET CHANGED BY FINALIST PURSUANT TO CLERK

⏪ BACK ≡ CASES

General

- [Criminal Justice Home](#)
- [Criminal Court Information](#)
- [Login](#)

Help and Support

- [Clerks Home](#)
- [Privacy Statement](#)
- [ADA Notice](#)
- [Disclaimer](#)
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EXHIBIT #8
PAGE # 10



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[My Account](#)

[My Bookmarks](#)



CRIMINAL JUSTICE ONLINE SYSTEM

⏪ BACK

🔍 Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	F-22-012045	07/08/2022	08/02/2022	CANNABIS/POSN/20+

⏪ BACK

☰ DEFENDENTS

General

[Criminal Justice Home](#)

[Criminal Court Information](#)

[Login](#)

Help and Support

[Clerk's Home](#)

[Privacy Statement](#)

[ADA Notice](#)

[Disclaimer](#)

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EXHIBIT #8
PAGE # //



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EXHIBIT # 8
PAGE # 12



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CRIMINAL JUSTICE ONLINE SYSTEM

[← BACK](#)

Q Search Criteria

Court Case No.: F-22-012045

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

☰ Case Information

State Case No.:	13-2022-CF-012045-0001-XX	Name:	DUARTE, RYAN AARON	Date of Birth:	[REDACTED]
Date Filed:	07/08/2022	Date Closed:	08/02/2022		
Warrant Type:		Warrant Amount:	\$0.00		
Assessment Amount:	\$0.00	Balance Due:	\$0.00	Stay Due Date:	
Judge:	VENZER, ELLEN SUE	Defense Attorney:			
File Section:	F011	File Location:	FILE ROOM	Box No.:	
Defendant in Jail:	N	Defendant Release to:	PENA/RSC, CHG I		
Bond Amount:	\$5,000.00	Bond Status:	DISCHARGED		
Bond Type:	SURETY	Bond Issue Date:	07/03/2022		
Arresting Agency:	SUNNY ISLES BEACH	Arrest Date:	07/03/2022		

🔍 Hearing

There are no scheduled hearings

☰ Charges

Total Of Charges: 1

[EXPORT TO CSV](#)

Seq No.	Charge	Charge Type	Disposition
1	CANNABIS/POSN/20+	FELONY	NO ACTION

📄 Dockets

[EXPORT TO CSV](#)



Total Of Dockets: 1

EXHIBIT # 8
PAGE # 13

Seq. No.	Date	Book/Page	Docket
14	08/04/2022		DISCHARGE CERTIFICATE ISSUED AA21724390
13	08/02/2022		CASE CLOSED
12	08/02/2022		CLOSING JUDGE VENZER, ELLEN SUE
11	08/02/2022		RSC AMT/ 5000 DISCHARGED 08/02/2022 POWER/AA21724390
9	07/12/2022		INTAKE PROS. ASSIGNED: BIEGEN, ROBERT
8	07/12/2022		INTAKE PROS. ASSIGNED: BIEGEN-PL, ROBERT-CE
7	07/12/2022		INTAKE PROS. ASSIGNED: BIEGEN, ROBERT
5	07/08/2022		BOND RECEIVED AA21724390
4	07/04/2022		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
3	07/04/2022		INTAKE PROS. ASSIGNED: BIEGEN-PL, ROBERT-CE
2	07/14/2022		ARRAIGNMENT HEARING SCHEDULED FOR 08/02/2022 AT 09:30
1	07/03/2022		RSC AMT/ 5000 ISSUED 07/03/2022 POWER/AA21724390

← BACK ≡ CASES

General

- [Criminal Justice Home](#)
- [Criminal Court Information](#)
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Help and Support

- [Clerk's Home](#)
- [Privacy Statement](#)
- [ADA Notice](#)
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EXHIBIT # 8
PAGE # 14

- [Home](#)
- [About Us](#)
- [Inmates](#)
- [Locations](#)
- [Careers](#)
- [Business](#)
- [Resources](#)
- [Contact Us](#)

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
RYAN	AUSTIN	DUARTE	<input type="text" value=""/>		Male

0 Results for search **RYAN AUSTIN DUARTE**, Sex: **Male**

[Clear Form](#)

About the inmate locator & record availability

- | | | | | | | |
|---|--|---|---|--|--|--|
| About Us
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First Step Act
Communications
Custody & Care
Visiting
Report a Concern | Locations
List of our Facilities
Map of our Locations
Search for a Facility | Careers
Life at the BOP
Explore Opportunities
Current Openings
Application Process
Our Hiring Process | Business
Acquisitions
Solicitations & Awards
Reentry Contracting | Resources
Policy & Forms
News Stories
Press Releases
Publications
Research & Reports | Resources For ...
Victims & Witnesses
Employees
Volunteers
Former Inmates
Media Reps |
|---|--|---|---|--|--|--|

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 # 16

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

Per our conversation;

RYAN AUSTIN DUARTE DOB 06/13/1995

CARLOS JOSE BROGDON DOB 06/06/1985

THANKS



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

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

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 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 06/13/2023
Complaint # 2023019619	Case Type CMP - Complaint	Disposition
Docket#	Respondent DUARTE, RYAN AUSTIN	Responsible bjones - JONES, BRADFORD
		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 UNLI - Unlicensed Activity Investigations	Complexity R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security STND - Standard	Incident 09/06/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region SR - Southern Region	Received 04/05/2023	<input type="checkbox"/> Inspection	
Reference 550.0251	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 04/06/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	285 - Calder Race Course, Inc. - 550.0251 (The powers and duties of the FGCC): On September 27, 2023, Calder Casino received a request for information from Synchrony Bank Fraud Department regarding a Synchrony Bank Credit cards that had been used fraudulently. Upon complying with the request, Ryan Austin Duarte was identified as using several credit cards for the purpose of obtaining cash advances. In total Duarte obtained \$10,100.00 in cash advances using a total of eight separate Synchrony Bank credit cards. These monies were acquired during ten separate transactions over four separate days. Duarte was permanently excluded.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 06/14/2023 09:47:17	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>



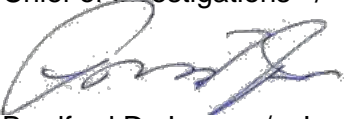
<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: April 6, 2023	Case Number: 2023 01 9619
Respondent: DUARTE, RYAN AUSTIN 21405 NW 39 AVE MIAMI GARDENS, FL 33055		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309	
License # and Type: N/A - 1098		Profession: Patron	Report Date: June 6, 2023
Period of Investigation: April 6, 2023 through June 6, 2023		Type of Report: Final	
<p>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:</p> <p>(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>Synopsis: On September 20, 2023, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into numerous fraudulent credit card transactions involving cash advances that were successfully committed by a group of individuals. During Catlin's visit, numerous individuals were identified including Ryan Austin DUARTE. DUARTE, used several stolen Synchrony Bank credit cards to fraudulently obtain cash advances using his own name. In total DUARTE obtained \$10,100.00 in cash advances using a total of eight separate stolen Synchrony Bank credit cards. These monies were acquired during ten separate transactions over four separate days. Although not apprehended, DUARTE was permanently excluded by Calder Casino.</p>			
Related Case: 2023 01 8395, 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 a patron of Calder Casino identified as Carlos Jose Brogdon committed during his visit to the casino on September 12, 2022. Upon further inquiry it was discovered that Synchrony Bank's Fraud Department had been investigating a group of individuals that had wrongfully used stolen credit cards to fraudulently obtain cash advances impacting numerous local businesses including Calder Casino. According to Casino staff, Synchrony Bank has been investigating a group of individuals including **DUARTE** since April of 2022 for credit card fraud. During their monitoring of the credit cards in question, Synchrony Bank became aware that several stolen credit cards had been fraudulently utilized to obtain cash advances at Calder Casino.

According to Calder Compliance Officer Iliana Velazquez, on September 20, 2022, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into a fraudulent Cash advance that was completed by Carlos Jose Brogdon on September 12, 2022. It was during this meeting that Catlin provided Velazquez and Susan Flores, the former Calder Casino Compliance Officer an Excel spreadsheet containing numerous transaction numbers related to cash advances that were done by **DUARTE**, Brogdon and Shaniya Branae Murphy, 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 **DUARTE**, Carlos Jose Brogdon and Shaniya Branae Murphy had committed the listed transactions.

While the cage team looked through its own records, the Surveillance Department was reviewing video footage of potentially 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 **DUARTE**, Carlos Jose Brogdon and Branae Murphy. **DUARTE**, Brogdon and Murphy were then permanently excluded from the facility (**Exhibit #4**).

During Investigator Catlin's visit with former Calder Compliance Officer Susan Flores and Velazquez, it was learned that Ryan Austin **DUARTE**, visited Calder Casino on five different occasions and used eight (8) different credit cards all under his name to obtain a total of \$10,100.00 in cash advances. This was done over four separate visits¹.

The fifth visit occurred while surveillance was beginning their investigation into the above incidents and resulted in **DUARTE** being observed on October 9, 2022, by a cage employee while standing in line waiting to conduct a transaction. **DUARTE** was approached by Security Shift Manager Jason Milam resulting in him fleeing the casino building and running to his vehicle

¹ On April 5, 2023, I requested via e-mail information from Craig Catlin, Synchrony Bank Fraud Investigator as to how the cards were obtained. He replied to me that the suspects called Synchrony Bank and fraudulently changed the address on the cards. They then requested replacement credit cards to be mailed to the fraudulent "new" address (**Exhibit #5**).

CONTINUATION

located in the casino parking lot. He then fled the casino parking lot at a high rate of speed. Because **DUARTE** fled, he did not complete the transaction.

DUARTE visited Calder Casino on the following dates (**Exhibit #3**):

- September 6, 2022 – One transaction conducted for a total of \$2,300.00.
- September 7, 2022 – One transaction conducted for a total of \$900.00.
- September 9, 2022 – Seven transactions conducted for a total of \$5,900.00.
- September 12, 2022 – One transaction conducted for a total of \$1,000.00.
- October 9, 2022 – Attempted to complete transaction was not successful.

PMW cases have been opened against Carlos Jose Brogdon 2023-01-8935 and Shaniya Branae Murphy 2023-02-8537.

On June 8, 2023, the undersigned investigator conducted a search of the Miami/Dade County Clerk of Courts to determine if **DUARTE** has any prior arrests on a state charges related to financial crimes. Results were negative for financial crimes; only three misdemeanor drug charges were discovered. I also conducted a search of the U.S. Bureau of Prisons to see if **DUARTE** was in federal custody. Results were also negative. I then requested that a check be conducted through the US Department of Justice paid website to see if an indictment had been filed against **DUARTE**. Per Chief of Investigations Bradford D. Jones, results were negative for any federal charges (**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

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

1. E-Mail from Synchrony Bank Investigator Craig Catlin..... 1-2

2. Surveillance Report..... 1-5

3. FABICASH Transaction Reports..... 1-10

4. Driver's License..... 1-1

5. E-Mail Explaining Origin of Credit Cards..... 1-2

6. Exclusion List 09/25/2023..... 1-11

7. Credit Card Listing Provided by Synchrony Bank..... 1-3

8. Miami/Dade, DOJ Bureau of Prison Name Search & DOJ Court Search..... 1-17

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



Calder Casino & Race Course

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

Incident Report

Incident Number: SURV-2022-09-00080

Class/Category: Non Criminal/Informational Report

Occurred From Date/Time: 9/9/2022 1:03 AM

Status: Open

Incident Number: SURV-2022-09-00080

Class/Category: Non Criminal/Informational Report

Status: Open

Incident Details

Incident Details

Incident Number: SURV-2022-09-00080

Classification

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/22/2022 10:28 AM

Occurred From Date/Time: 9/9/2022 1:03 AM

Business Unit

Business Unit: Gaming

Department: Cash Ops

Summary:

On September 9, 2022 at approximately 1:03 am, it was observed that the guest named Ryan Duarte was observed requesting a credit cash transaction at our check cashing window.

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

DUARTE, Ryan

Involvement Type:

Suspect



Date of Birth: [REDACTED]

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: Duarte, Ryan

Incident Narratives

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

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

Created By Date/Time	9/27/2022 11:40 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 Mr. Ryan Duarte was requesting a credit card advance at Calder Casino Check Chasing window on September 9, 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 2:34 PM GMT

Last Modified By leonides.martinez, 9/27/2022 3:44 PM GMT

Calder


Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/6/2022 9:05:19 PM

Clerk:	Patricia
Trans ID:	11013470
DXID:	FC20000000000000000011013470
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 5497
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$2,300.00
Fees US\$:	\$161.00
Tax US\$:	\$0.00
Total US\$:	\$2,461.00
Date/Time Trans:	9/6/2022 9:05:19 PM
Trans Time Lapse:	



Customer Signature



Clerk Signature


Cashier Signature

Calder Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:48:32 AM



Customer Signature



Clerk:	Veronica
Trans ID:	11048693
DXID:	FC2000000000000000011048693
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8628
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:48:32 AM
Trans Time Lapse:	

Clerk Signature

Cashier Signature

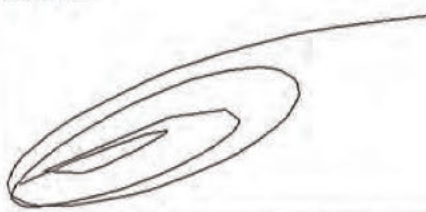
Calder

Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:47:17 AM



Customer Signature



Clerk:	Veronica
Trans ID:	11048671
DXID:	FC2000000000000000011048671
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8481
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/9/2022 1:47:17 AM
Trans Time Lapse:	
Clerk Signature	
Cashier Signature	

Calder


Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:25:16 AM

Clerk:	Veronica
Trans ID:	11048377
DXID:	FC2000000000000000011048377
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 2903
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:25:16 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

Calder

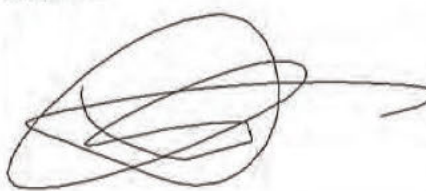
Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:14:41 AM

Clerk:	Veronica
Trans ID:	11048208
DXID:	FC2000000000000000000011048208
Approval No:	
Host Message:	Creditcall credit sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8481
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/9/2022 1:14:41 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

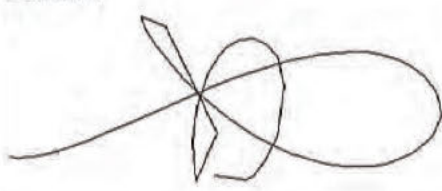
ca1der Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:13:26 AM

Clerk:	Veronica
Trans ID:	11048186
DXID:	FC2000000000000000011048186
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 2903
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/9/2022 1:13:26 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

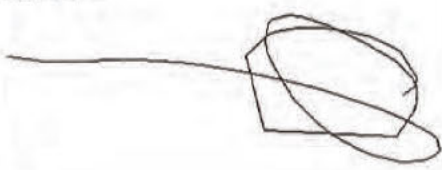
Calder Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:22:45 AM

Clerk:	Veronica
Trans ID:	11048332
DXID:	FC2000000000000000011048332
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 8935
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:22:45 AM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature

Calder Transaction Detail Report

Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/9/2022 1:45:56 AM

Clerk:	Veronica
Trans ID:	11048644
DXID:	FC20000000000000000011048644
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 9403
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$800.00
Fees US\$:	\$56.00
Tax US\$:	\$0.00
Total US\$:	\$856.00
Date/Time Trans:	9/9/2022 1:45:56 AM
Trans Time Lapse:	



Customer Signature

Clerk Signature

Cashier Signature


Calder

Transaction Detail Report

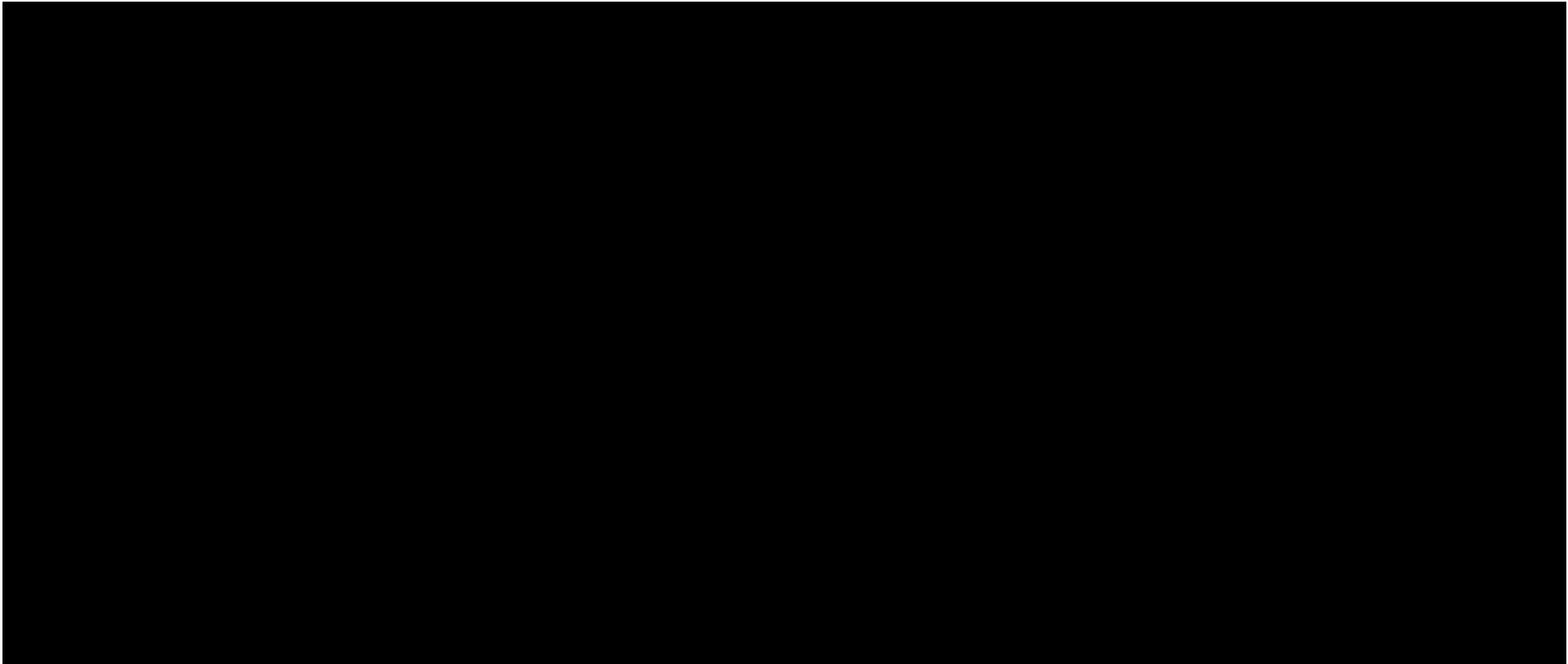
Customer:	RYAN DUARTE
Address:	21405 NW 39TH AVE
City:	MIAMI GARDENS
State:	FL
Zip Code:	33055
Telephone:	000000000
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2029-06-13 00:00:00
DOB:	1995-06-13 00:00:00
Sex:	
Date/Time DL Scanned:	9/7/2022 9:14:51 PM



Customer Signature



Clerk:	Jose
Trans ID:	11027983
DXID:	FC2000000000000000000011027983
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 104
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$900.00
Fees US\$:	\$63.00
Tax US\$:	\$0.00
Total US\$:	\$963.00
Date/Time Trans:	9/7/2022 9:14:51 PM
Trans Time Lapse:	
Clerk Signature	
Cashier Signature	



Florida

DRIVER LICENSE



CLASS E



4d DL [REDACTED]
1 DUARTE
2 RYAN AUSTIN
3 21405 NW 39TH AVE
4 MIAMI GARDENS, FL 33055

5 DOB [REDACTED] 15 SEX M
6b EXP [REDACTED] 16 HGT 5'-04"
12 REST [REDACTED] 17 END NONE

SAFE DRIVER
4a ISS 05/25/2021
5DD X632105251353



RYAN DUARTE

Operation of a motor vehicle constitutes consent to any sobriety test required by law.

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



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

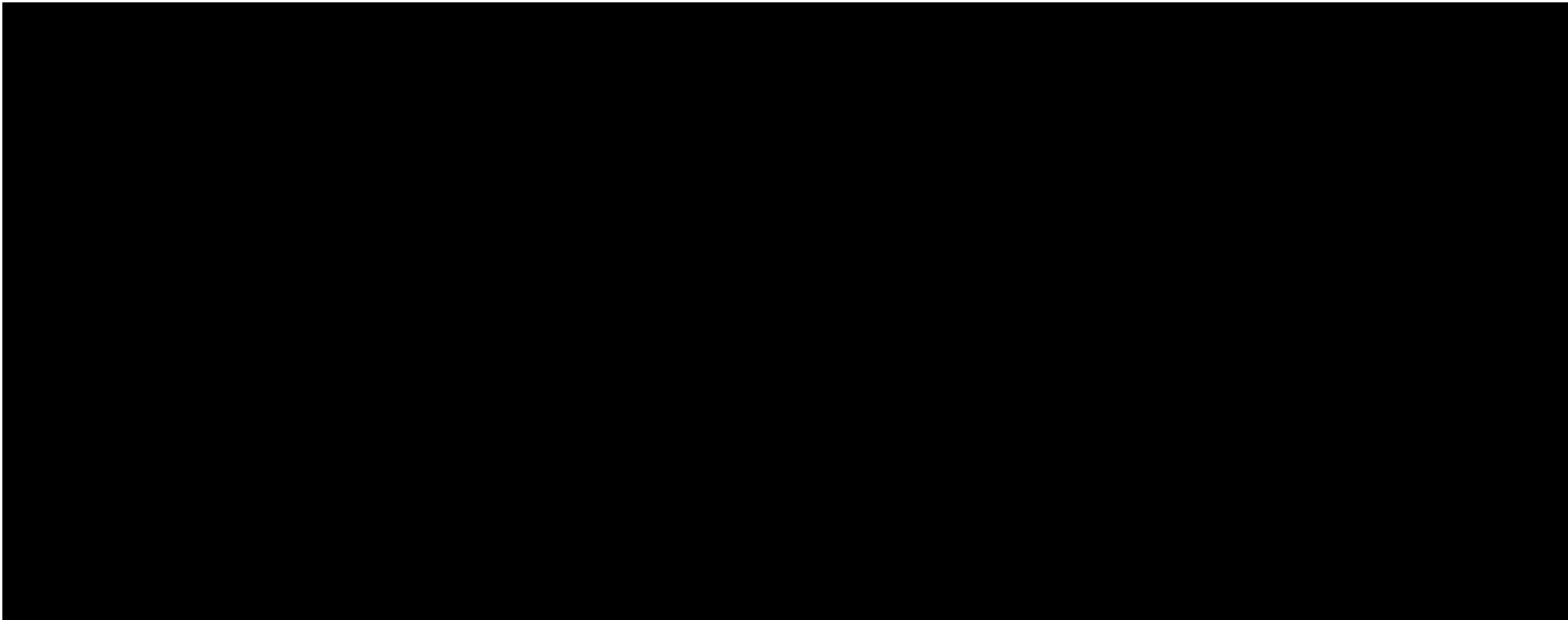
954-202-6787 Office 954-202-3930 FAX

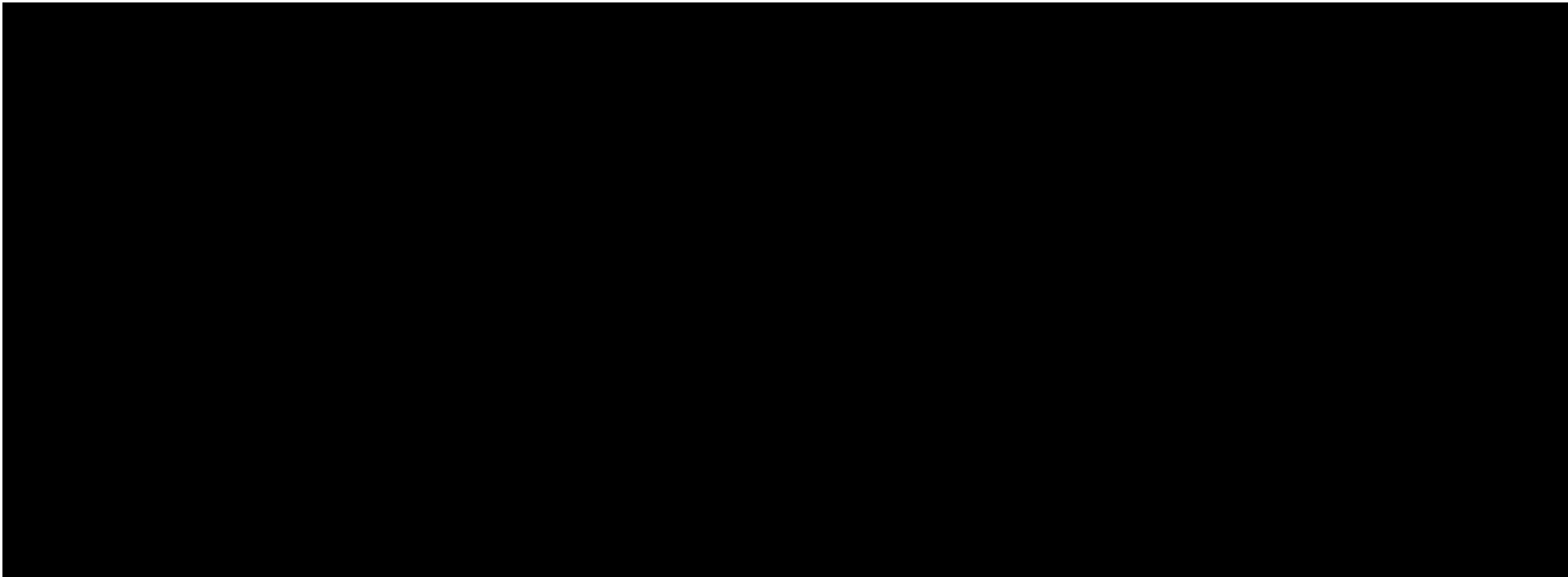
954-658-3663 Cell

Lifetime Evictions

DATE	Facility	LAST NAME	FIRST NAME	DOB	ADDRESS	CITY	STATE	ZIP	GENDER	RACE	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	LENGTH	REASON	REPORT #	Calder Player Account	Slots / Cards	Arrested Y/N	









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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Defendant List

Defendant(S) Found: 3

More Info. (Information)	<u>Last Name</u>	<u>First Name</u>	<u>Middle Name</u>	<u>Race</u>	<u>Sex</u>	<u>Date Of Birth</u>
	DUARTE	RYAN	AUSTIN	W	M	
	DUARTE	RYAN	AUSTIN	W	M	
	DUARTE	RYAN	AARON	W	M	

← BACK

General

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EXHIBIT #8
PAGE # 1

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Luis G. Montaldo
Clerk Ad Interim

Miami-Dade County
Clerk of the Courts

75 W. Flagler Street
Miami, Florida 33139

305-275-1155

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EXHIBIT # 8
PAGE # 2



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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	B-16-022773	07/29/2016	10/28/2016	CANNABIS/POSN/0-20

← BACK

☰ DEFENDANTS

General

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EXHIBIT #8
PAGE #3



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CRIMINAL JUSTICE ONLINE SYSTEM

← BACI

Q Search Criteria

Court Case No.: B-16-022773

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

☰ Case Information

State Case No.: 13-2016-MM-022773-0001-XX	Name: DUARTE, RYAN AUSTIN	Date of Birth: [REDACTED]
Date Filed: 07/29/2016	Date Closed: 10/28/2016	
Warrant Type:	Warrant Amount: \$0.00	
Assessment Amount: \$0.00	Balance Due: \$0.00	Stay Due Date:
Judge: KRIEGER-MARTIN, LUISE	Defense Attorney:	
File Section: B263	File Location: RECORD CENTER	Box No: 2008-475
Bond Amount: \$0.00	Bond Status:	
Arresting Agency: MIAMI DADE POLICE	Arrest Date: 07/23/2016	

↶ Hearing

There are no scheduled hearings

☰ Charges

Total Of Charges: 2

↗ EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	CANNABIS/POSN/0-20	MISDEMEANOR	NOLLE PROS
2	DRUG PARAPHERNA/POSN	MISDEMEANOR	NOLLE PROS

📡 Dockets



Total Of Dockets: 5

↗ EXPORT TO CSV

Seq. No. Date Book/Page Docket

EXHIBIT #8
PAGE # 5

7	10/28/2016	CLOSING JUDGE KRIEGER-MARTIN, LUISE
5	09/02/2016	MOTION FOR CONTINUANCE FILED 09/02/2016 ORAL SET FOR 09/02/2016 AT 16:12 GRANTED DEFS
4	09/02/2016	ARRAIGNMENT HEARING SCHEDULED FOR 10/28/2016 AT 09:30
2	08/15/2016	ARRAIGNMENT * HEARING SCHEDULED FOR 09/02/2016 AT 14:00
1	08/09/2016	DEFN CITY CHANGED BY FINALIST PURSUANT TO CLERK

← BACK

☰ CASES

General

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EXHIBIT #8
PAGE #6



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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	B-19-006508	03/12/2019	06/10/2019	CANN/POSN/-20/ATTEMP

← BACK

☰ DEFENDANTS

General

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[Criminal Court Information](#)

[Login](#)

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EXHIBIT #8
PAGE # 7



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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Court Case No.: B-19-006508

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

☰ Case Information

State Case No.: 13-2019-MM-006508-0001-XX	Name: DUARTE, RYAN AUSTIN	Date of Birth: [REDACTED]
Date Filed: 03/12/2019	Date Closed: 06/10/2019	
Warrant Type:	Warrant Amount: \$0.00	
Assessment Amount: \$0.00	Balance Due: \$0.00	Stay Due Date:
Judge: ENRIQUEZ, JAVIER A	Defense Attorney:	
File Section: B201	File Location: RECORD CENTER	Box No: 27-604
Bond Amount: \$0.00	Bond Status:	
Arresting Agency: MIAMI DADE POLICE	Arrest Date: 02/25/2019	

↶ Hearing

There are no scheduled hearings

☰ Charges

Total Of Charges: 1

↔ EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition
1	CANN/POSN/-20/ATTEMP	MISDEMEANOR	NOLLE PROS

📄 Dockets



Total Of Dockets: 5

↔ EXPORT TO CSV

Seq. No.	Date	Book/Page	Docket
16	06/10/2019		CLOSING JUDGE WOODWARD, JACQUELINE

EXHIBIT #8
PAGE # 9

13	05/29/2019	REPORT RE: NOLLE PROS SET FOR 06/10/2019 AT 10:45
4	04/02/2019	INFORMATION FILED
2	03/18/2019	ARRAIGNMENT * HEARING SCHEDULED FOR 04/02/2019 AT 13:00
1	03/12/2019	DEFN STREET CHANGED BY FINALIST PURSUANT TO CLERK

⏪ BACK ≡ CASES

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PAGE # 10



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⏪ BACK

🔍 Search Criteria

Last Name: DUARTE First Name: RYAN Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	F-22-012045	07/08/2022	08/02/2022	CANNABIS/POSN/20+

⏪ BACK

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EXHIBIT #8
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Luis G. Montaldo
Clerk Ad Interim

Miami-Dade County
Clerk of the Courts

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Miami, Florida 33130

305-275-1155

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EXHIBIT # 8
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[← BACK](#)

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Court Case No.: F-22-012045

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

☰ Case Information

State Case No.:	13-2022-CF-012045-0001-XX	Name:	DUARTE, RYAN AARON	Date of Birth:	[REDACTED]
Date Filed:	07/08/2022	Date Closed:	08/02/2022		
Warrant Type:		Warrant Amount:	\$0.00		
Assessment Amount:	\$0.00	Balance Due:	\$0.00	Stay Due Date:	
Judge:	VENZER, ELLEN SUE	Defense Attorney:			
File Section:	F011	File Location:	FILE ROOM	Box No.:	
Defendant in Jail:	N	Defendant Release to:	PENA/RSC, CHG I		
Bond Amount:	\$5,000.00	Bond Status:	DISCHARGED		
Bond Type:	SURETY	Bond Issue Date:	07/03/2022		
Arresting Agency:	SUNNY ISLES BEACH	Arrest Date:	07/03/2022		

🔍 Hearing

There are no scheduled hearings

☰ Charges

Total Of Charges: 1

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Seq No.	Charge	Charge Type	Disposition
1	CANNABIS/POSN/20+	FELONY	NO ACTION

📄 Dockets

[EXPORT TO CSV](#)



Total Of Dockets: 1

EXHIBIT # 8
PAGE # 13

Seq. No.	Date	Book/Page	Docket
14	08/04/2022		DISCHARGE CERTIFICATE ISSUED AA21724390
13	08/02/2022		CASE CLOSED
12	08/02/2022		CLOSING JUDGE VENZER, ELLEN SUE
11	08/02/2022		RSC AMT/ 5000 DISCHARGED 08/02/2022 POWER/AA21724390
9	07/12/2022		INTAKE PROS. ASSIGNED: BIEGEN, ROBERT
8	07/12/2022		INTAKE PROS. ASSIGNED: BIEGEN-PL, ROBERT-CE
7	07/12/2022		INTAKE PROS. ASSIGNED: BIEGEN, ROBERT
5	07/08/2022		BOND RECEIVED AA21724390
4	07/04/2022		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
3	07/04/2022		INTAKE PROS. ASSIGNED: BIEGEN-PL, ROBERT-CE
2	07/14/2022		ARRAIGNMENT HEARING SCHEDULED FOR 08/02/2022 AT 09:30
1	07/03/2022		RSC AMT/ 5000 ISSUED 07/03/2022 POWER/AA21724390

← BACK ≡ CASES

General

[Criminal Justice Home](#)

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EXHIBIT # 8
PAGE # 14

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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
RYAN	AUSTIN	DUARTE	<input type="text" value=""/>		Male <input type="button" value="v"/>
0 Results for search RYAN AUSTIN DUARTE, Sex: Male					<input type="button" value="Clear Form"/>
<input type="button" value="Search"/>					

About the inmate locator & record availability

- | | | | | | | |
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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

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

Per our conversation;

RYAN AUSTIN DUARTE DOB 06/13/1995

CARLOS JOSE BROGDON DOB 06/06/1985

THANKS



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

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City, ST

Ryan Austin Duarte
21405 NW 39 Ave
Miami Gardens, FL 33055
AC - 2023019619 - PMW

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Delivered

Delivered, Left with Individual

OPA LOCKA, FL 33055
June 21, 2023, 5:17 pm

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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. Mario Luis Collado Case No. 2023-025629; Default Final Order
Date: July 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Mario Luis Collado (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint seeking to exclude him, 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 April 24, 2023, Respondent was a patron of Magic City Casino.¹ Respondent was seen acting in a disorderly manner towards cardroom employees. Respondent was permanently excluded from Magic City Casino², on April 24, 2023.

Based on his exclusion from Magic City Casino, the Division served Respondent with an administrative complaint 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 days³ to file a written response to the administrative complaint. The Respondent was served on June 20, 2023 which means the Respondent had until July 11, 2023 to respond. He has never responded.

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

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

³ 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

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.” Magic City Casino is both a pari-mutuel facility and slot machine licensee in this state. And Respondent was ejected from it. Accordingly, Respondent can be excluded from all pari-mutuel and slot machine facilities in this state.

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 permanently excluding Mario Luis Collado 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.: 2023-025629

MARIO LUIS COLLADO,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Mario Luis Collado (“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 13220 Southwest 264th Street Homestead, Florida 33032.
3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about April 24, 2023, Respondent was a patron of Magic City Casino.
5. On or about April 24, 2023, Respondent was ejected and permanently excluded from Magic City Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

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

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

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

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

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee] in the State of Florida under section(s) 550.0251(6) and 551.112, Florida Statutes based on his ejection from Magic City Casino on or about April 24, 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 2023-025629 is signed this 13th 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.

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

Logged in as: **nmelvai**

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

Lic Type 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 05/29/2023
Complaint # 2023025629	Case Type CMP - Complaint	Disposition
Docket#	Respondent COLLADO, MARIO LUIS	Responsible bjones - JONES, BRADFORD
		Private Case

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

Source INTN - Internal	Security Level 1	<input type="checkbox"/> Parties <input checked="" type="checkbox"/> Activities
Form INET - Internet	Priority	
Class'n V-C - Cardroom Violations	Complexity R - Regular	<input checked="" type="checkbox"/> Allegations <input type="checkbox"/> Discipline
Security STND - Standard	Incident 04/24/2023	
Region SR - Southern Region	Received 05/02/2023	<input checked="" type="checkbox"/> Violations <input type="checkbox"/> Compliance
Reference 550.0251		
Entered 05/03/2023	Entered By nmelvai	<input type="checkbox"/> Related <input checked="" type="checkbox"/> Disposition
<p>Summary</p> <p>155 - West Flagler Associates LTD (Magic City Casino) - 550.0251 Powers and duties of the Florida Gaming Control Commission. On April 24, 2023, at approximately 11:00 P.M., Magic City Casino Security and Miami Police attempted to escort a disorderly patron from the cardroom. The patron who was identified as Mario Luis Collado refused to leave the cardroom after several request by Security. When Security attempted to explain to Collado why he was being escorted from the cardroom and to the security office, Collado stated "I'm not fucking going anywhere with you people." Police then stepped in and intervened, however, Collado continued to act in a disorderly manner which resulted in his arrest. Collado was then advised of the Rules and Regulation of the Casino in reference to his conduct and advised by Security Supervisor Manuel Andreu that he was being permanently excluded from the facility. Because Collado was in police custody he could not acknowledge or sign the Trespass Warning Form. He was permanently excluded from the facility with no further incident</p>		<input type="checkbox"/> Inspection
		<input type="checkbox"/> Costs
		<input type="checkbox"/> Time Tracking <input type="button" value="Auto Assign"/>
		<input type="checkbox"/> Attachments <input type="button" value="History"/>
		<input type="checkbox"/> Work Notes <input type="button" value="Print Report"/>
Updated 05/30/2023 12:11:37	By nmelvai	

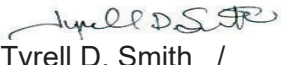


27 Days	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: May 2, 2023	Case Number: 2023 02 5629
Respondent: COLLADO, MARIO LUIS 13220 SW 264 STREET HOMESTEAD, FLORIDA 33032		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900	
License # and Type: N/A / 1098	Profession: Patron	Report Date: May 16, 2023	
Period of Investigation: May 2, 2023 through May 16, 2023		Type of Report: Final	
<p>Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.—The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p>(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.</p>			
<p>Synopsis: On April 28, 2023, this Investigator received an email notification from Magic City Casino Compliance Manager Yadelin Crespo containing an updated Weekly Exclusion list for the facility. Upon a review of the list, this Investigator found that on April 24, 2023, cardroom patron Mario Luis COLLADO was added to the list for Disorderly Conduct. According to the Incident Report (# INV20230001890) COLLADO was initially going to be excluded for a month, however, because he continued to escalate the situation and was subsequently arrested by Miami Police Officers, he was permanently excluded from the facility (EXHIBIT #3).</p>			
Related Case(s):			
Investigator / Date: May 16, 2023  Tyrell D. Smith /		Investigator Supervisor / Date  Julio Minaya / May 19, 2023	
Chief of Investigations / Date  Bradford D. Jones / May 29, 2023			

CONTINUATION

Further investigation into this matter and a review of Magic City Casino Incident Report #IN20230001890, revealed that on April 24, 2023, at approximately 11:00 P.M., Security Officer Ladaun Brown advised Security Supervisor Manuel Andreu of a disorderly patron seated at table #25. The patron, who was identified as Mario Luis **COLLADO**, was acting in a disorderly manner towards cardroom employees (**EXHIBIT #1**).

Although not mentioned in the Incident Report, Poker Supervisor Juliette Avilez informed me that on the date of the incident, she asked **COLLADO** to leave the Poker Room because he was intoxicated and becoming disorderly. As he approached the exit door of the Poker Room, he was met by Security Supervisor Manuel Andreu along with the assigned off-duty detail Miami Police Officers. As per Avilez, Andreu advised **COLLADO** that he was going to be excluded from the facility for 1 month based on his conduct.

As per the Incident Report, as Andreu attempted to escort **COLLADO** to the Security Office, **COLLADO** stated "I'm not fucking going anywhere with you people." The Police then intervened and **COLLADO** continued to act in a disorderly manner; he was subsequently placed under arrest. Once in custody, Andreu informed **COLLADO** of the Casino Rules as they pertain to a patron's conduct while visiting the Casino. He was unable to acknowledge and sign the Magic City Casino Trespass Form due to his arrest. **COLLADO** was also informed by Andreu that he was being permanently excluded from the facility. He was then transported off the property by Police (**EXHIBIT #1 & 2**).

On May 9, 2023, this investigator conducted a video review of the April 24, 2023, incident involving **COLLADO** which revealed the following:

At approximately 11:00 P.M, **COLLADO** was observed sitting at table #25 seat #3. He calls a Cocktail Waitress over to the table and appears to be ordering a round of drinks for patrons at the table.

COLLADO is observed talking with the cocktail waitress for a few minutes, when another patron walks over to the table and begins to talk to the waitress. **COLLADO** then says something to the waitress that catches the attention of Poker Supervisor Juliette Avilez who was seated at table #24. Avilez, stands up and walks over to table #25. She is then seen calling the Security Officer posted in the cardroom over to table #25. Avilez and **COLLADO** exchange words with each other and the Security Officer walks over to the table. Avilez then gives a cut-throat gesture to the Security Officer to indicate that **COLLADO** needs to leave the cardroom. **COLLADO** continues to say something to Avilez while collecting his chips from the table. He is then escorted from the table by the Security Officer towards the Poker entrance when he is met by Security Supervisor Manuel Andreu and the off-duty Miami Police Officers. They escort **COLLADO** to the cashier cage where he is allowed to cash out his remaining chips. After cashing out his chips, he is escorted outside of the facility to the valet area. He then begins to argue and become visibly aggressive with the Police Officers who are able to physically restrain him by wrestling **COLLADO** to the ground and placing him under arrest. He was then placed in a police vehicle and transported off property.

On May 15, 2023, this Investigator spoke with Magic City Poker Supervisor Juliette Avilez about the incident. Avilez stated that on the day of the incident she was acting as the Poker Room Floor Supervisor. She saw that **COLLADO** was intoxicated and she advised the cocktail waitress to not serve him anymore alcoholic beverages. When the waitress would not serve **COLLADO** anymore cocktails, he became upset because he had ordered a round of drinks for the table but he could not have one. He then requested to speak with the Poker Supervisor in reference to being cut off from additional alcoholic beverages. Avilez stated that when she tried to explain to **COLLADO** why he could not have any more drinks, he became belligerent. He then refused to pay for the other drinks

CONTINUATION

that he had ordered and began to call her vulgar names. She then notified security to come to the table and have **COLLADO** removed. Security then responded and **COLLADO** was escorted from the table. Avilez could not provide additional information.

On May 19, 2023, a check of the Miami/Dade County Clerk of Court records was conducted by this Investigator which revealed that when **COLLADO** was arrested on April 24, 2023, he was charged with Misdemeanor Disorderly Intoxication and Resisting Officer without Violence (**EXHIBIT #5**). As of the date of this report, the matter is still pending. **COLLADO's** next court appearance is scheduled for July 5, 2023.

Status: Closed by Investigations and forwarded to Legal for review and the possible addition of **COLLADO's** name to the Statewide Exclusion List.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

 1. Magic City Incident Report # IN20230001890 1-6

 2. Magic City Trespass Warning Form 1-1

 3. Magic City Exclusion list 1-6

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

 5. Miami/Dade County Clerk of Court Printout..... 1-3

Incident File Full Report



iTrak Incident Reporting and Risk Management System Version
2020.1.0.05202

Incident Number: IN20230001890
Date/Time Occurred: 4/24/2023 11:00:41 PM
Day of Week: Monday
Created by: mandreu

Printed By: igarcia

Printed On: 5/ 1/2023 at 9:55:36 AM

EXHIBIT # - /
PAGE # - /

Incident File Full Report

Incident File #IN20230001890

Date/Time Occurred:	4/24/2023 11:00:41 PM	Record Creation Details	
Day of Week Occurred:	Monday	Department:	Security
Date/Time Created:	4/25/2023 1:04:33 AM	Owner:	mandreu
Date/Time Closed:		Operator ID:	mandreu
Closed By:		Operator Name:	
		Personnel ID:	
		Card Number:	
		Job Position:	
		Secondary Operator:	

Location of Incident:

Property:	Magic City Casino
Location:	Poker Room
Sublocation:	

Details of Incident:

Daily Log #:	DL20230013791
Incident Type:	Disorderly Conduct/Towards MPD
Specific:	Arrested
Risk Classification:	
Incident Status:	Open
Custom 3:	
Custom 4:	
Synopsis:	On Monday April 24, 2023 at approximately 11:00 P.M Security Supervisor alongside MPD attempted to escorted an unknown male patron from the Poker Room (Echo 1) to Security Office for the evening. After arriving to the location, the unknown male refused to comply and started being disorderly towards MPD which led to the unknown male Patron being placed under arrest for Disorderly Conduct Towards MPD. Security Supervisor explained the casino rules and regulations to the male patron and he was advised that he is permanently excluded for Disorderly Conduct from the property. No Trespass Warning Form wasn't signed and the unknown male Patron was transported off the property by MPD.

Checklist:

Narrative:

Created On	Created By	Modified On	Modified By
4/25/2023 1:26:58	/ mandreu	4/25/2023 3:23:34	/ mandreu
On Monday April 24th, 2023 at approximately 11:00 P.M. Security Supervisor Manuel Andreu was advised by Security Agent Ladaun Brown (3446) that there was an unknown male Patron later identified as Mr. Mario Luis Collado who was being disorderly inside the Poker Room (Echo 1). Security Supervisor Andreu responded to the location and spoke to Poker Supervisor Elio F. Molina (1215) who requested that			

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20230001890

Mr. Collado be excluded for 1 month for disorderly conduct. Security Supervisor Andreu alongside MPD approached Mr. Collado as he was exiting the Poker Room (Echo 1) and attempted to explain the situation and try to escort him to the security office to gather additional information which led to Mr. Collado being disorderly and stating "I'm not fucking going anywhere with you people." Moments later MPD tried to speak too Mr. Collado but he began to be disorderly with MPD which led to him being placed under arrest. Security Supervisor Andreu explained the casino rules and regulations to Mr. Collado and he was advised that he is permanently excluded for Disorderly Conduct Towards MPD. Mr. Collado didn't sign the Trespass Warning Form due to him being arrested by MPD. Later on, MPD transported Mr. Collado off the property. Nothing Further.

MPC# 23424-0029420

Executive Brief:

Participants Involved:

Personnel

Full Name: Molina, Elio Franklin Property: Magic City Casino
Role: Poker Supervisor Department: Poker
Date Of Birth:

Full Name: BROWN, LADAUN Property: Magic City Casino
Role: Security Agent Department:
Date Of Birth: [REDACTED]

Full Name: ANDREU, MANUEL JOAQUIN Property: Magic City Casino
Role: Security Supervisor Department:
Date Of Birth: [REDACTED]

Subject

Full Name: Collado, Mario Luis Company:
Role: Patron
Date Of Birth: [REDACTED]
Address: 13220 SW 264 ST, Homestead, Florida, 33032, USA
Contact Info:

Ban/Watch Details

Full Name	Ban/Watch	Start Date	End Date
Collado, Mario Luis	Ban	4/24/2023	Permanent
Type Of Ban:	Permanent	Notes:	
Reason For Ban:	Disorderly towards MPD		

Reporting Party: [REDACTED]

Supervisor: [REDACTED]

EXHIBIT # -1
PAGE # -3

Incident File Full Report**Incident File #IN20230001890**Identification: Driver's License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20230002877 - Daily Log#: DL20230013791 - Call Time: 24/04/2023 23:00:41 - Dispatch Code: 10-31 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	mandreu	4/25/2023

EXHIBIT # -1
PAGE # -4

Media Title

Original Filename

Collado.jpg

Date Attached

4/25/2023 1:29:36 AM

Attached By

mandreu

Type

JPG

Size

51347



Media Title

Original Filename

Mario Luis Collada.jpg

Date Attached

4/25/2023 1:29:36 AM

Attached By

mandreu

Type

JPG

Size

68205



5/1/2023 9:55:37 AM

Page 1/2

EXHIBIT #-1
PAGE # -5

Media Title

Original Filename

Xerox

Scan_04252023005803.p

df

Date Attached

4/25/2023 1:29:36 AM

Attached By

mandreu

Type

PDF

Size

74091

TRESPASS WARNING

NAME / LAST NAME: Marie Luis Celledo

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

ADDRESS: 13220 SW 26th St CITY: Hollywood ST: FL ZIP: 33032

RACE: Hispanic SEX: M HEIGHT: 5'8" WEIGHT: 175 lbs HAIR: Black EYES: Brown

REASON FOR TRESPASSING: Disorderly conduct towards MPD / Arrested

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:
 24 Hrs 3 Days 7 Days 30 Days 3 Months 6 Months 1 Year 2 Year Permanent
This warning was given on 02/24/23 at 11:55pm hours.
If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: Arrested

CASE #: 23032d-0029120 ARRESTED: YES NO

SECURITY AGENT: [Signature] #3750 DATE: 02/24/23

POLICE OFFICER / WITNESS: [Signature] 5671

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

Tyrell Smith

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, April 28, 2023 3:46 PM
To: Tyrell Smith; Raul Suau; Julio Minaya
Cc: Víctor Suárez; Ileana Zamora
Subject: MCC Weekly Exclusions 4/27/23
Attachments: MCC Weekly Exclusions 2023-04-27.xlsx


Good Afternoon,

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

*State Exclusion website checked today 4/28/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

Connect on  [LinkedIn](#)



Date	Last Name	First Name	DOB	Gender
[REDACTED]				
4/24/2023	Collado	Mario Luis		Male
[REDACTED]				

EXHIBIT # -3
PAGE # -2

Driver's License	Location	Sublocation
[REDACTED]	[REDACTED]	
[REDACTED]	Poker Room	
[REDACTED]	[REDACTED]	[REDACTED]

EXHIBIT # -3
PAGE # -3

Incident Type	Report#	Photo Taken	Arrested
[REDACTED]			
Disorderly Conduct/Towards MPD	IN20230001890	Y	Y
[REDACTED]			

EXHIBIT # -3
PAGE # -4

Zip	Height	Weight	Hair Color	Eye Color	Build	Length
[REDACTED]						
33032	5'8	176	Black	Brown	Normal	Permanent

[REDACTED]

Race	Address	City	State
[REDACTED]			
Hispanic	13220 SW 264 ST	Homestead	Florida
[REDACTED]			

EXHIBIT #-3
PAGE #-6



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

PROPERTY RECEIPT

Complaint # 2023-025429 Date 5/9/23 Lab # _____

Item No.	Quantity	Description
<u>1</u>	<u>1</u>	<u>USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRON MARIO LUIS COLLADO FOR DISORDERLY CONDUCT ON 4/29/23.</u>

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

RETURNED PROPERTY RECEIPT

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

 Signature Date

Received by: _____ Date: _____
 Received by: _____ Date: _____
 Received by: _____ Date: _____



MIAMI-DADE COUNTY CLERK OF THE COURTS

LUIS G. MONTALDO, CLERK AD INTERIM

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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: COLLADO First Name: MARIO Sex: Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	M-23-008129	04/27/2023		DISORDERLY INTOX

← BACK

☰ DEFENDANTS

General

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EXHIBIT # 5
PAGE # /

About Us



Luis G. Montalvo
Clerk Ad Interim

Miami-Dade County
Clerk of the Courts

73 W. Flagler Street
Miami, Florida 33130

305-375-1155

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EXHIBIT #5
PAGE # 2

CASE INFORMATION

Court Case No.: M23008129

Name: COLLADO, MARIO

Date Filed: 04/27/2023

Previous Case:

Judge: ALVAREZ-ZANE, BETSY

Bfile Section: M004

Arresting Agency: MIAMI

State Case No.: 132023MM0081290001XX

Date Closed:

Next Case:

Defense Attorney:

File Location: FUTURE CTD WALL

Arrest Date: 04/24/2023

Warrant Type:

Box Number:

HEARING

CHARGES

Seq No.	Charge	Charge Type	Disposition
1	DISORDERLY INTOX	MISDEMEANOR	
2	RESIST OFF W/O VIOL	MISDEMEANOR	

DOCKETS

Seq. No.	Date	Book/Page	Docket
9	05/18/2023		INFORMATION FILED
8	05/18/2023		TRIAL HEARING SCHEDULED FOR 07/05/2023 AT 09:30
4	05/01/2023		ARRAIGNMENT * HEARING SCHEDULED FOR 05/18/2023 AT 09:30
7	04/28/2023		BOND RECEIVED PSC51999719
6	04/28/2023		BOND RECEIVED PSC51999718
3	04/26/2023		INTAKE UNIT ASSIGNED: COUNTY COURT
2	04/25/2023		PSC AMT/ 1000 ISSUED 04/25/2023 POWER/PSC51999718
1	04/25/2023		PSC AMT/ 500 ISSUED 04/25/2023 POWER/PSC51999719

EXHIBIT #5
PAGE #3

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 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 05/29/2023
Complaint # 2023025629	Case Type CMP - Complaint	Disposition
Docket#	Respondent COLLADO, MARIO LUIS	Responsible bjones - JONES, BRADFORD
		Private Case

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

Source INTN - Internal	Security Level 1	<input type="checkbox"/> Parties <input checked="" type="checkbox"/> Activities
Form INET - Internet	Priority	
Class'n V-C - Cardroom Violations	Complexity R - Regular	<input checked="" type="checkbox"/> Allegations <input type="checkbox"/> Discipline
Security STND - Standard	Incident 04/24/2023	
Region SR - Southern Region	Received 05/02/2023	<input checked="" type="checkbox"/> Violations <input type="checkbox"/> Compliance
Reference 550.0251		
Entered 05/03/2023	Entered By nmelvai	<input type="checkbox"/> Related <input checked="" type="checkbox"/> Disposition
<p>Summary</p> <p>155 - West Flagler Associates LTD (Magic City Casino) - 550.0251 Powers and duties of the Florida Gaming Control Commission. On April 24, 2023, at approximately 11:00 P.M., Magic City Casino Security and Miami Police attempted to escort a disorderly patron from the cardroom. The patron who was identified as Mario Luis Collado refused to leave the cardroom after several request by Security. When Security attempted to explain to Collado why he was being escorted from the cardroom and to the security office, Collado stated "I'm not fucking going anywhere with you people." Police then stepped in and intervened, however, Collado continued to act in a disorderly manner which resulted in his arrest. Collado was then advised of the Rules and Regulation of the Casino in reference to his conduct and advised by Security Supervisor Manuel Andreu that he was being permanently excluded from the facility. Because Collado was in police custody he could not acknowledge or sign the Trespass Warning Form. He was permanently excluded from the facility with no further incident</p>		<input type="checkbox"/> Inspection
		<input type="checkbox"/> Costs
		<input type="checkbox"/> Time Tracking <input type="button" value="Auto Assign"/>
		<input type="checkbox"/> Attachments <input type="button" value="History"/>
		<input type="checkbox"/> Work Notes <input type="button" value="Print Report"/>
Updated 05/30/2023 12:11:37	By nmelvai	

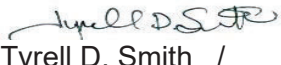


27 Days	<input type="button" value="Change"/>	<input type="button" value="Save"/>	<input type="button" value="OK"/>	<input type="button" value="Cancel"/>	<input type="button" value="Back"/>
----------------	---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: May 2, 2023	Case Number: 2023 02 5629
Respondent: COLLADO, MARIO LUIS 13220 SW 264 STREET HOMESTEAD, FLORIDA 33032		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900	
License # and Type: N/A / 1098		Profession: Patron	Report Date: May 16, 2023
Period of Investigation: May 2, 2023 through May 16, 2023		Type of Report: Final	
<p>Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.—The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p>(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.</p>			
<p>Synopsis: On April 28, 2023, this Investigator received an email notification from Magic City Casino Compliance Manager Yadelin Crespo containing an updated Weekly Exclusion list for the facility. Upon a review of the list, this Investigator found that on April 24, 2023, cardroom patron Mario Luis COLLADO was added to the list for Disorderly Conduct. According to the Incident Report (# INV20230001890) COLLADO was initially going to be excluded for a month, however, because he continued to escalate the situation and was subsequently arrested by Miami Police Officers, he was permanently excluded from the facility (EXHIBIT #3).</p>			
Related Case(s):			
Investigator / Date: May 16, 2023  Tyrell D. Smith /		Investigator Supervisor / Date  Julio Minaya / May 19, 2023	
Chief of Investigations / Date  Bradford D. Jones / May 29, 2023			

CONTINUATION

Further investigation into this matter and a review of Magic City Casino Incident Report #IN20230001890, revealed that on April 24, 2023, at approximately 11:00 P.M., Security Officer Ladaun Brown advised Security Supervisor Manuel Andreu of a disorderly patron seated at table #25. The patron, who was identified as Mario Luis **COLLADO**, was acting in a disorderly manner towards cardroom employees (**EXHIBIT #1**).

Although not mentioned in the Incident Report, Poker Supervisor Juliette Avilez informed me that on the date of the incident, she asked **COLLADO** to leave the Poker Room because he was intoxicated and becoming disorderly. As he approached the exit door of the Poker Room, he was met by Security Supervisor Manuel Andreu along with the assigned off-duty detail Miami Police Officers. As per Avilez, Andreu advised **COLLADO** that he was going to be excluded from the facility for 1 month based on his conduct.

As per the Incident Report, as Andreu attempted to escort **COLLADO** to the Security Office, **COLLADO** stated "I'm not fucking going anywhere with you people." The Police then intervened and **COLLADO** continued to act in a disorderly manner; he was subsequently placed under arrest. Once in custody, Andreu informed **COLLADO** of the Casino Rules as they pertain to a patron's conduct while visiting the Casino. He was unable to acknowledge and sign the Magic City Casino Trespass Form due to his arrest. **COLLADO** was also informed by Andreu that he was being permanently excluded from the facility. He was then transported off the property by Police (**EXHIBIT #1 & 2**).

On May 9, 2023, this investigator conducted a video review of the April 24, 2023, incident involving **COLLADO** which revealed the following:

At approximately 11:00 P.M, **COLLADO** was observed sitting at table #25 seat #3. He calls a Cocktail Waitress over to the table and appears to be ordering a round of drinks for patrons at the table.

COLLADO is observed talking with the cocktail waitress for a few minutes, when another patron walks over to the table and begins to talk to the waitress. **COLLADO** then says something to the waitress that catches the attention of Poker Supervisor Juliette Avilez who was seated at table #24. Avilez, stands up and walks over to table #25. She is then seen calling the Security Officer posted in the cardroom over to table #25. Avilez and **COLLADO** exchange words with each other and the Security Officer walks over to the table. Avilez then gives a cut-throat gesture to the Security Officer to indicate that **COLLADO** needs to leave the cardroom. **COLLADO** continues to say something to Avilez while collecting his chips from the table. He is then escorted from the table by the Security Officer towards the Poker entrance when he is met by Security Supervisor Manuel Andreu and the off-duty Miami Police Officers. They escort **COLLADO** to the cashier cage where he is allowed to cash out his remaining chips. After cashing out his chips, he is escorted outside of the facility to the valet area. He then begins to argue and become visibly aggressive with the Police Officers who are able to physically restrain him by wrestling **COLLADO** to the ground and placing him under arrest. He was then placed in a police vehicle and transported off property.

On May 15, 2023, this Investigator spoke with Magic City Poker Supervisor Juliette Avilez about the incident. Avilez stated that on the day of the incident she was acting as the Poker Room Floor Supervisor. She saw that **COLLADO** was intoxicated and she advised the cocktail waitress to not serve him anymore alcoholic beverages. When the waitress would not serve **COLLADO** anymore cocktails, he became upset because he had ordered a round of drinks for the table but he could not have one. He then requested to speak with the Poker Supervisor in reference to being cut off from additional alcoholic beverages. Avilez stated that when she tried to explain to **COLLADO** why he could not have any more drinks, he became belligerent. He then refused to pay for the other drinks

CONTINUATION

that he had ordered and began to call her vulgar names. She then notified security to come to the table and have **COLLADO** removed. Security then responded and **COLLADO** was escorted from the table. Avilez could not provide additional information.

On May 19, 2023, a check of the Miami/Dade County Clerk of Court records was conducted by this Investigator which revealed that when **COLLADO** was arrested on April 24, 2023, he was charged with Misdemeanor Disorderly Intoxication and Resisting Officer without Violence (**EXHIBIT #5**). As of the date of this report, the matter is still pending. **COLLADO**'s next court appearance is scheduled for July 5, 2023.

Status: Closed by Investigations and forwarded to Legal for review and the possible addition of **COLLADO**'s name to the Statewide Exclusion List.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

1. Magic City Incident Report # IN20230001890 1-6

2. Magic City Trespass Warning Form 1-1

3. Magic City Exclusion list 1-6

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

5. Miami/Dade County Clerk of Court Printout..... 1-3

Incident File Full Report



iTrak Incident Reporting and Risk Management System Version
2020.1.0.05202

Incident Number: IN20230001890
Date/Time Occurred: 4/24/2023 11:00:41 PM
Day of Week: Monday
Created by: mandreu

Printed By: igarcia

Printed On: 5/ 1/2023 at 9:55:36 AM

EXHIBIT # - /
PAGE # - /

Incident File Full Report

Incident File #IN20230001890

		Record Creation Details	
Date/Time Occurred:	4/24/2023 11:00:41 PM	Department:	Security
Day of Week Occurred:	Monday	Owner:	mandreu
Date/Time Created:	4/25/2023 1:04:33 AM	Operator ID:	mandreu
Date/Time Closed:		Operator Name:	
Closed By:		Personnel ID:	
		Card Number:	
		Job Position:	
		Secondary Operator:	

Location of Incident:

Property:	Magic City Casino
Location:	Poker Room
Sublocation:	

Details of Incident:

Daily Log #:	DL20230013791
Incident Type:	Disorderly Conduct/Towards MPD
Specific:	Arrested
Risk Classification:	
Incident Status:	Open
Custom 3:	
Custom 4:	
Synopsis:	On Monday April 24, 2023 at approximately 11:00 P.M Security Supervisor alongside MPD attempted to escorted an unknown male patron from the Poker Room (Echo 1) to Security Office for the evening. After arriving to the location, the unknown male refused to comply and started being disorderly towards MPD which led to the unknown male Patron being placed under arrest for Disorderly Conduct Towards MPD. Security Supervisor explained the casino rules and regulations to the male patron and he was advised that he is permanently excluded for Disorderly Conduct from the property. No Trespass Warning Form wasn't signed and the unknown male Patron was transported off the property by MPD.

Checklist:

Narrative:

Created On	Created By	Modified On	Modified By
4/25/2023 1:26:58	/ mandreu	4/25/2023 3:23:34	/ mandreu

On Monday April 24th, 2023 at approximately 11:00 P.M. Security Supervisor Manuel Andreu was advised by Security Agent Ladaun Brown (3446) that there was an unknown male Patron later identified as Mr. Mario Luis Collado who was being disorderly inside the Poker Room (Echo 1). Security Supervisor Andreu responded to the location and spoke to Poker Supervisor Elio F. Molina (1215) who requested that

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20230001890

Mr. Collado be excluded for 1 month for disorderly conduct. Security Supervisor Andreu alongside MPD approached Mr. Collado as he was exiting the Poker Room (Echo 1) and attempted to explain the situation and try to escort him to the security office to gather additional information which led to Mr. Collado being disorderly and stating "I'm not fucking going anywhere with you people." Moments later MPD tried to speak too Mr. Collado but he began to be disorderly with MPD which led to him being placed under arrest. Security Supervisor Andreu explained the casino rules and regulations to Mr. Collado and he was advised that he is permanently excluded for Disorderly Conduct Towards MPD. Mr. Collado didn't sign the Trespass Warning Form due to him being arrested by MPD. Later on, MPD transported Mr. Collado off the property. Nothing Further.

MPC# 23424-0029420

Executive Brief:

Participants Involved:

Personnel

Full Name: Molina, Elio Franklin Property: Magic City Casino
Role: Poker Supervisor Department: Poker
Date Of Birth:

Full Name: BROWN, LADAUN Property: Magic City Casino
Role: Security Agent Department:
Date Of Birth: [REDACTED]

Full Name: ANDREU, MANUEL JOAQUIN Property: Magic City Casino
Role: Security Supervisor Department:
Date Of Birth: [REDACTED]

Subject

Full Name: Collado, Mario Luis Company:
Role: Patron
Date Of Birth: [REDACTED]
Address: 13220 SW 264 ST, Homestead, Florida, 33032, USA
Contact Info:

Ban/Watch Details

Full Name	Ban/Watch	Start Date	End Date
Collado, Mario Luis	Ban	4/24/2023	Permanent
Type Of Ban:	Permanent	Notes:	
Reason For Ban:	Disorderly towards MPD		

Reporting Party: [REDACTED]

Supervisor: [REDACTED]

EXHIBIT # -1
PAGE # -3

Incident File Full Report**Incident File #IN20230001890**Identification: Driver's License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20230002877 - Daily Log#: DL20230013791 - Call Time: 24/04/2023 23:00:41 - Dispatch Code: 10-31 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	mandreu	4/25/2023

EXHIBIT # -1
PAGE # -4

Media Title

Original Filename

Collado.jpg

Date Attached

4/25/2023 1:29:36 AM

Attached By

mandreu

Type

JPG

Size

51347



Media Title

Original Filename

Mario Luis Collada.jpg

Date Attached

4/25/2023 1:29:36 AM

Attached By

mandreu

Type

JPG

Size

68205



5/1/2023 9:55:37 AM

Page 1/2

EXHIBIT #-1
PAGE # -5

Media Title

Original Filename

Xerox

Scan_04252023005803.p
df

Date Attached

4/25/2023 1:29:36 AM

Attached By

mandreu

Type

PDF

Size

74091

TRESPASS WARNING

NAME / LAST NAME: Marie Luis Celledo

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

ADDRESS: 13220 SW 26th St CITY: Hollywood ST: FL ZIP: 33032

RACE: Hispanic SEX: M HEIGHT: 5'8" WEIGHT: 175 lbs HAIR: Black EYES: Brown

REASON FOR TRESPASSING: Disorderly conduct towards MPD / Arrested

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:
 24 Hrs 3 Days 7 Days 30 Days 3 Months 6 Months 1 Year 2 Year Permanent
This warning was given on 02/24/23 at 11:55pm hours.
If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: Arrested

CASE #: 23032d-0029120 ARRESTED: YES NO

SECURITY AGENT: [Signature] #3750 DATE: 02/24/23

POLICE OFFICER / WITNESS: [Signature] 5671

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

Tyrell Smith

From: Yadelin Crespo <ycrespo@magiccitycasino.com>
Sent: Friday, April 28, 2023 3:46 PM
To: Tyrell Smith; Raul Suau; Julio Minaya
Cc: Víctor Suárez; Ileana Zamora
Subject: MCC Weekly Exclusions 4/27/23
Attachments: MCC Weekly Exclusions 2023-04-27.xlsx


Good Afternoon,

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

*State Exclusion website checked today 4/28/23 – MCC Master Exclusion List up to date

Thank you,

Yadelin Crespo
Director of Compliance
Magic City Casino
305.631.4536 (direct line)
ycrespo@magiccitycasino.com
magiccitycasino.com

Connect on  LinkedIn



Date	Last Name	First Name	DOB	Gender
[REDACTED]				
4/24/2023	Collado	Mario Luis		Male
[REDACTED]				

EXHIBIT # -3
PAGE # -2

Driver's License	Location	Sublocation
[REDACTED]	[REDACTED]	
[REDACTED]	Poker Room	
[REDACTED]	[REDACTED]	

Incident Type	Report#	Photo Taken	Arrested
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Disorderly Conduct/Towards MPD	IN20230001890	Y	Y
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

EXHIBIT # -3
PAGE # -4

Zip	Height	Weight	Hair Color	Eye Color	Build	Length
[REDACTED]						
33032	5'8	176	Black	Brown	Normal	Permanent

[REDACTED]

Race	Address	City	State
[REDACTED]			
Hispanic	13220 SW 264 ST	Homestead	Florida
[REDACTED]			

EXHIBIT #-3
PAGE #-6



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

PROPERTY RECEIPT

Complaint # 2023-025429 Date 5/9/23 Lab # _____

Item No.	Quantity	Description
<u>1</u>	<u>1</u>	<u>USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRON MARIO LUIS COLLADO FOR DISORDERLY CONDUCT ON 4/29/23.</u>

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]
 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]
 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: _____



MIAMI-DADE COUNTY CLERK OF THE COURTS
LUIS G. MONTALDO, CLERK AD INTERIM

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CRIMINAL JUSTICE ONLINE SYSTEM

← BACK

Q Search Criteria

Last Name: COLLADO **First Name:** MARIO **Sex:** Male

☰ Case(S) List

Total Of Cases: 1

	Case	Filed Date	Closed Date	First Charge
	M-23-008129	04/27/2023		DISORDERLY INTOX

← BACK

☰ DEFENDANTS

General

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EXHIBIT # 5
PAGE # /

About Us



Luis G. Montaldo
Clerk Ad Interim

Miami-Dade County
Clerk of the Courts

73 W. Flagler Street
Miami, Florida 33130

305-375-1155

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EXHIBIT #5
PAGE # 2

CASE INFORMATION

Court Case No.: M23008129

Name: COLLADO, MARIO

Date Filed: 04/27/2023

Previous Case:

Judge: ALVAREZ-ZANE, BETSY

Bfile Section: M004

Arresting Agency: MIAMI

State Case No.: 132023MM0081290001XX

Date Closed:

Next Case:

Defense Attorney:

File Location: FUTURE CTD WALL

Arrest Date: 04/24/2023

Warrant Type:

Box Number:

HEARING

CHARGES

Seq No.	Charge	Charge Type	Disposition
1	DISORDERLY INTOX	MISDEMEANOR	
2	RESIST OFF W/O VIOL	MISDEMEANOR	

DOCKETS

Seq. No.	Date	Book/Page	Docket
9	05/18/2023		INFORMATION FILED
8	05/18/2023		TRIAL HEARING SCHEDULED FOR 07/05/2023 AT 09:30
4	05/01/2023		ARRAIGNMENT * HEARING SCHEDULED FOR 05/18/2023 AT 09:30
7	04/28/2023		BOND RECEIVED PSC51999719
6	04/28/2023		BOND RECEIVED PSC51999718
3	04/26/2023		INTAKE UNIT ASSIGNED: COUNTY COURT
2	04/25/2023		PSC AMT/ 1000 ISSUED 04/25/2023 POWER/PSC51999718
1	04/25/2023		PSC AMT/ 500 ISSUED 04/25/2023 POWER/PSC51999719

EXHIBIT #5
PAGE #3

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

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7006 2150 0005 6445 6203

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Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		

6/14/23

Postmark
Here

Sent To
Street, Apt
or PO Box
City, State

Mario Luis Collado
13220 SW 264 Street
Homestead, FL 33032
AC - 2023025629 - PMW

Tracking Number:

Remove X

70062150000568456203

[Copy](#)

[Add to Informed Delivery \(https://informedelivery.usps.com/\)](https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 8:28 pm on June 20, 2023 in HOMESTEAD, FL 33031.

Get More Out of USPS Tracking:

USPS Tracking Plus[®]

Delivered

Delivered, Left with Individual

HOMESTEAD, FL 33031

June 20, 2023, 8:28 pm

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USPS Tracking Plus[®]



Product Information



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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. Julian M. Reyes Case No. 2023-026490; Default Final Order
Date: July 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the revocation of Julian M. Reyes's ("Respondent") Cardroom Employee Occupational License based on his conviction. 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 revoking Respondent's Cardroom Employee Occupational License.

Background

On March 6, 2023, Respondent was convicted of False Imprisonment and Tampering with a Witness, Victim or informant, felonies, in Clay County, Florida. Respondent did not inform the Division of conviction within 48 hours.

Based on this conviction, the Division served Respondent with an administrative complaint seeking revocation of his Cardroom Employee Occupational License via U.S. certified mail. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days¹ to file a written response to the administrative complaint. The Respondent was served on June 22, 2023 which means the Respondent had until July 13, 2023 to respond. He 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..."

¹ 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(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 and Respondent’s failure to inform the Division of this conviction within 48 hours.

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.”

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 Cardroom Employee Occupational License.

Staff Recommendation: The Florida Gaming Control Commission should enter a final order revoking Julian M. Reyes’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.: 2023-026490

JULIAN M. REYES,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Julian M. Reyes (“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 12810520-1012, issued by Petitioner.
3. On or about March 6, 2023, Respondent entered a plea of guilty and was convicted of False Imprisonment and Tampering with a Witness, Victim or Informant, felonies, in the Circuit Court of the Fourth Judicial Circuit in and for Clay County, Florida, in case number 10-2021-CF-1638.

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. 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.”

8. Based on the foregoing, Respondent violated sections 550.105(5)(b), and 849.086(6)(f), Florida Statutes, by entering a plea of guilty and being convicted of False Imprisonment and Tampering with a Witness, Victim or Informant, felonies, in Clay County, Florida on March 6, 2023.

COUNT II

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

10. Respondent failed to notify Petitioner within 48 hours of his March 6, 2023 convictions for False Imprisonment and Tampering with a Witness, Victim or Informant in Clay County, Florida.

11. 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.”

12. 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.”

13. Based on the foregoing, Respondent violated sections 550.105(10)(d), and 849.086(6)(f), Florida Statutes, by failing to inform the Division of his March 6, 2023 convictions for a disqualifying offenses within 48 hours.

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 2023-026490 is signed this 14th 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: 05/30/2023
22 Days

FAQ | Help | Sign Out

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: nmelvai

VR Home > Complaint Search > License Home > Maintain Complaint

Lic Type	1012 - Cardroom Employee Occupational	Status	90 Closed	Status Date	05/28/2023
Complaint #	2023026490	Case Type	CMP - Complaint	Disposition	
Docket#		Respondent	REYES, JULIAN M	Responsible	bjones - JONES, BRADFORD
					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			
Class'n	CHIS - Criminal History	Complexity	R - Regular	<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Security	STND - Standard	Incident	03/06/2023	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Region	CR - Central Region	Received	05/01/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Reference	550.105	Entered	05/08/2023	<input type="checkbox"/> Inspection	
		Entered By	icampbell	<input type="checkbox"/> Costs	
Summary	148 - Orange Park Kennel Club - 550.105 (Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines.): Licensee Julian M. REYES, a Chip Counter at Orange Park Kennel Club, and who holds a PMW Cardroom Employee Occupational License, (Lic# 12810520 / 1012), was convicted on March 6, 2023, of Kidnapping-False Imprisonment (Felony 3rd Degree), Obstructing Justice-Tampering in Misdemeanor Proceeding (Felony 3rd Degree), and Battery-Battery Touch or Strike Domestic Battery (Misdemeanor). Upon his convictions, REYES failed to notify the Division of his arrests and subsequent convictions as required by Florida Statutes.			<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
				<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	05/30/2023 10:26:20	By	nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

22 Days | Change | Save | OK | Cancel | Back



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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Complaint: May 1, 2023	Case Number: 2023 02 6490
Respondent: REYES, JULIAN M. 425 AQUARIUS CONCOURSE ORANGE PARK, FLORIDA 32073 [REDACTED]		COMPLAINANT: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: 12810520 - 1012		Profession: Chip Counter	Report Date: May 16, 2023
Period of Investigation: May 1, 2023 – May 16, 2023		Type of Report: FINAL	
<p>Alleged Violation(s): 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines. — (10)(d) 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>75-11.011 Notification of Criminal Conviction or Charge - 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>Synopsis: Licensee Julian M. REYES, a Chip Counter at Orange Park Kennel Club, and who holds a PMW Cardroom Employee Occupational License, (Lic# 12810520 / 1012), was convicted on March 6, 2023, of Kidnapping-False Imprisonment (Felony 3rd Degree), Obstructing Justice-Tampering in Misdemeanor Proceeding (Felony 3rd Degree), and Battery-Battery Touch or Strike Domestic Battery (Misdemeanor). Upon his conviction, REYES failed to notify the Division of his arrests and subsequent convictions as required by Florida Statutes.</p>			
Related Case:			
Investigator Supervisor / Date /s/  C. Derek Washington / May 16, 2023		Chief of Investigations / Date  Bradford D. Jones / May 28, 2023	

CONTINUATION

On October 30, 2021, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on October 30, 2021, **REYES** was arrested by the Clay County Sheriff's Office and charged with the following offenses: **(Exhibit #1)**:

1. Kidnapping-False Imprisonment (Felony 3rd Degree)
2. Obstructing Justice-Tampering in Misdemeanor Proceeding (Felony 3rd Degree)
3. Battery-Battery Touch or Strike Domestic Battery (Misdemeanor)

Mr. **REYES** received his PMW Cardroom Employee Occupational license on June 11, 2021 to work as a Chip Counter at Orange Park. He is currently licensed until June 30, 2024 **(Exhibit #2)**.

On November 3, 2021, PMW Operations Review Specialist Tanicha McDowell placed an Enforcement Alert on **REYES'** PMW license regarding the above offenses **(Exhibit #3)**.

Information obtained from the Florida Comprehensive Case Information System (CCIS) for Clay County, Florida indicated that on March 6, 2023, **REYES** pled guilty to all charges listed above. For counts 1 & 2, he received Adjudication Withheld and for Count 3, **REYES** was Adjudicated Guilty. **REYES** was sentenced to 6 months in County Jail with 117 days credited for time served and 3 years' probation **(Exhibit #4)**.

Conclusion: **REYES** is in violation of the above listed Statute and Rule due to his arrest and subsequent felony convictions and for failing to notify the Division of same.

Status: Investigations case closed and case forwarded to Legal for review.

TABLE OF CONTENTS

- I. INVESTIGATIVE REPORT COVERSHEET 1-1

- II. INVESTIGATIVE REPORT 1-3

- III. EXHIBITS
 - 1. FDLE Notification 1-3
 - 2. Enforcement Alert 1-2
 - 3. License Information 1-1
 - 4. Court Documents form CCIS 1-17

PMW Occupational License Applicant Hit Routing Slip

RE: REYES, JULIAN M LICENSE NO: 12810520
(LICENSEE NAME)

APPLICANT HIT RECEIVED: 10/30/2021
(DATE)

Cyntoria Harris 148 - Orange Park Kennel Club, Inc. Chip Counter

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		
Conviction		
<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:		
Comments:		
10/30/2021- Clay County, Florida (Case #: 102021CF001638CFAXXX)		
Charge 1- Kidnap-False Imprisonment - Adult (F)- Adjudication Withheld		
Charge 2- Obstructing Justice - Tampering in Misdemeanor Proceeding (F)- Adjudicated Guilty		
Charge 3- Battery - Battery Touch or Strike (Domestic Battery) (M)- Adjudication Withheld		
<input checked="" type="checkbox"/> Referred to Investigations	Initials: <u>CH</u>	Date: <u>4/12/2023</u>

License Administrator Review:	<input type="checkbox"/> No Referral Required	<input checked="" type="checkbox"/> Forward to Investigations	Initials: 
--------------------------------------	---	---	---

FDLE Information Notification System

Sent Date: 10/30/21 7:56 PM Purge Date: 4/28/22 7:56 PM Mail Ref.No: ORG002044-3967332

Subject : *****APPLICANT HIT - 80GBPR040000087710 REYES, JULIAN M**



Subject : ****APPLICANT HIT - 80GBPR040000087710 REYES, JULIAN M**



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: icampbell

VR Home > License Search > Display Alerts

Fed Tax # [REDACTED]	Lic Type 1012 - Cardroom Employee Occupational	Expires On 06/30/2024
File # 12857	Name REYES, JULIAN M	Extended To
License # 12810520	Rank CEMP - Cardroom Employee Occupational	Renewed On
Entity # 12810520	Lic Status Current	

Description	Effective	Notes
Enforcement Alert	11/03/2021	

OK

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EXHIBIT # 2
PAGE # 1/2

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: icampbell

VR Home > License Search > Display Alerts > Maintain License Modifiers - BASE_CLONE

Search Criteria | Results | Detail

Modifier Type **A - Alert**
 Modifier **ENFO - Enforcement**
 Effective **11/03/2021**
 Expires -
 Additional Info :
 Prompt
 Value **Applicant Hit**
 Notes **Applicant must provide court disposition records for the 10/30/21 arrest in Clay County prior to licensure**
 Updated **11/03/2021 12:33:41**
 By **tmcdowell1**


 Get Adobe Reader.

EXHIBIT # 2
PAGE # 2/2

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

Logged in as: **icampbell**

VR Home > License Search > License Home

License

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **06/30/2024**

File # **12857** Name **REYES, JULIAN M** Extended To

License # **12810520** Rank **CEMP - Cardroom Employee Occupational** Renewed On

Entity # **12810520** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

Address

Street # **425** Street **AQUARIUS CONCOURSE**

Line 2

Line 3

City **ORANGE PARK** State **FL** Zip **32073**

Routing


Other

1st License Date **06/11/2021** Rank Date **06/11/2021** Certificate #

Method **I-S-1020** Status Date **06/11/2021** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action  

Modifiers

Type	Modifier	Effective Date	Additional Info
A	ENFO - Enforcement Alert	11/03/2021	Applicant Hit
C	CHIP - Chip Counter	06/11/2021	
I	GHND - Greyhound	06/11/2021	
L	148 - Orange Park Kennel Club, Inc.	06/11/2021	
Y	3YR - 3 Year License	06/11/2021	

Alt Keys

BEST LIC NBR **12810520**

EXHIBIT #3

ADULT ARREST REPORT
 ADULT NOTICE TO APPEAR

OFFICE OF THE SHERIFF
 CLAY COUNTY, FLORIDA

WRITTEN STATEMENTS
 OBTAINED YES NO
 INCIDENT REPORT
 WRITTEN YES NO

CCSSO FHP
 OPPD GFC
 GCSPD FMP
 OTHER _____

LOCATION OF ARREST
 O.P. CITY UNINCORPORATED AREA
 GCSPS CITY
 K.H. CITY

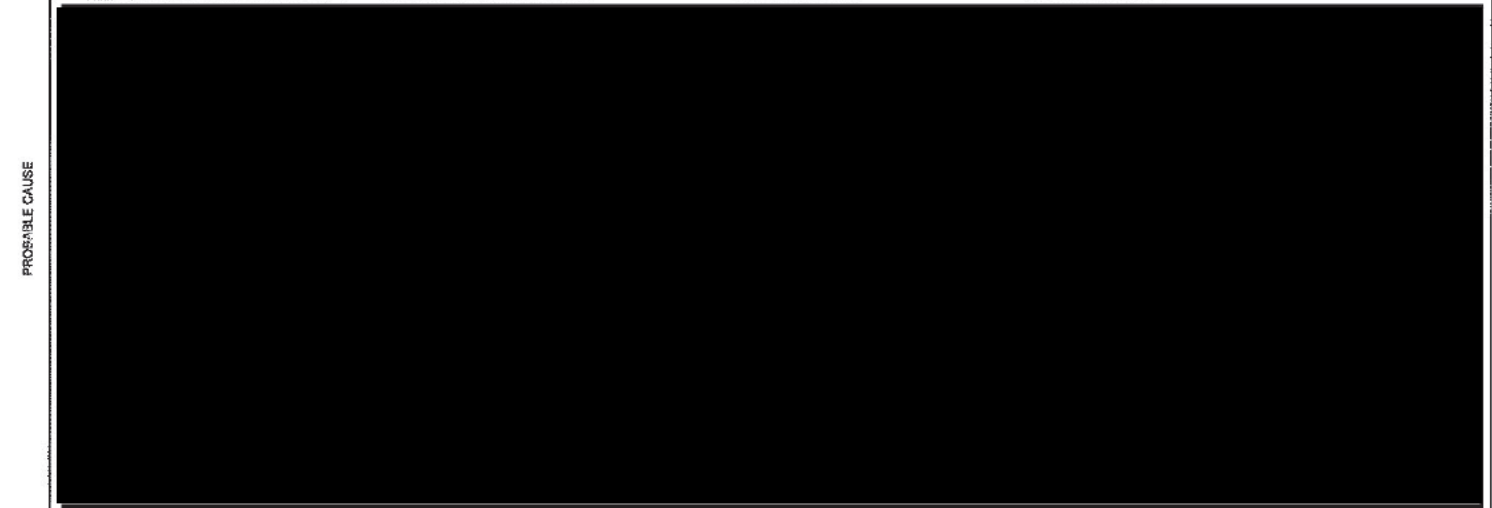
1. CASE NUMBER
 2021025899

ADMINISTRATIVE	2. ARRESTED BY BRUNDE, CHRISTOPHER L	3. I.D. NO. 06852	4. LOCATION 425 AQUARIUS CONCOURSE	5. DATE OF ARREST(M/D/Y) 10/30/2021	6. TIME OF ARREST 0830
	7. ARREST NUMBER 162690	8. O.B.T.S. NUMBER 1005030894	9. BOOKING OFFICER PEREZ, MICHELLE M	10. FINGERPRINT OFFICER PEREZ, M M	11. SEARCHING OFFICER TURNER, J B
12. COURT DATE (LOCATION / DATE / TIME)					

DEFENDANT	13. NAME (LAST, FIRST, MIDDLE) REYES, JULIAN MICHAEL					14. ALIAS			
	15. HOME ADDRESS 425 AQUARIUS CONCOURSE ORANGE PARK, FL 32073					16. PHONE NUMBER (786) 597-3345			
	17. MAILING ADDRESS (IF DIFFERENT THAN PHYSICAL)								
	18. EMPLOYER AND ADDRESS UNEMPLOYED					19. PHONE NUMBER			
20. POB (CITY / STATE) HIALEAH, FL / US		21. CITIZENSHIP US		22. DRIVER'S LICENSE NUMBER / STATE R200433832900 / FL					
23. SOCIAL SECURITY NUMBER		[REDACTED]							
24. RACE W	25. SEX M	26. DATE OF BIRTH (M/D/Y) [REDACTED]	27. AGE 38	28. HEIGHT 600	29. WEIGHT 235	30. HAIR COLOR BLK	31. EYE COLOR BRO	32. COMPLEX MED	33. BUILD
34. IDENTIFYING CHARACTERISTICS (SCARS/MARKS/TATTOOS/ETC) MARK LOWR BACK/2 INCH SCAR-TATT UPPR SHOULDER/MADE IN USA 100% CUBAN PARTS									

CHARGES	35. CHARGE #1 (1) SIMPLE BATTERY		36. TYPE M	37. <input checked="" type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER 784-03/1A1	39. CASE #	40. WEAPON SEIZED 99	41. CHEM TEST RESULT
	42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT. MARRIED-SEPARATED		47. BOND	48. MADE BY
	35. CHARGE #2 (1) TAMPERING IN MISDEMEANOR PROCEEDING		36. TYPE F	37. <input type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER 914-22/1 MISD	39. CASE #	40. WEAPON SEIZED 99	41. CHEM TEST RESULT
	42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT. MARRIED-SEPARATED		47. BOND	48. MADE BY
	35. CHARGE #3		36. TYPE	37. <input type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER	39. CASE #	40. WEAPON SEIZED	41. CHEM TEST RESULT
	42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT.		47. BOND	48. MADE BY

ON THE 30 DAY OF October, 2021 AT 7:20 AM THE DEFENDANT,
 AT 425 AQUARIUS CONC ORANGE PARK, FL 32073 WITHIN CLAY COUNTY, VIOLATED THE LAW AND DID THEN AND THERE:



CO-DEF	49. CO-DEFENDANT #1	50. DOB	49. CO-DEFENDANT #2	50. DOB	49. CO-DEFENDANT #3	50. DOB
	51. VICTIM/COMPLAINANT	52. DOB	53. ADDRESS	54. PHONE NUMBER		
WITN	55. WITNESS	56. DOB	57. ADDRESS	58. PHONE NUMBER		

59. TO BE SET BY CLERK OF COURT

I AGREE TO APPEAR AT THE PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED IN THIS NOTICE TO APPEAR OR PAY THE FINE SET FORTH THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST MAY BE ISSUED.
 I HEREBY CERTIFY BY MY SIGNATURE THAT THE PERMANENT ADDRESS LISTED ABOVE IS MY CORRECT MAILING ADDRESS

60. SIGNATURE OF DEFENDANT _____ 61. DATE _____

ADMINISTRATIVE	CREATED AND SUBMITTED BY: C.L.BRUNDE(06852) USER ID: CBRUNDE	APPROVED BY: SGT M.G.DANGERFIELD(00361) USER ID: MDANGER Date/Time: 10/30/2021 10:13:34 AM
	61. VEHICLE TOWED BY:	62. TRANSPORTING OFFICER (IF OTHER THAN BLOCK 2)

EXHIBIT #4
PAGE # 1/17

ARREST REPORT
 NOTICE TO APPEAR

OFFICE OF THE SHERIFF
 CLAY COUNTY, FLORIDA

JUVENILE
 ADULT

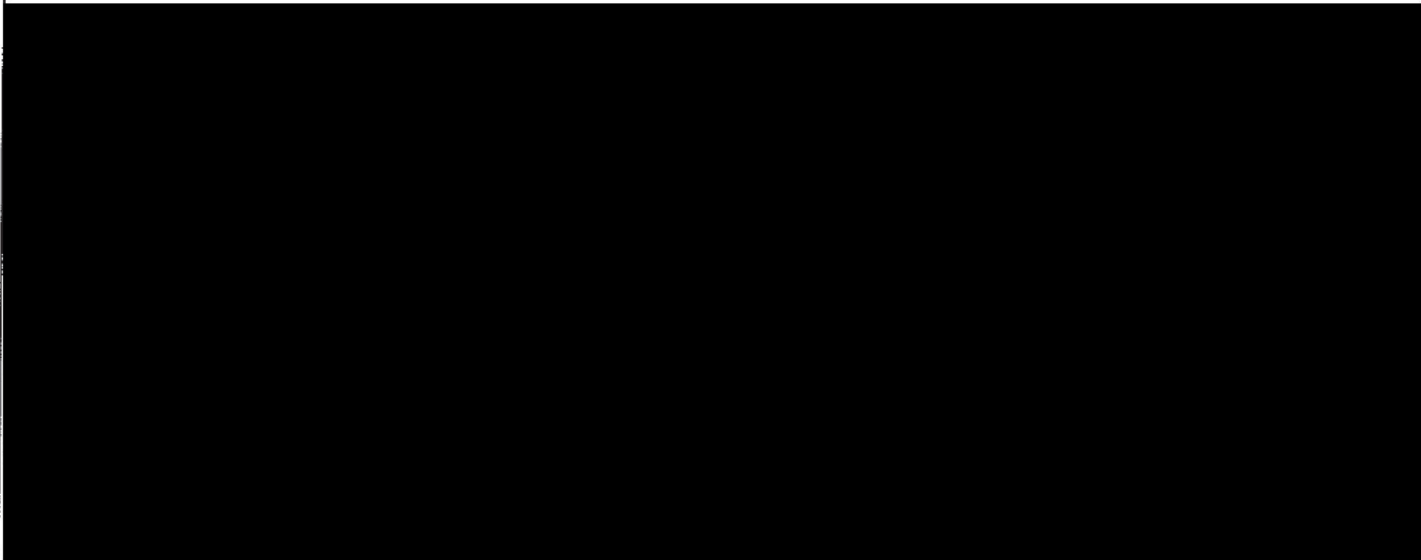
CCSSO
 OPPD
 GCSPD
 OTHER _____

FHP
 GFC
 FMP

LOCATION OF ARREST
 O.P. CITY
 GCSPS CITY
 K.H. CITY

UNINCORPORATED AREA

ADMINISTRATIVE		2. ARRESTED BY BRUNDLE, CHRISTOPHER L		3. I.D. NO. 06852	4. LOCATION 425 AQUARIUS CONCOURSE			1. CASE NUMBER 2021025899		
		13. DEFENDANT NAME REYES, JULIAN MICHAEL			7. ARREST NUMBER 162690			5. DATE OF ARREST(MDY) 10/30/2021	6. TIME OF ARREST 0830	
CHARGES		35. CHARGE #4		36. TYPE	37. <input type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER	39. CIS CODE	40. WEAPON SEIZED	41. CHEM TEST RESULT	
		42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT		46. VIC/ARR. RELAT.	47. BOND	48. MADE BY	
		35. CHARGE #5		36. TYPE	37. <input type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER	39. CIS CODE	40. WEAPON SEIZED	41. CHEM TEST RESULT	
		42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT		46. VIC/ARR. RELAT.	47. BOND	48. MADE BY	



PROBABLE CAUSE

CLERK'S OFFICE #

EXHIBIT # 4
PAGE # 2/17

VIC	51. VICTIM/COMPLAINANT	52. DOB	53. ADDRESS	54. PHONE NUMBER
-----	------------------------	---------	-------------	------------------

ADMINISTRATIVE	CREATED AND SUBMITTED BY: C.L.BRUNDLE(06852) USER ID: CBRUNDLE	APPROVED BY: SGT M.G.DANGERFIELD(00361) USER ID: MDANGER Date/Time: 10/30/2021 10:13:34 AM
----------------	---	--

OFFICER COPY COURT COPY DEFENDANTY COPY

STATE ATTORNEY #

STATE ATTORNEY'S OFFICE
FOURTH JUDICIAL CIRCUIT OF FLORIDA

CHARGING NOTICE

TO: CIRCUIT COURT CLERK

DATE: December 9, 2021

DIVISION: CRA

RE: STATE OF FLORIDA

S.A. CASE NO.: 21CF055577AC

vs.

CLERK NO.: 102021CF001638A

JULIAN MICHAEL REYES

ARREST NO.: 2021-162690

CCR NO.: 2021-0025899

ORIGINAL CHARGE(S):

- 1) 78403ZB, BATTERY (DOMESTIC), S784.03(1)(a), 741.28, M1
- 2) 91422KA, TAMPERING WITH A WITNESS, VICTIM, OR INFORMANT (MISDEMEANOR PROCEEDING), S914.22(1), 914.22(2)(a), F3

FILED CHARGE(S):

- 1) 78702A, FALSE IMPRISONMENT , S787.02(1)(a), F3
- 2) 91422KA, TAMPERING WITH A WITNESS, VICTIM, OR INFORMANT (MISDEMEANOR PROCEEDING), S914.22(1), 914.22(2)(a), F3
- 3) 78403ZB, BATTERY (DOMESTIC), S784.03(1)(a), 741.28, M1

The State Attorney's Office, through the Assistant State Attorney listed below, is filing only the charges listed above in the Filed Charge area. Any Original Charges that are not listed as Filed Charges have either been dropped or changed from the Arrest and Booking Report.

Ernie E. Dukes
Assistant State Attorney

cc: CCSO Booking Department
SAO File

Note: This Notice relates to this arrest and booking only and in no way effects any other charges this defendant may have pending.

EXHIBIT # 4
PAGE # 3/17

Filing # 140116187 E-Filed 12/10/2021 11:26:02 AM

S.A. CASE NO.: 21CF055577AC

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA

Spring Term, in the year two thousand twenty-one

vs.

CLERK NO.: 102021CF001638A

JULIAN MICHAEL REYES

DIVISION: CRA

INFORMATION FOR:

- 1) FALSE IMPRISONMENT
- 2) TAMPERING WITH A WITNESS, VICTIM, OR INFORMANT (MISDEMEANOR PROCEEDING)
- 3) BATTERY (DOMESTIC)

IN THE NAME OF AND BY AUTHORITY OF THE STATE OF FLORIDA, MELISSA W. NELSON, State Attorney for the Fourth Judicial Circuit of the State of Florida, in and for Clay County, charges that:

COUNT 1

JULIAN MICHAEL REYES on October 30, 2021, in the County of Clay and the State of Florida, did confine, abduct, imprison or restrain C.T. forcibly, by threat, or secretly against the will of the said C.T. and without lawful authority, contrary to the provisions of Section 787.02(1)(a), Florida Statutes.

COUNT 2

JULIAN MICHAEL REYES on October 30, 2021, in the County of Clay and the State of Florida, did knowingly use intimidation or physical force, or threatened another person, or attempted to do so, or engaged in misleading conduct towards another person, or offered pecuniary benefit or gain to another person, with intent to cause or induce any person to hinder, delay, or prevent the communication to a law enforcement officer or judge of information relating to the commission or possible commission of an offense or a violation of a condition of probation, parole, or release pending a judicial proceeding, contrary to the provisions of Sections 914.22(1) and 914.22(2)(a), Florida Statutes.

COUNT 3

JULIAN MICHAEL REYES on October 30, 2021, in the County of Clay and the State of Florida, did actually and intentionally touch or strike a family or household member, to-wit: C.T., against the will of said person, or did intentionally cause bodily harm to C.T., contrary to the provisions of Sections 784.03(1)(a) and 741.28, Florida Statutes.

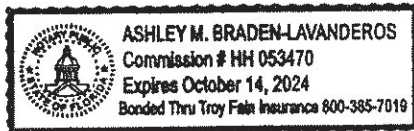
MELISSA W. NELSON, STATE ATTORNEY
FOURTH JUDICIAL CIRCUIT

By: 
Assistant State Attorney
Fourth Judicial Circuit of Florida, in and for Clay County

STATE OF FLORIDA)
COUNTY OF CLAY)

Personally appeared before me, Ashley Young Terry, Assistant State Attorney, for the Fourth Judicial Circuit of the State of Florida, in and for Clay County, who is personally known to me, and who being first duly sworn, says that the allegations as 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, and that this prosecution is instituted in good faith, and hereby certifies that testimony under oath has been received from the material witness(es) for the offense.

Sworn to and subscribed before me this 10th day of December, 2021.



By: 

TARA S. GREEN, Clerk of the Circuit Court, Fourth Judicial Circuit of Florida, In and For Clay County, and Clerk of the County Court, In and For Clay County, Florida.

FILED THIS _____

BY DEPUTY CLERK: 

Dkt 2021-162690
Race White

AD January 11, 2022
Sex Male

Ext. E
DOB 08/10/1983
Prior DNA Submission NO

MCL NO.(S): S787.02(1)(a), F3; S914.22(1), 914.22(2)(a), F3; S784.03(1)(a), 741.28, M1

EXHIBIT # 4
PAGE # 4/17

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
CLAY COUNTY, FLORIDA

CASE NO.: 10-2021-CF-1638
DIVISION: A

STATE OF FLORIDA,

vs

JULIAN MICHAEL REYES,
Defendant.

PLEA OF GUILTY AND NEGOTIATED SENTENCE

I hereby enter my plea of guilty because I am guilty. Before entering such plea of guilty, I was advised of the nature of all the charges against me, the statutory offenses included within such charges, the range of maximum allowable punishments for each charge, all the possible defenses to each charge, and all circumstances in mitigation of such charges. I have been advised of all other facts essential to a full and complete understanding of all offenses with which I have been charged, and of all offenses to which I am entering this plea. I have been advised of all direct consequences of the sentence to be imposed.

Specific Terms of Negotiated Sentence:

My sentence has been negotiated in this case, and I understand that it is as follows:

As to Count One [False Imprisonment, a 3rd Degree Felony] and Count Two [Tampering with a Witness, Victim, or Informant (Misdemeanor Proceeding), a 3rd Degree Felony], Defendant pleads guilty/adjudication withheld and sentenced to three (3) years' probation with no early termination; 1) Six (6) months Clay County Jail w/credit for 117 days; 2) TASC and any recommended follow-up treatment; 3) Mental Health Evaluation and any recommended follow-up treatment; 4) No victim contact except contact relating to the minor child in common and only through written communication; 5) completion of Batters' Intervention.

As to Count Three [Battery (Domestic), a 1st Degree Misdemeanor], Defendant pleads guilty and is adjudicated guilty and sentenced to Six (6) months Clay County Jail with credit for 117 days.

All counts run concurrent.

I consider this negotiated sentence to be to my advantage, and I have freely and voluntarily entered my plea of guilty. I have not been offered any hope of reward, better treatment, or certain type of sentence to get me to enter this plea, other than the sentence set forth above. I have not been promised by anyone, including my attorney, that I would actually serve any less time than set forth above, and I understand that any early release of any sort is not a pan of this plea agreement and is entirely within the discretion of governmental agencies other than this Court. I have not been threatened, coerced, or intimidated by any person, including my attorney, in any way in order to get me to enter this plea.

EXHIBIT # 4
PAGE # 5/17

Advice of Rights:

I understand that by pleading guilty I give up the following constitutional rights: the right to trial by judge or jury (including, if I am charged with a capital offense, the right to a jury of twelve persons), the right to be represented by counsel at trial, the right to have counsel appointed to represent me if I cannot afford to retain counsel, the right to present witnesses in my own behalf and to compel the attendance of those witnesses, the right to confront the witnesses against me, the right to require the State to prove its case against me beyond a reasonable doubt and, for purposes of this plea hearing, my right against self-incrimination. I further understand that if I am not a citizen of the United States that this plea may subject me to deportation. I also understand that by entering this plea I give up the right to appeal all matters relating to the judgement including the issue of guilt or innocence.

Consultation with Attorney:

I have had ample time to discuss this agreement with my attorney. My attorney and I have read this agreement regarding my guilty plea together in private, and my attorney has explained all portions of this agreement to my complete understanding and satisfaction. We have fully discussed all aspects of the case, including all possible defenses to all charges, including self-defense and any defense based upon any disability, disease, insanity, or intoxication. My attorney has given me the opportunity to ask questions and has answered all of my questions fully and completely. My attorney has taken all actions requested by me or has explained to my satisfaction and agreement why such actions should not be taken, and I concur with my attorney's decisions in that regard. I am completely satisfied with the services rendered by my attorney on my behalf in this case.

Time for Consideration and Reflection:

I have had sufficient time to consider all charges against me, all possible defenses and circumstances in mitigation, the advice of my attorney, the constitutional rights forfeited by entering into this plea agreement, and the potential consequences that the plea of guilty may have upon me. I have been provided with the opportunity for additional time to consider and reflect upon these matters, and I specifically state that I do not require any additional time to do so. I wish to proceed with the entry of my guilty plea.


Acknowledged in Open Court:

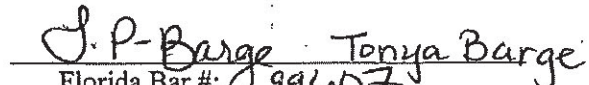
In open court I have under oath acknowledged to the Judge of this Court that:

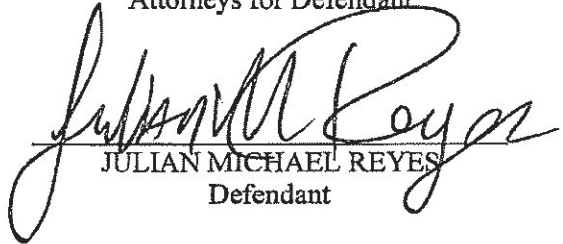
- A. I have read and understood this entire plea agreement, including the rights I am giving up by entering into it;
- B. I am not under the influence of any substance, drug or condition (physical, mental, or emotional) which interferes with my appreciation of the entire plea agreement into which I am entering and all consequences thereof;
- C. I have not been deprived of, and am properly taking, any medication which is essential to my full, complete and unimpaired understanding of the plea agreement and these proceedings;
- D. I have entered into and signed this Plea of Guilty and Negotiated Sentence freely and voluntarily;
- E. This Plea of Guilty and Negotiated Sentence form is true and correct in all respects; and

F. This form represents the sole and complete agreement between myself and the State. No other agreements, representations, or promises have been made by myself, my attorney, the Court, or any representative of the State.


Both my attorney and I have signed this plea agreement in open Court at Jacksonville, Duval County, Florida, this 6 day of March, 2023.


SAMANTHA V. ELLIS, ESQUIRE
Florida Bar #0052070
GARY TJ BRYANT, ESQUIRE
Florida Bar #0068342
Attorneys for Defendant


Florida Bar #: 099607
Assistant State Attorney


JULIAN MICHAEL REYES
Defendant


Witness, Deputy Clerk


Circuit Judge

My signature as Judge of this court is certification that I have discussed this plea agreement with Defendant and Defendant's attorney in open court on this date and have asked Defendant questions, considered Defendant's responses, and observed Defendant's demeanor. I find that Defendant has the intelligence to comprehend these constitutional rights, the terms of this plea agreement, the contents of this written agreement, and these proceedings. I further find that Defendant has entered this plea freely and voluntarily and is not under the influence of any disability, substance, drug or condition which would interfere with Defendant's ability to understand and appreciate the terms of this plea agreement and its consequences.

EXHIBIT # 4
PAGE # 7/17

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: 2021CF001638

vs.

DIVISION: A

JULIAN MICHAEL REYES ,
Defendant.

JUDGMENT

- Probation Violator/Revoked and Terminated
- Community Control Violator/Revoked and Terminated
- Retrial
- Resentence

The Defendant, JULIAN MICHAEL REYES , being personally before this Court represented by GARY TJ BRYANT , the attorney of record, and the state represented by TONYA PATTERSON-BARGE and having:

- been tried and found guilty by jury/by the Court of the following crime(s)
- entered a plea of guilty to the following crime(s)
- entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree Of Crime	Case Number	OBTS Number
1	KIDNAP-FALSE IMPRISONMENT - ADULT	787.02(1)(a)	F3	2021CF001638	1005030894
2	OBSTRUCTING JUSTICE - TAMPERING IN MISDEMEANOR PROCEEDING	914.22(1)	F3	2021CF001638	1005030894
3	BATTERY - BATTERY TOUCH OR STRIKE (DOMESTIC BATTERY)	784.03.1a1	MJ	2021CF001638	1005030894

COUNT 3: and no cause being shown why the Defendant should not be adjudicated guilty, IT IS ORDERED that the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).

and pursuant to section 943.325, Florida Statutes, having been convicted of attempts or offenses relating to any other offense included in this Statute sentence you will have a DNA blood draw or Swab for DNA Database.

COUNT 1 AND 2: and good cause being shown; IT IS ORDERED THAT ADJUDICATION BE WITHHELD

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY COUNTY, FLORIDA

THE STATE OF FLORIDA,

vs.

CASE NO.: 2021 CF 11038 (CT 3)
DIVISION: A

Reyes, Julian
Defendant(s). Michael

FINGERPRINTS

1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE

I hereby certify that the above and foregoing fingerprints are the fingerprints of the defendant, Reyes, Julian Michael, and that they were placed thereon by said defendant in my presence in Open Court this 6th day of March, 2023.

Fingerprints taken by:

[Signature] 8682
Signature

Deputy Sheriff
Title

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

CASE NO.: 2021CF001638
DIVISION: A

JULIAN MICHAEL REYES ,
Defendant.

Local Jurisdiction Identification Number:

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

<input checked="" type="checkbox"/>	entered a plea of guilty to	<input type="checkbox"/>	been found guilty by jury verdict of
<input type="checkbox"/>	entered a plea of nolo contendere to	<input type="checkbox"/>	been found guilty by the court trying the case without a jury of

Count	Charge
1	KIDNAP-FALSE IMPRISONMENT - ADULT
2	OBSTRUCTING JUSTICE - TAMPERING IN MISDEMEANOR PROCEEDING

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 you be placed on Probation for a period of 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 3 YEARS under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

committed to the Department of Corrections for a term of prison with credit for jail time, followed by Probation for a period of under the supervision of the Department of Corrections, subject to Florida law.
or

Defendant: JULIAN MICHAEL REYES

CASE NO.: 2021CF001638

- confined in the County Jail for a term of with credit for jail time. After you have served of the term, you shall be placed on Probation for a period of under the supervision of the Department of Corrections, subject to Florida law.
- or
- confined in the County Jail for a term of 6 MONTHS with credit for 117 DAYS jail time, as a special condition of supervision.

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 \$40.00 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.
- (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 substances.

Defendant: JULIAN MICHAEL REYES

CASE NO.: 2021CF001638

- (12) You will submit a DNA sample, as directed by your officer, for DAN 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 with 72 hours of your release from incarceration to the probation office Clay 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 1407 S. Orange Ave., Green Cove Springs, Florida 32043.

SPECIAL CONDITIONS

- [X] 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:
- [X] 2. You must undergo a MENTAL HEALTH 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:
- [X] 3. You will have no contact with THE VICTIM during the period of supervision, except contact relating to the minor child in common and only through written communication as directed by the Probation Officer.
- [X] 4. 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:
- [X] 5. Other: Counts 1 and 2 shall run current with each other.

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.

Defendant: JULIAN MICHAEL REYES

CASE NO.: 2021CF001638

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)(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.

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: \$970.00.

Defendant: JULIAN MICHAEL REYES CASE NO.: 2021CF001638

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 {{Court Costs/Fines Amt converted}CCFConv}} converted to community service hours.
- Court Costs/Fines in the amount of reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: .

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, on 6 day of MARCH, 2023

NUNC PRO TUNC



STEVEN B. WHITTINGTON , 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

EXHIBIT # 4
PAGE # 14/17

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

CASE NO.: 2021CF001638

DIVISION: A

JULIAN MICHAEL REYES ,
Defendant.

ORDER OF ADJUDICATION OF GUILT AND SENTENCE

THIS CAUSE came to be heard before the Court and the Defendant, JULIAN MICHAEL REYES , being personally before this Court, represented by GARY TJ BRYANT , his/her attorney of record and having entered a

plea of: to the offense(s):
Guilty BATTERY - BATTERY TOUCH OR STRIKE (DOMESTIC
 BATTERY)

and no cause having been shown why this Defendant should be adjudicated guilty, therefore it is

ORDERED: The Defendant is hereby adjudicated guilty, and is sentenced to the Clay County Jail for a period of 6 MONTHS with credit for time heretofore served of 117 DAYS.

- COUNT 3 SHALL RUN CONCURRENTLY TO COUNTS 1 AND 2.

DONE AND ORDERED in Open Court at Green Cove Springs, Florida, MARCH 6th of 2023.



JUDGE STEVEN B. WHITTINGTON



<http://www.dc.state.fl.us/index.html>

Florida Department of Corrections
<http://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

Supervised Population Information Detail

(This information was current as of 5/14/2023)



DC Number:	J91847
Name:	REYES, JULIAN MICHAEL
Race:	WHITE
Sex:	MALE
Birth Date:	[REDACTED]
Supervision Begin Date:	03/06/2023
Current Location:	MIAMI (http://prod.fdc-wpws001.fdc.myflorida.com/c)
Current Status:	ACTIVE
Supervision Type:	PROBATION PELONY
Scheduled Termination Date:	03/05/2026



<https://www.vinlink.com/vinlink/servlet/SubjectSearch?siteID=10000&agency=900&offenderID=J91847>

Aliases:

M. REYES JULIAN, JULIAN MICHAEL REYES

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 # 4
PAGE # 16/17

Offense Date	Offense	Sentence Date	County	Case No.	Community Supervision Length
10/30/2021	FALS.IMPRSN-NO 787.01 INT	03/06/2023	CLAY	2101638	3Y 0M 0D
10/30/2021	TAMPER WITNESS MISD CASE	03/06/2023	CLAY	2101638	3Y 0M 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 MIAMI Circuit Office (<http://prod.fdc-wpws001.fdc.myflorida.com/cc/11.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: reyes First Name: Julian 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 Programming](#) (<http://www.dc.state.fl.us/development/index.html>)
[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/cit>

501 South Calhoun Street
Tallahassee, FL 32399-2500
Main: (850) 488-7052

EXHIBIT # 4
PAGE # 17/17



Closed: 05/30/2023
22 Days

FAQ | Help | Sign Out

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: **nmelvai**

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

Lic Type 1012 - Cardroom Employee Occupational	Status 90 Closed	Status Date 05/28/2023
Complaint # 2023026490	Case Type CMP - Complaint	Disposition
Docket#	Respondent REYES, JULIAN M	Responsible bjones - JONES, BRADFORD
		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 CHIS - Criminal History	Complexity R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security STND - Standard	Incident 03/06/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region CR - Central Region	Received 05/01/2023	<input type="checkbox"/> Inspection	
Reference 550.105	Entered By icampbell	<input type="checkbox"/> Costs	
Entered 05/08/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	148 - Orange Park Kennel Club - 550.105 (Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines.): Licensee Julian M. REYES, a Chip Counter at Orange Park Kennel Club, and who holds a PMW Cardroom Employee Occupational License, (Lic# 12810520 / 1012), was convicted on March 6, 2023, of Kidnapping-False Imprisonment (Felony 3rd Degree), Obstructing Justice-Tampering in Misdemeanor Proceeding (Felony 3rd Degree), and Battery-Battery Touch or Strike Domestic Battery (Misdemeanor). Upon his convictions, REYES failed to notify the Division of his arrests and subsequent convictions as required by Florida Statutes.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 05/30/2023 10:26:20	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

22 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: PMW	Region: CENTRAL	Date of Complaint: May 1, 2023	Case Number: 2023 02 6490
Respondent: REYES, JULIAN M. 425 AQUARIUS CONCOURSE ORANGE PARK, FLORIDA 32073 [REDACTED]		COMPLAINANT: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # and Type: 12810520 - 1012		Profession: Chip Counter	Report Date: May 16, 2023
Period of Investigation: May 1, 2023 – May 16, 2023		Type of Report: FINAL	
<p>Alleged Violation(s): 550.105 Occupational licenses of racetrack employees; fees; denial, suspension, and revocation of license; penalties and fines. — (10)(d) 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>75-11.011 Notification of Criminal Conviction or Charge - 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>Synopsis: Licensee Julian M. REYES, a Chip Counter at Orange Park Kennel Club, and who holds a PMW Cardroom Employee Occupational License, (Lic# 12810520 / 1012), was convicted on March 6, 2023, of Kidnapping-False Imprisonment (Felony 3rd Degree), Obstructing Justice-Tampering in Misdemeanor Proceeding (Felony 3rd Degree), and Battery-Battery Touch or Strike Domestic Battery (Misdemeanor). Upon his conviction, REYES failed to notify the Division of his arrests and subsequent convictions as required by Florida Statutes.</p>			
Related Case:			
Investigator Supervisor / Date /s/  C. Derek Washington / May 16, 2023		Chief of Investigations / Date  Bradford D. Jones / May 28, 2023	

CONTINUATION

On October 30, 2021, the Division received an Applicant Hit notification from the Florida Department of Law Enforcement (FDLE). The report indicated that on October 30, 2021, **REYES** was arrested by the Clay County Sheriff's Office and charged with the following offenses: **(Exhibit #1)**:

1. Kidnapping-False Imprisonment (Felony 3rd Degree)
2. Obstructing Justice-Tampering in Misdemeanor Proceeding (Felony 3rd Degree)
3. Battery-Battery Touch or Strike Domestic Battery (Misdemeanor)

Mr. **REYES** received his PMW Cardroom Employee Occupational license on June 11, 2021 to work as a Chip Counter at Orange Park. He is currently licensed until June 30, 2024 **(Exhibit #2)**.

On November 3, 2021, PMW Operations Review Specialist Tanicha McDowell placed an Enforcement Alert on **REYES'** PMW license regarding the above offenses **(Exhibit #3)**.

Information obtained from the Florida Comprehensive Case Information System (CCIS) for Clay County, Florida indicated that on March 6, 2023, **REYES** pled guilty to all charges listed above. For counts 1 & 2, he received Adjudication Withheld and for Count 3, **REYES** was Adjudicated Guilty. **REYES** was sentenced to 6 months in County Jail with 117 days credited for time served and 3 years' probation **(Exhibit #4)**.

Conclusion: **REYES** is in violation of the above listed Statute and Rule due to his arrest and subsequent felony convictions and for failing to notify the Division of same.

Status: Investigations case closed and case forwarded to Legal for review.

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1-1

II. INVESTIGATIVE REPORT 1-3

III. EXHIBITS

 1. FDLE Notification 1-3

 2. Enforcement Alert 1-2

 3. License Information 1-1

 4. Court Documents form CCIS 1-17

PMW Occupational License Applicant Hit Routing Slip

RE: REYES, JULIAN M LICENSE NO: 12810520
(LICENSEE NAME)

APPLICANT HIT RECEIVED: 10/30/2021
(DATE)

Cyntoria Harris 148 - Orange Park Kennel Club, Inc. Chip Counter

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		
Conviction		
<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:		
Comments:		
10/30/2021- Clay County, Florida (Case #: 102021CF001638CFAXXX)		
Charge 1- Kidnap-False Imprisonment - Adult (F)- Adjudication Withheld		
Charge 2- Obstructing Justice - Tampering in Misdemeanor Proceeding (F)- Adjudicated Guilty		
Charge 3- Battery - Battery Touch or Strike (Domestic Battery) (M)- Adjudication Withheld		
<input checked="" type="checkbox"/> Referred to Investigations	Initials: <u>CH</u>	Date: <u>4/12/2023</u>

License Administrator Review:	<input type="checkbox"/> No Referral Required	<input checked="" type="checkbox"/> Forward to Investigations	Initials: 
--------------------------------------	---	---	---

FDLE Information Notification System

Sent Date: 10/30/21 7:56 PM Purge Date: 4/28/22 7:56 PM Mail Ref.No: ORG002044-3967332

Subject : *****APPLICANT HIT - 80GBPR040000087710 REYES, JULIAN M**



Subject : ****APPLICANT HIT - 80GBPR040000087710 REYES, JULIAN M**



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: icampbell

VR Home > License Search > Display Alerts

Fed Tax # [REDACTED]	Lic Type 1012 - Cardroom Employee Occupational	Expires On 06/30/2024
File # 12857	Name REYES, JULIAN M	Extended To
License # 12810520	Rank CEMP - Cardroom Employee Occupational	Renewed On
Entity # 12810520	Lic Status Current	

Description	Effective	Notes
Enforcement Alert	11/03/2021	

OK

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EXHIBIT # 2
PAGE # 1/2

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: icampbell

VR Home > License Search > Display Alerts > Maintain License Modifiers - BASE_CLONE

Search Criteria | Results | Detail

Modifier Type **A - Alert**
 Modifier **ENFO - Enforcement**
 Effective **11/03/2021**
 Expires -
 Additional Info :
 Prompt
 Value **Applicant Hit**
 Notes **Applicant must provide court disposition records for the 10/30/21 arrest in Clay County prior to licensure**
 Updated **11/03/2021 12:33:41**
 By **tmcdowell1**


 Get Adobe Reader.

EXHIBIT # 2
PAGE # 2/2

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

Logged in as: **icampbell**

VR Home > License Search > License Home

License

Fed Tax # [REDACTED] Lic Type **1012 - Cardroom Employee Occupational** Expires On **06/30/2024**

File # **12857** Name **REYES, JULIAN M** Extended To

License # **12810520** Rank **CEMP - Cardroom Employee Occupational** Renewed On

Entity # **12810520** Lic Status **Current**

- Licensee
- History
- Notes
- Notes History
- Back

Address

Street # **425** Street **AQUARIUS CONCOURSE**

Line 2

Line 3

City **ORANGE PARK** State **FL** Zip **32073**

Routing

Other

1st License Date **06/11/2021** Rank Date **06/11/2021** Certificate #

Method **I-S-1020** Status Date **06/11/2021** Certificate Date

Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
A	ENFO - Enforcement Alert	11/03/2021	Applicant Hit
C	CHIP - Chip Counter	06/11/2021	
I	GHND - Greyhound	06/11/2021	
L	148 - Orange Park Kennel Club, Inc.	06/11/2021	
Y	3YR - 3 Year License	06/11/2021	

Alt Keys

BEST LIC NBR **12810520**

EXHIBIT #3

ADULT ARREST REPORT
 ADULT NOTICE TO APPEAR

OFFICE OF THE SHERIFF
 CLAY COUNTY, FLORIDA

WRITTEN STATEMENTS
 OBTAINED YES NO
 INCIDENT REPORT
 WRITTEN YES NO

CCSSO FHP
 OPPD GFC
 GCSPD FMP
 OTHER _____

LOCATION OF ARREST
 O.P. CITY UNINCORPORATED AREA
 GCSPS CITY
 K.H. CITY

1. CASE NUMBER
 2021025899

ADMINISTRATIVE	2. ARRESTED BY BRUNDE, CHRISTOPHER L	3. I.D. NO. 06852	4. LOCATION 425 AQUARIUS CONCOURSE	5. DATE OF ARREST(M/D/Y) 10/30/2021	6. TIME OF ARREST 0830
	7. ARREST NUMBER 162690	8. O.B.T.S. NUMBER 1005030894	9. BOOKING OFFICER PEREZ, MICHELLE M	10. FINGERPRINT OFFICER PEREZ, M M	11. SEARCHING OFFICER TURNER, J B
	12. COURT DATE (LOCATION / DATE / TIME)				

DEFENDANT	13. NAME (LAST, FIRST, MIDDLE) REYES, JULIAN MICHAEL				14. ALIAS				
	15. HOME ADDRESS 425 AQUARIUS CONCOURSE ORANGE PARK, FL 32073				16. PHONE NUMBER (786) 597-3345				
	17. MAILING ADDRESS (IF DIFFERENT THAN PHYSICAL)								
	18. EMPLOYER AND ADDRESS UNEMPLOYED				19. PHONE NUMBER				
20. POB (CITY / STATE) HIALEAH, FL / US		21. CITIZENSHIP US	22. DRIVER'S LICENSE NUMBER / STATE R200433832900 / FL		23. SOCIAL SECURITY NUMBER				
24. RACE W	25. SEX M	26. DATE OF BIRTH (M/D/Y)	27. AGE 38	28. HEIGHT 600	29. WEIGHT 235	30. HAIR COLOR BLK	31. EYE COLOR BRO	32. COMPLEX MED	33. BUILD
34. IDENTIFYING CHARACTERISTICS (SCARS/MARKS/TATTOOS/ETC) MARK LOWR BACK/2 INCH SCAR-TATT UPPR SHOULDER/MADE IN USA 100% CUBAN PARTS									

CHARGES	35. CHARGE #1 (1) SIMPLE BATTERY		36. TYPE M	37. <input checked="" type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER 784-03/1A1	39. CASE #	40. WEAPON SEIZED 99	41. CHEM TEST RESULT
	42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT. MARRIED-SEPARATED		47. BOND	48. MADE BY
	35. CHARGE #2 (1) TAMPERING IN MISDEMEANOR PROCEEDING		36. TYPE F	37. <input type="checkbox"/> F.S.S <input checked="" type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER 914-22/1 MISD	39. CASE #	40. WEAPON SEIZED 99	41. CHEM TEST RESULT
35. CHARGE #3		36. TYPE	37. <input type="checkbox"/> F.S.S <input checked="" type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER	39. CASE #	40. WEAPON SEIZED	41. CHEM TEST RESULT	
42. DRUG ACT.		43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT. MARRIED-SEPARATED		47. BOND	48. MADE BY

ON THE 30 DAY OF October, 2021 AT 7:20 AM THE DEFENDANT,
 AT 425 AQUARIUS CONC ORANGE PARK, FL 32073 WITHIN CLAY COUNTY, VIOLATED THE LAW AND DID THEN AND THERE:



CO-DEF	49. CO-DEFENDANT #1	50. DOB	49. CO-DEFENDANT #2	50. DOB	49. CO-DEFENDANT #3	50. DOB
	51. VICTIM/COMPLAINANT		52. DOB	53. ADDRESS		54. PHONE NUMBER
WITN	55. WITNESS		56. DOB	57. ADDRESS		58. PHONE NUMBER

59. TO BE SET BY CLERK OF COURT

I AGREE TO APPEAR AT THE PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED IN THIS NOTICE TO APPEAR OR PAY THE FINE SET FORTH THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST MAY BE ISSUED.
 I HEREBY CERTIFY BY MY SIGNATURE THAT THE PERMANENT ADDRESS LISTED ABOVE IS MY CORRECT MAILING ADDRESS

60. SIGNATURE OF DEFENDANT _____ 61. DATE _____

ADMINISTRATIVE	CREATED AND SUBMITTED BY: C.L.BRUNDE(06852) USER ID: CBRUNDE	APPROVED BY: SGT M.G.DANGERFIELD(00361) USER ID: MDANGER Date/Time: 10/30/2021 10:13:34 AM
	61. VEHICLE TOWED BY:	62. TRANSPORTING OFFICER (IF OTHER THAN BLOCK 2)

EXHIBIT #4
 PAGE # 1/17

ARREST REPORT
 NOTICE TO APPEAR

OFFICE OF THE SHERIFF
 CLAY COUNTY, FLORIDA

JUVENILE
 ADULT

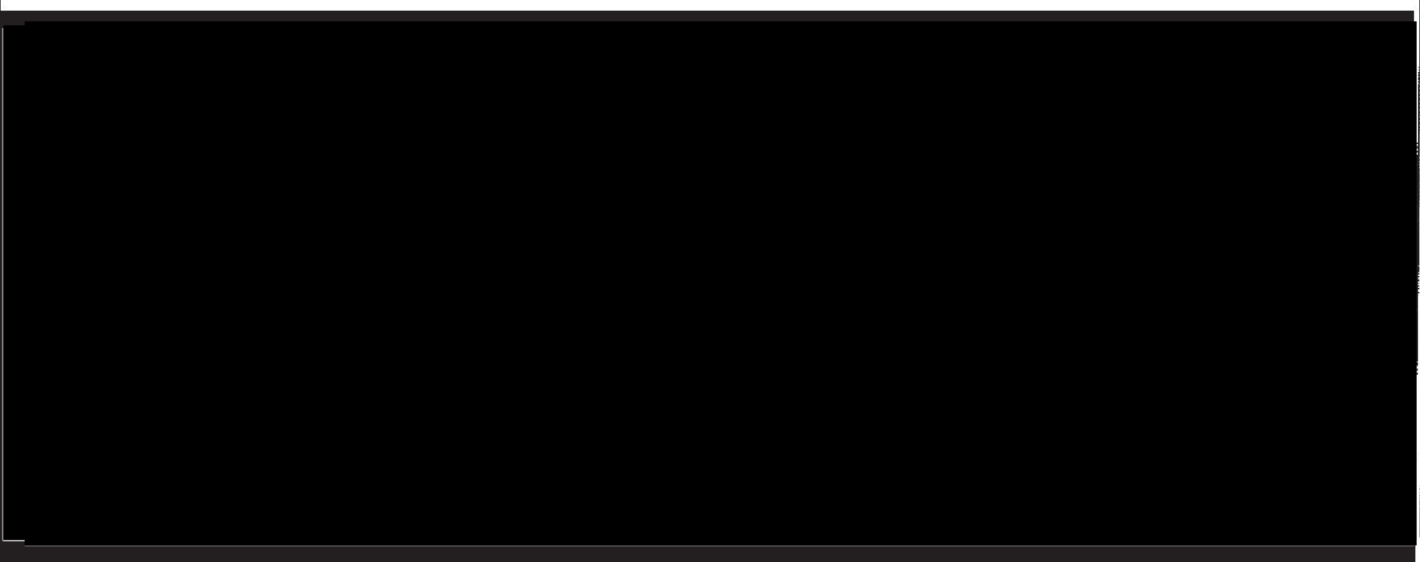
CCSSO
 OPPD
 GCSPD
 OTHER _____

FHP
 GFC
 FMP

LOCATION OF ARREST
 O.P. CITY
 GCSPS CITY
 K.H. CITY

UNINCORPORATED AREA

1. CASE NUMBER 2021025899						
2. ARRESTED BY BRUNDLE, CHRISTOPHER L	3. I.D. NO. 06852	4. LOCATION 425 AQUARIUS CONCOURSE	5. DATE OF ARREST(MDY) 10/30/2021	6. TIME OF ARREST 0830		
13. DEFENDANT NAME REYES, JULIAN MICHAEL		7. ARREST NUMBER 162690	8. O.B.T.S. NUMBER 1005030894			
35. CHARGE #4	36. TYPE	37. <input type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER	39. CIS CODE	40. WEAPON SEIZED	41. CHEM TEST RESULT
42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT.	47. BOND	48. MADE BY
35. CHARGE #5	36. TYPE	37. <input type="checkbox"/> F.S.S <input type="checkbox"/> ORD.	38. STATUTE/ORDINANCE NUMBER	39. CIS CODE	40. WEAPON SEIZED	41. CHEM TEST RESULT
42. DRUG ACT.	43. DRUG TYPE	44. DRUG UNIT	45. DRUG AMOUNT	46. VIC/ARR. RELAT.	47. BOND	48. MADE BY



PROBABLE CAUSE

CLERK'S OFFICE #

EXHIBIT # 4
 PAGE # 2/17

51. VICTIM/COMPLAINANT	52. DOB	53. ADDRESS	54. PHONE NUMBER
------------------------	---------	-------------	------------------

ADMINIS-TRACTIVE CREATED AND SUBMITTED BY: C.L.BRUNDLE(06852) USER ID: CBRUNDLE	APPROVED BY: SGT M.G.DANGERFIELD(00361) USER ID: MDANGER Date/Time: 10/30/2021 10:13:34 AM
---	--

OFFICER COPY COURT COPY DEFENDANY COPY

STATE ATTORNEY'S OFFICE
FOURTH JUDICIAL CIRCUIT OF FLORIDA

CHARGING NOTICE

TO: CIRCUIT COURT CLERK

DATE: December 9, 2021

DIVISION: CRA

RE: STATE OF FLORIDA

S.A. CASE NO.: 21CF055577AC

vs.

CLERK NO.: 102021CF001638A

JULIAN MICHAEL REYES

ARREST NO.: 2021-162690

CCR NO.: 2021-0025899

ORIGINAL CHARGE(S):

- 1) 78403ZB, BATTERY (DOMESTIC), S784.03(1)(a), 741.28, M1
- 2) 91422KA, TAMPERING WITH A WITNESS, VICTIM, OR INFORMANT (MISDEMEANOR PROCEEDING), S914.22(1), 914.22(2)(a), F3

FILED CHARGE(S):

- 1) 78702A, FALSE IMPRISONMENT , S787.02(1)(a), F3
- 2) 91422KA, TAMPERING WITH A WITNESS, VICTIM, OR INFORMANT (MISDEMEANOR PROCEEDING), S914.22(1), 914.22(2)(a), F3
- 3) 78403ZB, BATTERY (DOMESTIC), S784.03(1)(a), 741.28, M1

The State Attorney's Office, through the Assistant State Attorney listed below, is filing only the charges listed above in the Filed Charge area. Any Original Charges that are not listed as Filed Charges have either been dropped or changed from the Arrest and Booking Report.

Ernie E. Dukes
Assistant State Attorney

cc: CCSO Booking Department
SAO File

Note: This Notice relates to this arrest and booking only and in no way effects any other charges this defendant may have pending.

EXHIBIT # 4
PAGE # 3/17

S.A. CASE NO.: 21CF055577AC

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA

Spring Term, in the year two thousand twenty-one

vs.

CLERK NO.: 102021CF001638A

JULIAN MICHAEL REYES

DIVISION: CRA

INFORMATION FOR:

- 1) FALSE IMPRISONMENT
- 2) TAMPERING WITH A WITNESS, VICTIM, OR INFORMANT (MISDEMEANOR PROCEEDING)
- 3) BATTERY (DOMESTIC)

IN THE NAME OF AND BY AUTHORITY OF THE STATE OF FLORIDA, MELISSA W. NELSON, State Attorney for the Fourth Judicial Circuit of the State of Florida, in and for Clay County, charges that:

COUNT 1

JULIAN MICHAEL REYES on October 30, 2021, in the County of Clay and the State of Florida, did confine, abduct, imprison or restrain C.T. forcibly, by threat, or secretly against the will of the said C.T. and without lawful authority, contrary to the provisions of Section 787.02(1)(a), Florida Statutes.

COUNT 2

JULIAN MICHAEL REYES on October 30, 2021, in the County of Clay and the State of Florida, did knowingly use intimidation or physical force, or threatened another person, or attempted to do so, or engaged in misleading conduct towards another person, or offered pecuniary benefit or gain to another person, with intent to cause or induce any person to hinder, delay, or prevent the communication to a law enforcement officer or judge of information relating to the commission or possible commission of an offense or a violation of a condition of probation, parole, or release pending a judicial proceeding, contrary to the provisions of Sections 914.22(1) and 914.22(2)(a), Florida Statutes.

COUNT 3

JULIAN MICHAEL REYES on October 30, 2021, in the County of Clay and the State of Florida, did actually and intentionally touch or strike a family or household member, to-wit: C.T., against the will of said person, or did intentionally cause bodily harm to C.T., contrary to the provisions of Sections 784.03(1)(a) and 741.28, Florida Statutes.

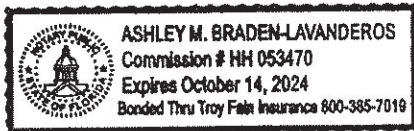
MELISSA W. NELSON, STATE ATTORNEY
FOURTH JUDICIAL CIRCUIT

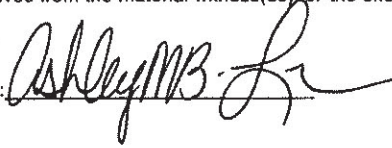
By: 
Assistant State Attorney
Fourth Judicial Circuit of Florida, in and for Clay County

STATE OF FLORIDA)
COUNTY OF CLAY)

Personally appeared before me, Ashley Young Terry, Assistant State Attorney, for the Fourth Judicial Circuit of the State of Florida, in and for Clay County, who is personally known to me, and who being first duly sworn, says that the allegations as 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, and that this prosecution is instituted in good faith, and hereby certifies that testimony under oath has been received from the material witness(es) for the offense.

Sworn to and subscribed before me this 10th day of December, 2021.



By: 

TARA S. GREEN, Clerk of the Circuit Court, Fourth Judicial Circuit of Florida, In and For Clay County, and Clerk of the County Court, In and For Clay County, Florida.

FILED THIS _____

BY DEPUTY CLERK: 

Dkt 2021-162690
Race White

AD January 11, 2022
Sex Male

Ext. E
DOB 08/10/1983
Prior DNA Submission NO

MCL NO.(S): S787.02(1)(a), F3; S914.22(1), 914.22(2)(a), F3; S784.03(1)(a), 741.28, M1

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
CLAY COUNTY, FLORIDA

CASE NO.: 10-2021-CF-1638
DIVISION: A

STATE OF FLORIDA,

vs

JULIAN MICHAEL REYES,
Defendant.

PLEA OF GUILTY AND NEGOTIATED SENTENCE

I hereby enter my plea of guilty because I am guilty. Before entering such plea of guilty, I was advised of the nature of all the charges against me, the statutory offenses included within such charges, the range of maximum allowable punishments for each charge, all the possible defenses to each charge, and all circumstances in mitigation of such charges. I have been advised of all other facts essential to a full and complete understanding of all offenses with which I have been charged, and of all offenses to which I am entering this plea. I have been advised of all direct consequences of the sentence to be imposed.

Specific Terms of Negotiated Sentence:

My sentence has been negotiated in this case, and I understand that it is as follows:

As to Count One [False Imprisonment, a 3rd Degree Felony] and Count Two [Tampering with a Witness, Victim, or Informant (Misdemeanor Proceeding), a 3rd Degree Felony], Defendant pleads guilty/adjudication withheld and sentenced to three (3) years' probation with no early termination; 1) Six (6) months Clay County Jail w/credit for 117 days; 2) TASC and any recommended follow-up treatment; 3) Mental Health Evaluation and any recommended follow-up treatment; 4) No victim contact except contact relating to the minor child in common and only through written communication; 5) completion of Batters' Intervention.

As to Count Three [Battery (Domestic), a 1st Degree Misdemeanor], Defendant pleads guilty and is adjudicated guilty and sentenced to Six (6) months Clay County Jail with credit for 117 days.

All counts run concurrent.

I consider this negotiated sentence to be to my advantage, and I have freely and voluntarily entered my plea of guilty. I have not been offered any hope of reward, better treatment, or certain type of sentence to get me to enter this plea, other than the sentence set forth above. I have not been promised by anyone, including my attorney, that I would actually serve any less time than set forth above, and I understand that any early release of any sort is not a pan of this plea agreement and is entirely within the discretion of governmental agencies other than this Court. I have not been threatened, coerced, or intimidated by any person, including my attorney, in any way in order to get me to enter this plea.

EXHIBIT # 4
PAGE # 5/17

Advice of Rights:

I understand that by pleading guilty I give up the following constitutional rights: the right to trial by judge or jury (including, if I am charged with a capital offense, the right to a jury of twelve persons), the right to be represented by counsel at trial, the right to have counsel appointed to represent me if I cannot afford to retain counsel, the right to present witnesses in my own behalf and to compel the attendance of those witnesses, the right to confront the witnesses against me, the right to require the State to prove its case against me beyond a reasonable doubt and, for purposes of this plea hearing, my right against self-incrimination. I further understand that if I am not a citizen of the United States that this plea may subject me to deportation. I also understand that by entering this plea I give up the right to appeal all matters relating to the judgement including the issue of guilt or innocence.

Consultation with Attorney:

I have had ample time to discuss this agreement with my attorney. My attorney and I have read this agreement regarding my guilty plea together in private, and my attorney has explained all portions of this agreement to my complete understanding and satisfaction. We have fully discussed all aspects of the case, including all possible defenses to all charges, including self-defense and any defense based upon any disability, disease, insanity, or intoxication. My attorney has given me the opportunity to ask questions and has answered all of my questions fully and completely. My attorney has taken all actions requested by me or has explained to my satisfaction and agreement why such actions should not be taken, and I concur with my attorney's decisions in that regard. I am completely satisfied with the services rendered by my attorney on my behalf in this case.

Time for Consideration and Reflection:

I have had sufficient time to consider all charges against me, all possible defenses and circumstances in mitigation, the advice of my attorney, the constitutional rights forfeited by entering into this plea agreement, and the potential consequences that the plea of guilty may have upon me. I have been provided with the opportunity for additional time to consider and reflect upon these matters, and I specifically state that I do not require any additional time to do so. I wish to proceed with the entry of my guilty plea.


Acknowledged in Open Court:

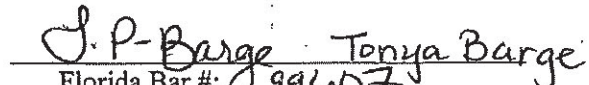
In open court I have under oath acknowledged to the Judge of this Court that:

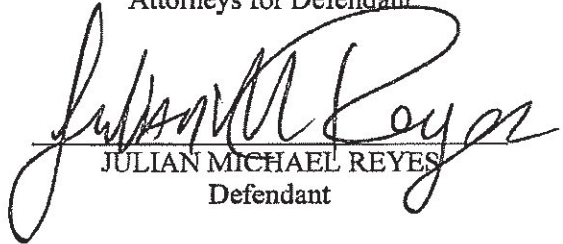
- A. I have read and understood this entire plea agreement, including the rights I am giving up by entering into it;
- B. I am not under the influence of any substance, drug or condition (physical, mental, or emotional) which interferes with my appreciation of the entire plea agreement into which I am entering and all consequences thereof;
- C. I have not been deprived of, and am properly taking, any medication which is essential to my full, complete and unimpaired understanding of the plea agreement and these proceedings;
- D. I have entered into and signed this Plea of Guilty and Negotiated Sentence freely and voluntarily;
- E. This Plea of Guilty and Negotiated Sentence form is true and correct in all respects; and

F. This form represents the sole and complete agreement between myself and the State. No other agreements, representations, or promises have been made by myself, my attorney, the Court, or any representative of the State.


Both my attorney and I have signed this plea agreement in open Court at Jacksonville, Duval County, Florida, this 6 day of March, 2023.


SAMANTHA V. ELLIS, ESQUIRE
Florida Bar #0052070
GARY TJ BRYANT, ESQUIRE
Florida Bar #0068342
Attorneys for Defendant


Florida Bar #: 099607
Assistant State Attorney


JULIAN MICHAEL REYES
Defendant


Witness, Deputy Clerk


Circuit Judge

My signature as Judge of this court is certification that I have discussed this plea agreement with Defendant and Defendant's attorney in open court on this date and have asked Defendant questions, considered Defendant's responses, and observed Defendant's demeanor. I find that Defendant has the intelligence to comprehend these constitutional rights, the terms of this plea agreement, the contents of this written agreement, and these proceedings. I further find that Defendant has entered this plea freely and voluntarily and is not under the influence of any disability, substance, drug or condition which would interfere with Defendant's ability to understand and appreciate the terms of this plea agreement and its consequences.

EXHIBIT # 4
PAGE # 7/17

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: 2021CF001638

vs.

DIVISION: A

JULIAN MICHAEL REYES ,
Defendant.

JUDGMENT

- Probation Violator/Revoked and Terminated
- Community Control Violator/Revoked and Terminated
- Retrial
- Resentence

The Defendant, JULIAN MICHAEL REYES , being personally before this Court represented by GARY TJ BRYANT , the attorney of record, and the state represented by TONYA PATTERSON-BARGE and having:

- been tried and found guilty by jury/by the Court of the following crime(s)
- entered a plea of guilty to the following crime(s)
- entered a plea of nolo contendere to the following crime(s)

Count	Crime	Offense Statute Number(s)	Degree Of Crime	Case Number	OBTS Number
1	KIDNAP-FALSE IMPRISONMENT - ADULT	787.02(1)(a)	F3	2021CF001638	1005030894
2	OBSTRUCTING JUSTICE - TAMPERING IN MISDEMEANOR PROCEEDING	914.22(1)	F3	2021CF001638	1005030894
3	BATTERY - BATTERY TOUCH OR STRIKE (DOMESTIC BATTERY)	784.03.1a1	MJ	2021CF001638	1005030894

COUNT 3: and no cause being shown why the Defendant should not be adjudicated guilty, IT IS ORDERED that the Defendant is hereby ADJUDICATED GUILTY of the above crime(s).

and pursuant to section 943.325, Florida Statutes, having been convicted of attempts or offenses relating to any other offense included in this Statute sentence you will have a DNA blood draw or Swab for DNA Database.

COUNT 1 AND 2: and good cause being shown; IT IS ORDERED THAT ADJUDICATION BE WITHHELD

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT
IN AND FOR CLAY COUNTY, FLORIDA

THE STATE OF FLORIDA,

vs.

CASE NO.: 2021 CF 11038 (CT 3)
DIVISION: A

Reyes, Julian
Defendant(s). Michael

FINGERPRINTS

1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE

I hereby certify that the above and foregoing fingerprints are the fingerprints of the defendant, Reyes, Julian Michael, and that they were placed thereon by said defendant in my presence in Open Court this 6th day of March, 2023.

Fingerprints taken by:

[Signature] 8682
Signature

Deputy Sheriff
Title

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

CASE NO.: 2021CF001638
DIVISION: A

JULIAN MICHAEL REYES ,
Defendant.

Local Jurisdiction Identification Number:

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

<input checked="" type="checkbox"/>	entered a plea of guilty to	<input type="checkbox"/>	been found guilty by jury verdict of
<input type="checkbox"/>	entered a plea of nolo contendere to	<input type="checkbox"/>	been found guilty by the court trying the case without a jury of

Count	Charge
1	KIDNAP-FALSE IMPRISONMENT - ADULT
2	OBSTRUCTING JUSTICE - TAMPERING IN MISDEMEANOR PROCEEDING

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 you be placed on Probation for a period of 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 3 YEARS under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

committed to the Department of Corrections for a term of prison with credit for jail time, followed by Probation for a period of under the supervision of the Department of Corrections, subject to Florida law.
or

Defendant: JULIAN MICHAEL REYES

CASE NO.: 2021CF001638

- confined in the County Jail for a term of with credit for jail time. After you have served of the term, you shall be placed on Probation for a period of under the supervision of the Department of Corrections, subject to Florida law.
- or
- confined in the County Jail for a term of 6 MONTHS with credit for 117 DAYS jail time, as a special condition of supervision.

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 \$40.00 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.
- (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 substances.

Defendant: JULIAN MICHAEL REYES

CASE NO.: 2021CF001638

- (12) You will submit a DNA sample, as directed by your officer, for DAN 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 with 72 hours of your release from incarceration to the probation office Clay 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 1407 S. Orange Ave., Green Cove Springs, Florida 32043.

SPECIAL CONDITIONS

- [X] 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:
- [X] 2. You must undergo a MENTAL HEALTH 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:
- [X] 3. You will have no contact with THE VICTIM during the period of supervision, except contact relating to the minor child in common and only through written communication as directed by the Probation Officer.
- [X] 4. 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:
- [X] 5. Other: Counts 1 and 2 shall run current with each other.

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.

Defendant: JULIAN MICHAEL REYES

CASE NO.: 2021CF001638

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)(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.

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: \$970.00.

Defendant: JULIAN MICHAEL REYES CASE NO.: 2021CF001638

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 {{Court Costs/Fines Amt converted}CCFConv}} converted to community service hours.
- Court Costs/Fines in the amount of reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: .

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, on 6 day of MARCH, 2023

NUNC PRO TUNC



STEVEN B. WHITTINGTON , 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

EXHIBIT # 4
PAGE # 14/17

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR CLAY COUNTY, FLORIDA

STATE OF FLORIDA,

vs.

CASE NO.: 2021CF001638

DIVISION: A

JULIAN MICHAEL REYES ,
Defendant.

ORDER OF ADJUDICATION OF GUILT AND SENTENCE

THIS CAUSE came to be heard before the Court and the Defendant, JULIAN MICHAEL REYES , being personally before this Court, represented by GARY TJ BRYANT , his/her attorney of record and having entered a

plea of: to the offense(s):
Guilty BATTERY - BATTERY TOUCH OR STRIKE (DOMESTIC
 BATTERY)

and no cause having been shown why this Defendant should be adjudicated guilty, therefore it is

ORDERED: The Defendant is hereby adjudicated guilty, and is sentenced to the Clay County Jail for a period of 6 MONTHS with credit for time heretofore served of 117 DAYS.

- COUNT 3 SHALL RUN CONCURRENTLY TO COUNTS 1 AND 2.

DONE AND ORDERED in Open Court at Green Cove Springs, Florida, MARCH 6th of 2023.



JUDGE STEVEN B. WHITTINGTON



<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 \(http://www.fldcjobs.com\)](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

Supervised Population Information Detail

(This information was current as of 5/14/2023)



DC Number:	J91847
Name:	REYES, JULIAN MICHAEL
Race:	WHITE
Sex:	MALE
Birth Date:	[REDACTED]
Supervision Begin Date:	03/06/2023
Current Location:	MIAMI (http://prod.fdc-wpws001.fdc.myflorida.com/c)
Current Status:	ACTIVE
Supervision Type:	PROBATION PELONY
Scheduled Termination Date:	03/05/2026



<https://www.vinlink.com/vinlink/servlet/SubjectSearch?siteID=10000&agency=900&offenderID=J91847>

Aliases:

M. REYES JULIAN, JULIAN MICHAEL REYES

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 # 4
PAGE # 16/17

Offense Date	Offense	Sentence Date	County	Case No.	Community Supervision Length
10/30/2021	FALS.IMPRSN-NO 787.01 INT	03/06/2023	CLAY	2101638	3Y 0M 0D
10/30/2021	TAMPER WITNESS MISD CASE	03/06/2023	CLAY	2101638	3Y 0M 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 MIAMI Circuit Office (<http://prod.fdc-wpws001.fdc.myflorida.com/cc/11.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: reyes First Name: Julian 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 \(/OffenderSearch/InmateInfoMenu.aspx\)](#)

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[Inspector General](#) (<http://www.dc.state.fl.us/ig/index.html>)
[Prison Rape Elimination Act](#) (<http://www.dc.state.fl.us/PREA/index.html>)

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EXHIBIT # 4
PAGE # 17/17

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Orange Park, FL 32073
AC - 2023026490 - PMW

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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. Shaniya Branae Murphy Case No. 2023-028537; Default
Final Order
Date: June 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Shaniya Branae Murphy (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida. By failing to respond to the properly served administrative complaint seeking to exclude him, 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 Casino.¹ Respondent was involved in one incident of using stolen credit cards for cash advances at the facility. Respondent was permanently excluded from Calder Casino², on September 21, 2022.

Based on his exclusion from Calder Casino, the Division served Respondent with an administrative complaint seeking her 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 days³ to file a written response to the administrative complaint. The Respondent was served on June 23, 2023 which means the Respondent had until July 14, 2023 to respond. She has never responded.

¹ Calder Casino is operated by a pari-mutuel wagering permitholder that also possesses a slot machine and cardroom license.

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

³ 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

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 properly served administrative complaint seeking to exclude her from all pari-mutuel and slot machine facilities in this state, she 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 Shaniya Branae Murphy 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.: 2023-028537

SHANIYA BRANAE MURPHY,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Shanita Branae Murphy (“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 1452 7th Street West Palm Beach, Florida 33401.
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 2023-028537 is signed this 15th 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.



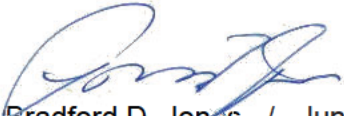
Mediation under section 120.573, Florida Statutes, is not available to resolve this Administrative Complaint.

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: May 17, 2023	Case Number: 2023 02 8537
Respondent: MURPHY, SHANIYA BRANAE 1452 7TH St WEST PALM BEACH, FL 33401		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309	
License # / Type: N/A / 1098		Profession: Patron	Report Date: June 13, 2023
Period of Investigation: May 17, 2023 through June 13, 2023		Type of Report: Final	
<p>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:</p> <p>(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>Synopsis: On September 20, 2022, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into numerous fraudulent credit card transactions involving cash advances that were successfully committed by a group of individuals. During Catlin's visit, numerous individuals were identified including Shaniya Branae MURPHY, who used stolen Synchrony Bank credit cards to fraudulently obtain a cash advance on September 12, 2022, using her own name in the amount of \$1,800.00. Although not apprehended, MURPHY was permanently excluded by Calder Casino.</p>			
Related Case: 2023 01 8935, 2023 01 9619			
Investigator / Date  Raul Suau / June 13, 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 September 20, 2022, visit by Synchrony Bank Fraud Investigator Craig Catlin to Calder Casino involving numerous fraudulent transactions that a group of individuals committed at the casino. Upon further inquiry it was discovered that Synchrony Bank's Fraud Department was investigating a group of individuals that had illegally used stolen credit cards to fraudulently obtain cash advances impacting numerous local businesses including Calder Casino. According to Casino staff, Synchrony Bank has been investigating this group including **MURPHY** since April of 2022. During their monitoring of the credit cards in question, Synchrony Bank became aware that several stolen credit cards had been fraudulently utilized to obtain cash advances at Calder Casino (**Exhibit # 1**).

During his September 20, 2022, visit to the facility, Synchrony Bank Fraud Investigator Craig Catlin met with then Compliance Officer Susan Flores and her Assistant Iliana Velazquez who is now the Compliance Officer for Calder Casino. It was during this meeting that Catlin provided Velazquez and Flores with an Excel Sheet containing numerous cash advance transactions that were committed by **MURPHY**, Ryan Austin Duarte, and Carlos Jose Brogdon, 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 **MURPHY**, Carlos Jose Brogdon and Ryan Austin Duarte had conducted the transactions and the casino.

While the cage looked through its own records, Calder 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**. That male was identified from the facility's FABICASH Transaction Report which had attached to it a Florida driver's license under the name of "James Segars". 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. **MURPHY** was also identified because she utilized her own identity to commit the transaction (**Exhibit #3**).

Of the three individuals identified by Synchrony Bank, one of them, (**MURPHY**) visited the casino on September 12, 2022, for the purpose of obtaining a cash advance at the Main Cage of the Facility. She used a credit card that had been identified as fraudulent by Synchrony Bank. **MURPHY** obtained \$1,800.00 using the card. Murphy was not detained by Calder personnel because the transaction went unnoticed until Synchrony Bank notified the Casino. Although not present, **MURPHY** was permanently excluded from Calder Casino (**Exhibit #3**).

On June 13, 2023, the undersigned investigator conducted a search of the Comprehensive Case Information System web-site (CCIS) to determine if **MURPHY** has been arrested in relation to this incident. Results were negative, **MURPHY** has not been arrested within the state of Florida. I also conducted a search of the U.S. Bureau of Prisons to see if **MURPHY** is currently in federal custody; results were negative. I then requested that a check be conducted through the U.S. Department of Justice PACER website to see if any federal charges had been filed against **MURPHY**. 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.

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

1. E-mail from Synchrony Bank..... 1-2

2. Surveillance Report..... 1-5

3. FABICASH Transaction Report..... 1-1

4. Driver’s License..... 1-1

5. E-mail Explaining Origin of Credit Cards..... 1-2

6. Exclusion -Evictions Notice..... 1-11

7. Credit Card Listing / Spreadsheet..... 1-3

8. CCIS, DOJ Bureau of Prison Name Search & DOJ Court Search..... 1-3

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

Logged in as: **nmelvai**

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

Lic Type 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 06/13/2023
Complaint # 2023028537	Case Type CMP - Complaint	Disposition
Docket#	Respondent MURPHY, SHANIYA BRANAE	Responsible bjones - JONES, BRADFORD
		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 UNLI - Unlicensed Activity Investigations	Complexity R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security STND - Standard	Incident 09/12/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region SR - Southern Region	Received 05/17/2023	<input type="checkbox"/> Inspection	
Reference 550.0251	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 05/17/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	285---Calder Race Course, INC.-- 550.0251 The powers and duties of the Florida Gaming Control Commission ----- On September 27, 2022, Calder Casino received a request for information from Synchrony Banks Fraud Department regarding a fraudulent cash advance that was done by a patron identified as Shaniya Branae Murphy. According to Synchrony Bank, Murphy used a stolen credit card issued by Synchrony Bank to obtain a cash advance in the amount of \$1,800.00. The transaction occurred on September 12, 2022, at the Cashier's Cage. Although never apprehended, Murphy was permanently excluded by the facility.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 06/14/2023 09:03:12	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

28 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"/>
---------	---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------

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



Calder Casino & Race Course

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

Incident Report

Incident Number: SURV-2022-09-00081

Class/Category: Non Criminal/Informational Report

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

Status: Open



Incident Details

Incident Details

Incident Number: SURV-2022-09-00081

Classification

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/22/2022 10:38 AM

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

Business Unit

Business Unit: Gaming

Department: Cash Ops

Summary:

On September 12, 2022 at approximately 8:12 pm, it was observed that the guest named Shaniya Murphy was observed requesting a credit cash transaction at our check cashing window.

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

MURPHY, Shaniya

Involvement Type:

Suspect



Date of Birth: [REDACTED]

Phone Number:

Gender: Female

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: Murphy, Shaniya

Incident Narratives

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

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

Created By Date/Time	9/27/2022 11:48 AM	Sealed	No
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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. Shaniya Murphy 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 2:39 PM GMT

Last Modified By leonides.martinez, 9/27/2022 3:48 PM GMT

ca1der Transaction Detail Report

EXHIBIT # 3
PAGE # 1

Customer:	SHANIYA MURPHY
Address:	1452 7TH ST
City:	WEST PALM BEACH
State:	FL
Zip Code:	33401
Telephone:	7867456820
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2025-10-08 00:00:00
DOB:	1998-10-08 00:00:00
Sex:	
Date/Time DL Scanned:	9/12/2022 8:12:01 PM

Clerk:	Patricia
Trans ID:	11123252
DXID:	FC2000000000000000000011123252
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 885
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$1,800.00
Fees US\$:	\$126.00
Tax US\$:	\$0.00
Total US\$:	\$1,926.00
Date/Time Trans:	9/12/2022 8:12:01 PM
Trans Time Lapse:	



Customer Signature

[Handwritten Signature]

Clerk Signature

Cashier Signature



Florida

IDENTIFICATION CARD



4d ID# [REDACTED]

1 MURPHY
2 SHANIYA BRANAE
3 1452 7TH ST
4 WEST PALM BEACH, FL 33401-3043

[REDACTED]



4a ISS 11/04/2016

5DD P732103180101

REPLACED 03/18/2021

Shaniya Branae Murphy

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



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

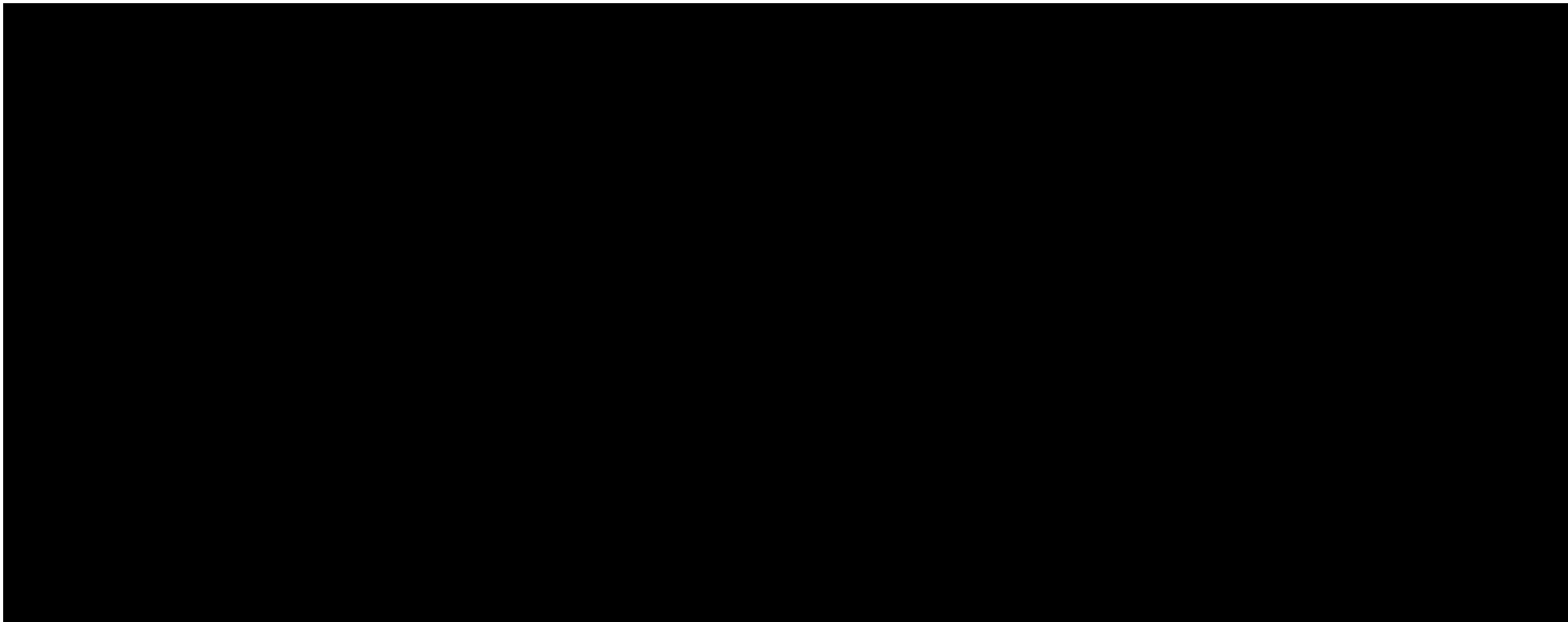
Florida Gaming Control Commission

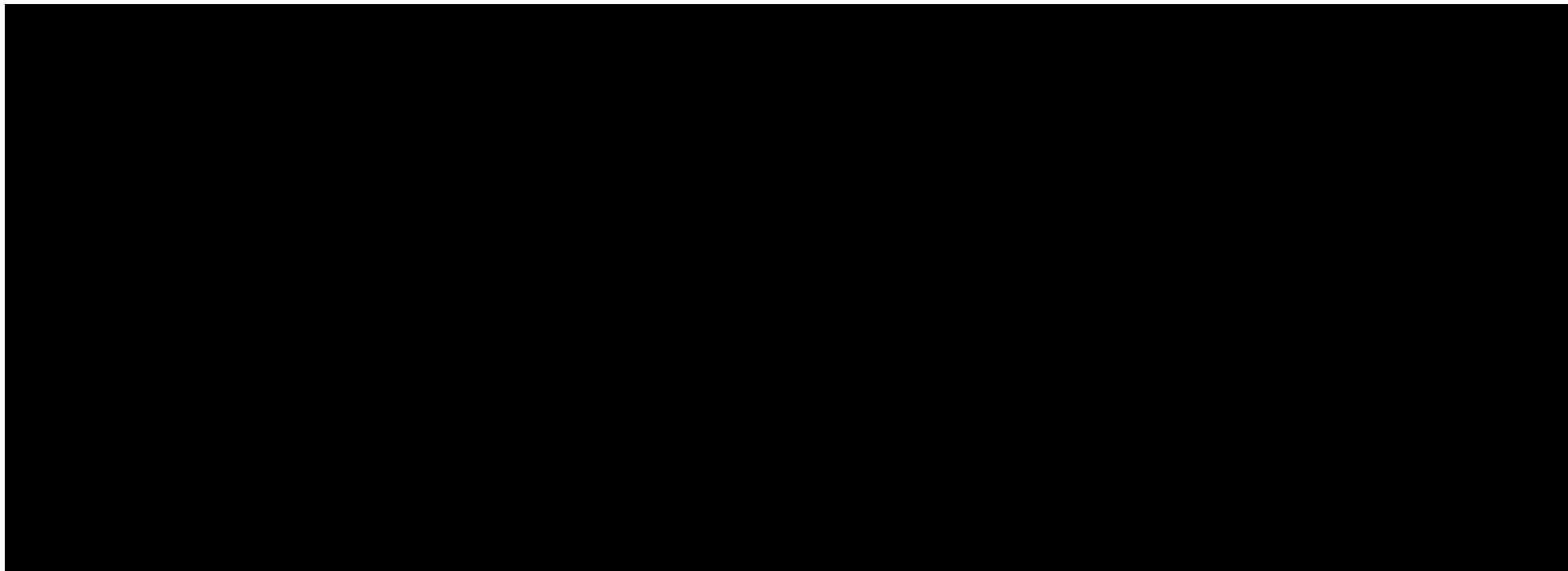
Division of Pari-Mutuel Wagering

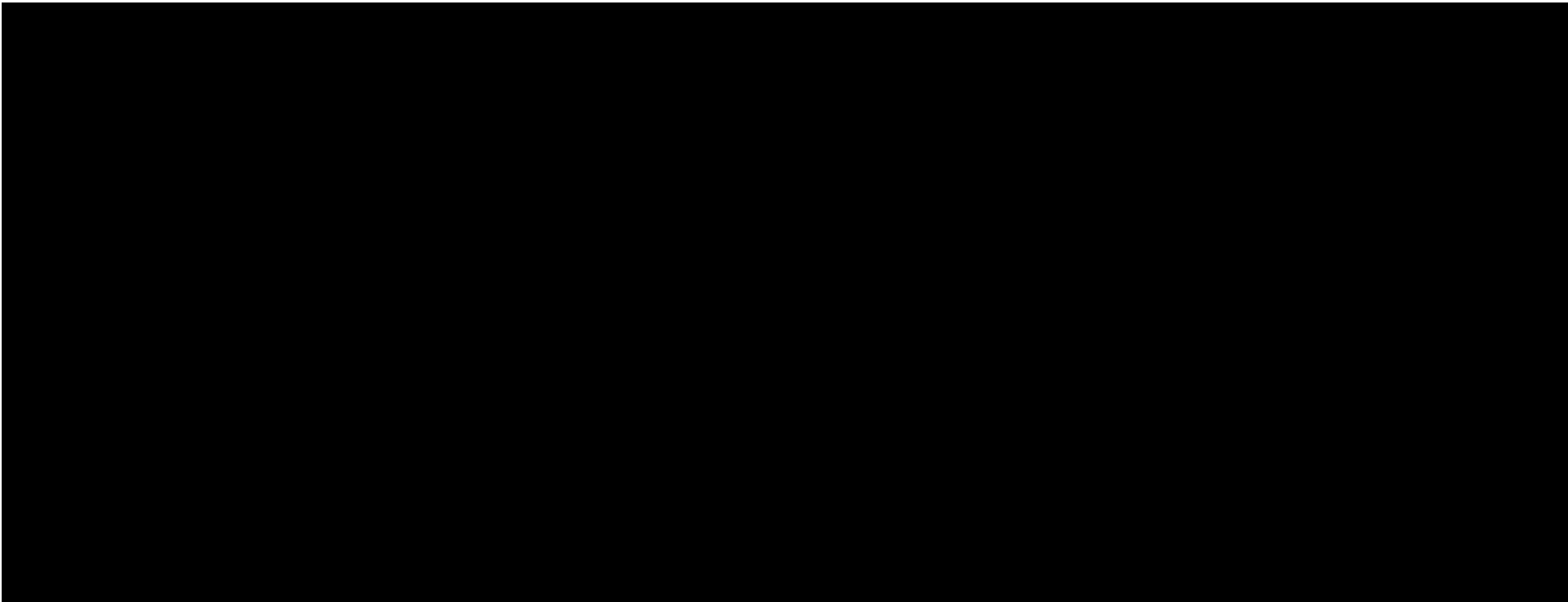
Investigations

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

954-658-3663 Cell









Person Search | Case Search | Date Range Search

Info No matches found.

Last Name: *

murphy

First Name:

shaniya

Middle Name:

branae

OR

Business Name: *

Exclude Attorneys

Exclude Judges

Exclude Law Enforcement

Filters (Optional. These filters will narrow down the results list.)

Date Case Filed

From: To:

Date Of Birth: 10/08/1998 SSN:

County:

- ALACHUA (01)
- BAKER (02)
- BAY (03)
- BRADFORD (04)
- BREWARD (05)
- BROWARD (06)
- CALHOUN (07)
- CHARLOTTE (08)
- CITRUS (09)

UCN Court Type:

- Appeal from County Court (AP)
- Circuit Civil (CA)
- County Civil (CC)
- County Ordinance (CO)
- Criminal Traffic (CT)
- Delinquency (CJ)
- Dependency (DP)
- Domestic Relations/Family (DR)
- Felony (CF)

* Required Fields.

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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
<input type="text" value="shaniya"/>	<input type="text" value="branae"/>	<input type="text" value="murphy"/>	<input type="text" value="Black"/>	<input type="text" value="24"/>	<input type="text" value="Female"/>

0 Results for search **shaniya branae murphy**, Race: **Black**, Age: **24**, Sex: **Female**

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- [Application Process](#)
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- [Solicitations & Awards](#)
- [Reentry Contracting](#)

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- [News Stories](#)
- [Press Releases](#)
- [Publications](#)
- [Research & Reports](#)

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- [Employees](#)
- [Volunteers](#)
- [Former Inmates](#)
- [Media Reps](#)

From: [Julio Minaya](#)
To: [Raul Suau](#)
Subject: FW: DOJ SEARCH
Date: Tuesday, June 13, 2023 3:05:52 PM
Attachments: [image003.png](#)
[image005.png](#)
[image001.png](#)
[image006.png](#)



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: Tuesday, June 13, 2023 2:59 PM
To: Julio Minaya <Julio.Minaya@flgaming.gov>
Subject: RE: DOJ SEARCH

Negative in PACER



Bradford D. Jones
Chief of Investigations
Division of Pari-Mutual Wagering

From: Julio Minaya <Julio.Minaya@flgaming.gov>
Sent: Tuesday, June 13, 2023 2:40 PM
To: Bradford Jones <Bradford.Jones@flgaming.gov>
Subject: DOJ SEARCH

Brad,

Can you do a name search in the DOJ website for any pending case or indictment. Persons name is;

SHANIYA BRANAE MURPHY DOB [REDACTED]

Thanks





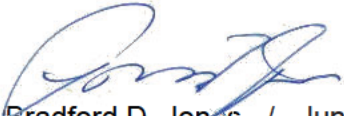
Julio Minaya
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Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Office: 954-202-6844 / Fax: 954 202.3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: May 17, 2023	Case Number: 2023 02 8537
Respondent: MURPHY, SHANIYA BRANAE 1452 7TH St WEST PALM BEACH, FL 33401		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BLVD STE. 165 FT. LAUDERDALE, FL 33309	
License # / Type: N/A / 1098		Profession: Patron	Report Date: June 13, 2023
Period of Investigation: May 17, 2023 through June 13, 2023		Type of Report: Final	
<p>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:</p> <p>(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>Synopsis: On September 20, 2022, Synchrony Bank Fraud Investigator Craig Catlin visited Calder Casino seeking information into numerous fraudulent credit card transactions involving cash advances that were successfully committed by a group of individuals. During Catlin's visit, numerous individuals were identified including Shaniya Branae MURPHY, who used stolen Synchrony Bank credit cards to fraudulently obtain a cash advance on September 12, 2022, using her own name in the amount of \$1,800.00. Although not apprehended, MURPHY was permanently excluded by Calder Casino.</p>			
Related Case: 2023 01 8935, 2023 01 9619			
Investigator / Date  Raul Suau / June 13, 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 September 20, 2022, visit by Synchrony Bank Fraud Investigator Craig Catlin to Calder Casino involving numerous fraudulent transactions that a group of individuals committed at the casino. Upon further inquiry it was discovered that Synchrony Bank's Fraud Department was investigating a group of individuals that had illegally used stolen credit cards to fraudulently obtain cash advances impacting numerous local businesses including Calder Casino. According to Casino staff, Synchrony Bank has been investigating this group including **MURPHY** since April of 2022. During their monitoring of the credit cards in question, Synchrony Bank became aware that several stolen credit cards had been fraudulently utilized to obtain cash advances at Calder Casino (**Exhibit # 1**).

During his September 20, 2022, visit to the facility, Synchrony Bank Fraud Investigator Craig Catlin met with then Compliance Officer Susan Flores and her Assistant Iliana Velazquez who is now the Compliance Officer for Calder Casino. It was during this meeting that Catlin provided Velazquez and Flores with an Excel Sheet containing numerous cash advance transactions that were committed by **MURPHY**, Ryan Austin Duarte, and Carlos Jose Brogdon, 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 **MURPHY**, Carlos Jose Brogdon and Ryan Austin Duarte had conducted the transactions and the casino.

While the cage looked through its own records, Calder 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**. That male was identified from the facility's FABICASH Transaction Report which had attached to it a Florida driver's license under the name of "James Segars". 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. **MURPHY** was also identified because she utilized her own identity to commit the transaction (**Exhibit #3**).

Of the three individuals identified by Synchrony Bank, one of them, (**MURPHY**) visited the casino on September 12, 2022, for the purpose of obtaining a cash advance at the Main Cage of the Facility. She used a credit card that had been identified as fraudulent by Synchrony Bank. **MURPHY** obtained \$1,800.00 using the card. Murphy was not detained by Calder personnel because the transaction went unnoticed until Synchrony Bank notified the Casino. Although not present, **MURPHY** was permanently excluded from Calder Casino (**Exhibit #3**).

On June 13, 2023, the undersigned investigator conducted a search of the Comprehensive Case Information System web-site (CCIS) to determine if **MURPHY** has been arrested in relation to this incident. Results were negative, **MURPHY** has not been arrested within the state of Florida. I also conducted a search of the U.S. Bureau of Prisons to see if **MURPHY** is currently in federal custody; results were negative. I then requested that a check be conducted through the U.S. Department of Justice PACER website to see if any federal charges had been filed against **MURPHY**. 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.

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

1. E-mail from Synchrony Bank..... 1-2

2. Surveillance Report..... 1-5

3. FABICASH Transaction Report..... 1-1

4. Driver’s License..... 1-1

5. E-mail Explaining Origin of Credit Cards..... 1-2

6. Exclusion -Evictions Notice..... 1-11

7. Credit Card Listing / Spreadsheet..... 1-3

8. CCIS, DOJ Bureau of Prison Name Search & DOJ Court Search..... 1-3

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: **nmelvai**

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

Lic Type 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 06/13/2023
Complaint # 2023028537	Case Type CMP - Complaint	Disposition
Docket#	Respondent MURPHY, SHANIYA BRANAE	Responsible bjones - JONES, BRADFORD
		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 UNLI - Unlicensed Activity Investigations	Complexity R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security STND - Standard	Incident 09/12/2022	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region SR - Southern Region	Received 05/17/2023	<input type="checkbox"/> Inspection	
Reference 550.0251	Entered By nmelvai	<input type="checkbox"/> Costs	
Entered 05/17/2023		<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	285---Calder Race Course, INC.-- 550.0251 The powers and duties of the Florida Gaming Control Commission ----- On September 27, 2022, Calder Casino received a request for information from Synchrony Banks Fraud Department regarding a fraudulent cash advance that was done by a patron identified as Shaniya Branae Murphy. According to Synchrony Bank, Murphy used a stolen credit card issued by Synchrony Bank to obtain a cash advance in the amount of \$1,800.00. The transaction occurred on September 12, 2022, at the Cashier's Cage. Although never apprehended, Murphy was permanently excluded by the facility.	<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated 06/14/2023 09:03:12	By nmelvai	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

28 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"/>
---------	---------------------------------------	-------------------------------------	-----------------------------------	---------------------------------------	-------------------------------------

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



Calder Casino & Race Course

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

Incident Report

Incident Number: SURV-2022-09-00081

Class/Category: Non Criminal/Informational Report

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

Status: Open



Incident Details

Incident Details

Incident Number: SURV-2022-09-00081

Classification

Class: Non Criminal

Category: Informational Report

Reported Date/Time: 9/22/2022 10:38 AM

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

Business Unit

Business Unit: Gaming

Department: Cash Ops

Summary:

On September 12, 2022 at approximately 8:12 pm, it was observed that the guest named Shaniya Murphy was observed requesting a credit cash transaction at our check cashing window.

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

MURPHY, Shaniya

Involvement Type:

Suspect



Date of Birth: [REDACTED]

Gender: Female

Hair Color:

Eye Color:

Height: 00' 00"

Weight: 0lbs

Marital Status:

Employee?: No

Interviewed?: No

Linked To Person: Murphy, Shaniya

Phone Number:

Address:

First Aid Administered?: No

Person Hospitalized?: No

Injured: No

Notes:

Incident Narratives

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

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

Created By Date/Time	9/27/2022 11:48 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. Shaniya Murphy 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 2:39 PM GMT

Last Modified By leonides.martinez, 9/27/2022 3:48 PM GMT

Calder Transaction Detail Report


EXHIBIT # 3
PAGE # 1

Customer:	SHANIYA MURPHY
Address:	1452 7TH ST
City:	WEST PALM BEACH
State:	FL
Zip Code:	33401
Telephone:	7867456820
DL No:	[REDACTED]
DL State:	FL
DL Exp Date:	2025-10-08 00:00:00
DOB:	1998-10-08 00:00:00
Sex:	
Date/Time DL Scanned:	9/12/2022 8:12:01 PM

Clerk:	Patricia
Trans ID:	11123252
DXID:	FC200000000000000011123252
Approval No:	
Host Message:	Creditcall Credit Sale
Transaction Type:	Credit
Merchant ID:	53
Account No.:	[REDACTED] 885
IND:	
APPCODE:	
AVS:	
Amount US\$:	\$1,800.00
Fees US\$:	\$126.00
Tax US\$:	\$0.00
Total US\$:	\$1,926.00
Date/Time Trans:	9/12/2022 8:12:01 PM
Trans Time Lapse:	



Customer Signature



Clerk Signature

Cashier Signature



Florida

IDENTIFICATION CARD



4d ID# [REDACTED]

1 MURPHY
2 SHANIYA BRANAE
3 1452 7TH ST
4 WEST PALM BEACH, FL 33401-3043

[REDACTED]



4a ISS 11/04/2016

5DD P732103180101

REPLACED 03/18/2021

Shaniya Branae Murphy

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



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

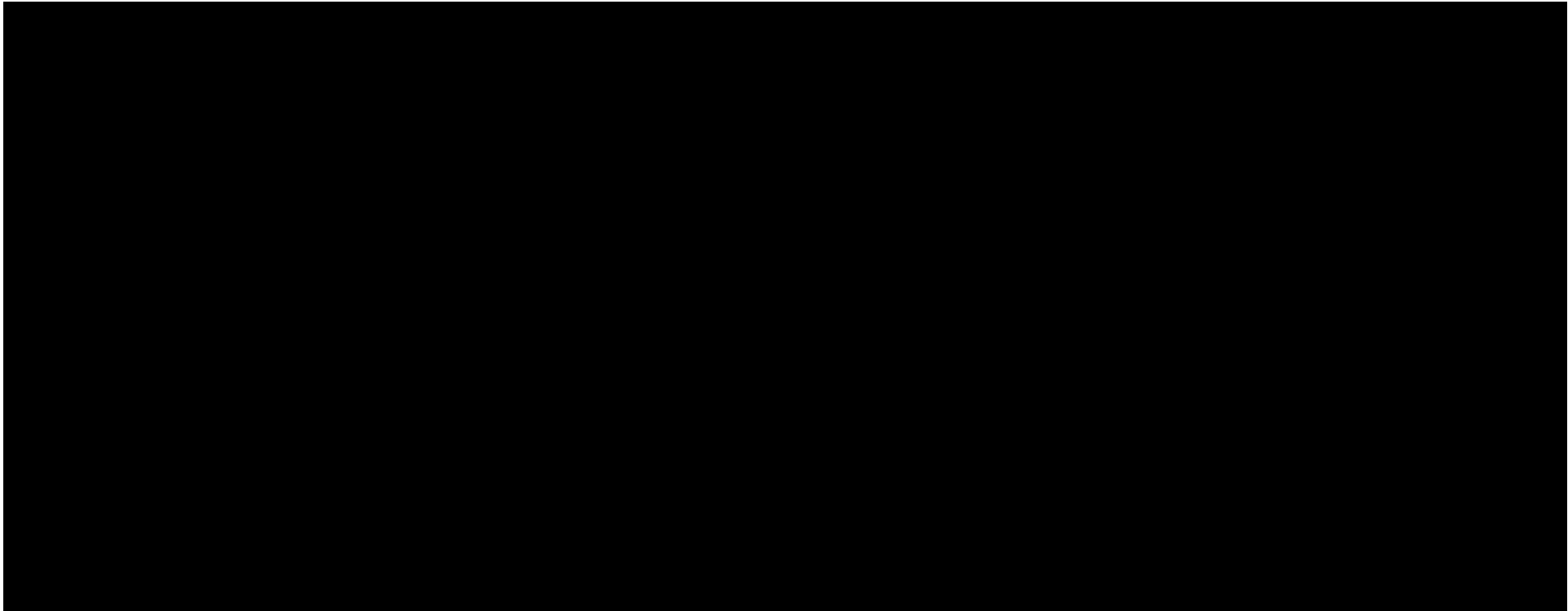
Division of Pari-Mutuel Wagering

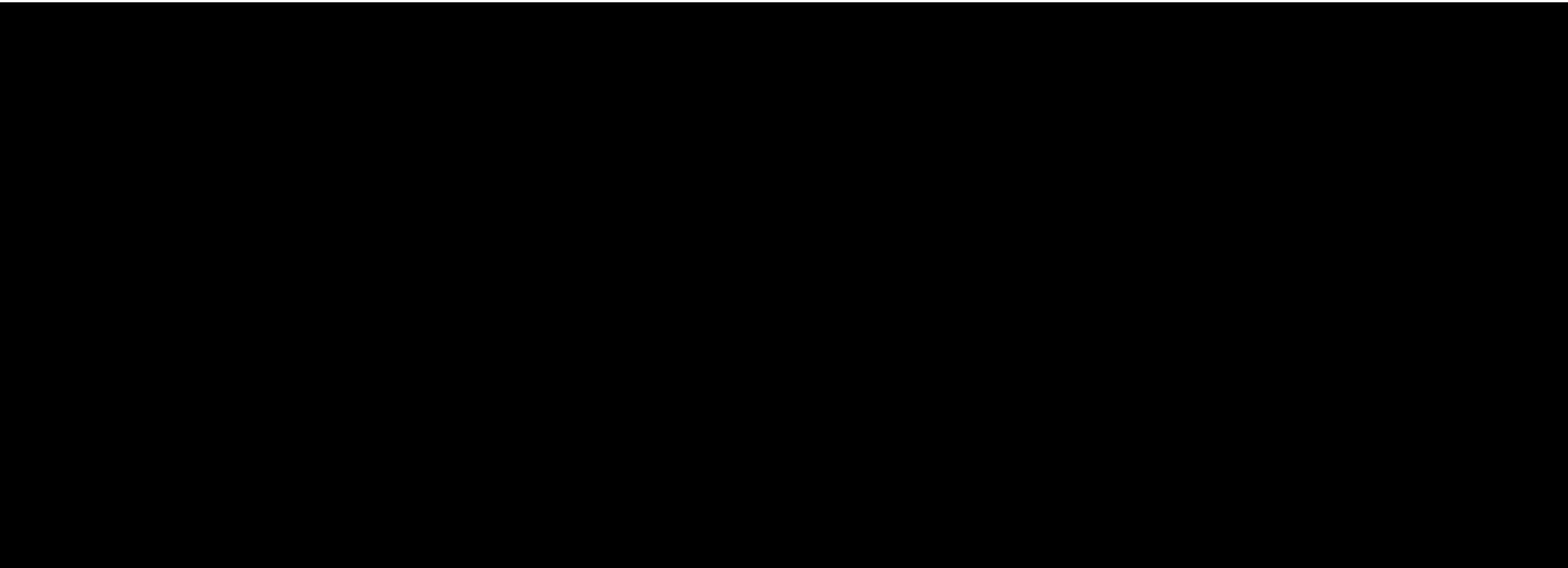
Investigations

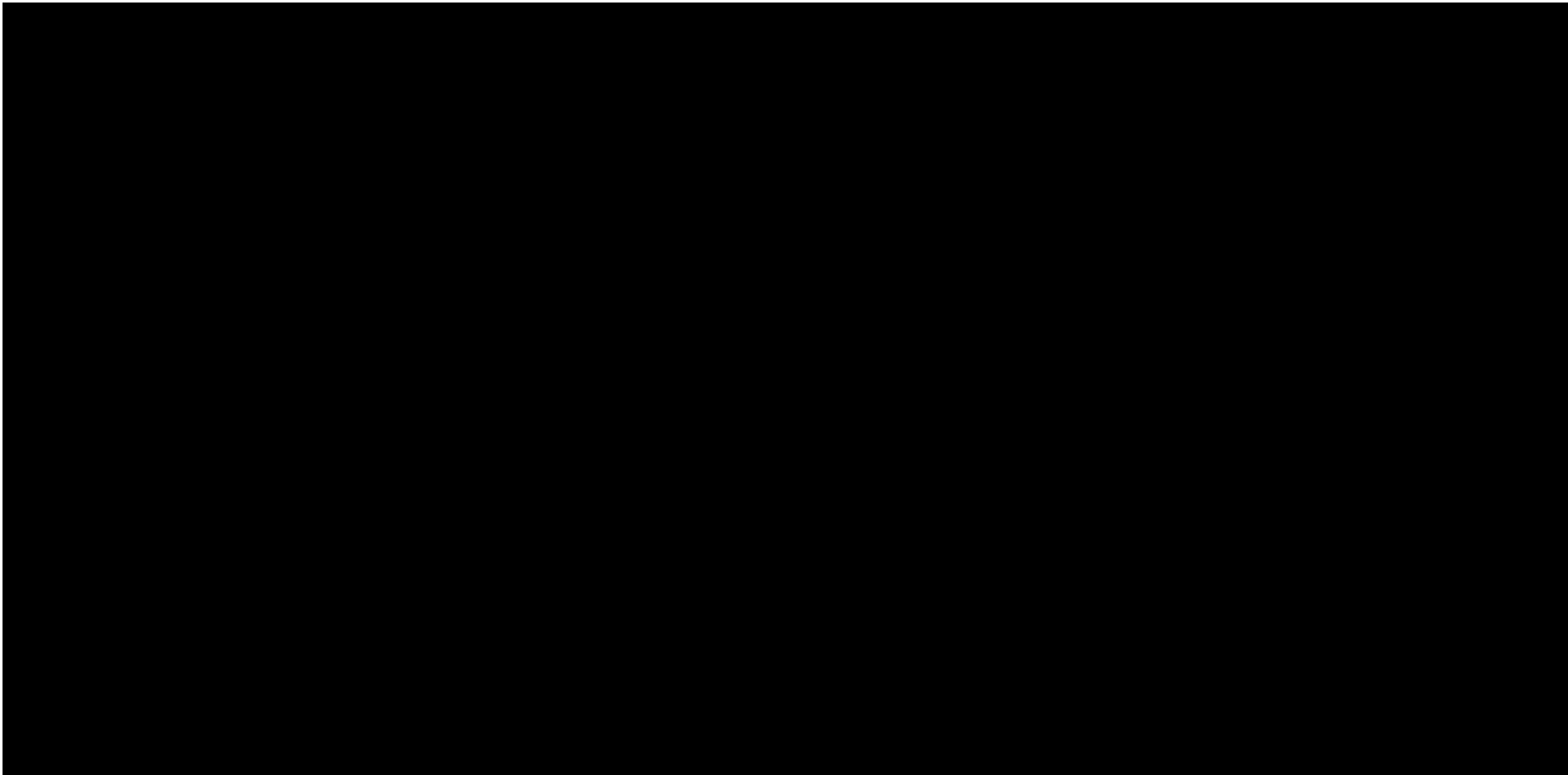
954-202-6787 Office 954-202-3930 FAX

954-658-3663 Cell

DATE	Facility	LAST NAME	FIRST NAME	DOB	ADDRESS	CITY	STATE	ZIP	GENDER	RACE	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR	LENGTH	REASON	REPORT #	Calder Player Account	Slots / Cards	Arrested Y/N	
9/21/2022	Calder	Murphy	Shaniya																		









Person Search | Case Search | Date Range Search

Info No matches found.

Last Name: *

murphy

First Name:

shaniya

Middle Name:

branae

OR

Business Name: *

Exclude Attorneys

Exclude Judges

Exclude Law Enforcement

Filters (Optional. These filters will narrow down the results list.)

Date Case Filed

From: To:

Date Of Birth: 10/08/1998 SSN:

County:

- ALACHUA (01)
- BAKER (02)
- BAY (03)
- BRADFORD (04)
- BREWARD (05)
- BROWARD (06)
- CALHOUN (07)
- CHARLOTTE (08)
- CITRUS (09)

UCN Court Type:

- Appeal from County Court (AP)
- Circuit Civil (CA)
- County Civil (CC)
- County Ordinance (CO)
- Criminal Traffic (CT)
- Delinquency (CJ)
- Dependency (DP)
- Domestic Relations/Family (DR)
- Felony (CF)

* Required Fields.

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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
<input type="text" value="shaniya"/>	<input type="text" value="branae"/>	<input type="text" value="murphy"/>	<input type="text" value="Black"/>	<input type="text" value="24"/>	<input type="text" value="Female"/>

0 Results for search **shaniya branae murphy**, Race: **Black**, Age: **24**, Sex: **Female**

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- [Former Inmates](#)
- [Media Reps](#)

From: [Julio Minaya](#)
To: [Raul Suau](#)
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Date: Tuesday, June 13, 2023 3:05:52 PM
Attachments: [image003.png](#)
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Julio Minaya
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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: Tuesday, June 13, 2023 2:59 PM
To: Julio Minaya <Julio.Minaya@flgaming.gov>
Subject: RE: DOJ SEARCH

Negative in PACER



Bradford D. Jones
Chief of Investigations
Division of Pari-Mutual Wagering

From: Julio Minaya <Julio.Minaya@flgaming.gov>
Sent: Tuesday, June 13, 2023 2:40 PM
To: Bradford Jones <Bradford.Jones@flgaming.gov>
Subject: DOJ SEARCH

Brad,

Can you do a name search in the DOJ website for any pending case or indictment. Persons name is;

SHANIYA BRANAE MURPHY DOB [REDACTED]

Thanks



Julio Minaya
Investigative Supervisor
[Florida Gaming Control Commission](#)
Division of [Pari-Mutuel Wagering](#)
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Office: 954-202-6844 / Fax: 954 202.3930

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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. Carlos Eduardo Moreno Villegas Case No. 2023-030311;
Default Final Order
Date: July 17, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Carlos Eduardo Moreno Villegas (“Respondent”) from all pari-mutuel and slot facilities in the state of Florida and revocation of his Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. 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 and revoking his occupational license.

Background

On multiple days from November 21, to November 26, 2022, Respondent was working as a poker dealer at the Casino at Dania Beach.¹ Respondent was seen engaging in the theft of multiple chips during the course of his employment. Upon review, Respondent was terminated and issued a one-year exclusion from the Casino at Dania Beach², following the incident.

Based on the act leading to his exclusion and termination from the Casino at Dania Beach, the Division served Respondent with an administrative complaint seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida and revocation of his license. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days³ to file a written response to the administrative complaint. The Respondent was served on June 21, 2023 which means the Respondent had until July 12, 2023 to respond. He has never responded.

¹ The Casino at Dania Beach is operated by a pari-mutuel wagering permit holder that also possesses a slot machine and cardroom license.

² Pari-mutuel permit holders and slot machine licensees have the right to exclude patrons. §§ 550.0251(6); 551.112, Fla. Stat.

³ 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

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 the Commission may exclude from any pari-mutuel facility within this state for “any conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission.” Likewise, section 551.112, Florida Statutes, provides, in relevant part, the Commission may exclude from any facility of a slot machine licensee for “any conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the commission.” The Casino at Dania Beach 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.

Furthermore, Rule 61D-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.

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 revoking Respondent’s Slot Machine/Cardroom/Pari-Mutuel Combination Occupational

License 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 revoking Carlos Eduardo Moreno Villegas Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License and permanently excluding Carlos Eduardo Moreno Villegas 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.: 2023-030311

CARLOS EDUARDO MORENO VILLEGAS,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Carlos Eduardo Moreno Villegas (“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 held a Slot Machine/Cardroom/Pari-mutuel Combination Occupational License, number 13163012-1055, issued by Petitioner.
3. At all times material hereto, the Casino at Dania Beach was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. At all times material hereto, Respondent was employed as a Poker Dealer at the Casino at Dania Beach.

5. On multiple occasions from about November 21, 2022 to November 26, 2022, it was discovered via surveillance footage that during the course of his employment, Respondent engaged in the theft of various chips.

6. Following the discovery of the various incidents, Respondent was terminated from the Casino at Dania Beach and issued a one year exclusion.

COUNT I

7. Petitioner realleges and incorporates the allegations contained within paragraphs one through six as though fully set forth herein.

8. Rule 61D-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.”

9. 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.

10. Based on the foregoing, Respondent violated rule 61D-11.005(4), 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.

COUNT II

11. Petitioner realleges and incorporates the allegations contained within paragraphs one through six as though fully set forth herein.

12. Respondent was excluded for the reasons alleged in Exhibit 1.

13. 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).

14. 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).

15. 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.

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, 551, and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Amended Administrative Complaint for FGCC Case Number 2023-030311 is signed this 8th 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@fgcc.fl.gov
Secondary: Ebonie.Lanier@fgcc.fl.gov

NOTICE OF RIGHTS TO REQUEST A HEARING

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

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

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

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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Complaint Search Mass Status Update	Change Recording License Type Public Case Info	Delete Complaint	Mass Activity Update	Mass Discipline Update
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Domain **10 - Division of Pari-Mutuel Wagering**

Logged in as: **nmelvai**

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

Lic Type	1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination	Status	90 Closed	Status Date	06/01/2023
Complaint #	2023030311	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	MORENO VILLEGAS, CARLOS EDUARDO	Responsible	bjones - JONES, BRADFORD	Private Case

Complaint	Respondent	Complainant	Addtl Info
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Source	INTN - Internal	Security Level	1	<input type="checkbox"/>	Parties	<input checked="" type="checkbox"/>	Activities
Form	INTR - Internal	Priority		<input type="checkbox"/>		<input checked="" type="checkbox"/>	
Class'n	V-C - Cardroom Violations	Complexity	R - Regular	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Security	STND - Standard	Incident	12/05/2022	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Region	SR - Southern Region	Received	05/26/2023	<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Reference	75-11.005(4)		Entered By	nmelvai			
Entered	05/26/2023		Entered By	nmelvai			
Summary	<p>274— Dania Entertainment Center, LLC— (75-11.005(4))— On December 5, 2022 Surveillance at Casino Dania Beach (CDB) conducted a video audit of MORENO'S activity after the on duty Supervisor suspected MORENO removed two (2) Red \$5 Chips from his impress tray and placed them into his tip box. The move was validated; a subsequent extensive audit revealed numerous incidents of theft. During games where MORENO was the Dealer, he transferred monies from multiple pots into the impress tray which he then transferred to his tip box. MORENO engaged in a pattern of multiple acts of fraud and deceit upon CDB players by stealing money which should have been rightly awarded to patron/winners.</p>						
Updated	06/02/2023 09:00:19		By	nmelvai			




7 Days	Change	Save	OK	Cancel	Back
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: May 26, 2023	Case Number: 2023 03 0311
Respondent: MORENO VILLEGAS, CARLOS EDUARDO 140 S. DIXIE HWY. APT #716 HOLLYWOOD, FLORIDA 33020		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL. - 954-202-3900	
License # and Type: 13163012 / 1055	Profession: POKER DEALER	Report Date: May 26, 2023	
Period of Investigation: March 30, 2023 through May 26, 2023		Type of Report: FINAL	
<p>Alleged Violation: 75-11.005(4) 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>Synopsis: : Surveillance at Casino Dania Beach (CDB) conducted a video audit of MORENO-VILLEGAS' activity after the on duty Supervisor suspected MORENO VILLEGAS removed two (2) Red \$5 Chips from his impress tray into his tip box. The move was validated; a subsequent audit revealed numerous incidents of theft. During games where MORENO VILLEGAS was the Dealer, he transferred monies from multiple pots into the impress tray which he then transferred to his tip box. MORENO VILLEGAS engaged in a pattern of multiple acts of fraud and deceit upon CDB players by stealing money which should have been rightly awarded to patron/winners.</p>			
Related Case(s): 2022 05 7757			
Investigator / Date  William Smith / May 26, 2023 Chief of Investigations / Date		Investigator Supervisor / Date  Julio Minaya / May 26, 2023	
 Bradford D. Jones / June 1, 2023			

CONTINUATION

During a video review **MORENO VILLEGAS**, a Poker Dealer (**License # 13163012 – EXP. June 30, 2024**) at the Casino Dania Beach, was observed by facility surveillance extracting chips from pots, “parking” said funds in his impress tray, and subsequently placing them in his tip box on multiple occasions. As a result of this act of theft, **MORENO VILLEGAS** was terminated from employment.

When conducting routine facility visits/inspections, this Investigator has heightened the awareness of poker room management and Surveillance Operators concerning specific methods that dealers may employ in acts of theft and potential indicators of such activity. Most often, dealer theft is accomplished by getting the ill-gotten gains into a tip box. Therefore, I encourage supervisory focus on the hand movement(s) of dealers as they interact with their tip boxes. I have advised facility staff that any concerning behavior should trigger a review of the dealer’s action.

In this instance the CDB Supervisor on duty Saturday November 26, 2022 suspected **MORENO VILLEGAS** took two red \$5 chips from his impress tray and combined them with two \$1 chips he received as a tip. That action was validated as a theft which brought about a deeper audit. Once the theft was validated **MORENO VILLEGAS** was placed on suspension pending review of his previous activity.

As per the CDB Surveillance Report, the audit confirmed thefts on four separate dates during November of 2022 with multiple acts of theft occurring on each of those dates. The Report notes the total daily losses as:

- November 21, 2022 \$178
- November 23, 2022 \$166
- November 25, 2022 - \$284
- November 26, 2022 - \$79

The total loss incurred for all thefts within the audit period were \$707.00 (**EXHIBIT #2**). This Investigator reviewed video footage affirming theft took place (**EXHIBIT #3**).

At the start of a work shift, an Impress Tray is initially set up and issued with a fixed amount of chips (totaling for example \$1,200.00). When a table is opened, the Impress Tray value will remain constant throughout the day from dealer to dealer. If chips are purchased, the total tray value will still consist of \$1,200.00, but now in combined cash and chips. Cash buys chips but the tray count remains constant. When **MORENO VILLEGAS** removed chips from the Impress Tray he lowered the balance in the tray; by taking chips from pots he made up the balance in the Tray.

Conclusion: As a result of his actions, **MORENO VILLEGAS**’ employment with CDB was terminated¹. During the separation process with CDB Human Resources **MORENO VILLEGAS** admitted committing the thefts and apologized. The policy of Casino Dania Beach regarding terminated former employees is to ask to those personnel not to come back to the property for one year. CDB did not permanently exclude **MORENO VILLEGAS**.

Status: Case closed by Investigations and forwarded to Legal for review.

¹ This Office has determined that **MORENO VILLEGAS** is currently employed at Calder Casino as a Cardroom Supervisor.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

 1. License.....1-2

 2. Surveillance Report.....1-9

 3. Thumb Drive Video.....1-2

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: **jminaya**

VR Home > License Search > License Home

License Fed Tax # [REDACTED] Lic Type 1012 - Cardroom Employee Occupational Expires On 06/30/2024 File # 13693 Name MORENO VILLEGAS, CARLOS EDUARDO Extended To License # 13163012 Rank CEMP - Cardroom Employee Occupational Renewed On Entity # 13163012 Lic Status Closed Upgrade		<input type="checkbox"/> Licensee <input type="checkbox"/> History <input type="checkbox"/> Notes <input type="checkbox"/> Notes History <input type="checkbox"/> Back																			
Address Street # 140 Street S DIXIE HWY APT 716 Line 2 Line 3 City HOLLYWOOD State FL Zip 33020 Routing																					
Other 1st License Date 04/22/2022 Rank Date 04/22/2022 Certificate # Method I-S-1024 Status Date 02/08/2023 Certificate Date Fee Exempt No Birth Date [REDACTED] Renewal Sent																					
Select Action <input type="text"/>																					
Modifiers <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>DEAL - Dealer</td> <td>04/13/2022</td> <td></td> </tr> <tr> <td>I</td> <td>JLAI - Jai-Alai</td> <td>02/08/2023</td> <td></td> </tr> <tr> <td>L</td> <td>285 - Calder Jai Alai</td> <td>02/08/2023</td> <td></td> </tr> <tr> <td>Y</td> <td>3YR - 3 Year License</td> <td>04/13/2022</td> <td></td> </tr> </tbody> </table>		Type	Modifier	Effective Date	Additional Info	C	DEAL - Dealer	04/13/2022		I	JLAI - Jai-Alai	02/08/2023		L	285 - Calder Jai Alai	02/08/2023		Y	3YR - 3 Year License	04/13/2022	
Type	Modifier	Effective Date	Additional Info																		
C	DEAL - Dealer	04/13/2022																			
I	JLAI - Jai-Alai	02/08/2023																			
L	285 - Calder Jai Alai	02/08/2023																			
Y	3YR - 3 Year License	04/13/2022																			
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EXHIBIT # /
PAGE # /

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 > Basic Entity Data

Basic Entity Data | List of Addresses | List of Names

Lic Type	1012 - Cardroom Employee Occupational		Entity #	13163012	
Fed Tax #	██████████	Fed Tax Type	SSN #	Name MORENO VILLEGAS, CARLOS EDUARDO	
H Last Name	MORENO VILLEGAS	First	CARLOS	Middle EDUARDO	
Title		Suffix		Qualifier	
Gender	M	Race	4 - Hispanic		
Driver License #	██████████	Birth Date	██████████		
Mailing Address	<input checked="" type="checkbox"/>	Private Address	<input type="checkbox"/>	Preferred Name	<input checked="" type="checkbox"/>
Street #	140	Street	S DIXIE HWY APT 716		
Line 2					
Line 3					
City	HOLLYWOOD	County	Broward		
Zip	33020	State	Florida	Country United States	
Routing					
Phone #	754.249.8590	Ext		E-Mail caedumo@hotmail.com	
Insp Region		Receive Email	<input type="checkbox"/>		
Updated	04/13/2022 12:13:42	By	ebeguirist		

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SIN-000021042 - Audit - Poker Department - Reported 11/26/2022 17:11

Author: Vladimir Siriac

Report Number: SIN-000021042

Start Time: 11/26/2022 17:11


End Time:


Report Group: Surveillance Reports


Report Type: Audit - Poker Department


Note: Audit on Poker Dealer Carlos Moreno regarding Poker Dealer Carlos Moreno retrieving additional cheques

Location / Origin: Poker Room

43.PNG	42.PNG	41.PNG	40.PNG	39.PNG
				

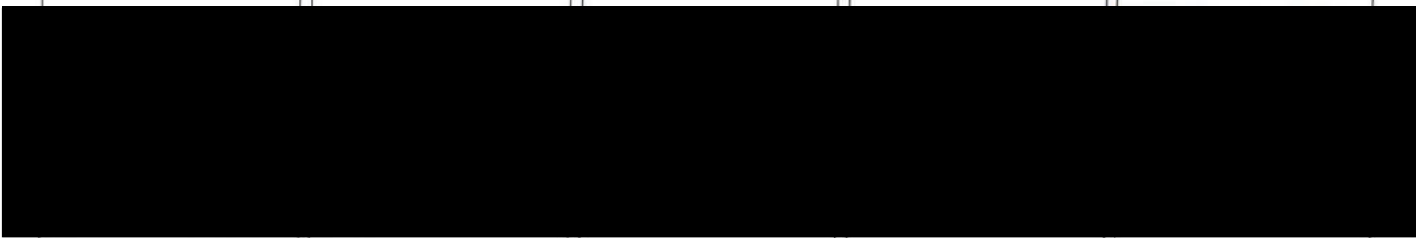
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33.PNG	32.PNG	31.PNG	30.PNG	29.PNG
				

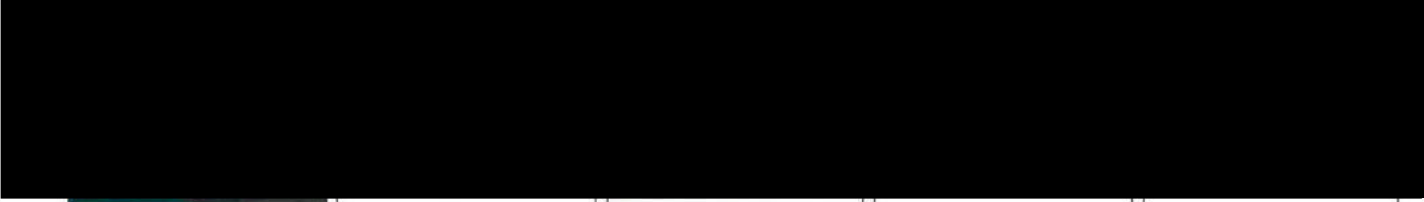
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23.PNG	22.PNG	21.PNG	20.PNG	19.PNG
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EXHIBIT # 2
PAGE # 1



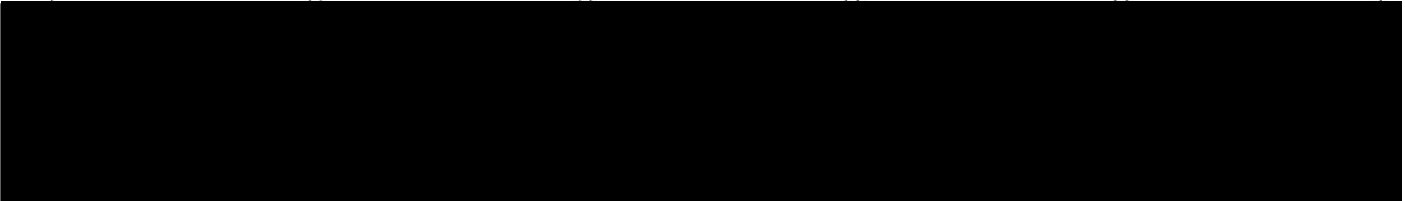
18.PNG	17.PNG	16.PNG	15.PNG	14.PNG
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13.PNG	12.PNG	11.PNG	10.PNG	9.PNG
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8.PNG	7.PNG	6.PNG	5.PNG	4.PNG
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3.PNG	2.PNG	1.PNG
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Narrative

Author: Vladimir Siriac

Created: 11/26/2022 17:11

On November 26, 2022, Surveillance conducted an Audit on Poker Dealer Carlos Moreno regarding Poker Dealer Carlos Moreno retrieving additional cheques from Table Bank Rack and placing them inside Tip Box.

11/21 Monday 12:07 pm to 10:10 pm \$178

11/23 Wednesday 12:20 pm to 7:03 pm \$166

11/25 Friday 11:53am to 2:44am \$284

EXHIBIT # 2
PAGE # 2

11/26 Saturday 12:37 pm to 2:44 pm \$79

The following was observed:

11/21 Monday 12:07 pm to 10:10 pm \$178

Poker Table 8

- At 12:28:01 hrs, Moreno receives a \$1.00 Tip.
- At 12:29:34 hrs, Moreno receives a \$1.00 Tip.
- At 12:29:46 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$2.00 Table Commission, and placing cheques inside his Tip Box.

Poker Table 17

- No Tips.

Poker Table 9

- At 13:09:20 hrs, Moreno receives a \$1.00 Tip.
- At 13:12:54 hrs, Moreno receives a \$2.00 Tip.
- At 13:12:56 hrs, Moreno was observed retrieving a \$2.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 13:12:59 hrs, Moreno was observed retrieving \$4.00 from Poker Table # 9 bank rack (2 purple cheques = \$4.00) and placing \$4.00 in cheques in Tip Box.
- At 13:14:41 hrs, Moreno was observed retrieving \$4.00 from Poker Table # 9 bank rack (2 purple cheques = \$4.00) and placing \$4.00 in cheques in Tip Box.
- At 13:15:19 hrs, Moreno receives a \$2.00 Tip.
- At 13:18:32 hrs, Moreno receives a \$1.00 Tip.
- At 13:23:25 hrs, Moreno receives a \$2.00 Tip.
- At 13:24:55 hrs, Moreno receives a \$1.00 Tip.
- At 13:26:20 hrs, Moreno receives a \$1.00 Tip.
- At 13:28:09 hrs, Moreno receives a \$1.00 Tip.
- At 13:29:10 hrs, Moreno receives a \$1.00 Tip.
- At 13:33:37 hrs, Moreno receives a \$1.00 Tip.

Poker Table 10

- At 14:03:27 hrs, Moreno receives a \$1.00 Tip.
- At 14:05:17 hrs, Moreno receives a \$1.00 Tip.
- At 14:05:18 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 14:07:32 hrs, Moreno receives a \$1.00 Tip.
- At 14:09:42 hrs, Moreno receives a \$1.00 Tip.
- At 14:09:45 hrs, Moreno receives a \$1.00 Tip.
- At 14:09:46 hrs, Moreno was observed retrieving a \$2.00 Tip and retrieving a \$3.00 Table Commission; Moreno was observed coloring up three white cheques and one purple cheque for 1 \$5 red cheque and placing the cheque inside his Tip Box.
- At 14:11:24 hrs, Moreno receives a \$1.00 Tip.
- At 14:13:00 hrs, Moreno receives a \$1.00 Tip.
- At 14:14:57 hrs, Moreno receives a \$1.00 Tip.
- At 14:16:35 hrs, Moreno receives a \$2.00 Tip.
- At 14:17:45 hrs, Moreno receives a \$1.00 Tip.
- At 14:19:25 hrs, Moreno receives a \$1.00 Tip.

Poker Table 5

- At 14:31:50 hrs, Moreno receives a \$1.00 Tip.
- At 14:32:58 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving \$5.00 from Poker Table #5 bank rack (1 purple cheque and 1 white cheque) when exchanging a red cheque as Table Commission then 1 purple cheque after retrieving tip, combining them and placing \$6.00 in cheques in Tip Box.
- At 14:36:06 hrs, Moreno receives a \$1.00 Tip.

EXHIBIT # 2
PAGE # 3

- At 14:39:19 hrs, Moreno receives a \$2.00 Tip.
- At 14:40:23 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 14:44:11 hrs, Moreno receives a \$1.00 Tip.
- At 14:47:00 hrs, Moreno receives a \$1.00 Tip.
- At 14:51:32 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving \$5.00 from Poker Table #5 bank rack (1 purple cheque and 1 white cheque) when exchanging a red cheque as Table Commission then 1 purple cheque after retrieving tip, combining them and placing \$6.00 in cheques in Tip Box.
- At 14:53:53 hrs, Moreno receives a \$1.00 Tip.
- At 14:56:59 hrs, Moreno receives a \$2.00 Tip.
- At 14:59:23 hrs, Moreno receives a \$1.00 Tip.
- At 15:01:37 hrs, Moreno receives a \$1.00 Tip.

Poker Table 10

- At 15:09:26 hrs, Moreno receives a \$1.00 Tip.
- At 15:12:50 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving \$3.00 from Poker Table #10 bank rack (1 purple cheque and 1 white cheque) when exchanging a red cheque as Table Commission, combining them and placing \$4.00 in cheques in Tip Box.
- At 15:15:39 hrs, Moreno receives a \$1.00 Tip.
- At 15:18:24 hrs, Moreno receives a \$1.00 Tip.
- At 15:21:38 hrs, Moreno receives a \$1.00 Tip.
- At 15:30:30 hrs, Moreno receives a \$1.00 Tip.
- At 15:33:09 hrs, Moreno receives a \$1.00 Tip.
- At 15:37:07 hrs, Moreno receives a \$1.00 Tip.

Poker Table 16

- No Tips

Poker Table 15

- At 16:32:26 hrs, Moreno receives a \$1.00 Tip.
- At 16:33:35 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, combining them and placing \$4.00 in cheques in Tip Box.
- At 16:35:48 hrs, Moreno receives a \$1.00 Tip.
- At 16:37:39 hrs, Moreno receives a \$1.00 Tip.
- At 16:39:01 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, combining them and placing \$4.00 in cheques in Tip Box.

Poker Table 4

- At 17:09:20 hrs, Moreno receives a \$1.00 Tip.
- At 17:11:37 hrs, Moreno receives a \$1.00 Tip.
- At 17:13:16 hrs, Moreno receives a \$1.00 Tip.
- At 17:15:49 hrs, Moreno receives a \$2.00 Tip.
- At 17:17:17 hrs, Moreno receives a \$1.00 Tip.
- At 17:18:08 hrs, Moreno receives a \$1.00 Tip.
- At 17:21:53 hrs, Moreno receives a \$1.00 Tip.
- At 17:23:16 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving \$3.00 from Poker Table #4 bank rack (1 purple cheque and 1 white cheque) when exchanging a red cheque as Table Commission, combining them and placing \$4.00 in cheques in Tip Box.
- At 17:25:18 hrs, Moreno receives a \$1.00 Tip.
- At 17:29:18 hrs, Moreno receives a \$2.00 Tip.
- At 17:31:21 hrs, Moreno receives a \$1.00 Tip.

Poker Table 18

- No tips.

Poker Table 14

- Tournament.

Poker Table 6

EXHIBIT # 2
PAGE # 4

- At 19:02:49 hrs, Moreno receives a \$1.00 Tip.
- At 19:05:19 hrs, Moreno receives a \$1.00 Tip.
- At 19:06:07 hrs, Moreno receives a \$1.00 Tip.
- At 19:07:45 hrs, Moreno receives a \$1.00 Tip.
- At 19:09:30 hrs, Moreno receives a \$1.00 Tip.
- At 19:11:15 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$2.00 Table Commission, and placing cheques inside his Tip Box.
- At 19:12:56 hrs, Moreno receives a \$2.00 Tip.
- At 19:15:53 hrs, Moreno receives a \$1.00 Tip.
- At 19:17:32 hrs, Moreno receives a \$1.00 Tip.
- At 19:18:47 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$1.00 Table Commission, and placing cheques inside his Tip Box.
- At 19:20:13 hrs, Moreno receives a \$1.00 Tip.
- At 19:22:07 hrs, Moreno receives a \$1.00 Tip.
- At 19:23:29 hrs, Moreno receives a \$1.00 Tip.
- At 19:24:38 hrs, Moreno receives a \$1.00 Tip.
- At 19:26:10 hrs, Moreno receives a \$1.00 Tip.
- At 19:27:59 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 19:30:16 hrs, Moreno receives a \$1.00 Tip.

Poker Table 9

- At 19:33:54 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$2.00 Table Commission, and placing cheques inside his Tip Box.
- At 19:35:36 hrs, Moreno receives a \$1.00 Tip.
- At 19:37:49 hrs, Moreno receives a \$2.00 Tip.
- At 19:37:50 hrs, Moreno was observed retrieving \$4.00 from Poker Table # 9 bank rack (2 purple cheques) and placing \$4.00 in cheques in Tip Box.
- At 19:40:29 hrs, Moreno receives a \$2.00 Tip.
- At 19:51:27 hrs, Moreno receives a \$1.00 Tip.
- At 19:53:56 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 19:56:30 hrs, Moreno receives a \$1.00 Tip.
- At 19:58:55 hrs, Moreno receives a \$1.00 Tip.
- At 20:00:28 hrs, Moreno receives a \$1.00 Tip.

Poker Table 19

- No tips.

Poker Table 7

- At 21:03:35 hrs, Moreno receives a \$5.00 Tip.
- At 21:15:39 hrs, Moreno receives a \$1.00 Tip.
- At 21:26:02 hrs, Moreno receives a \$1.00 Tip.
- At 21:27:19 hrs, Moreno receives a \$2.00 Tip.

Poker Table 11

- Tournament.

11/23 Wednesday 12:20 pm to 7:03 pm \$166

Poker Table 4

- At 13:23:21 hrs, Moreno receives a \$1 tip and combines it with a \$5 cheque from Poker Table #4 bank rack (1 red cheque) and placing \$6.00 in cheques in Tip Box.
- At 13:26:22 hrs, Moreno was observed retrieving a \$3.00 Table Commission and placing cheques inside his Tip Box.
- At 13:27:49 hrs, Moreno receives a \$1.00 Tip.
- At 13:29:07 hrs, Moreno receives a \$1.00 Tip.

EXHIBIT #
PAGE #

3
5

- At 13:32:24 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.

Poker Table 5

- At 13:37:58 hrs, Moreno receives a \$1.00 Tip.
- At 13:41:26 hrs, Moreno receives a \$1.00 Tip.
- At 13:47:00 hrs, Moreno receives a \$1.00 Tip.
- At 13:48:46 hrs, Moreno receives a \$1.00 Tip.
- At 13:50:48 hrs, Moreno receives a \$1.00 Tip.
- At 13:51:18 hrs, Moreno was observed retrieving \$2.00 from Poker Table #5 bank rack (1 purple cheque) and placing \$2.00 in cheques in Tip Box.
- At 13:54:17 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 14:00:47 hrs, Moreno receives a \$1.00 Tip.

Poker Table 11

- Tournament.

Poker Table 18

- No Tip

Poker Table 15

- At 16:02:07 hrs, Moreno receives a \$1.00 tip.
- At 16:03:39 hrs, Moreno receives a \$1.00 tip.
- At 16:06:14 hrs, Moreno was observed retrieving the \$2.00 Table Commission and placing it into the tip box.
- At 16:08:04 hrs, Moreno receives a \$1.00 tip.
- At 16:09:39 hrs, Moreno receives a \$2.00 tip.
- At 16:13:01 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$2.00 Table Commission, combining them, and placing \$3.00 in cheques in Tip Box.
- At 16:15:27 hrs, Moreno receives a \$1.00 tip.
- At 16:16:54 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$1.00 Table rack, combining them and placing \$2.00 in tip box.
- At 16:25:58 hrs, Moreno receives a \$1.00 tip.
- At 16:28:54 hrs, Moreno receives a \$1.00 tip.
- At 16:30:24 hrs, Moreno receives a \$1.00 tip.

Poker Table 10

- At 16:35:43 hrs, Moreno receives a \$1.00 tip.
- At 16:38:58 hrs, Moreno was observed retrieving a \$2.00 Tip and retrieving a \$3.00 Table Commission, combining them, and placing \$5.00 in cheques in Tip Box.
- At 16:39:58 hrs, Moreno receives a \$1.00 tip.
- At 16:41:45 hrs, Moreno receives a \$2.00 tip.
- At 16:43:36 hrs, Moreno receives a \$5.00 tip.
- At 16:43:58 hrs, Moreno was observed retrieving \$5.00 from poker table # 10 bank rack (1 red cheque) and placing the \$5.00 in his tip box.
- At 16:47:25 hrs, Moreno receives a \$4.00 tip.
- At 16:50:39 hrs, Moreno receives a \$5.00 tip.
- At 16:52:37 hrs, Moreno receives a \$1.00 tip.
- At 16:54:14 hrs, Moreno was observed retrieving \$2.00 from poker table # 10 bank rack (1 purple cheque) and placing the \$2.00 in his tip box.
- At 16:54:51 hrs, Moreno receives a \$1.00 tip.
- At 16:56:14 hrs, Moreno receives a \$2.00 tip.
- At 16:57:58 hrs, Moreno receives a \$1.00 tip.
- At 17:00:04 hrs, Moreno receives a \$1.00 tip.

Poker Table 14

- Tournament

Poker Table 10

- At 17:30:01 hrs, Moreno receives a \$40.00 tip. Moreno was NOT dealing at Table 10. Moreno was observed walking to the Chip Runner Podium and putting the \$40.00 in his tip box.

Poker Table 20

- At 17:36:53 hrs, Moreno receives a \$2.00 tip.
- At 17:39:10 hrs, Moreno receives a \$1.00 tip.
- At 17:42:09 hrs, Moreno receives a \$1.00 tip.
- At 17:51:26 hrs, Moreno receives a \$1.00 tip.
- At 17:51:32 hrs, Moreno receives \$2.00 (1 purple cheque). Moreno returns \$1.00 to the patron from the table # 20 bank rack and puts the \$2.00 in his tip box.
- At 17:53:10 hrs, Moreno receives a \$1.00 tip.
- At 17:55:22 hrs, Moreno receives a \$1.00 tip.
- At 17:56:28 hrs, Moreno receives a \$1.00 tip.
- At 17:59:18 hrs, Moreno receives a \$1.00 tip.
- At 18:01:07 hrs, Moreno receives a \$2.00 tip.

11/25 Friday 11:53am to 2:44am \$284

Poker Table 8

- No Tip

Poker Table 9

- At 13:03:45 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$2.00 cheque from the bank rack, placing \$3.00 in cheques inside his tip box.
 - At 13:03:25 hrs, Moreno placed \$2.00 in cheques inside the poker rack.
- At 13:06:12 hrs, Moreno was observed retrieving a \$1.00 tip and a \$3.00 Table Commission, and placing \$4.00 cheques inside his Tip Box.
- At 13:08:57 hrs, Moreno received a \$2.00 tip.
- At 13:11:02 hrs, Moreno was observed retrieving a \$1.00 tip and a \$2.00 Table Commission, and placing \$3.00 cheques inside his Tip Box.
- At 13:13:16 hrs, Moreno received a \$1.00 tip.
- At 13:19:53 hrs, Moreno received a \$1.00 tip.
- At 13:21:18 hrs, Moreno received a \$1.00 tip.
- At 13:23:0 hrs, Moreno was observed retrieving a \$1.00 tip and a \$3.00 Table Commission, and placing \$4.00 cheques inside his Tip Box.
 - At 13:25:25 hrs, Moreno placed \$2.00 in cheques from the pot inside the poker rack. Moreno did not place anything any cheques back into the pot.
- At 13:28:53 hrs, Moreno received a \$1.00 tip.
- At 13:29:21 hrs, was observed retrieving \$4.00 from poker table # 9 bank rack (2 purple cheques)
- At 13:30:58 hrs, a poker player in seat # 1 places a \$1.00 cheque inside Moreno's tip box.

Poker Table 15

- At 14:02:37 hrs, Monroe was observed retrieving a \$1.00 tip and a \$3.00 Table Commission and placing \$4.00 cheques inside his Tip.
- At 14:06:25 hrs, Monroe was observed retrieving \$10.00 from poker table # 15 bank rack (2 red cheques) and a \$1.00 tip totaling \$11.
 - At 14:07:33 hrs, Monroe places \$5.00 from the bank rack on the commission area. (1 purple, 1 white cheque.) The rake area received \$2.00 (1 purple cheque)
- At 14:08:36 hrs, Monroe was observed retrieving \$3.00 in cheques from the table commission and placing the cheques inside his tip box.

- At 14:09:12 hrs, Monroe received a \$2.00 tip.
- At 14:09:43 hrs, Monroe was observed retrieving \$2.00 from poker table # 15 bank rack (1 purple cheque).
- At 14:10:56 hrs, Moreno was observed retrieving a \$1.00 Tip, and a \$3.00 Table Commission, and placing cheques inside his Tip Box totaling \$4.00.
- At 14:13:47 hrs, Moreno was observed retrieving \$10.00 from poker table # 15 bank rack (2 red cheques)
- 14:14:18 hrs, Moreno received a \$2.00 tip.
- At 14:16:06 hrs, Monroe receives a \$5.00 tip.

11/26 Saturday 12:37 pm to 2:44 pm \$79

Poker Table 14

Tournament

Poker Table 9

- At 13:31:36 hrs, Moreno receives a \$1.00 Tip.
- At 13:33:33 hrs, Moreno receives a \$1.00 Tip.
- At 13:33:35 hrs, Moreno receives a \$1.00 Tip.
- At 13:35:37 hrs, Moreno was observed retrieving a \$3.00 Table Commission and placing cheques inside his Tip Box.
- At 13:37:47 hrs, Moreno receives a \$1.00 Tip.
- At 13:37:48 hrs, Moreno was observed retrieving \$1.00 Tipp and retrieving \$3.00 Table Commission and placing cheques inside his Tip Box.
- At 13:39:48 hrs, Moreno receives a \$1.00 Tip.
- At 13:42;29 hrs, Moreno receives a \$1.00 Tip.
- At 13:42:29 hrs, Moreno was observed retrieving the \$3.00 Table Commission and placing \$1.00 into Tote Box.
 - At 13:42:31 hrs, Moreno was observed retrieving \$7.00 from Poker Table # 9 bank rack (1 red cheque = \$5.00, 1 purple cheque = \$2.00) and combining them with \$2.00 Table Commission in left hand and placing \$9.00 in cheques in Tip Box.
- At 13:46:52 hrs, Moreno receives a \$1.00 Tip.
- At 13:49:49 hrs, Moreno receives a \$1.00 Tip.
 - 13:49:50 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 13:52:20 hrs, Moreno receives a \$1.00 Tip.
- At 13:55:02 hrs, Moreno receives a \$1.00 Tip.
 - At 13:55:05, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 13:58:49 hrs, Moreno receives a \$1.00 Tip.
- At 14:01:02 hrs, Moreno receives a \$1.00 Tip.

Poker Table 10

- At 14:06:14 hrs, Moreno receives a \$5.00 Tip.
 - At 14:06:15 hrs, Moreno was observed retrieving a \$5.00 Tip and retrieving \$10.00 from Poker Table # 10 bank rack (2 red cheques = \$10.00) and combining them with the \$5.00 Tip and placing \$15.00 in cheques in Tip Box.
- At 14:10:00 hrs, Moreno receives a \$1.00 Tip.
- At 14:11:40 hrs, Moreno receives a \$1.00 Tip.
- At 14:13:22 hrs, Moreno receives a \$1.00 Tip.
- At 14:16:24 hrs, Moreno receives a \$1.00 Tip.
 - At 14:16:24 hrs, Moreno was observed retrieving a \$1.00 Tip and retrieving a \$3.00 Table Commission, and placing cheques inside his Tip Box.
- At 14:18:15 hrs, Moreno receives a \$1.00 Tip.
- At 14:22:14 hrs, Moreno receives a \$2.00 Tip.
 - At 14:22:16 hrs, Moreno was observed retrieving a \$2.00 Tip and retrieving \$4.00 from Poker Table # 10 bank rack (2 purple cheques = \$4.00) and combining them with the \$2.00 Tip and placing \$6.00 in cheques in Tip Box.
- At 14:23:38 hrs, Moreno receives a \$1.00 Tip. At 14:26:11 hrs, Moreno receives a \$1.00 Tip. At 14:28:00 hrs, Moreno receives a \$1.00 Tip.
 - At 14:28:09 hrs, Moreno was observed retrieving \$5.00 from Poker Table # 10 bank rack (1 red cheque

- =\$5.00) and placing \$5.00 in cheques in Tip Box.
- o At 14:31:41 hrs, Moreno receives a \$2.00 Tip.
- o At 14:34:23 hrs, Moreno receives a \$1.00 Tip.

Note: Poker Dealer Carlos Moreno was observed taking \$44.00 from Bank Rack and Table Commission and placing cheques in Tip Box while dealing Poker on November 26, 2022.

Video saved Pictures saved.

Person

Name: Carlos Moreno
Race: White

Alias:
Gender: Male



Signature A

Date

Signature B

Date

EXHIBIT # 2
PAGE # 9

Evidence Receipt

Date: 10/20/22

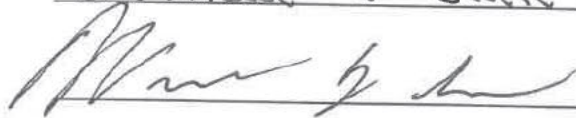
Time: 12:30 PM

Received By:

William J Smith

Title: Investigator FGCC

Signature:



Description:

SR 20605- Poker players Switching cards

Supervisor:



Employee #: 1386

EXHIBIT # 3
PAGE # 1

Evidence Receipt

Date: 12/05/2022

Time: 14:09

Received By:

William Smith

Title: Investigator FGCC

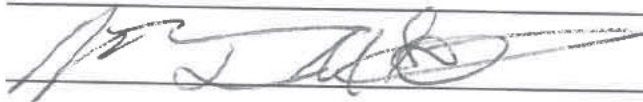
Signature:



Description:

USB and paper work for SR-21042

Supervisor:



Employee #: 2121

EXHIBIT # 3
PAGE # 1



State of Florida
 Department of Business and Professional Regulation
 Division of Pari-Mutuel Wagering
 Investigations Section

PROPERTY RECEIPT

Complaint # 2022057757 Date 12/6/22 Lab # _____

Item No.	Quantity	Description
1	1	Carlos Moreno Thumbdrive
		Dealer The Ft. Davie
		Beach

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]
 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



FLORIDA GAMING CONTROL COMMISSION

CHARLES D. BUPTON, CHAIRMAN
JULIE I. BROVIN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER
TINA REPP, COMMISSIONER

FLORIDA GAMING CONTROL COMMISSION,

Petitioner,

v.

FGCC Case No.: 2023-030311

CARLOS EDUARDO MORENO VILLEGAS,

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) _____, Affiant made a diligent effort to locate Respondent, to serve: 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), JUNE 21, 2023 at (location) 21001 NW 27th Ave (CALDER CASINO)

___ 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: _____


Signature of Affiant

STATE OF Florida
COUNTY OF Broward

Before me, appeared Tyrell Smith; 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 22 day of June 20 23

Notary Public 

Type or Print Name



MICHELLE M. FUTRELL
Commission # HH 135946
Expires June 14, 2025
Needed This Budget Notary Services

OFFICE OF THE GENERAL COUNSEL
2801 BLAKE STONE ROAD
TALLAHASSEE, FLORIDA 32399-1035

8. Discussion of Order to Vacate Final Orders

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: FGCC v. Jonathan Ferber Case No. 2022-043586; Vacate Default
Final Order
Date: August 22, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to vacate the final order issued on Jonathan Ferber (“Respondent”) in case number 2023-043586 which permanently excluded Respondent from all pari-mutuel and slot facilities in the state of Florida.

Background

On or about August 21, 2022, Respondent was a patron of Magic City Casino.¹ Respondent was seen engaging in a fight at the cardroom. Respondent was permanently excluded from Magic City Casino², on August 21, 2022.

Based on his exclusion from Magic City Casino, the Division attempted to serve Respondent with an administrative complaint seeking his exclusion from all pari-mutuel and slot facilities in the state of Florida. The Commission served Respondent via publication the address that was provided by Magic City Casino. A Final Order was issued at the May 5, 2023. Respondent has informed the Commission that the address provided was incorrect.³

Staff Recommendation: The Florida Gaming Control Commission should enter an order vacating the final order permanently excluding Jonathan Ferber from all pari-mutuel and slot machine facilities in this state. The Administrative Complaint in this case will be reopened and sent to Respondent at their correct address.

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

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

³ Because Respondent is a patron of a pari-mutuel facility and not a licensee, the Commission relies on the information provided by the facility to accurately serve the individual.

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

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

Petitioner,

v.

FGCC Case No.: 2022-043586

JONATHAN FERBER,

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 October 24, 2022, alleging 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 under sections 550.0251(6) and 551.112, 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 Miami Dade County Daily Business Review 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 and all facilities of a slot machine licensee within the State of Florida.

This Final Order shall take effect upon being filed with the Clerk of the Commission.

DONE AND ORDERED this 5TH 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

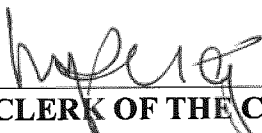
NOTICE OF RIGHT TO APPEAL

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 5TH day of MAY, 2023, a true and correct copy of this Final Order has been sent via U.S. Mail to:

Jonathan Ferber
1900 North Bayshore Drive, Apt. 2704
Miami, Florida 33132



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.: 2022-043586

JONATHAN FERBER,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Jonathan Ferber (“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 1900 North Bayshore Drive, Apt. 2704 Miami, Florida 33132.
3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about August 21, 2022, Respondent was a patron of Magic City Casino.
5. On or about August 21, 2022, Respondent was ejected and permanently excluded from Magic City Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.



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

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

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

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

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion 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 Magic City Casino on or about August 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 2022-043586 is signed this 20th day of October 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.

[VR Home](#) |
 [Inbox](#) |
 [Entity](#) |
 [Application](#) |
 [License](#) |
 [Cash](#) |
 [Exam](#) |
 [Inspection](#) |
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 [Delete Complaint](#) |
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 [Mass Discipline Update](#) |
 [Mass Status Update](#) |
 [Public Case Info](#)

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

Logged in as: **Imuniz**

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

Lic Type	1098 - Unlicensed Complaints	Status	90 Closed	Status Date	10/12/2022
Complaint #	2022043586	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	FERBER, JONATHAN	Responsible	bjones - JONES, BRADFORD	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	OTHR - Other	Complexity	R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	08/21/2022	<input checked="" type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	SR - Southern Region	Received	09/07/2022	<input type="checkbox"/> Inspection	
Reference	550.0251(6)			<input type="checkbox"/> Costs	
Entered	09/07/2022	Entered By	Imuniz	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	<p>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as Jonathan Ferber and [REDACTED]. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.</p>			<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	10/12/2022 13:37:17	By	Imuniz	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

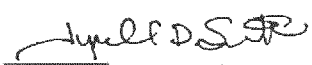


35

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: September 7, 2022	Case Number: 2022 04 3586
Respondent: FERBER, JONATHAN 1900 NORTH BAYSHORE DRIVE #2704 MIAMI, FLORIDA 33132		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900	
License # and Type: N/A / 1098		Profession: Patron	Report Date: October 4, 2022
Period of Investigation: September 7, 2022 through October 4, 2022		Type of Report: Final	
<p>Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.— The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p>(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>Synopsis: On August 23, 2022, while conducting a routine inspection at Magic City Casino (MCC), I was informed by Surveillance Manager [REDACTED] Knowles that on August 21, 2022, a fight between two patrons occurred inside the card room resulting in the permanent exclusion of both patrons. A review of video footage confirmed Knowles account. On August 24, 2022, this Investigator e-mailed Magic City Casino Director of Safety and Compliance [REDACTED] Noonan requesting copies of all documents related to this incident. On September 2, 2022, I received the above requested documents from Noonan. On September 7, 2022, I received a flash drive containing video footage of the incident from Surveillance Manager [REDACTED] Knowles. (EXHIBIT #4)</p>			
Related Case(s): 2022-04-3577			
Investigator / Date: October 4, 2022		Investigator Supervisor / Date	
 [REDACTED] Smith /		 [REDACTED] Minaya / October 11, 2022	
Chief of Investigations / Date			
 [REDACTED] Jones for [REDACTED] Kogan / October 12, 2022			

CONTINUATION

Further investigation into this matter and a review of Magic City Casino Incident Report IN20220003975, revealed that on August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised via radio of a fight in the Poker room. Security Supervisor [REDACTED] Mejia, Security Team Leader [REDACTED] Garcia, along with Miami Police Department Officers responded to the Poker room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males and both were escorted separately from the card room to the Security Office. Once inside the Security Office, the males were identified as Jonathan **FERBER** and [REDACTED] Antigua. Both were informed of the facility's rules and regulations and were then permanently excluded from the facility for fighting.

On August 23, 2022, I reviewed the surveillance footage of the incident and the following was noted:

At approximately 1:16 P.M. Antigua is observed sitting at Poker table #9, seat #5. **FERBER**, who was seated at the table directly across from Antigua in seat #7, is observed saying something to Antigua. **FERBER** is then observed speaking with Poker Manager [REDACTED] Panduro. After speaking with Panduro **FERBER** stands up and leans over the table and appears to say something to Antigua, causing Antigua to standup and grab **FERBER** by his shirt. Antigua then pulls **FERBER** forward and across the poker table which caused **FERBER** to fall to the floor. At this point Miami Police Officers run over to the table and pull Antigua away from **FERBER**.

FERBER is then assisted from the floor by the Officers and both he and Antigua are escorted out of the card room to the Security Office by Miami Police Officers, Security Team Leader Garcia and Security Supervisor Mejia.

According to the Incident Report it was at this time that both men were separated and advised of the facilities rules and regulations pertaining to fighting and told that because of their behavior, they were being permanently excluded from the facility. They were each given the Magic City Trespass Warning form to sign, which Antigua acknowledged and signed. However, **FERBER** refused to sign his form. Both men were then allowed to cash in their chips and leave the facility without further incident (**EXHIBITS # 1 & 2**).

On August 26, 2022, Magic City Internal Auditor [REDACTED] Crespo e-mailed me a copy of the facility exclusion list showing that **FERBER** was added to the list on August 21, 2022. (**EXHIBIT #3**)

On October 4, 2022, this Investigator interviewed MCC Poker Manager [REDACTED] Panduro regarding this incident. Panduro stated that on the day of the incident, August 21, 2022, she observed several verbal arguments at table #9 involving Antigua and **FERBER**. When she went to the table to inquire what was going on and to calm the situation down, **FERBER** continued yelling obscenities at Antigua. She then asked **FERBER** to leave the table and as he was getting up from the table he leaned over the table towards Antigua and said "FUCK YOU". Antigua then stood up and grabbed **FERBER** by the shirt and pulled him over the edge of the table and down to the floor. Miami Police Officers who were working off-duty at the facility ran over to the table and pulled Antigua away from **FERBER**. They were both escorted to the Security Office by Police and Security Supervisor Mejia. Panduro also said that she learned later that the two patrons were permanently excluded from the facility. Panduro further stated that **FERBER** is a regular patron of the card room and that he has repeatedly given her problems in the past due to his attitude. When asked if any of these encounters were ever documented by the facility Panduro said no.

Conclusion: Due to this incident, **FERBER** and Antigua have been permanently excluded from MCC. However as the facility has identified Mr. **FERBER** as the primary aggressor in this incident, with a history of disruptive behavior within the facility, this case is closed by Investigations and forwarded to Legal for review. The case involving Mr. Antigua is closed with no further action required.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

 1. Magic City Incident Report # IN20220003975 1-8

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

 3. Magic City Exclusion List 1-2

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

Incident File Full Report



iTrak Incident Reporting and Risk Management System Version
2020.1.0.05202

Incident Number: IN20220003975
Date/Time Occurred: 8/21/2022 1:19:15 PM
Day of Week: Sunday

Printed By: jsanchez

Printed On: 8/26/2022 at 4:40:29 PM

EXHIBIT # - 1
PAGE # - 1

Incident File Full Report

Incident File #IN20220003975

Record Creation Details

Date/Time Occurred: 8/21/2022 1:19:15 PM
Day of Week Occurred: Sunday
Date/Time Created: 8/21/2022 4:08:53 PM
Date/Time Closed:
Closed By:

Department: Security

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation:

Details of Incident:

Daily Log #: DL20220029946
Incident Type: Fighting
Specific:
Category:
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis:

On Sunday August 21st, 2022 at approximately 1:19 PM Security was advised by surveillance via radio of a fight in the Poker Room (Echo 1). Security Supervisor and Security Team Leader responded and upon arrival were advised by MPD of two unidentified male patrons fighting. Security Team Leader escorted the first unidentified male patron to the security Vestibule alongside MPD. Upon arrival Security Team Leader explained the rules and regulations of Magic City Casino in regards to fighting Alongside MPD and advised the male patron that he is permanently excluded. the male patron Acknowledged, but did not sign the Trespassing warning form and left the property after receiving his money from trading in his chips. Security Supervisor shortly after the first male patron left escorted the second unidentified male patron alongside MPD to the security vestibule. Upon Arrival Security Supervisor explained the rules and regulations of Magic City Casino in regards to fighting and advised the male patron alongside MPD. The male patron acknowledged. and signed the Trespassing Warning Form and left property shortly after.

Checklist:

Narrative:

On Sunday August 21st, 2022 at approximately 1:19 PM Security was advised by surveillance via radio of a fight in the Poker Room (Echo 1). Security Supervisor [redacted] Mejia and Security Team Leader [redacted] Garcia responded and upon arrival were advised by MPD of two unidentified male patrons fighting. [redacted] Garcia escorted the first unidentified male patron later identified Jonathan Ferber to the security Vestibule alongside MPD. Upon arrival S.T.L Garcia explained the rules and regulations of

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20220003975

Magic City Casino in regards to fighting Alongside MPD and advised Mr. Ferber that he is permanently excluded. Mr. Ferber Acknowledged, but did not sign the Trespassing warning form and left the property after receiving his money from cashing out his chips. S.S Mejia shortly after Mr. Ferber left escorted the second unidentified male patron later identified as Omar Amin Antigua alongside MPD to the security vestibule. Upon Arrival S.S. Mejia explained the rules and regulations of Magic City Casino in regards to fighting and advised Mr. Antigua alongside MPD that he is permanently excluded. Mr. Antigua acknowledged, and signed the Trespassing Warning Form and left property shortly after.

Upon Surveillance review approximately at 1:17 PM it can be seen Mr. Ferber and Mr. Antigua arguing on table 9. As Mr. Ferber appears to stand from his chair (seat 7) for what it appears to scare Mr. Antigua; Mr. Antigua appears to stand from his chair (seat 5) and grab Mr. Ferber's shirt and pull Mr. Ferber across the table onto the ground; seconds later it appears MPD running towards and stopping both patrons.

Executive Brief:

Participants Involved:

Personnel

Full Name: MEJIA, [REDACTED] Property: Magic City Casino
Role: Security Supervisor Department: Security
Date Of Birth: [REDACTED]

Full Name: GARCIA, [REDACTED] Property: Magic City Casino
Role: Security Team Leader Department: Security
Date Of Birth: [REDACTED]

Subject

Full Name: Ferber, Jonathan Company:
Role: Patron
Date Of Birth: [REDACTED]
Address: 1900 N Bayshore Dr Apt 2704, Miami, Florida, 33132-3014, USA
Contact Info:

Full Name: Antigua, [REDACTED] Company:
Role: Patron
Date Of Birth: [REDACTED]
Address: [REDACTED]
Contact Info:

Ban/Watch Details

Full Name Ban/Watch Start Date End Date

Reporting Party:

Supervisor:

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

Incident File Full Report

Incident File #IN20220003975

Ferber, Jonathan Ban 8/21/2022 Permanent

Type Of Ban: Permanent Notes:

Reason For Ban: Fighting

Identification: Driver License

Antigua, [REDACTED] Ban 8/21/2022 Permanent

Type Of Ban: Permanent Notes:

Reason For Ban: Fighting

Identification: Driver License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20220005618 - Daily Log#: DL20220029946 - Call Time: 21/08/2022 13:19:15 - Dispatch Code: 10-39 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	igarcia	8/21/2022

EXHIBIT # ~ |
PAGE # - 4 |

Reporting Party:

Supervisor:

Media Title

Trespassing Jonathan

Original Filename

Trespass Warning Form
Jonathan Ferber.pdf

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

PDF

Size

86903

Media Title

Trespassing Omar

Original Filename

Trespass Warning Form
[REDACTED] Antigua.pdf

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

PDF

Size

87822

8/26/2022 4:40:30 PM

Page 1/4

EXHIBIT #-1
PAGE # -5

Media Title

[REDACTED] Antigua ID

Original Filename

[REDACTED] Antigua
ID.pdf

Date Attached

8/21/2022 4:03:47 PM

Attached By

igarcia

Type

PDF

Size

90565

Media Title

Original Filename

Jonathan Ferber ID.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

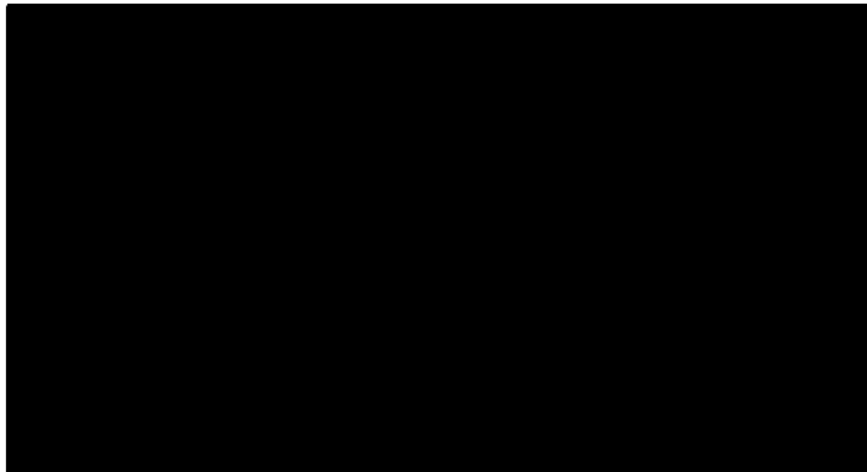
igarcia

Type

JPG

Size

184658



8/26/2022 4:40:30 PM

Page 2/4

EXHIBIT #-1
PAGE # -6

Media Title

Original Filename

[REDACTED] Antigua.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

JPG

Size

311005



Media Title

Original Filename

Jonathan Ferber.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

JPG

Size

239861



8/26/2022 4:40:30 PM

Page 3/4

EXHIBIT #-1
PAGE # -7

Media Title
Jonathan Ferber ID
Original Filename
Jonathan Ferber ID 2.pdf
Date Attached
8/21/2022 4:03:48 PM
Attached By
igarcia
Type
PDF
Size
45097

8/26/2022 4:40:30 PM

Page 4/4

EXHIBIT # -1
PAGE # -8



TRESPASS WARNING

NAME / LAST NAME: Jonathan ferber

DRIVER LICENSE #



D.O.B.



ADDRESS: 1900 n Bayshore Dr Apt 2404 CITY: Miami ST: FL ZIP: 33132-3014

RACE: W SEX: M HEIGHT: 5'11 WEIGHT: 170 HAIR: salty EYES: brown

REASON FOR TRESPASSING: Disorderly Conduct

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

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

This warning was given on 8/21/2022 at 1:27 hours.

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

SUBJECT'S SIGNATURE: _____

CASE #:

N/A

ARRESTED:

YES

NO

SECURITY AGENT:

[Signature] 4027

DATE:

8/21/2022

POLICE OFFICER / WITNESS:

[Signature] 44263

Warned by MPD referenced trespass after warning

Subject refused to sign this trespass warning

EXHIBIT # -2
PAGE # -1

Smith, Tyrell

From: [REDACTED] Crespo <[REDACTED]>
Sent: Friday, August 26, 2022 3:39 PM
To: Minaya, [REDACTED], Smith, [REDACTED], Suau, [REDACTED]
Cc: Victor [REDACTED], Julie [REDACTED], Ileana [REDACTED]
Subject: MCC Weekly Exclusions 08/25/22
Attachments: MCC Weekly Exclusions 2022-08-25.xlsx

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

Good Afternoon,

Attached please find MCC's weekly exclusions for the last week.

*State Exclusions last updated 8/15/22 – MCC Master Exclusion List up to date

Thank you,

Work from Home Mondays and Tuesdays

[REDACTED] **Crespo | Internal Auditor**
Miami City Casino / Riviera Springs Poker Room
[REDACTED]
[REDACTED]

EXHIBIT #-3
PAGE # -1

Date	Last Name	First Name	DOB	Gender
8/21/2022	Ferber	Jonathan		Male

EXHIBIT # -3
PAGE # - 2



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

PROPERTY RECEIPT

Complaint # 2022-04-3577/3586 Date 9/7/2022 Lab # _____

Item No.	Quantity	Description
1	1	USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRONS JONATHAN FEIBER AND OMAR AMIN ANTECLA FOR DISORDERLY CONDUCT. MAEK CITY CASINO
<i>LAST ITEM</i>		

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]
 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]
 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

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: Imuniz

VR Home > Complaint Search > Maintain Complaint

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	09/07/2022
Complaint #	2022043586	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent	FERBER, JONATHAN	Responsible	tsmith2 - SMITH, [REDACTED]	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					
Class'n	OTHR - Other	Complexity	R - Regular	<input checked="" type="checkbox"/>	Allegations	<input type="checkbox"/>	Discipline
Security	STND - Standard	Incident	08/21/2022				
Region	SR - Southern Region	Received	09/07/2022	<input type="checkbox"/>	Violations	<input type="checkbox"/>	Compliance
Reference	550.0251(6)			<input type="checkbox"/>	Related	<input checked="" type="checkbox"/>	Disposition
Entered	09/07/2022	Entered By	Imuniz				
Summary	<p>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as Jonathan Ferber and [REDACTED] Antigua. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.</p>			<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
Updated	09/07/2022 15:18:41	By	Imuniz				

Change | Save | OK | Cancel | 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: August 21, 2022

PMW Cardroom Slot

Violation Incident Complaint

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

RESPONDENT

NAME: Jonathan Ferber
 Address: 1900 N. Bayshore Drive, # 2704, Miami, Florida 33132 Tel: _____
 LIC #: N/A LIC TYPE: 1098 OCCUPATION: Patron

COMPLAINANT

NAME: _____ Tel #: _____
 Address: _____
 LIC #: _____ LIC TYPE: _____ OCCUPATION: _____

VIOLATION(S) / TITLE(S): 550.0251 Powers and duties of the Florida Gaming Control Commission. — The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

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

DESCRIPTION: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as **Jonathan Ferber** and [redacted] Antigua. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.

CASE DETAILS FILED BY:

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

[redacted] Smith *April D. Smith* September 7, 2022
 (Print Name) (Signature) (Date)

Muniz, Luz

From: Minaya, [REDACTED]
Sent: Wednesday, September 7, 2022 2:41 PM
To: Muniz, Luz
Cc: Smith, [REDACTED]; Kogan, [REDACTED]
Subject: OCR
Attachments: OCR MAGIC CITY CASINO (EXCLUDED PATRON) 8-21-2022 (ANTIGUA).docx; OCR MAGIC CITY CASINO (EXCLUDED PATRON) 8-21-2022 (FERBER).docx

Luz,

Please open and assign to Tyrell.

Tanks



[REDACTED] 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: [REDACTED]



Please Remit To:

ALM Global, LLC
PO Box 936174
Atlanta, GA 31193-6174

Daily Business Review

Miami Dade
Customer No: 9059304
Case/P.O.#: 2022-043586

FLORIDA GAMING CONTROL COMMISSION
Attention To: EBONIE LANIER
2601 BLAIR STONE ROAD
TALLAHASSEE, FL 32399

Invoice #:	10000649799-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
AMOUNT DUE:	\$133.45

Amount Remitted

Daily Business Review

Miami Dade

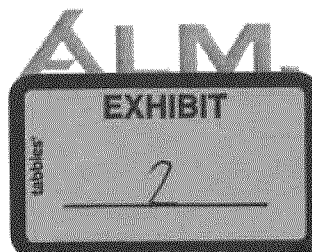
Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-043586
--------------------------	---------------------	-------------------------

Invoice #	Description	Amount
10000649799-0310		\$133.45
	Placement/Position: Other Notices/Administrative Complaint	
	Run Dates: 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023	Subtotal \$133.45
	Ad Size: 4.49 Inches	
	Notice of Action	Total Due \$133.45
	BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - JONATHAN FERBER	

RECEIVED
 2023 APR -6 AM 10:33
 FLORIDA GAMING
 CONTROL COMMISSION

Visit our online payment portal at <https://www.almpaymentcenter.com> to pay via credit card

For billing questions, please email: ALMcollection@alm.com.



MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, 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

2022-043586
NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -
JONATHAN FERBER

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

03/10/2023 03/17/2023 03/24/2023 03/31/2023

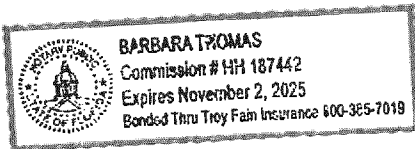
Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.



Sworn to and subscribed before me this
31 day of MARCH, A.D. 2023



(SEAL)
ROSANA SALGADO personally known to me



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

IN RE: Violation of section 550.0251(6)
and 551.112, Florida Statutes.
JONATHAN FERBER
1900 North Bayshore Drive,
Apt. 2704
Miami, Florida 33132
CASE NO.: 2022-043586
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, 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. 3/10-17-24-31 23-28/0000649799M

Jonathan A. Ferber,

7600 S. RED ROAD, SUITE 207
SOUTH MIAMI, FLORIDA 33143

RECEIVED
AUG 07 2023
FCOR

Ross Marshman

General Counsel
Office of the General Counsel
Florida Gaming Control Commission
4070 Esplanade Way
Suite 250
Tallahassee, Florida 32399

MIAMI FL 330

3 AUG 2023 PM 5 L



FLORIDA GAMING
CONTROL COMMISSION

2023 AUG - 7 PM 2: 21

RECEIVED

32399-709970



IN THE DISTRICT COURT OF APPEAL
OF FLORIDA

THIRD DISTRICT

JULY 27, 2023

JONATHAN FERBER,
Appellant(s)/Petitioner(s),
vs.
FLORIDA GAMING CONTROL
COMMISSION, etc.,
Appellee(s)/Respondent(s),

CASE NO.: 3D23-0994

L.T. NO.: 2022-043586

IT IS HEREBY ORDERED that pro se Appellant's notice of voluntary dismissal is recognized by the Court, and this appeal from the Florida Gaming Control Commission is hereby dismissed.

A True Copy

ATTEST

Mercedes M. Prieto
CLERK

DISTRICT COURT OF APPEAL
THIRD DISTRICT

cc: Ross Marshman
Hon. Charles B. Upton

Jonathan Ferber

FGCC Agency Clerk

ns

FLORIDA GAMING
CONTROL COMMISSION

2023 AUG - 7 PM 2: 21

RECEIVED

8-2-23
RECEIVED

Dear Mr Marshman,

2023 AUG -7 PM 2: 21

FLORIDA GAMING
CONTROL COMMISSION

As per your request, I voluntarily had the appeal dismissed. I implore you to get the surveillance footage from the casino and see for yourself what happened. It will clearly show 100% that I did not touch Omar Antigua before, during, or after the incident. Just out of curiosity, did Omar Antigua also get permanently banned from all paramutual casino's in the state of Florida? He violently attacked me, and should be in jail.

yours truly,



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.: 2022-043586

JONATHAN FERBER,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Jonathan Ferber (“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 1900 North Bayshore Drive, Apt. 2704 Miami, Florida 33132.
3. At all times material hereto, Magic City Casino was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
4. On or about August 21, 2022, Respondent was a patron of Magic City Casino.
5. On or about August 21, 2022, Respondent was ejected and permanently excluded from Magic City Casino.
6. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

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

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

(Emphasis supplied).

8. Section 551.112, Florida Statutes, provides:

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

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion 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 Magic City Casino on or about August 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 2022-043586 is signed this 20th day of October 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.

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

Logged in as: **Imuniz**

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

Lic Type 1098 - Unlicensed Complaints	Status 90 Closed	Status Date 10/12/2022
Complaint # 2022043586	Case Type CMP - Complaint	Disposition
Docket#	Respondent FERBER, JONATHAN	Responsible bjones - JONES, BRADFORD
		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 OTHR - Other	Complexity R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security STND - Standard	Incident 08/21/2022	<input checked="" type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region SR - Southern Region	Received 09/07/2022	<input type="checkbox"/> Inspection	
Reference 550.0251(6)	Entered By Imuniz	<input type="checkbox"/> Costs	
Entered 09/07/2022		<input type="checkbox"/> Time Tracking	<input type="checkbox"/> Auto Assign
Summary	<p>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as Jonathan Ferber and [REDACTED]. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.</p>	<input type="checkbox"/> Attachments	<input type="checkbox"/> History
Updated 10/12/2022 13:37:17	By Imuniz	<input type="checkbox"/> Work Notes	<input type="checkbox"/> Print Report

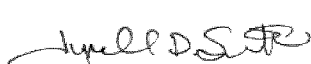


35	Change	Save	OK	Cancel	Back
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: September 7, 2022	Case Number: 2022 04 3586
Respondent: FERBER, JONATHAN 1900 NORTH BAYSHORE DRIVE #2704 MIAMI, FLORIDA 33132		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309 TEL (954) 202-3900	
License # and Type: N/A / 1098	Profession: Patron	Report Date: October 4, 2022	
Period of Investigation: September 7, 2022 through October 4, 2022		Type of Report: Final	
<p>Alleged Violation: 550.0251 Powers and duties of the Florida Gaming Control Commission.— The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:</p> <p>(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>Synopsis: On August 23, 2022, while conducting a routine inspection at Magic City Casino (MCC), I was informed by Surveillance Manager [REDACTED] Knowles that on August 21, 2022, a fight between two patrons occurred inside the card room resulting in the permanent exclusion of both patrons. A review of video footage confirmed Knowles account. On August 24, 2022, this Investigator e-mailed Magic City Casino Director of Safety and Compliance [REDACTED] Noonan requesting copies of all documents related to this incident. On September 2, 2022, I received the above requested documents from Noonan. On September 7, 2022, I received a flash drive containing video footage of the incident from Surveillance Manager [REDACTED] Knowles. (EXHIBIT #4)</p>			
Related Case(s): 2022-04-3577			
Investigator / Date: October 4, 2022		Investigator Supervisor / Date	
 [REDACTED] Smith /		 [REDACTED] Minaya / October 11, 2022	
Chief of Investigations / Date			
 [REDACTED] Jones for [REDACTED] Kogan / October 12, 2022			

CONTINUATION

Further investigation into this matter and a review of Magic City Casino Incident Report IN20220003975, revealed that on August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised via radio of a fight in the Poker room. Security Supervisor [REDACTED] Mejia, Security Team Leader [REDACTED] Garcia, along with Miami Police Department Officers responded to the Poker room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males and both were escorted separately from the card room to the Security Office. Once inside the Security Office, the males were identified as Jonathan FERBER and [REDACTED] Antigua. Both were informed of the facility's rules and regulations and were then permanently excluded from the facility for fighting.

On August 23, 2022, I reviewed the surveillance footage of the incident and the following was noted:

At approximately 1:16 P.M. Antigua is observed sitting at Poker table #9, seat #5. FERBER, who was seated at the table directly across from Antigua in seat #7, is observed saying something to Antigua. FERBER is then observed speaking with Poker Manager [REDACTED] Panduro. After speaking with Panduro FERBER stands up and leans over the table and appears to say something to Antigua, causing Antigua to stand up and grab FERBER by his shirt. Antigua then pulls FERBER forward and across the poker table which caused FERBER to fall to the floor. At this point Miami Police Officers run over to the table and pull Antigua away from FERBER.

FERBER is then assisted from the floor by the Officers and both he and Antigua are escorted out of the card room to the Security Office by Miami Police Officers, Security Team Leader Garcia and Security Supervisor Mejia.

According to the Incident Report it was at this time that both men were separated and advised of the facilities rules and regulations pertaining to fighting and told that because of their behavior, they were being permanently excluded from the facility. They were each given the Magic City Trespass Warning form to sign, which Antigua acknowledged and signed. However, FERBER refused to sign his form. Both men were then allowed to cash in their chips and leave the facility without further incident (EXHIBITS # 1 & 2).

On August 26, 2022, Magic City Internal Auditor [REDACTED] Crespo e-mailed me a copy of the facility exclusion list showing that FERBER was added to the list on August 21, 2022. (EXHIBIT #3)

On October 4, 2022, this Investigator interviewed MCC Poker Manager [REDACTED] Panduro regarding this incident. Panduro stated that on the day of the incident, August 21, 2022, she observed several verbal arguments at table #9 involving Antigua and FERBER. When she went to the table to inquire what was going on and to calm the situation down, FERBER continued yelling obscenities at Antigua. She then asked FERBER to leave the table and as he was getting up from the table he leaned over the table towards Antigua and said "FUCK YOU". Antigua then stood up and grabbed FERBER by the shirt and pulled him over the edge of the table and down to the floor. Miami Police Officers who were working off-duty at the facility ran over to the table and pulled Antigua away from FERBER. They were both escorted to the Security Office by Police and Security Supervisor Mejia. Panduro also said that she learned later that the two patrons were permanently excluded from the facility. Panduro further stated that FERBER is a regular patron of the card room and that he has repeatedly given her problems in the past due to his attitude. When asked if any of these encounters were ever documented by the facility Panduro said no.

Conclusion: Due to this incident, FERBER and Antigua have been permanently excluded from MCC. However as the facility has identified Mr. FERBER as the primary aggressor in this incident, with a history of disruptive behavior within the facility, this case is closed by Investigations and forwarded to Legal for review. The case involving Mr. Antigua is closed with no further action required.

CONTINUATION

TABLE OF CONTENTS

I. INVESTIGATIVE REPORT COVERSHEET 1

II. INVESTIGATIVE REPORT 2

III. EXHIBITS

 1. Magic City Incident Report # IN20220003975 1-8

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

 3. Magic City Exclusion List 1-2

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

Incident File Full Report

MAGIC CITY

iTrak Incident Reporting and Risk Management System Version
2020.1.0.05202

Incident Number: IN20220003975
Date/Time Occurred: 8/21/2022 1:19:15 PM
Day of Week: Sunday

Printed By: jsanchez

Printed On: 8/26/2022 at 4:40:29 PM

EXHIBIT # - 1
PAGE # - 1

Incident File Full Report

Incident File #IN20220003975

Record Creation Details

Date/Time Occurred: 8/21/2022 1:19:15 PM
Day of Week Occurred: Sunday
Date/Time Created: 8/21/2022 4:08:53 PM
Date/Time Closed:
Closed By:

Department: Security

Location of Incident:

Property: Magic City Casino
Location: Poker Room
Sublocation:

Details of Incident:

Daily Log #: DL20220029946
Incident Type: Fighting
Specific:
Category:
Risk Classification:
Incident Status: Open
Custom 3:
Custom 4:

Synopsis:

On Sunday August 21st, 2022 at approximately 1:19 PM Security was advised by surveillance via radio of a fight in the Poker Room (Echo 1). Security Supervisor and Security Team Leader responded and upon arrival were advised by MPD of two unidentified male patrons fighting. Security Team Leader escorted the first unidentified male patron to the security Vestibule alongside MPD. Upon arrival Security Team Leader explained the rules and regulations of Magic City Casino in regards to fighting Alongside MPD and advised the male patron that he is permanently excluded. the male patron Acknowledged, but did not sign the Trespassing warning form and left the property after receiving his money from trading in his chips. Security Supervisor shortly after the first male patron left escorted the second unidentified male patron alongside MPD to the security vestibule. Upon Arrival Security Supervisor explained the rules and regulations of Magic City Casino in regards to fighting and advised the male patron alongside MPD. The male patron acknowledged, and signed the Trespassing Warning Form and left property shortly after.

Checklist:

Narrative:

On Sunday August 21st, 2022 at approximately 1:19 PM Security was advised by surveillance via radio of a fight in the Poker Room (Echo 1). Security Supervisor [redacted] Mejia and Security Team Leader [redacted] Garcia responded and upon arrival were advised by MPD of two unidentified male patrons fighting. [redacted] Garcia escorted the first unidentified male patron later identified Jonathan Ferber to the security Vestibule alongside MPD. Upon arrival S.T.L Garcia explained the rules and regulations of

Reporting Party:

Supervisor:

Incident File Full Report

Incident File #IN20220003975

Magic City Casino in regards to fighting Alongside MPD and advised Mr. Ferber that he is permanently excluded. Mr. Ferber Acknowledged, but did not sign the Trespassing warning form and left the property after receiving his money from cashing out his chips. S.S Mejia shortly after Mr. Ferber left escorted the second unidentified male patron later identified as Omar Amin Antigua alongside MPD to the security vestibule. Upon Arrival S.S. Mejia explained the rules and regulations of Magic City Casino in regards to fighting and advised Mr. Antigua alongside MPD that he is permanently excluded. Mr. Antigua acknowledged, and signed the Trespassing Warning Form and left property shortly after.

Upon Surveillance review approximately at 1:17 PM it can be seen Mr. Ferber and Mr. Antigua arguing on table 9. As Mr. Ferber appears to stand from his chair (seat 7) for what it appears to scare Mr. Antigua; Mr. Antigua appears to stand from his chair (seat 5) and grab Mr. Ferber's shirt and pull Mr. Ferber across the table onto the ground; seconds later it appears MPD running towards and stopping both patrons.

Executive Brief:

Participants Involved:

Personnel

Full Name: MEJIA, [REDACTED] Property: Magic City Casino
Role: Security Supervisor Department: Security
Date Of Birth: [REDACTED]

Full Name: GARCIA, [REDACTED] Property: Magic City Casino
Role: Security Team Leader Department: Security
Date Of Birth: [REDACTED]

Subject

Full Name: Ferber, Jonathan Company:
Role: Patron
Date Of Birth: [REDACTED]
Address: 1900 N Bayshore Dr Apt 2704, Miami, Florida, 33132-3014, USA
Contact Info:

Full Name: Antigua, [REDACTED] Company:
Role: Patron
Date Of Birth: [REDACTED]
Address: [REDACTED]
Contact Info:

Ban/Watch Details

<u>Full Name</u>	<u>Ban/Watch</u>	<u>Start Date</u>	<u>End Date</u>
Reporting Party:			
		Supervisor:	

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

Incident File Full Report

Incident File #IN20220003975

Ferber, Jonathan Ban 8/21/2022 Permanent

Type Of Ban: Permanent Notes:

Reason For Ban: Fighting

Identification: Driver License

Antigua, [REDACTED] Ban 8/21/2022 Permanent

Type Of Ban: Permanent Notes:

Reason For Ban: Fighting

Identification: Driver License

List of Attached Records:

Record Type	Summary	Attached By	Date Attached
iDispatch	Dispatch#: DS20220005618 - Daily Log#: DL20220029946 - Call Time: 21/08/2022 13:19:15 - Dispatch Code: 10-39 - Dispatch Subcode: - Dispatch Level: - Dispatch Emergency Type: - Property: Magic City Casino - Location: Poker Room - Dispatch Status: Cleared	igarcia	8/21/2022

EXHIBIT # ~ 1
PAGE # - 4

Reporting Party: [REDACTED]

Supervisor: [REDACTED]

Media Title

Trespassing Jonathan

Original Filename

Trespass Warning Form
Jonathan Ferber.pdf

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

PDF

Size

86903

Media Title

Trespassing Omar

Original Filename

Trespass Warning Form
[REDACTED] Antigua.pdf

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

PDF

Size

87822

8/26/2022 4:40:30 PM

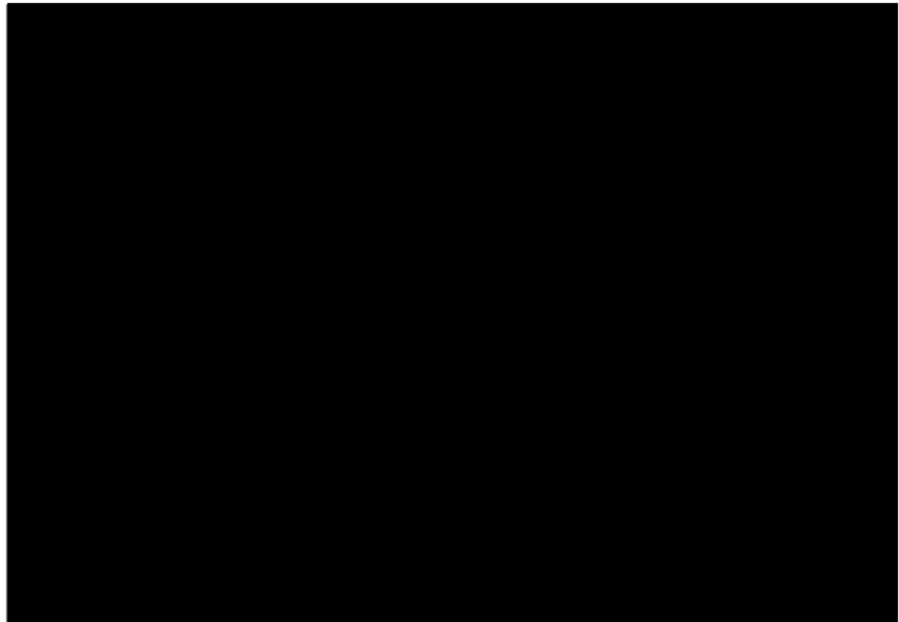
Page 1/4

EXHIBIT # -1
PAGE # -5

Media Title
[REDACTED] Antigua ID
Original Filename
[REDACTED] Antigua
ID.pdf
Date Attached
8/21/2022 4:03:47 PM
Attached By
igarcia
Type
PDF
Size
90565

Media Title

Original Filename
Jonathan Ferber ID.jpg
Date Attached
8/21/2022 4:03:48 PM
Attached By
igarcia
Type
JPG
Size
184658



8/26/2022 4:40:30 PM

Page 2/4

EXHIBIT #-1
PAGE # -6

Media Title

Original Filename

[REDACTED] Antigua.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

JPG

Size

311005



Media Title

Original Filename

Jonathan Ferber.jpg

Date Attached

8/21/2022 4:03:48 PM

Attached By

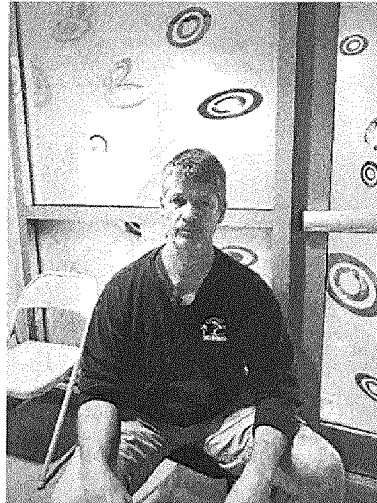
igarcia

Type

JPG

Size

239861



8/26/2022 4:40:30 PM

Page 3/4

EXHIBIT #-1
PAGE # -7

Media Title

Jonathan Ferber ID

Original Filename

Jonathan Ferber ID 2.pdf

Date Attached

8/21/2022 4:03:48 PM

Attached By

igarcia

Type

PDF

Size

45097

8/26/2022 4:40:30 PM

Page 4/4

EXHIBIT # -1
PAGE # -8



TRESPASS WARNING

NAME / LAST NAME: Jonathan Ferber
DRIVER LICENSE # [REDACTED] D.O.B. [REDACTED]
ADDRESS: 1900 n Bayshore Dr Apt 2-09 CITY: Miami ST: FL ZIP: 33132-3014
RACE: W SEX: M HEIGHT: 5'11 WEIGHT: 170 HAIR: salt & pepper EYES: brown
REASON FOR TRESPASSING: Disorderly Conduct

The above-named person was advised to stay off MAGIC CITY CASINO property for a period of:
[] 24 Hrs [] 3 Days [] 7 Days [] 30 Days [] 3 Months [] 6 Months [] 1 Year [] 2 Year [X] Permanent
This warning was given on 8/21/2022 at 1:27 hours.
If the above-named person returns onto said property during the stated period of time, it may result in his/her ARREST for Criminal Trespass, in accordance with the applicable provisions of Chapter 810 Florida Statutes. Additionally, MAGIC CITY CASINO may permanently withhold any winnings from the above-named person that were won during the stated period of time.

SUBJECT'S SIGNATURE: [Signature]
CASE #: N/A ARRESTED: [] YES [X] NO
SECURITY AGENT: [Signature] 4087 DATE: 8/21/2022
POLICE OFFICER / WITNESS: [Signature] 44263

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

EXHIBIT # -2
PAGE # -1

Smith, Tyrell

From: [REDACTED] Crespo <[REDACTED]>
Sent: Friday, August 26, 2022 3:39 PM
To: Minaya, [REDACTED]; Smith, [REDACTED]; Suau, [REDACTED]
Cc: Victor [REDACTED]; Julie [REDACTED]; Ileana [REDACTED]
Subject: MCC Weekly Exclusions 08/25/22
Attachments: MCC Weekly Exclusions 2022-08-25.xlsx

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

Good Afternoon,

Attached please find MCC's weekly exclusions for the last week.

*State Exclusions last updated 8/15/22 – MCC Master Exclusion List up to date

Thank you,

Work from Home Mondays and Tuesdays
[REDACTED] **Crespo | Internal Auditor**
Magic City Casino + Bonita Springs Poker Room
[REDACTED]
[REDACTED]

EXHIBIT #-3
PAGE # -1

Date	Last Name	First Name	DOB	Gender
[REDACTED]				
8/21/2022	Ferber	Jonathan	[REDACTED]	Male
[REDACTED]				

EXHIBIT # -3
PAGE # - 2



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

PROPERTY RECEIPT

Complaint # 2022-043577/3586 Date 9/7/2022 Lab # _____

Item No.	Quantity	Description
1	1	USB CONTAINING VIDEO FOOTAGE OF EXCLUDED PATRONS JONATHAN FERBER AND OMAR AMIN ANTEGUA FOR DISORDERLY CONDUCT. MAEK CITY CASINO
<i>LAST ITEM</i>		

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

RETURNED PROPERTY RECEIPT

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

.....
 Signature _____ Date _____

Received by: _____ Date: _____
 Received by: _____ Date: _____
 Received by: _____ Date: _____

Copies for: File, Transmittal, Laboratory, Property Receipt

FAQ | Help | Sign Out

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

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

Logged in as: **Imuniz**

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

Lic Type	1098 - Unlicensed Complaints	Status	20 Under Investigation	Status Date	09/07/2022
Complaint #	2022043586	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent FERBER, JONATHAN	Responsible	tsmith2 - SMITH,		Private Case

Complaint	Respondent	Complainant	Add'l Info
Source	INTN - Internal	Security Level	1
Form	INTR - Internal	Priority	<input type="checkbox"/> Parties <input checked="" type="checkbox"/> Activities
Class'n	OTHR - Other	Complexity	R - Regular <input checked="" type="checkbox"/> Allegations <input type="checkbox"/> Discipline
Security	STND - Standard	Incident	08/21/2022 <input type="checkbox"/> Violations <input type="checkbox"/> Compliance
Region	SR - Southern Region	Received	09/07/2022 <input type="checkbox"/> Related <input checked="" type="checkbox"/> Disposition
Reference	550.0251(6)	Entered	09/07/2022 <input type="checkbox"/> Inspection
Entered	09/07/2022	Entered By	Imuniz <input type="checkbox"/> Costs
Summary	<p>155-West Flagler Associates, LTD ----- / ----- . Powers and duties of the Florida Gaming Control Commission: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as Jonathan Ferber and [REDACTED] Antigua. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.</p>		
Updated	09/07/2022 15:18:41	By	Imuniz <input type="checkbox"/> Time Tracking <input type="checkbox"/> Attachments <input type="checkbox"/> Work Notes <input type="checkbox"/> Auto Assign <input type="checkbox"/> History <input type="checkbox"/> Print Report

<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.



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: August 21, 2022

PMW Cardroom Slot

Violation Incident Complaint

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

RESPONDENT

NAME: Jonathan Ferber		
Address: 1900 N. Bayshore Drive, # 2704, Miami, Florida 33132		Tel
LIC #: N/A	LIC TYPE: 1098	OCCUPATION: Patron

COMPLAINANT

NAME:		Tel #:
Address:		
LIC #:	LIC TYPE:	OCCUPATION:

VIOLATION(S) / TITLE(S): 550.0251 Powers and duties of the Florida Gaming Control Commission. — The commission shall administer this chapter and regulate the pari-mutuel industry under this chapter and the rules adopted pursuant thereto, and:

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

DESCRIPTION: On August 21, 2022, at approximately 1:19 P.M., Magic City Casino Security was advised by the Poker Supervisor of a fight in the Poker room. Security along with Miami PD Officers responded to the Poker Room and observed two male patrons in a physical confrontation. Miami PD officers intervened and separated the two males. The males were identified as **Jonathan Ferber** and [REDACTED] Antigua. Both were escorted to the Security Office and advised by a Security Supervisor that they were being permanently excluded from the facility for fighting.

CASE DETAILS FILED BY:

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

[REDACTED] Smith
 (Print Name)

April D. S. R.
 (Signature)

September 7, 2022
 (Date)

Muniz, Luz

From: Minaya, [REDACTED]
Sent: Wednesday, September 7, 2022 2:41 PM
To: Muniz, Luz
Cc: Smith, [REDACTED]; Kogan, [REDACTED]
Subject: OCR
Attachments: OCR MAGIC CITY CASINO (EXCLUDED PATRON) 8-21-2022 (ANTIGUA).docx; OCR MAGIC CITY CASINO (EXCLUDED PATRON) 8-21-2022 (FERBER).docx

Luz,

Please open and assign to Tyrell.

Tanks



[REDACTED] **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: [REDACTED]



Discover. Connect. Compete.

ALM Global, LLC
PO Box 936174
Atlanta, GA 31193-6174

Please Remit To:

Daily Business Review

Miami Dade

Customer No: 9059304

Case/P.O.#: 2022-043586

FLORIDA GAMING CONTROL COMMISSION
Attention To: EBONIE LANIER
2601 BLAIR STONE ROAD
TALLAHASSEE, FL 32399

Invoice #:	I0000649799-0310
Invoice Date:	03/31/2023
Due Date:	Due Upon Receipt
AMOUNT DUE:	\$133.45

Amount Remitted

Daily Business Review

Miami Dade

Invoice Date: 03/31/2023	Customer #: 9059304	Case/P.O.#: 2022-043586
--------------------------	---------------------	-------------------------

Invoice #	Description	Amount
I0000649799-0310	Placement/Position: Other Notices/Administrative Complaint Run Dates: 03/10/2023, 03/17/2023, 03/24/2023, 03/31/2023 Ad Size: 4.49 Inches Notice of Action BEFORE THE DIVISION OF PARI-MUTUEL WAGERING - JONATHAN FERBER	\$133.45
	Subtotal	\$133.45
	Total Due	\$133.45

RECEIVED
 2023 APR -6 AM 10:33
 FLORIDA GAMING
 CONTROL COMMISSION

Visit our online payment portal at <https://www.almpaymentcenter.com> to pay via credit card

For billing questions, please email: ALMcollection@alm.com.



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MIAMI-DADE

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

Before the undersigned authority personally appeared ROSANA SALGADO, who on oath says that he or she is the LEGAL CLERK, 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

2022-043586
NOTICE OF ACTION
BEFORE THE DIVISION OF PARI-MUTUEL WAGERING -
JONATHAN FERBER

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

03/10/2023 03/17/2023 03/24/2023 03/31/2023

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

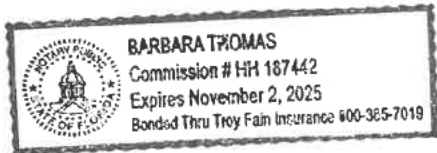


Sworn to and subscribed before me this
31 day of MARCH, A.D. 2023



(SEAL)

ROSANA SALGADO personally known to me



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

IN RE: Violation of section 550.0251(6)
and 551.112, Florida Statutes.
JONATHAN FERBER
1900 North Bayshore Drive,
Apt. 2704
Miami, Florida 33132
CASE NO.: 2022-043586
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, 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.
3/10-17-24-31 23-28/0000649799M

9. Discussion of Recommended Orders

Bookmark for Memo & Supporting Documents

Item 9.2. 2022-048147 – Anderson, Garrett

contains no meeting materials

Item 9.3. 2022-061179 – Gonzalez, Gilfredo
contains no meeting materials

Bookmark for Memo & Supporting Documents

10. Discussion of License Denial

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Inna Alekseenko-Repass; Case No. 2023-025872
Date: August 24, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Inna Alekseenko-Repass (“Applicant”) application for a General Individual Occupational License. Applicant submitted a completed application for a General Individual Occupational License on May 2, 2023, and applied for a waiver of her felony conviction. The Executive Director reviewed the file along with the waiver interview notes and declined to waive the felony conviction. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On May 2, 2023, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a General Individual Occupational License. Upon review of the completed application, it appears the Applicant was convicted of felony Frauds and Swindles (Mail Fraud) in 2010. The Applicant failed to disclose this on her application.

Applicant applied for a waiver for the felony conviction and a waiver interview was subsequently conducted. On May 19, 2023, Applicant spoke with an investigator on the phone for the waiver interview, and a report was drafted of that interview which was submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On July 17, 2023, the Executive Director declined to waive the felony conviction.

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(1), Florida Administrative Code, requires the applicant to submit Form DBPR PMW-3180, Request for Waiver, and schedule a waiver interview with the Office of Investigations. Failure to participate in a waiver interview or to disclose any pertinent information regarding criminal convictions shall result in a denial of the request for waiver.

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: Because the Applicant's disqualifying criminal conviction was not waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

ROUTING SLIP REQUEST FOR WAIVER

RE: ALEKSEENKO-REPASS, INNA – LIC # 13467058
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 02 5872

1022 / Thoroughbred Animal Owner
Occupation Code and Job Title

Gulfstream Park
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE:

AUGUST 2, 2023
(DATE)

Investigations Section: Reviewed by Bradford D. Jones *BDJ* 7/2/2023
(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: DD 07/06/2023
(Initial & Date)

glocks 7/10/23
(Initial & Date)

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

[] Yes or [X] No If yes, in what jurisdiction? _____

Executive Director: *LT* 7/17/23
(Initial & Date)

[] Prepare Waiver or [✓] Prepare File for Commission Review

Comments: _____

Investigative Findings:

November 5, 2009

United States Marshall's Service, Newark, New Jersey – Mail Fraud – Felony Adjudicated Guilty upon a plea of Guilty and sentenced on November 1, 2010 to 6 months in Federal prison, 36 months' Supervised Release, \$132,930.00 in Restitution and a \$100.00 Special Assessment. - All terms and payments have been completed.

*Please attach Routing Slip to front of case file

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: **cstubbs1**

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

Lic Type	1022 - Pari-Mutuel General Individual Occupational	Status	90 Closed	Status Date	07/02/2023
Complaint #	2023025872	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent ALEKSEENKO-REPASS, INNA	Responsible	bjones - JONES, BRADFORD	Private Case	

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

Source	LIC - Licensee	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	WALK - Walk-in	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	IIIB - Waivers	Complexity	R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	03/01/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	SR - Southern Region	Received	05/03/2023	<input type="checkbox"/> Inspection	
Reference				<input type="checkbox"/> Costs	
Entered	05/04/2023	Entered By	cstubbs1	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	321-Gulfstream Park			<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	07/05/2023 11:03:46	By	cstubbs1	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

<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.

ROUTING SLIP REQUEST FOR WAIVER

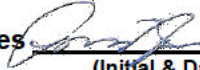
RE: ALEKSEENKO-REPASS, INNA – LIC # 13467058
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 02 5872

1022 / Thoroughbred Animal Owner
Occupation Code and Job Title

Gulfstream Park
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE: **AUGUST 2, 2023**
(DATE)

Investigations Section: Reviewed by Bradford D. Jones  7/2/2023
(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:

November 5, 2009

United States Marshall's Service, Newark, New Jersey – Mail Fraud – Felony Adjudicated Guilty upon a plea of Guilty and sentenced on November 1, 2010 to 6 months in Federal prison, 36 months' Supervised Release, \$132,930.00 in Restitution and a \$100.00 Special Assessment. - All terms and payments have been completed.


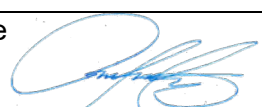
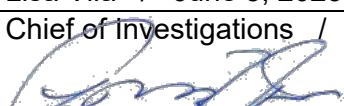
*Please attach Routing Slip to front of case file



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS
WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: Southern	Date of Complaint: May 4, 2023	Case Number: 2023 02 5872
Respondent: ALEKSEENKO-REPASS, INNA 5030 CHAMPION BLVD. SUITE G11-437 BOCA RATON, FLORIDA 33496		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FORT LAUDERDALE, FLORIDA 33309	
License # / Type: 13467058 - 1022		Profession: Individual Horse Owner	Report Date: June 5, 2023
Period of Investigation: May 4, 2023-June 5, 2023		Type of Report: Final	
<p>Basis of Investigation: This investigation is predicated upon receipt of Inna ALEKSEENKO-REPASS's application for a State of Florida Pari-Mutuel Waging Individual Occupational License dated January 26, 2023 and her Waiver Request form dated March 1, 2023 (Exhibit #1).</p> <p>On January 26, 2023, ALEKSEENKO-REPASS electronically submitted a PMW Occupational License application to be licensed as an Individual Horse Owner at Gulfstream Park. On her application ALEKSEENKO-REPASS answered "No" to the question "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contender to any criminal charges against you?"</p> <p>On January 30, 2023, February 20, 2023 and March 28, 2023, the Office of Operations sent ALEKSEENKO-REPASS Deficiency Letters informing her that her application was incomplete and that she needed to amend or correct her application (Exhibit #4).</p> <p>ALEKSEENKO-REPASS appears to have amended her application on two separate occasions. On each occasion she answered "Yes" to the question concerning prior convictions. On her first amended application she wrote "Erie County, PA See attached documents" in lieu of providing specific details. This form was date/time-stamped as being received on March 27, 2023. The second amended document was received on May 2, 2023. On this amendment ALEKSEENKO-REPASS made specific disclosure of the following arrests: a 02/28/2000 arrest from Erie, Pennsylvania for Receiving Stolen Property, 11/19/2002 and a 03/13/2009 arrests from Hampton Massachusetts for Disorderly Conduct, a 10/21/2010 arrest from New Jersey for Wire Fraud, along with an 11/22/2010, Reckless Driving charge and a 10/01/2012 arrest for Driving Under the Influence both of which occurred in the state of Georgia (Exhibit #1).</p>			
Related Case:			
Investigations Specialist II / Date Lisa Vila / June 5, 2023 		Investigator Supervisor / Date Julio Minaya / June 7, 2023 	
Chief of Investigations / Date  Bradford D. Jones / July 2, 2023			

CONTINUATION

CRIMINAL HISTORY

Arrest 1					
Date of Arrest: 11/05/2009		Arresting Agency United States Marshall's Service, Newark, New Jersey Office			
OFFENSE					
CHARGES	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1	Fraud and Swindles (Mail Fraud)	Felony	Guilty	Guilty	11/01/2010
2					
3					
4					
5					
6					

SENTENCE
6 Months imprisonment, 36 months supervised release, \$100.00 Special assessment, \$132,930.00 Restitution which applicant has paid in full. (EXHIBIT #2, Page #7 & EXHIBIT #3, Pages 2 thru 19)

Additional Information:

Arrest 2					
Date of Arrest:		Arresting Agency:			
OFFENSE					
CHARGES	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE	
1					
2					
3					
4					

SENTENCE

Additional Information:

CONTINUATION

Arrest 3					
Date of Arrest:		Arresting Agency:			
OFFENSE					
	CHARGES	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE

Additional Information:

Arrest 4					
Date of Arrest:		Arresting Agency:			
OFFENSE					
	CHARGES	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE

Additional Information:

CONTINUATION

ADDITIONAL LICENSES

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

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

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

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

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

CONTINUATION

WAIVER INTERVIEW

		YES	NO
Was a Waiver Interview Conducted?		X	
Date of Interview: May 19, 2023	Location of Interview: Telephonically		
		YES	NO
Was the applicant cooperative?		X	
Additional Comments:			

SUMMARY OF INTERVIEW:

Because **ALEKSEENKO-REPASS** did not provide a phone number with her application, the undersigned investigator sent **ALEKSEENKO-REPASS** numerous e-mails instructing her to contact this writer so that a waiver interview could be conducted. After a few e-mail attempts that went unanswered, on May 19, 2023, **ALEKSEENKO-REPASS** called this Investigator and the Waiver interview was immediately conducted via telephone. The following was noted:

During the interview, **ALEKSEENKO-REPASS** was asked about her criminal history. She stated that she was 17 years of age when she was arrested in 1999 for Criminal Conspiracy. She explained that she was in the company of bad friends and at a shopping mall. Some members of the group knocked over a table and ran out of the store with a display tool item. The entire group was apprehended by mall security, and because the retailer pressed charges, they were all charged with the crime (**EXHIBIT #2, Page #5**).

ALEKSEENKO-REPASS was then asked about her 2009 arrest for Mail Fraud in Newark, New Jersey. She explained that at the time she was employed as an Administrative Assistant and her boss at the time was giving her financial kickbacks when she prepared his expense reports. Instead of reporting her boss, she knowingly mailed out the fraudulent reports via U.S. mail. Once she mailed out the falsified reports, she willingly and knowingly conspired to defraud. After a Federal investigation, she and others were charged with Mail Fraud. **ALEKSEENKO-REPASS**, consented to a plea agreement, and was sentenced to six months in federal prison. **ALEKSEENKO-REPASS** was also sentenced to 36 months supervised release and ordered to pay \$132,930.00 in restitution along with a \$100.00 special assessment. All conditions of her plea agreement have been satisfied (**EXHIBIT #2, Page #7 & EXHIBIT #3, Pages 2 thru 19**).

CONTINUATION

CONCLUSION:

A check of the Association of Racing Commissioners International (ARCI) database showed No rulings against **ALEKSEENKO-REPASS**.

Upon review of **ALEKSEENKO-REPASS's**, court documents the Misdemeanor arrests listed in her amended application(s) were noted for various offenses. These arrests included the above described Criminal Conspiracy and Receiving Stolen Property convictions, as well as Disorderly Conduct, Trespass and Driving Under the Influence arrests (**Exhibit #2, Pages 5 & 6 – Exhibit #3, Pages 1, and Pages 20 - 23**).

Status: Case closed by Investigations and forwarded to Licensing for review.

CONTINUATION

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET	1
II.	INVESTIGATIVE REPORT	2
III.	EXHIBITS	
	1. Photo / License Application & Request for Waiver.....	1-10
	2. FDLE.....	1-12
	3. CCIS & Court Documents.....	1-23
	4. Deficiency Letter, Licensing Review & Versa printouts	1-13



EXHIBIT #
PAGE #

1
1



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

RECEIVED
2023 MAY -2 PM 1:16
FLORIDA GAMING
CONTROL COMMISSION

TO: Anna Aleksenko
Full Legal Name of Applicant

[Redacted]
Date of Birth

1346706
Individual/Org. Number

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

For Pari-Mutuel and Cardroom Applicants:

- A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.
- Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction.
- New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED:

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

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

[Signature]
Signature of Applicant

3/1/2023
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.

DBPR On-Line Services

If you need to mail additional information to DBPR please include this coversheet.

License Type: **General Individual Occupational**
Application Type: **General Individual Occupational License**

File Number: **102467**
Application Number: **191834**

License Number:

Application Date: **01/26/2023 (mm/dd/yyyy)**

Last Name: **Alekseenko-Repass**

First Name: **Inna**

Middle Name:

Mail To:
DBPR - Division of Pari-Mutuel Wagering
Licensing Section
2601 Blair Stone Road
Tallahassee, FL 32399-1037

If you have any questions please call our Customer Contact Center at 850-487-1395.



State of Florida
Department of Business and Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399

Application Summary

Thank you for submitting an online application. We will evaluate the application to determine if you meet the eligibility requirements for the license. Initial review of your application can take up to 14 days and up to 30 days during peak licensing times. You will be notified in writing if we need any additional information or documentation. Your application will be considered complete only upon the department's receipt of all requested information, including validation of payment from your financial institution.

Profession

License Type:	General Individual Occupational
Application Number:	191834
Application Type:	General Individual Occupational License
Application Date:	01/26/2023 (mm/dd/yyyy)
License Number:	
File Number:	102467

Personal Detail

First Name:	Inna
Last Name:	Alekseenko-Repass
Birthdate:	[REDACTED] (mm/dd/yyyy)
Gender:	Female
Race:	White

Addresses

Current Mailing Address:	5030 Champion Blvd
	Ste G11-437
	Boca Raton, FL
	33496
	US

Phone Number:

Extension:

E-mail Address:

License Attributes Selected

Occupational Codes	Mutuel
PMW Temporary	Yes

Livescan Information

Enter Transaction Control Number (TCN): **70cs1402230000016546**

Facility

Pari-Mutuel Facility Where Employed and/or Doing Business With:	Gulfstream Park
---	------------------------

Prior Name Questions

EXHIBIT #1
PAGE # 4

Have you used, been known as, or called **Yes** by another name (example - maiden name, pseudonym, nickname) or alias other than the one you provided for this application?

Prior Name Info

Last Name: **Alekseenko-Repass**

First Name: **Inna**

Cardroom Access

Does your position require access to the Cardroom? **No**

Prior License

Is this your first time applying for a racing/gaming license in Florida? **Yes**

Criminal History Background Questions

Have you ever been convicted of, or had adjudication withheld for, a felony or misdemeanor involving forgery, larceny, extortion, conspiracy to defraud, or filing false reports to a government agency, racing or gaming commission or authority, in this state or any other state, or under the laws of the United States? **No**

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? **No**

Racing/Gaming License Background Question

Have you ever had a racing or gaming license revoked or denied in this or any other state or country? **No**

Is any racing or gaming license you hold currently suspended or subject to other discipline, such as an unpaid fine? **No**

Attachments

Fees

Fingerprint Fee	\$37.25
3 year License	\$15.00
Total Amount Due:	\$52.25

By submission of this application you affirmed the following: 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 written declaration has the same legal effect as an oath or affirmation. Under penalties of perjury, I declare that I have read the foregoing application and the facts stated in it are true. I understand that falsification of any material information on this application may result in criminal penalty or administrative action, including a fine, suspension or revocation of the license. I understand that an electronic affirmation shall have the same force and effect as a written signature.

EXHIBIT # 1
PAGE # 6

Entity# 13467058

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
	ERIC COUNTY	PA		N	
<i>see attached documents</i>					

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]
Signature of Applicant

3/1/2023
Date

DBPR PMW-3120, Effective September 2020, Rule 61D-6.001, F.A.C.

CONTROL ROOM
 DIVISION OF GAMING
 2023 MAR 27 PM 4:31
 EXHIBIT # 1
 RECEIVED
 PAGE # 7

Entity# 13467058

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
02-28-00	Essex	PA.	Receiving stolen property	N	2
11-19-02	Hampden	MA	Disorderly	Y	
03-13-09	Hampden	MA	Disorderly	Y	
10-21-10	New Jersey	NJ	wire fraud	Y	

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:

Conti. on next page

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.

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

[Signature]
Signature of Applicant

3/1/2023
Date

Entity# 13467058

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

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?

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 columns: DATE OF DISPOSITION, COUNTY, STATE, OFFENSE, MISDEMEANOR OR FELONY?, SENTENCE. Includes entries for 11-22-10 (Backless Driving) and 10-1-12 (DUI).

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.

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.

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

Date

DBPR PMW-3195 - 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

RECEIVED
2023 MAR 27 PM 4:31
FLORIDA GAMING
CONTROL COMMISSION

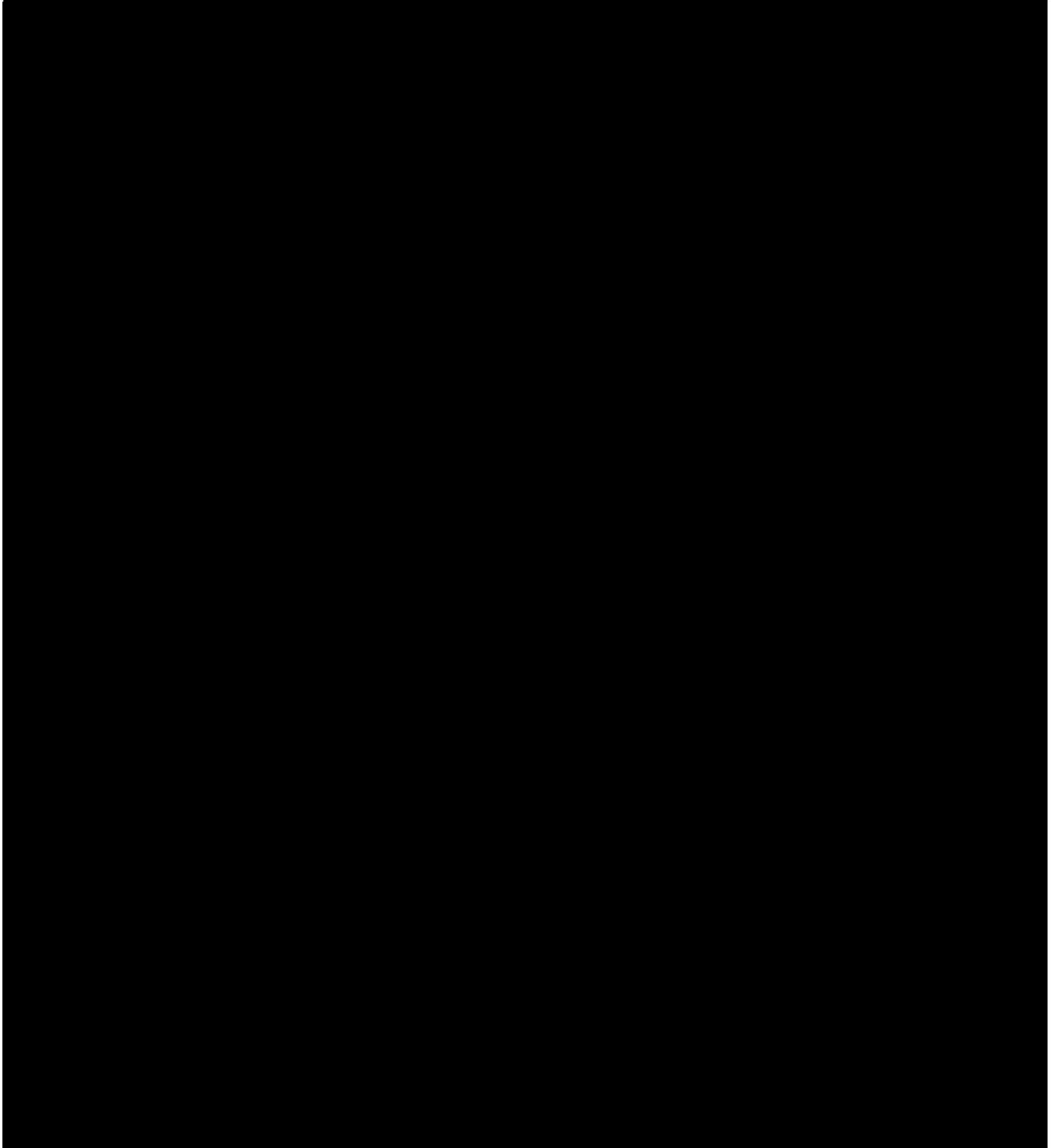
PERSONAL INFORMATION					
Social Security Number/Federal Employer ID Number					
IF INDIVIDUAL APPLICANT PLEASE COMPLETE THE FOLLOWING SECTION					
Last Name	First	Middle	Title	Suffix	
Alekseenko	Inna				
Birth Date (MM/DD/YYYY)					
IF BUSINESS APPLICANT PLEASE COMPLETE THE FOLLOWING SECTION					
Representative's Name Last		First	Middle	Title	Suffix
Permitholder Name					
Official Capacity					
ATTEST STATEMENT					
I, <u>Inna Alekseenko</u> do hereby instruct all law enforcement (name of applicant/representative)					
or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.					
I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.					
<u>Inna Alekseenko - Re-pass</u> (if individual applicant - legal name and any nickname or alias in parentheses)					
Applicant/Representative Signature: <u>[Signature]</u>			Date: <u>3/1/2023</u>		
NOTARIZATION					
The foregoing application was sworn to and subscribed before me this <u>1st</u> Day of <u>March</u> , 20 <u>23</u> .					
by <u>Inna Alekseenko</u> Type or print name of applicant		<u>[Signature]</u> Signature of applicant			
who is personally known to me or who has produced the following as identification.					
<u>fl. Drivers License</u> Type of Identification					
<u>[Signature]</u> Signature of person taking acknowledgment Notary Seal (Rubber Stamp and Expiration)					

EXHIBIT # 1
PAGE # 10

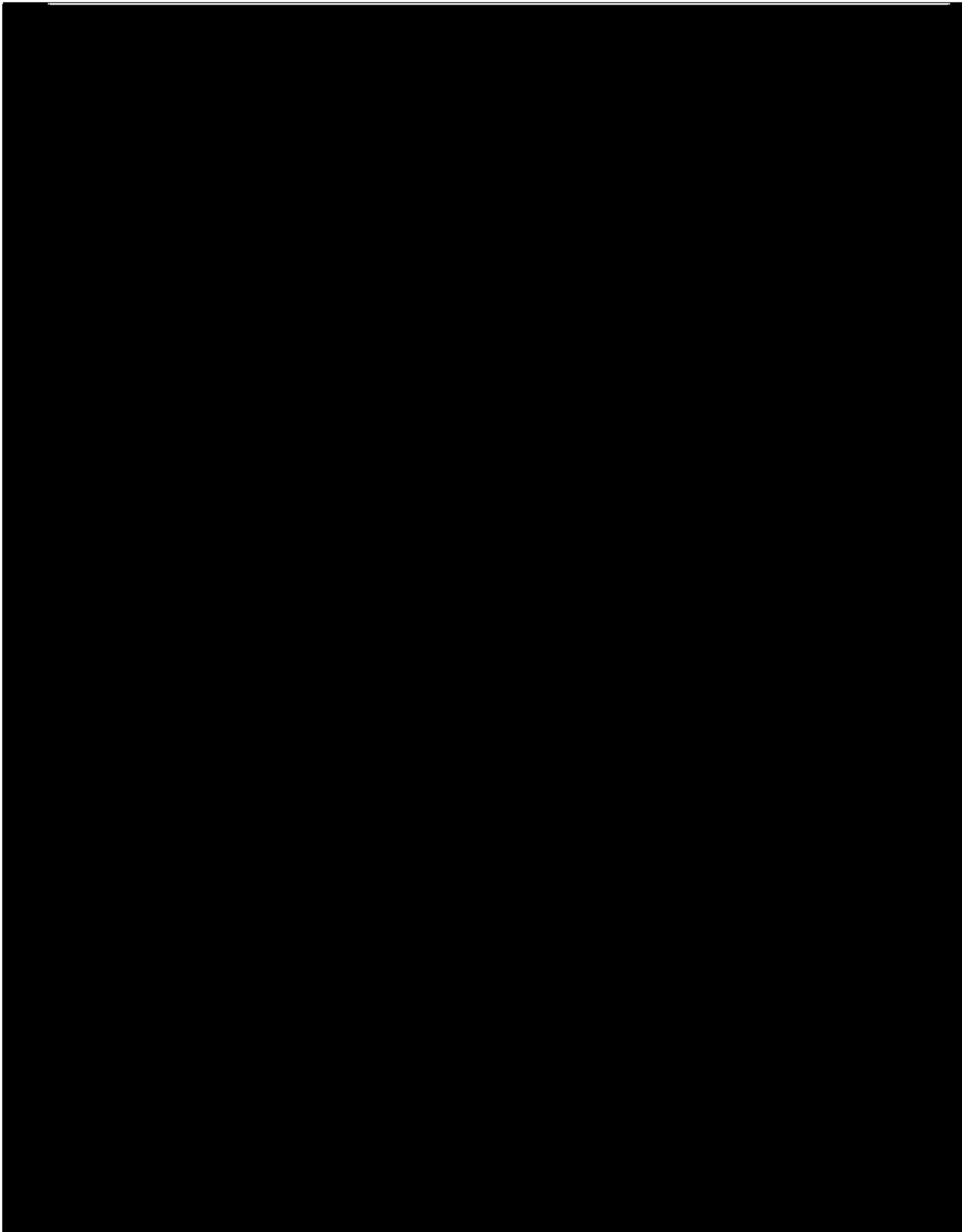
FDLE Information Notification System

Sent Date: 2/17/23 10:13 AM Purge Date: 8/16/23 10:13 AM Mail Ref.No: ORG002044-7625737

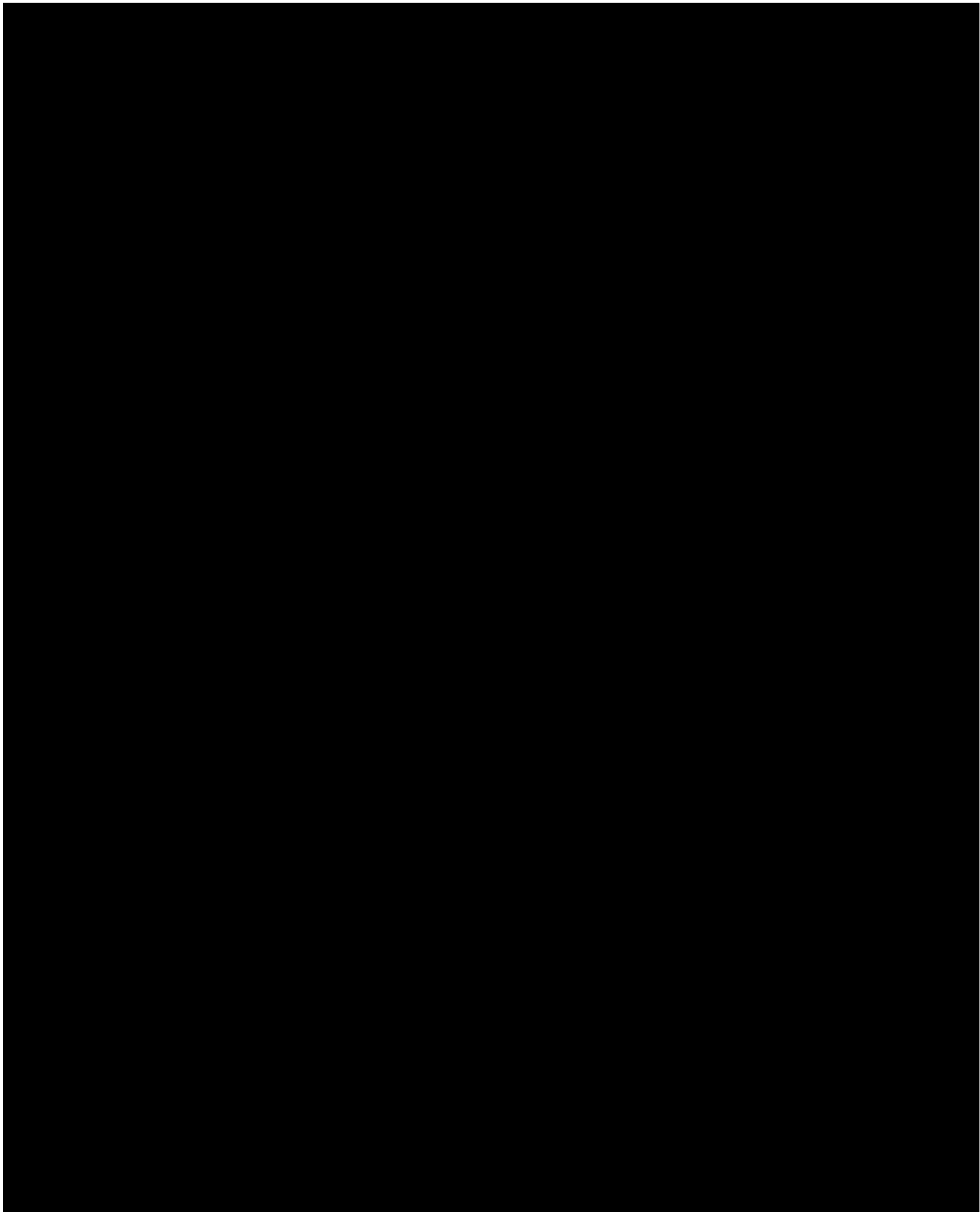
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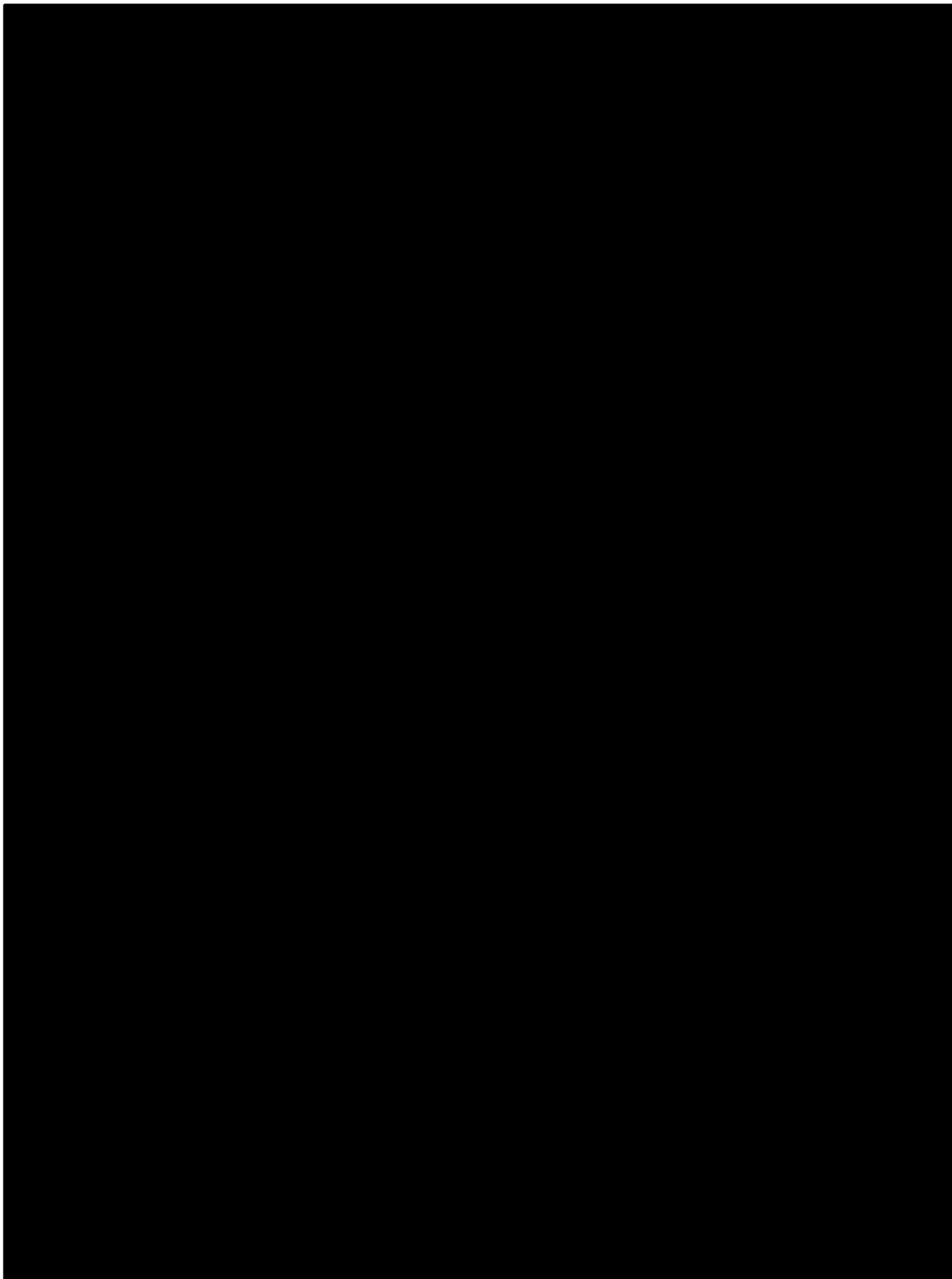
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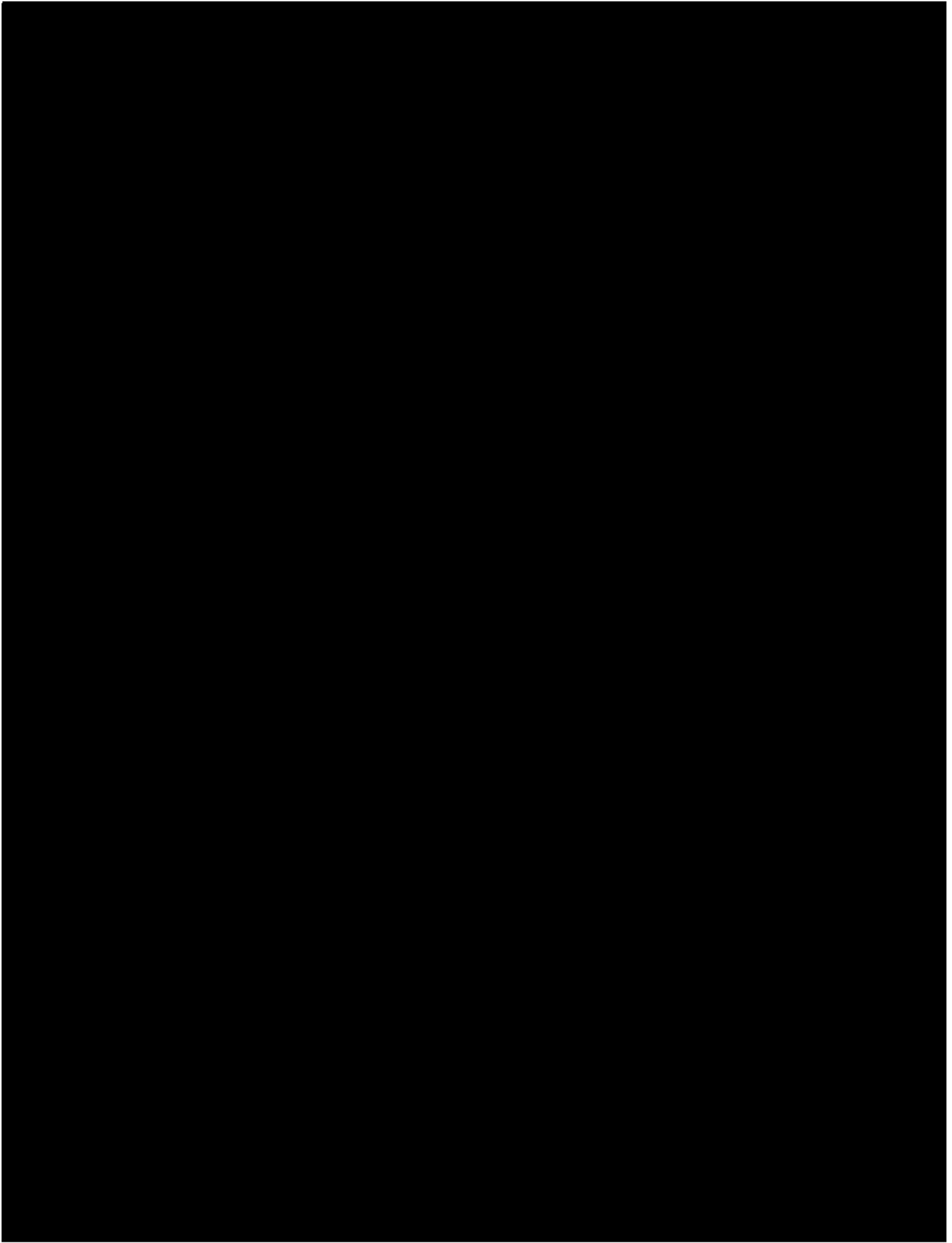
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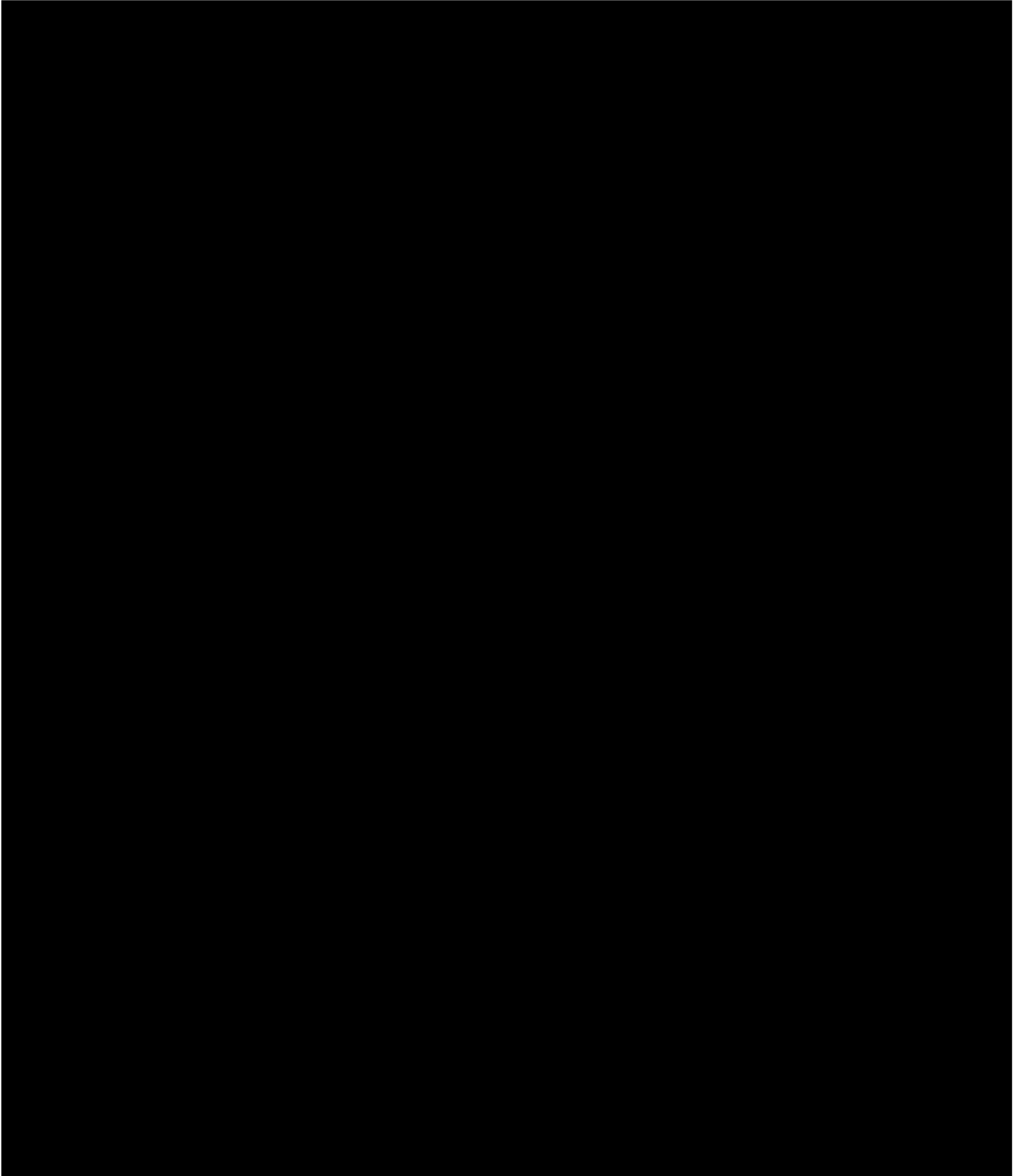
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Subject : *Results of check for ALEKSEENKO, INNA (70CS1402230000016546)*

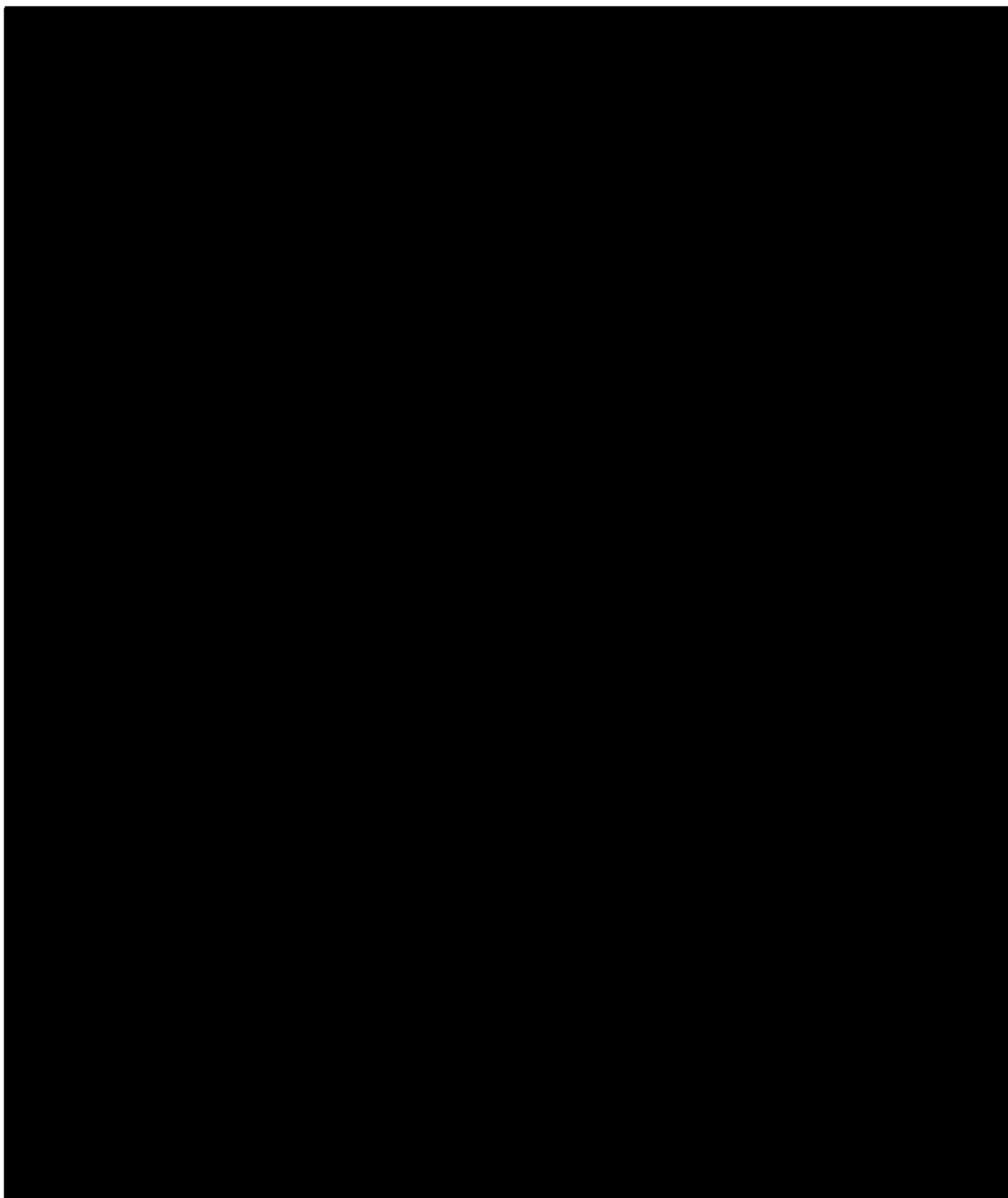


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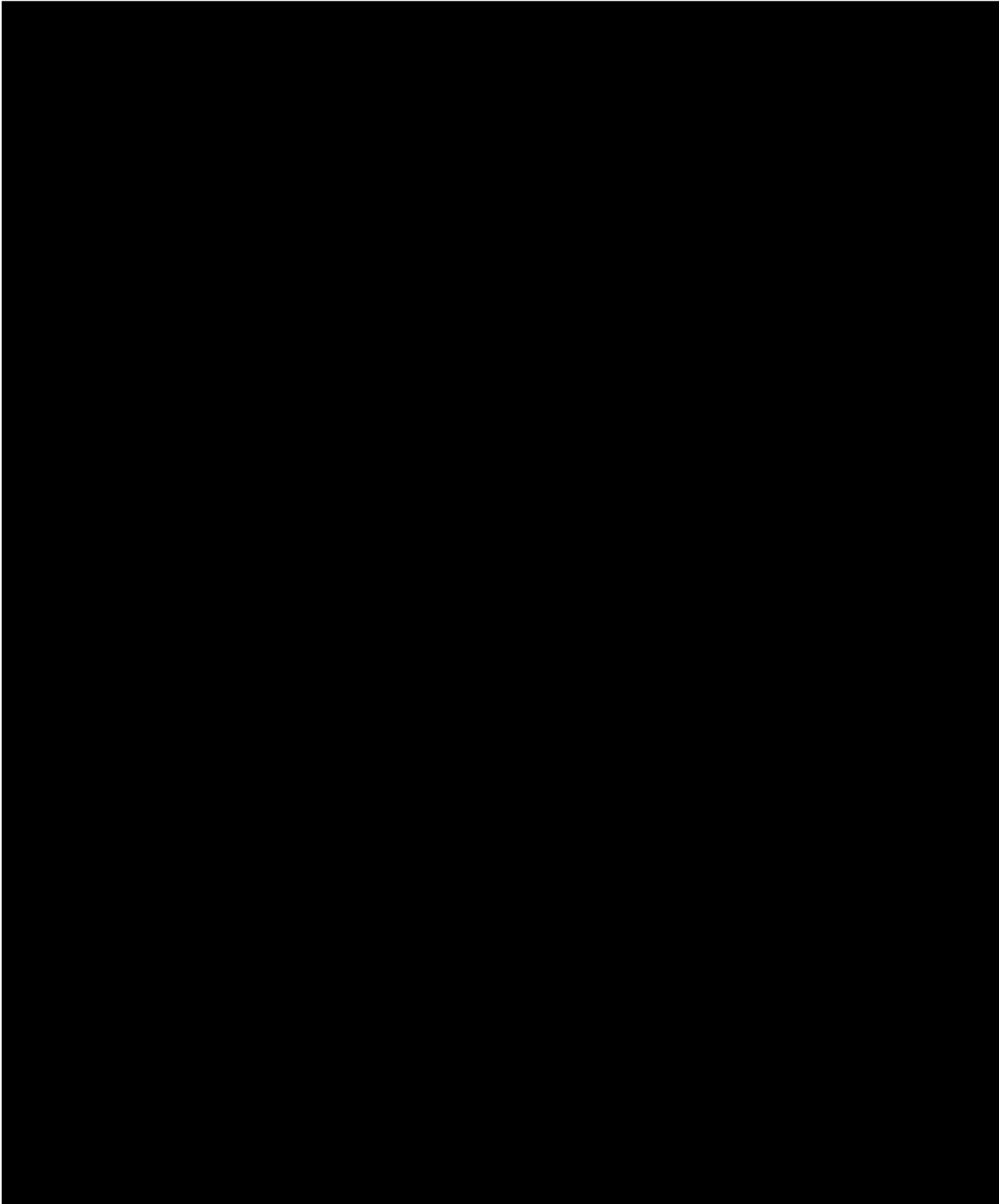


Page 1 of 1

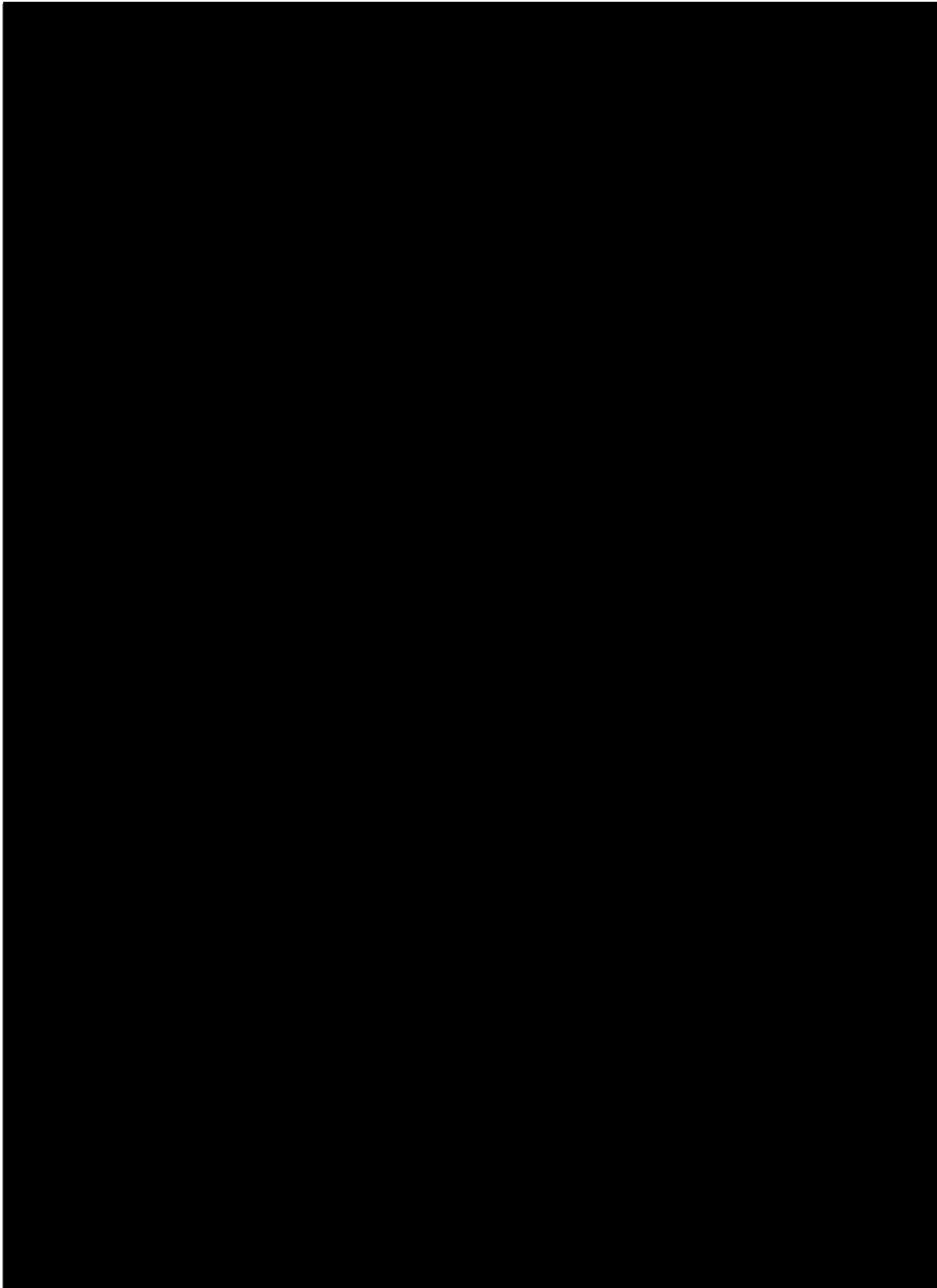
Subject : *Results of check for ALEKSEENKO, INNA (70CS1402230000016546)*



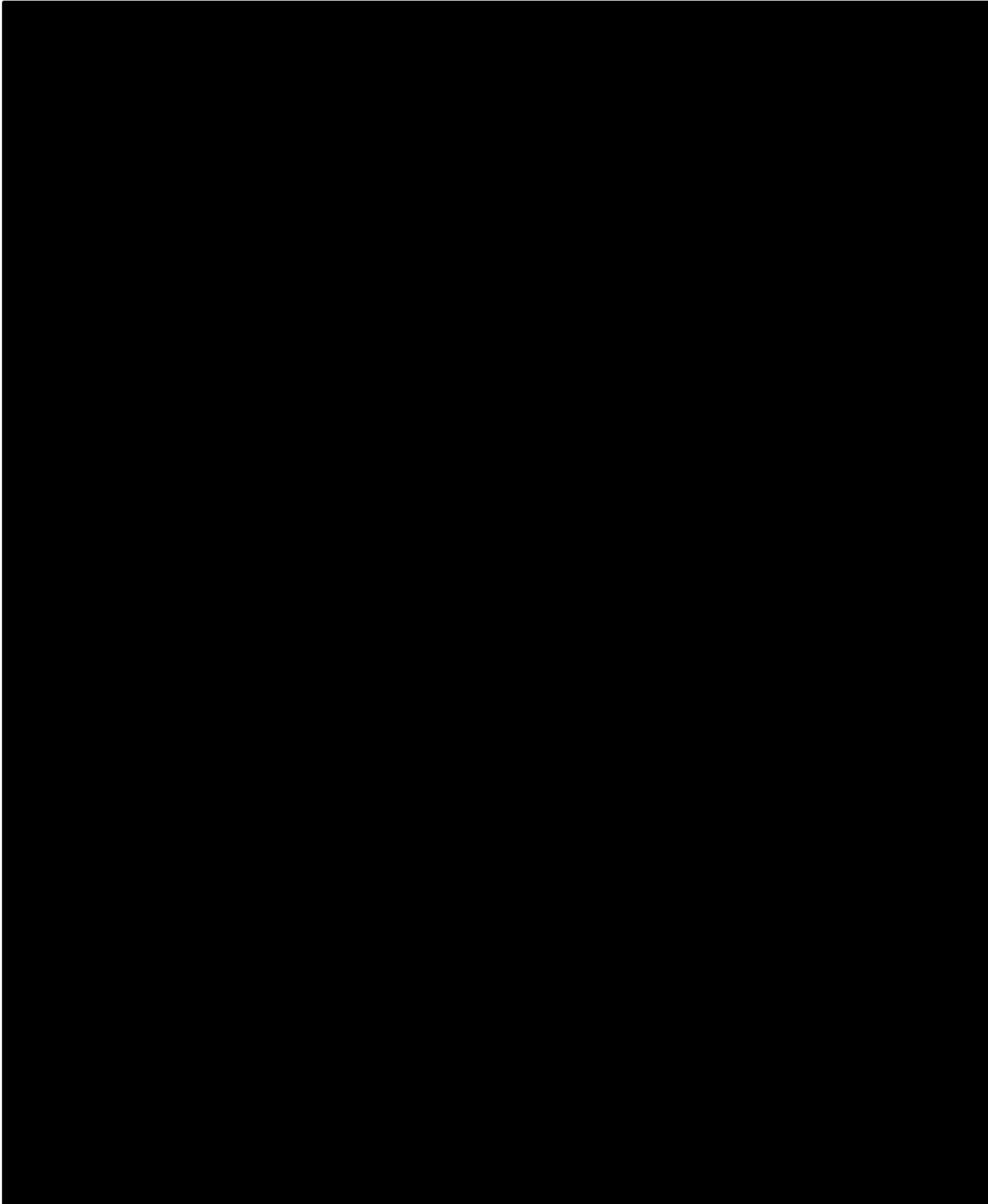
Subject : *Results of check for ALEKSEENKO, INNA (70CS1402230000016546)*



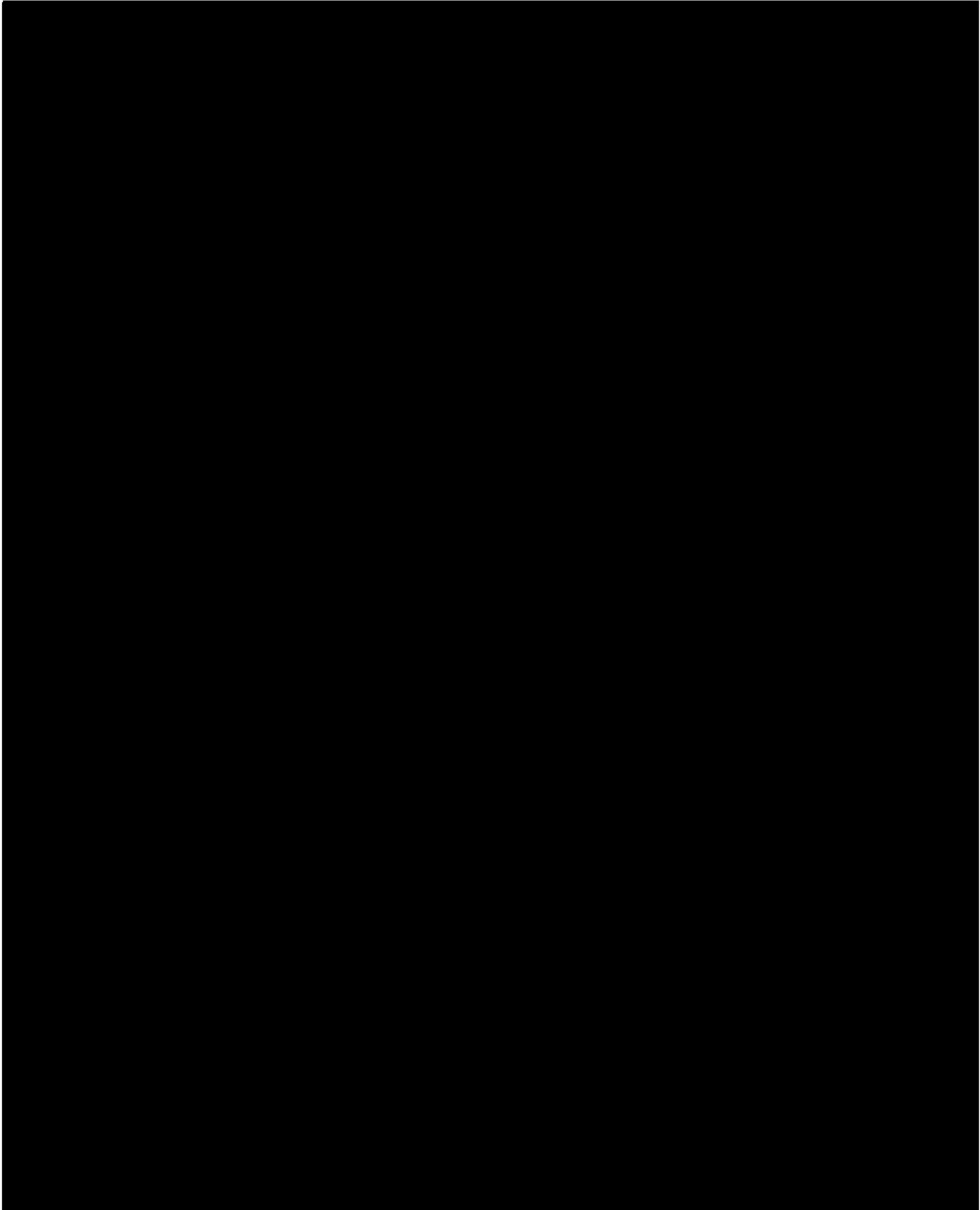
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Subject : *Results of check for ALEKSEENKO, INNA (70CS1402230000016546)*



Subject : *Results of check for ALEKSEENKO, INNA (70CS1402230000016546)*



Subject : *Results of check for ALEKSEENKO, INNA (70CS1402230000016546)*

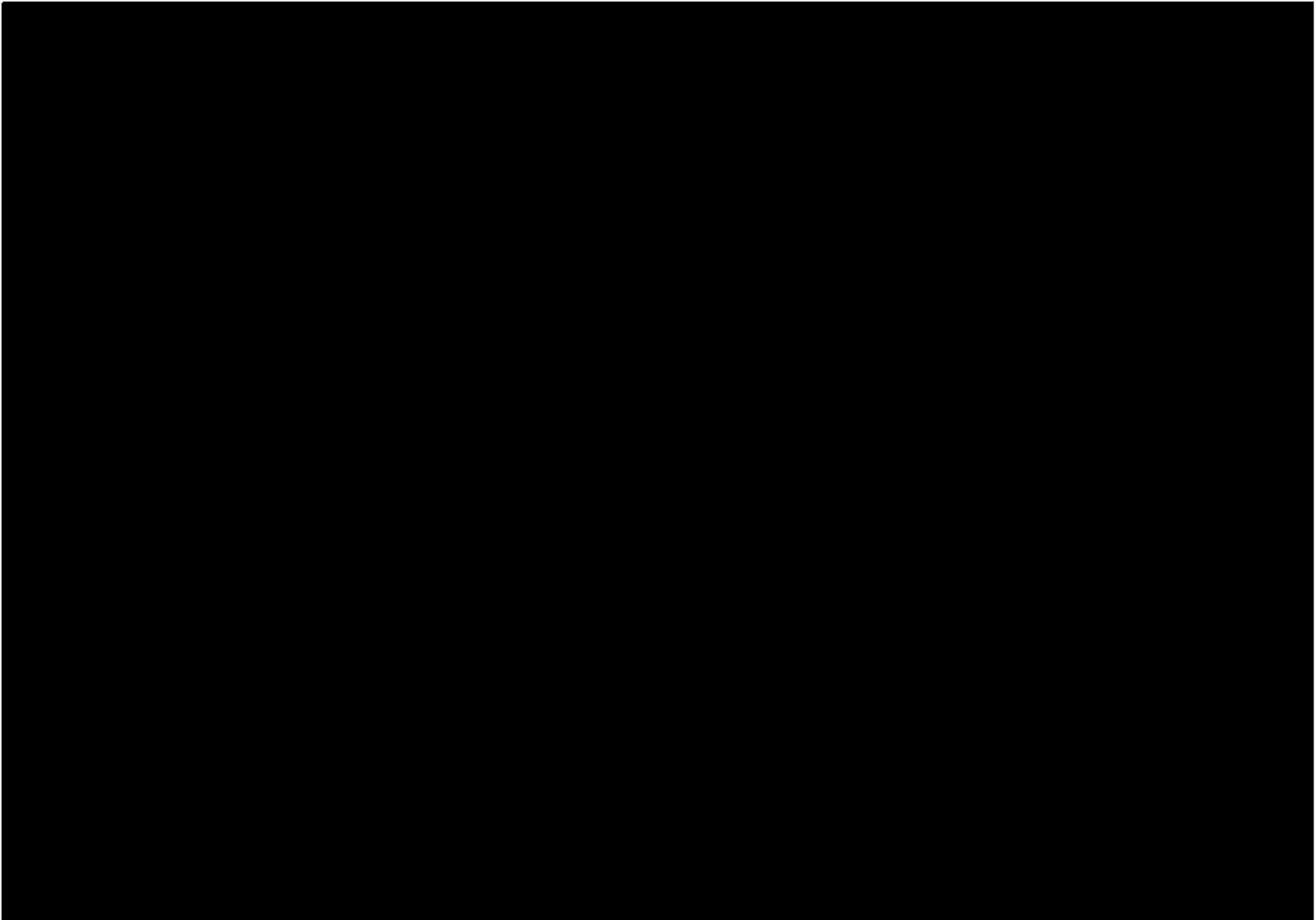


EXHIBIT # 2
PAGE # 12



FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS

Bring Your

ccis COMPREHENSIVE CASE
INFORMATION SYSTEM



Miami, Adams Ave.



EXHIBIT # 3
PAGE # 1

MEB/USAO #2009R00452

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon.
v. : Criminal No. 09-822
INNA ALEKSEENKO : 18 U.S.C. § 1349

INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

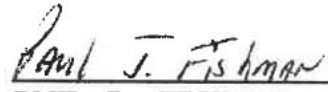
From in or about December 2005 to in or about December 2007, in Bergen County, in the District of New Jersey, and elsewhere, defendant

INNA ALEKSEENKO

did knowingly and intentionally conspire and agree with T.O. and others to devise a scheme and artifice to defraud, and to obtain monies, funds and other property from a company, S.O., by means of materially false and fraudulent pretenses, representations, and promises, and, for the purpose of executing such a scheme and artifice, did cause to be delivered by mail according to the directions thereon matters and things to be sent and delivered by the Postal Service, namely a \$7,510 check on or about December 12, 2007, contrary to Title 18, United States Code, Section 1341.

EXHIBIT # 3
PAGE # 2

In violation of Title 18, United States Code, Section
1349.



PAUL J. FISHMAN
United States Attorney

CASE NUMBER:

United States District Court
District of New Jersey

UNITED STATES OF AMERICA

v.

INNA ALEKSEENKO

INFORMATION FOR

18 U.S.C. § 1349

RALPH J. MARRA, JR.

ACTING U.S. ATTORNEY

NEWARK, NEW JERSEY

MATTHEW E. BECK

ASSISTANT U.S. ATTORNEY

(973) 353-6053

USA-482D 8
(Ed. 1/97)

EXHIBIT # 3
PAGE # 4



*United States Attorney
District of New Jersey*

*Matthew E. Beck
Assistant United States Attorney*

*970 Broad Street, Suite 700
Newark, NJ 07102*

*(973) 353-6053
FAX (973) 645-3497*

MB/PL AGR
2009R00452

September 1, 2009

Meg Strickler, Esq.
Conway, Strickler, and Margolis, PC
2901 Piedmont Road, NE
Suite C
Atlanta, Georgia 30305

Re: Plea Agreement with Inna Alekseenko

Dear Ms. Strickler:

This letter sets forth the plea agreement between your client, Inna Alekseenko and the United States Attorney for the District of New Jersey ("this Office").

Charge

Conditioned on the understandings specified below, this Office will accept a guilty plea from Inna Alekseenko to a one-count information that charges conspiracy to commit mail fraud, contrary to 18 U.S.C. § 1341, and in violation of 18 U.S.C. § 1349. If Inna Alekseenko enters a guilty plea and is sentenced on this charge, and otherwise fully complies with all of the terms of this agreement, this Office will not initiate any further criminal charges against Inna Alekseenko for her involvement in a fraudulent billing scheme involving Express Unlimited that victimized her former employer, Stryker Orthopaedics, during the period between in or about December 2005 and in or about December 2007. However, in the event that a guilty plea in this matter is not entered for any reason or the judgment of conviction entered as a result of this guilty plea does not remain in full force and effect, defendant agrees that any dismissed charges and any other charges that are not time-barred by the applicable statute of limitations on the date this agreement is signed by Inna Alekseenko may be commenced against her, notwithstanding the expiration of the limitations period after Inna Alekseenko signs the agreement.

EXHIBIT # 3
PAGE # 5

Sentencing

The violation of 18 U.S.C. § 1349 to which Inna Alekseenko agrees to plead guilty carries a statutory maximum prison sentence of 20 years, and a statutory maximum fine equal to the greatest of: (1) \$250,000; (2) twice the gross amount of any pecuniary gain that any persons derived from the offense; or (3) twice the gross amount of any pecuniary loss sustained by any victims of the offense. Fines imposed by the sentencing judge may be subject to the payment of interest.

The sentence to be imposed upon Inna Alekseenko is within the sole discretion of the sentencing judge, subject to the provisions of the Sentencing Reform Act, 18 U.S.C. § 3551-3742, and the sentencing judge's consideration of the United States Sentencing Guidelines. The United States Sentencing Guidelines are advisory, not mandatory. The sentencing judge may impose any reasonable sentence up to and including the statutory maximum term of imprisonment and the maximum statutory fine. This Office cannot and does not make any representation or promise as to what guideline range may be found by the sentencing judge, or as to what sentence Inna Alekseenko ultimately will receive.

Further, in addition to imposing any other penalty on Inna Alekseenko, the sentencing judge: (1) will order Inna Alekseenko to pay an assessment of \$100 pursuant to 18 U.S.C. § 3013, which assessment must be paid by the date of sentencing; (2) must order Inna Alekseenko to pay restitution pursuant to 18 U.S.C. §§ 3663 et seq.; (3) may order Inna Alekseenko, pursuant to 18 U.S.C. § 3555, to give notice to any victims of her offense; and (4) pursuant to 18 U.S.C. § 3583, may require Inna Alekseenko to serve a term of supervised release of up to three years, which will begin at the expiration of any term of imprisonment imposed. Should Inna Alekseenko be placed on a term of supervised release and subsequently violate any of the conditions of supervised release before the expiration of its term, Inna Alekseenko may be sentenced to not more than two years' imprisonment in addition to any prison term previously imposed, regardless of the statutory maximum term of imprisonment set forth above and without credit for time previously served on post-release supervision, and may be sentenced to an additional term of supervised release.

In addition, Inna Alekseenko agrees to make full restitution for all losses resulting from the offense of conviction or from the scheme, conspiracy, or pattern of criminal

activity underlying that offense, to Stryker Orthopaedics in the amount of \$132,930.

Rights of this Office Regarding Sentencing

Except as otherwise provided in this agreement, this Office reserves its right to take any position with respect to the appropriate sentence to be imposed on Inna Alekseenko by the sentencing judge, to correct any misstatements relating to the sentencing proceedings, and to provide the sentencing judge and the United States Probation Office all law and information relevant to sentencing, favorable or otherwise. In addition, this Office may inform the sentencing judge and the United States Probation Office of: (1) this agreement; and (2) the full nature and extent of Inna Alekseenko's activities and relevant conduct with respect to this case.

Stipulations

This Office and Inna Alekseenko agree to stipulate at sentencing to the statements set forth in the attached Schedule A, which hereby is made a part of this plea agreement. This agreement to stipulate, however, cannot and does not bind the sentencing judge, who may make independent factual findings and may reject any or all of the stipulations entered into by the parties. To the extent that the parties do not stipulate to a particular fact or legal conclusion, each reserves the right to argue the existence of and the effect of any such fact or conclusion upon the sentence. Moreover, this agreement to stipulate on the part of this Office is based on the information and evidence that this Office possesses as of the date of this agreement. Thus, if this Office obtains or receives additional evidence or information prior to sentencing that it determines to be credible and to be materially in conflict with any stipulation in the attached Schedule A, this Office shall not be bound by any such stipulation. A determination that any stipulation is not binding shall not release either this Office or Inna Alekseenko from any other portion of this agreement, including any other stipulation. If the sentencing court rejects a stipulation, both parties reserve the right to argue on appeal or at post-sentencing proceedings that the sentencing court was within its discretion and authority to do so. These stipulations do not restrict the Government's right to respond to questions from the Court and to correct misinformation that has been provided to the Court.

Waiver of Appeal and Post-Sentencing Rights

As set forth in Schedule A, this Office and Inna Alekseenko waive certain rights to file an appeal, collateral attack, writ or motion after sentencing, including but not limited to an appeal under 18 U.S.C. § 3742 or a motion under 28 U.S.C. § 2255.

Other Provisions

This agreement is limited to the United States Attorney's Office for the District of New Jersey and cannot bind other federal, state, or local authorities. However, this Office will bring this agreement to the attention of other prosecuting offices, if requested to do so.

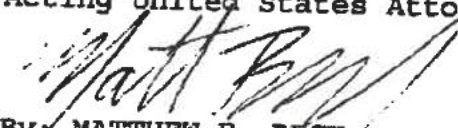
This agreement was reached without regard to any civil or administrative matters that may be pending or commenced in the future against Inna Alekseenko. This agreement does not prohibit the United States, any agency thereof (including the Internal Revenue Service and Immigration and Customs Enforcement), or any third party from initiating or prosecuting any civil proceeding against Inna Alekseenko.

No Other Promises

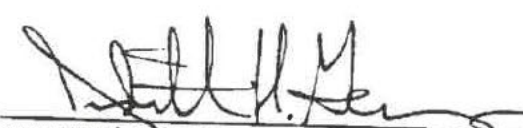
This agreement constitutes the plea agreement between Inna Alekseenko and this Office and supersedes any previous agreements between them. No additional promises, agreements, or conditions have been made or will be made unless set forth in writing and signed by the parties.

Very truly yours,

RALPH J. MARRA
Acting United States Attorney


By: MATTHEW E. BECK
Assistant U.S. Attorney

APPROVED:



JUDITH GERMANO
Chief, Commercial Crimes Unit

I have received this letter from my attorney, Meg Strickler, Esq., I have read it, and I understand it fully. I hereby accept the terms and conditions set forth in this letter and acknowledge that it constitutes the plea agreement between the parties. I understand that no additional promises, agreements, or conditions have been made or will be made unless set forth in writing and signed by the parties.

AGREED AND ACCEPTED:


Inna Alekseenko

Date:


Meg Strickler, Esq.

Date:

Plea Agreement With Inna Alekseenko

Schedule A

1. This Office and Inna Alekseenko recognize that the United States Sentencing Guidelines are not binding upon the Court. This Office and Inna Alekseenko nevertheless agree to the stipulations set forth herein, and agree that the Court should sentence Inna Alekseenko within the Guidelines range that results from the total Guidelines offense level set forth below. This Office and Inna Alekseenko further agree that neither party will argue for the imposition of a sentence outside the Guidelines range that results from the agreed total Guidelines offense level unless otherwise permitted in writing and agreed to by both parties.
2. The version of the United States Sentencing Guidelines effective November 1, 2008 applies in this case. The applicable guideline is U.S.S.G. § 2B1.1. This guideline carries a Base Offense Level of 7. See U.S.S.G. § 2B1.1(a)(1).
3. Specific Offense Characteristic U.S.S.G. § 2B1.1(b)(1)(F) applies because the offense involved more than \$120,000 but less than \$200,000 in loss. This Specific Offense Characteristic results in an increase of 10 levels.
4. Pursuant to U.S.S.G. § 2B1.1(b)(9)(c), the offense involved sophisticated means. This results in an increase of 2 levels.
5. As of the date of this letter, Inna Alekseenko has clearly demonstrated a recognition and affirmative acceptance of personal responsibility for the offense charged. Therefore, a downward adjustment of 2 levels for acceptance of responsibility is appropriate if Inna Alekseenko's acceptance of responsibility continues through the date of sentencing. See U.S.S.G. § 3E1.1(a).
6. As of the date of this letter, Inna Alekseenko has assisted authorities in the investigation or prosecution of her own misconduct by timely notifying authorities of her intention to enter a plea of guilty, thereby permitting the government to avoid preparing for trial and permitting the government and the court to allocate their resources efficiently. If Inna Alekseenko enters a plea pursuant to this agreement and qualifies for a 2-point reduction for acceptance of responsibility pursuant to U.S.S.G. § 3E1.1(a), and if in addition Inna Alekseenko's offense level under the Guidelines prior to the operation of § 3E1.1(a) is 16 or greater, Inna Alekseenko will be entitled to a

further 1-point reduction in her offense level pursuant to U.S.S.G. § 3E1.1(b).

7. In accordance with the above, the parties agree that the total Guidelines offense level applicable to Inna Alekseenko is 16 (the "agreed total Guidelines offense level").

8. The parties agree not to seek or argue for any upward or downward departure, adjustment or variance not set forth herein. The parties further agree that a sentence within the Guidelines range that results from the agreed total Guidelines offense level of 16 is reasonable.

9. Inna Alekseenko knows that she has and, except as noted below in this paragraph, voluntarily waives, the right to file any appeal, any collateral attack, or any other writ or motion, including but not limited to an appeal under 18 U.S.C. § 3742 or a motion under 28 U.S.C. § 2255, which challenges the sentence imposed by the sentencing court if that sentence falls within or below the Guidelines range that results from the agreed total Guidelines offense level of 16. This Office will not file any appeal, motion or writ which challenges the sentence imposed by the sentencing court if that sentence falls within or above the Guidelines range that results from the agreed total Guidelines offense level of 16. The parties reserve any right they may have under 18 U.S.C. § 3742 to appeal the sentencing court's determination of the criminal history category. The provisions of this paragraph are binding on the parties even if the Court employs a Guidelines analysis different from that stipulated to herein. Furthermore, if the sentencing court accepts a stipulation, both parties waive the right to file an appeal, collateral attack, writ, or motion claiming that the sentencing court erred in doing so.

10. Both parties reserve the right to oppose or move to dismiss any appeal, collateral attack, writ, or motion barred by the preceding paragraph and to file or to oppose any appeal, collateral attack, writ or motion not barred by the preceding paragraph.

UNITED STATES DISTRICT COURT
District of New Jersey

UNITED STATES OF AMERICA

v.

Case Number 2:09CR00822-01

INNA ALEKSEENKO

Defendant.

AMENDED

JUDGMENT IN A CRIMINAL CASE
(For Offenses Committed On or After November 1, 1987)

Date of Original Judgment: 10/21/10

Reason for Amendment: Specify Guideline Level

The defendant, INNA ALEKSEENKO, was represented by Dan Conaway & Jerry Froelich, Esqs.

The defendant pled guilty to count(s) 1 of the Information on 11/5/09. Accordingly, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date of Offense</u>	<u>Count Number(s)</u>
18:1341	Frauds and Swindles (Mail Fraud)	12/05 - 12/07	1

As pronounced on 10/21/10, the defendant is sentenced as provided in pages 2 through 6 of this Judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

It is ordered that the defendant shall pay to the United States a special assessment of \$100, for count(s) 1, which shall be due immediately. Said special assessment shall be made payable to the Clerk, U.S. District Court.

It is further ordered that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this Judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

Signed this the 1st day of November, 2010.



WILLIAM J. MARTINI
United States District Judge

30043

FILED AS A CRIMINAL CASE
 This Date: 11/1/10
 By: [Signature] Clerk
 Deputy

EXHIBIT # 3
PAGE # 12

Defendant: INNA ALEKSEENKO
Case Number: 2:09CR00822-01

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 6 months.

The Court makes the following recommendations to the Bureau of Prisons: It is recommended that defendant be designated to a facility as close to her home as possible; further recommended that defendant participate in the Inmate Financial Responsibility Program.

The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons as directed

RETURN

I have executed this Judgment as follows:

Defendant delivered on _____ To _____
At _____, with a certified copy of this Judgment.

United States Marshal
By _____
Deputy Marshal

EXHIBIT # 3
PAGE # 13

Defendant: INNA ALEKSEENKO
Case Number: 2:09CR00822-01

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be placed on supervised release for a term of 3 years.

Within 72 hours of release from custody of the Bureau of Prisons, the defendant shall report in person to the Probation Office in the district to which the defendant is released.

While on supervised release, the defendant shall comply with the standard conditions that have been adopted by this court as set forth below.

The defendant shall submit to one drug test within 15 days of commencement of supervised release and at least two tests thereafter as determined by the probation officer.

If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine, assessments, costs, and restitution that remains unpaid at the commencement of the term of supervised release and shall comply with the following special conditions:

NEW DEBT RESTRICTIONS

You are prohibited from incurring any new credit charges, opening additional lines of credit, or incurring any new monetary loan, obligation, or debt, by whatever name known, without the approval of the U.S. Probation Office. You shall not encumber or liquidate interest in any assets unless it is in direct service of the fine and/or restitution obligation or otherwise has the expressed approval of the Court.

EXHIBIT # 3
PAGE # 14

Defendant: INNA ALEKSEENKO
Case Number: 2:09CR00822-01

STANDARD CONDITIONS OF SUPERVISED RELEASE

While the defendant is on supervised release pursuant to this Judgment:

- 1) The defendant shall not commit another federal, state, or local crime during the term of supervision.
- 2) The defendant shall not illegally possess a controlled substance.
- 3) If convicted of a felony offense, the defendant shall not possess a firearm or destructive device.
- 4) The defendant shall not leave the judicial district without the permission of the court or probation officer.
- 5) The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.
- 6) The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.
- 7) The defendant shall support his or her dependents and meet other family responsibilities.
- 8) The defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
- 9) The defendant shall notify the probation officer within seventy-two hours of any change in residence or employment.
- 10) The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute or administer any narcotic or other controlled substance, or any paraphernalia related to such substances.
- 11) The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered.
- 12) The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.
- 13) The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer.
- 14) The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.
- 15) The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court.
- 16) As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.
- (17) You shall cooperate in the collection of DNA as directed by the Probation Officer.

(This standard condition would apply when the current offense or a prior federal offense is either a felony, any offense under Chapter 109A of Title 18 (i.e., §§ 2241-2248, any crime of violence [as defined in 18 U.S.C. § 16], any attempt or conspiracy to commit the above, an offense under the Uniform Code of Military Justice for which a sentence of confinement of more than one year may be imposed, or any other offense under the Uniform Code that is comparable to a qualifying federal offense);

- (18) Upon request, you shall provide the U.S. Probation Office with full disclosure of your financial records, including co-mingled income, expenses, assets and liabilities, to include yearly income tax returns. With the exception of the financial accounts reported and noted within the presentence report, you are prohibited from maintaining and/or opening any additional individual

EXHIBIT # 3
PAGE # 15

Defendant: INNA ALEKSEENKO
Case Number: 2:09CR00822-01

and/or joint checking, savings, or other financial accounts, for either personal or business purposes, without the knowledge and approval of the U.S. Probation Office. You shall cooperate with the Probation Officer in the investigation of your financial dealings and shall provide truthful monthly statements of your income. You shall cooperate in the signing of any necessary authorization to release information forms permitting the U.S. Probation Office access to your financial information and records;

- (19) As directed by the U.S. Probation Office, you shall participate in and complete any educational, vocational, cognitive or any other enrichment program offered by the U.S. Probation Office or any outside agency or establishment while under supervision;
- (20) You shall not operate any motor vehicle without a valid driver's license issued by the State of New Jersey, or in the state in which you are supervised. You shall comply with all motor vehicle laws and ordinances and must report all motor vehicle infractions (including any court appearances) within 72 hours to the U.S. Probation Office;

For Official Use Only - - - U.S. Probation Office

Upon a finding of a violation of probation or supervised release, I understand that the Court may (1) revoke supervision or (2) extend the term of supervision and/or modify the conditions of supervision.

These conditions have been read to me. I fully understand the conditions, and have been provided a copy of them.

You shall carry out all rules, in addition to the above, as prescribed by the Chief U.S. Probation Officer, or any of his associate Probation Officers.

(Signed) _____
Defendant Date

U.S. Probation Officer/Designated Witness Date

Defendant: INNA ALEKSEENKO
Case Number: 2:09CR00822-01

RESTITUTION AND FORFEITURE

RESTITUTION

The defendant shall make restitution in the amount of \$132,930. Payments should be made payable to the U.S. Treasury and mailed to Clerk, U.S.D.C., 402 East State Street, Rm 2020, Trenton, New Jersey 08608, for distribution to Stryker Orthopaedics, c/o Kevin Walsh, Esq. Gibbons, P.C. One Gateway Center, Newark, NJ 07102-5310. The amount ordered represents the total amount due to the victim for this loss. The defendant's restitution obligation shall not be affected by any restitution payments made by other defendants in this case, except that no further payments shall be required after the sum of the amounts actually paid by all defendants has fully satisfied this loss. The following defendant(s) in the following case(s) may be subject to restitution orders to the same victim for this same loss:

Thomas O'Rourke

Cr. No.: 2:10CR00235-01

The restitution is due immediately. It is recommended that the defendant participate in the Bureau of Prisons Inmate Financial Responsibility Program (IFRP). If the defendant participates in the IFRP, the restitution shall be paid from those funds at a rate equivalent to \$25 every 3 months. In the event the entire restitution is not paid prior to the commencement of supervision, the defendant shall satisfy the amount due in monthly installments of no less than \$100.00, to commence 30 days after release from confinement.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

EXHIBIT # 3
PAGE # 17

PHILIP R. SELLINGER
UNITED STATES ATTORNEY
JORDAN M. ANGER
ASSISTANT U.S. ATTORNEY
970 BROAD STREET, ROOM 700
NEWARK, NJ 07102
Tel. 973-645-2829
Fax. 973-645-3210
email: JORDAN.ANGER@usdoj.gov

February 27, 2023

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA,

Plaintiff,

v.

INNA ALEKSEENKO,

Defendant,

Hon. WILLIAM J. MARTINI

Criminal No. 09-822

SATISFACTION OF JUDGMENT

The Judgment in the above-captioned case having been paid in full, the Clerk of the United States Court for the District of New Jersey is hereby authorized and requested to satisfy and cancel said judgment of record for any special assessment, fine and/or restitution only, as to defendant, Inna Alekseenko. This satisfaction of judgment does not satisfy any forfeiture judgment imposed in this case.

PHILIP R. SELLINGER
UNITED STATES ATTORNEY

By: s/JORDAN M. ANGER
JORDAN M. ANGER
ASSISTANT U.S. ATTORNEY

EXHIBIT # 3
PAGE # 18

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
PROBATION OFFICE
900 U.S. COURTHOUSE
75 SPRING STREET, S.W.
ATLANTA, GEORGIA 30303-3309

THOMAS W. BISHOP
CHIEF PROBATION OFFICER

(404) 215-1950
FAX(404) 331-0160

May 26, 2014

Ms. Inna Alekseenko
3080 Market Place, Apartment 12202
Alpharetta, GA 30005

Dear Ms. Alekseenko:

This is to certify that you have completed your period of supervision. The fact that you have successfully completed this period of supervision automatically restores your right to vote.

Other civil rights, such as your right to serve on a jury, your right to hold public office, and your right to bear arms are lost by reason of a felony conviction. However, application forms for restoration of rights may be obtained by writing to the Georgia State Board of Pardons and Paroles, Fifth Floor, East Tower, 2 Martin Luther King Jr. Drive, S.E., Atlanta, Georgia, 30334. To restore your right to bear a firearm, you must write the Office of the Pardon Attorney, 1425 New York Avenue, N.W., Suite 11000, Washington, D.C. 20530, or contact by phone at (202) 616-6070 to request the forms.

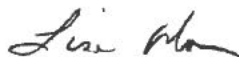
Our records indicate you have a remaining balance on your fine and/or restitution. You should continue forwarding payments to the Clerk, U.S. District Court.

18 U.S.C. §3612(f)(1) requires that convicted persons pay interest on any fine or restitution of more than \$2,500, unless the fine is paid in full before the fifteenth day after the date of the judgement. Thus, you may owe interest on your unpaid restitution and/or fine balance.

The United States Attorney's Office, Financial Litigation Unit, will contact you via the mail or notify you of this outstanding liability or you may contact the U.S. Attorney's Office.

I would like to take this opportunity to thank you for your cooperation while under supervision, and to congratulate you on your completion of sentence.

Sincerely,



Lisa Moore
U. S. Probation Officer

cc: United States Attorney's Office, Financial Litigation Unit

EXHIBIT # 3
PAGE # 19

CRIMINAL DOCKET

DOCKET NO. 0123CR006981

COURT DIVISION Springfield

INTERPRETER REQUIRED

ATTORNEY NAME

DATE and JUDGE

DOCKET ENTRY

NAME, ADDRESS AND ZIP CODE OF DEFENDANT ALEKSEENKO, INNA 9645 BAYMEADWO ROAD APT 822 JACKSONVILLE, FL

Attorney appointed (SJC R. 3:10)
Atty denied and Deft Advised per 211D §2A
Waiver of counsel found after colloquy

Terms of release set:
PR Bail
Held (276 §58A)
See back for special conditions

Arranged and advised:
Potential of bail revocation (276 §58)
Right to bail review (276 §58)
Right to drug exam (111E §10)

Advised of right to jury trial:
Does not waive
Waiver of jury trial found after colloquy

Advised of trial rights as pro se (Supp. R. 4)
Advised of right of appeal to Appeals Ct (R. 28)

DEPT. DOB AND SEX F

DATE OF OFFENSE(S) 07/04/2001

PLACE OF OFFENSE(S) W SPRINGFIELD

COMPLAINANT CANEY, TIMOTHY

POLICE DEPARTMENT (if applicable) WEST SPRINGFIELD PD.

DATE OF COMPLAINT 07/05/2001

RETURN DATE AND TIME 07/06/2001 08:00:00

COURT/OFFENSE 1 272/53/F DISORDERLY CONDUCT c272 §53

FINE SURFINE COSTS RESTITUTION V/W ASSESSMENT

DISPOSITION DATE 11-19-02 Ross, J
DISPOSITION METHOD: Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning
Bench Trial
Jury Trial
None of the Above
FINDING: Not Guilty
Guilty
Not Responsible
Responsible
No Probable Cause
Probable Cause

SENTENCE OR OTHER DISPOSITION:
Sufficient facts found but continued without guilty finding until:
Probation
Pretrial Probation (276 §87) - until:
To be dismissed upon payment of court costs/restitution
Dismissed upon: Request of Comm. Request of Victim
Request of Deft Failure to prosecute Other:
Filed with Deft's consent Nolle Prosequi Decriminalized (277 §70C)

FINAL DISPOSITION:
Dismissed on recommendation of Probation Dept.
Probation terminated: defendant discharged

JUDGE: FEATHER PROBLEMS

20 MAY -2 PM 1:16 RECEIVED
MASSACHUSETTS POLICE COMMISSION

DISPOSITION DATE and JUDGE

DISPOSITION METHOD: Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning
Bench Trial
Jury Trial
None of the Above
FINDING: Not Guilty
Guilty
Not Responsible
Responsible
No Probable Cause
Probable Cause

SENTENCE OR OTHER DISPOSITION:
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Request of Deft Failure to prosecute Other:
Filed with Deft's consent Nolle Prosequi Decriminalized (277 §70C)

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Probation terminated: defendant discharged

JUDGE DATE

DISPOSITION DATE and JUDGE

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Jury Trial
None of the Above
FINDING: Not Guilty
Guilty
Not Responsible
Responsible
No Probable Cause
Probable Cause

SENTENCE OR OTHER DISPOSITION:
Sufficient facts found but continued without guilty finding until:
Probation
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To be dismissed upon payment of court costs/restitution
Dismissed upon: Request of Comm. Request of Victim
Request of Deft Failure to prosecute Other:
Filed with Deft's consent Nolle Prosequi Decriminalized (277 §70C)

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Probation terminated: defendant discharged

JUDGE DATE

DISPOSITION DATE and JUDGE

DISPOSITION METHOD: Guilty Plea or Admission to Sufficient Facts accepted after colloquy and 278 §29D warning
Bench Trial
Jury Trial
None of the Above
FINDING: Not Guilty
Guilty
Not Responsible
Responsible
No Probable Cause
Probable Cause

SENTENCE OR OTHER DISPOSITION:
Sufficient facts found but continued without guilty finding until:
Probation
Pretrial Probation (276 §87) - until:
To be dismissed upon payment of court costs/restitution
Dismissed upon: Request of Comm. Request of Victim
Request of Deft Failure to prosecute Other:
Filed with Deft's consent Nolle Prosequi Decriminalized (277 §70C)

FINAL DISPOSITION:
Dismissed on recommendation of Probation Dept.
Probation terminated: defendant discharged

JUDGE DATE

ADDITIONAL COUNTS ATTACHED

A TRUE COPY ATTEST: X

CLERK-MAGISTRATE/ASST. CLERK

ON (DATE)

COURT ADDRESS Springfield District Court 50 State Street Springfield, MA 01103-2002

CourtView Justice Solutions

Springfield District Court

Criminal Case Summary

0923CR002383 Commonwealth vs. Alekseenko, Inna

Case Information

Site Springfield District Court
 File Date 03/13/2009
 Case Status Closed Case Status Date 05/06/2016 SCR Elapsed Days
 Case Disposition ***** Case Disposition Date 05/06/2016 Category
 Session
 Judge
 Track

RECEIVED
 2009 MAY -2 PM 1:16
 FLORIDA GAMING
 CONTROL COMMISSION

Party Information: 1

Party Name	Party Alias(es)	Party Type	XREF-ID	Attorney(s)	Attorney Phone
Alekseenko, Inna		Defendant	7039419		

Alert Information: 0

Case Schedule: 1 Displaying 1 Records

Date	Start Time	Event Type	Session	Notes	Result	Result Reason
03/13/2009	09:00 AM	1 of 1 Arraignment	Courtroom 1		Held	

Party Charges: 2

Alekseenko, Inna								
Count	Code	Description	Degree of Offense	Disposition	Disposition Date	Disposition Judge	Sentenced	
1	272/53/F-0	DISORDERLY CONDUCT c272 §53	Misdemeanor - more than 100 days incarceration	Dismissed	03/13/2009	Beattie, Hon. Philip A		
Count	Code	Description	Degree of Offense	Disposition	Disposition Date	Disposition Judge	Sentenced	
2	266/120-1	TRESPASS c266 §120	Misdemeanor - 100 days or less incarceration	Dismissed	03/13/2009	Beattie, Hon. Philip A		

Financial: 0

Due: .00 A/R Amount Due: .00 Non-A/R Amount
 Ticklers: 0 Holding Money Balance On-Hand: .00

DCM: 0

Linked Case(s) : 0

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2023 MAY -2 PM 1:16

FLORIDA GAMING
CONTROL COMMISSION

RECORDER'S COURT OF GWINNETT COUNTY
STATE OF GEORGIA
115 STONE MOUNTAIN STREET
LAWRENCEVILLE, GA 30046

Jeffrey C. West
Clerk
(770) 822-8815

January 28, 2021

RE: ALEKSEENKO, INNA

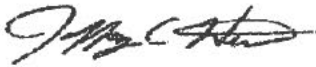
Citation #	Offense	Charge Date	Agency	Disposition
M008355	40-6-390 Reckless Driving	08/28/2010	Gwinnett County Police Department	Conviction: Nolo Plea on November 22nd, 2010
M008356	40-6-48(1) Unsafe Lane Change	08/28/2010	Gwinnett County Police Department	Conviction: Nolo Plea on November 22nd, 2010

To Whom It May Concern:

In accordance with the 50-18-90 "Georgia Records Act." (Ga. L. 1972, p. 1267, 1) issued by the Office of Secretary of State, the Gwinnett County Recorder's Court does not keep records of disposed citations once all court requirements have been met and the citation reaches the required retention period. This court has no records for the above identified matter because they were destroyed in compliance with the Georgia Records Act.

If I can be of any further assistance, please do not hesitate to contact me directly.

Sincerely,



Jeffrey C. West, Clerk
Recorder's Court of Gwinnett County

RECEIVED

2023 MAY -2 PM 1:16

FLORIDA GAMING
CONTROL COMMISSION

RECORDER'S COURT OF GWINNETT COUNTY
STATE OF GEORGIA
115 STONE MOUNTAIN STREET
LAWRENCEVILLE, GA 30046

Jeffrey C. West
Clerk
(770) 822-8815

January 28, 2021

RE: ALEKSEENKO, INNA

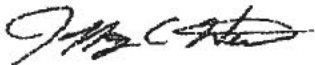
Citation #	Offense	Charge Date	Agency	Disposition
M233305	40-6-391(a)(1) Driving Under The Influence Of Alcohol - Less Safe	01/7/2012	Gwinnett County Police Department	Conviction: Guilty Plea on October 1st, 2012
M233306	40-6-48(1) Unsafe Lane Change	01/7/2012	Gwinnett County Police Department	Nolle Prossed on October 1st, 2012

To Whom It May Concern:

In accordance with the 50-18-90 "Georgia Records Act." (Ga. L. 1972, p. 1267, 1) issued by the Office of Secretary of State, the Gwinnett County Recorder's Court does not keep records of disposed citations once all court requirements have been met and the citation reaches the required retention period. This court has no records for the above identified matter because they were destroyed in compliance with the Georgia Records Act.

If I can be of any further assistance, please do not hesitate to contact me directly.

Sincerely,



Jeffrey C. West, Clerk
Recorder's Court of Gwinnett County

LICENSES



Licensee
Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name:
Middle Name:
Last Name: ALEKSEENKO-REPASS
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
-----------	-----------	------------	-------------	----------------	---------	------------	------	-------

[Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT #4
PAGE # 1

LICENSES



Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: ALEKSEENKO-REPASS
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
-----------	-----------	------------	-------------	----------------	---------	------------	------	-------

[Licenses](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT # 4
PAGE # 2

LICENSER



Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: INNA
Middle Name:
Last Name: ALEKSEENKO-REPASS
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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[Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT # 4
PAGE # 3



Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: INNA
Middle Name:
Last Name: ALEKSEENKO
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
-----------	-----------	------------	-------------	----------------	---------	------------	------	-------

LICENSES



Licensee Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: INNA
Middle Name:
Last Name: REPASS
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
-----------	-----------	------------	-------------	----------------	---------	------------	------	-------

[Licensees](#) [Rulings](#) [Horse Tracking](#) [Bulletin Board](#) [Preferences](#) [Log Off](#)

EXHIBIT # 4
PAGE # 5



FLORIDA
GAMING CONTROL
COMMISSION

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

January 30, 2023

Ms. Inna Alekseenko-repass
5030 Champion Boulevard
Suite G11-437
Boca Raton, Florida 33496

RE: Application No. 191834, Entity 13467058
1022 - PMW General Individual Occupational

Dear Ms. Alekseenko-repass:

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:

- The Transaction Control Number (TCN) provided on your application was not found in the Florida Department of Law Enforcement's (FDLE) database. Please verify the TCN provided is correct, otherwise, you should contact your fingerprint vendor to determine if they have submitted the fingerprints to the FDLE for processing.

Please Note: If you did not submit fingerprints through a Livescan vendor utilizing the Pari-Mutuel Wagering ORI FL925184Z within the last 150 days as required when applying online, we will not be able to process your application until we have received this information. If you are unable to submit your fingerprints through a Livescan vendor, please complete and mail the enclosed fingerprint card.

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 5/26/2023, 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.

OFFICE OF OPERATIONS
2601 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399

EXHIBIT # 4
PAGE # 6

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 #4
PAGE # 7



FLORIDA
GAMING CONTROL
COMMISSION

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

February 20, 2023

Ms. Inna Alekseenko-Repass
5030 Champion Boulevard
Suite G11-437
Boca Raton, Florida 33496

RE: Application No. 191834, Entity 13467058
1022 - PMW General Individual Occupational

Dear Ms. Alekseenko-repass:

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 complete the enclosed page 3 of the paper application. It appears that you have made errors and/or omissions on 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:

- Erie County, Pennsylvania Arrest - 3/11/1999.
- Hampden County, Massachusetts Arrest - 7/4/2001, 3/13/2009.
- New Jersey Arrest - 11/5/2009.
- Gwinnett County, Georgia Arrest - 8/28/2010, 1/7/2012.

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

- Hampden County, Massachusetts Arrest - 7/4/2001, 3/13/2009.
- New Jersey Arrest - 11/5/2009.

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

OFFICE OF OPERATIONS
2601 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399

EXHIBIT #4
PAGE #8

- 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 5/26/2023, 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.

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 # 4
PAGE # 9



FLORIDA
GAMING CONTROL
COMMISSION

JULIE I. BROWN, COMMISSIONER
CHUCK DRAGO, COMMISSIONER
JOHN D'AQUILA, COMMISSIONER

March 28, 2023

Ms. Inna Alekseenko-repass
5030 Champion Blvd
Ste G11-437
Boca Raton, Florida 33496

RE: Application No. 191834, Entity 13467058
1022 - PMW General Individual Occupational

Dear Ms. Alekseenko-repass:

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

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

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

- Erie County, Pennsylvania Arrest(s) – 03/11/1999
- Hampden County, Massachusetts Arrest(s) – 07/04/2001, 03/13/2009
- New Jersey Arrest – 11/5/2009
- Gwinnett County, Georgia Arrest(s) – 08/28/2010, 01/07/2012

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 (form enclosed). The Division will process a request for waiver upon receipt of a complete application.

- 3180 form received was incomplete.

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.

OFFICE OF OPERATIONS
2601 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399

EXHIBIT # 4
PAGE # 10

If you fail to provide the Florida Gaming Control Commission with a complete application by 05/26/2023, 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.

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

Thank you,

Randall Kitchens
Operations Analyst II

EXHIBIT # 4
PAGE # 11

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

License

Fed Tax # [REDACTED] Lic Type 1022 - PMW General Individual Occupational Expires On
File # 102467 Name Alekseenko-Repass, Inna Extended To
License # Rank Renewed On
Entity # 13467058 Lic Status Applicant

- Licensee
- History
- Notes
- Notes History
- Back

Address

Street # 5030 Street CHAMPION BLVD
Line 2 STE G11-437
Line 3
City BOCA RATON State FL Zip 33496
Routing

Other

1st License Date Rank Date Certificate #
Method -- Status Date Certificate Date
Fee Exempt No Birth Date [REDACTED] Renewal Sent

Select

Action  

Modifiers

Type	Modifier	Effective Date	Additional Info
No items found.			

Alt Keys

BEST LIC NBR


 Get Adobe Reader.

EXHIBIT # 4
PAGE # 12

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 > View License Event Log

Fed Tax # [REDACTED]	Lic Type 1022 - PMW General Individual Occupational	Expires On
File # 102467	Name Alekseenko-Repass, Inna	Extended To
License #	Rank	Renewed On
Entity # 13467058	Lic Status Applicant	

Updated	By	Description
01/26/2023 12:08:26	webuser	Initial - Online Submission # 191834 opened
01/26/2023 12:08:26	webuser	License record created

Filter Back

Get Adobe Reader.

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Ignacio Dario Gonzalez.; Case No. 2023-025891
Date: August 24, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Ignacio Dario Gonzalez's ("Applicant") application for a Slot/Cardroom/Pari-mutuel Individual Combination License. Applicant submitted a completed application for a Slot/Cardroom/Pari-mutuel Individual Combination License on May 2, 2023. The Executive Director reviewed the file and declined to waive the misdemeanor conviction. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On May 2, 2023 Applicant submitted their completed application to the Division of Pari-Mutuel Wagering for a Slot/Cardroom/Pari-mutuel Individual Combination License. Upon review of the completed application, it appears the Applicant was convicted of a misdemeanor in the state of Florida. Specifically, the Applicant was convicted of Petit Theft in 2014.

Applicant applied for a waiver for the misdemeanor conviction and a waiver interview was subsequently scheduled. The Applicant spoke with an investigator for the waiver interview, and a report was compiled and submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On June 22, 2023, the Executive Director declined to waive the misdemeanor conviction. Applicant failed to disclose the conviction on his initial application.

Relevant Law

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 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 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 was not waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

ROUTING SLIP REQUEST FOR WAIVER

RE: GONZALEZ, IGNACIO DARIO – LIC #13530052
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 02 5891

1055 - Poker Dealer
Occupation Code and Job Title

Calder Casino
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE: AUGUST 3, 2023
(DATE)

Investigations Section: Reviewed by Bradford D. Jones [Signature] 5/29/23
(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: DD 06/05/2023
(Initial & Date)

[Signature] 6/19/23
(Initial & Date)

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

Yes or No If yes, in what jurisdiction? *Court Case 13020635MM10A still owes \$376.00

Executive Director: LT 6/22/23
(Initial & Date)

Prepare Waiver or Prepare File for Commission Review

Comments: _____

Investigative Findings:

11/01/2013	Coral Springs Police Department, Broward County, Florida – Possession of Cannabis 20 Grams or Less, - Petit Theft - Retail Sale of Drug Paraphernalia – Misdemeanors – Pled Nolo Contendere – Charge 3 was dropped on November 26, 2013 – Adjudication Withheld on Charges 1 & 2 on January 27, 2014 – Court Fine \$426.00 of \$376.00 remains unpaid.
08/27/2018	Sunrise Police Department, Broward County, Florida – Possession of Cannabis 20 Grams or Less – Misdemeanor – Pled Nolo Contest – Adjudication Withheld on October 23, 2018 – Court Fine of \$293.00.

*Please attach Routing Slip to front of case file

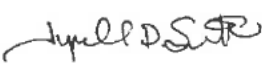

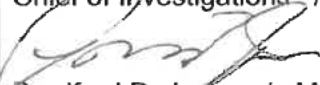


Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: Southern	Date of Complaint: May 4, 2023	Case Number: 2023 02 5891
Respondent: GONZALEZ, IGNACIO DARIO 2336 NW 56TH AVE. LAUDERHILL, FLORIDA 33313		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # / Type: 13530052 / 1055		Profession: Poker Dealer	Report Date: May 19, 2023
Period of Investigation: May 4, 2023 through May 19, 2023		Type of Report: Final	
<p>Basis of Investigation: This investigation is predicated upon Ignacio Dario GONZALEZ's application for a State of Florida PMW Individual Occupational License dated March 20, 2023 and Waiver Request form dated May 2, 2023 (EXHIBIT #1).</p> <p>On March 20, 2023, GONZALEZ submitted his application to be licensed as a Poker Dealer at Calder Casino. On his original 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?"</p> <p>On April 3, 2023, a deficiency letter was sent to GONZALEZ advising him that his application was incomplete due to errors and omissions (EXHIBIT #4).</p> <p>On May 2, 2023, GONZALEZ amended his original application and disclosed the following: GONZALEZ disclosed what appears to be three (3) separate arrests; however, these charges all stem from a November 1, 2013, Misdemeanor arrest from Broward County, Florida in which GONZALEZ was charged with Possession of Cannabis 20 Grams or Less, Petit Theft and Retail Sale of Drug Paraphernalia. A subsequent review of court records revealed an additional Misdemeanor Possession of Cannabis arrest that also occurred in Broward County on August 27, 2018 (EXHIBIT #1).</p>			
Related Case:			
Investigations Specialist II / Date: May 19, 2023  Tyrell D. Smith / May 19, 2023		Investigator Supervisor / Date  Julio Minaya / May 24, 2023	
Chief of Investigations / Date  Bradford D. Jones / May 29, 2023			

CRIMINAL HISTORY

Arrest 1					
Date of Arrest: 11/01/2013		Arresting Agency: Coral Springs Police Department, Broward County, Florida			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Possession of Cannabis / 20 grams or less	Misdemeanor	Nolo Contendere	Adj. Withheld	01/27/2014
2	Petit Theft	Misdemeanor	Nolo Contendere	Adj. Withheld	01/27/2014
3	Retail Sale of Drug Paraphernalia	Misdemeanor	Nolo Contendere	Dropped	11/26/2013
4					

SENTENCE
He was fined \$426.00 and ordered not to return to Macy's for 1 year.

A check of Broward County Clerk of Courts website revealed that **GONZALEZ** has an unpaid balance of \$376.00 in this case. (EXHIBIT #2, Page 3)

Arrest 2					
Date of Arrest: 08/27/2018		Arresting Agency: Sunrise Police Department, Broward County, Florida			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Poss Cannabis/20 grams or less	Misdemeanor	No Contest	Adj Withheld	10/23/2018
2					
3					
4					

SENTENCE
Assessed \$293.00 in Court fines. A review of the Comprehensive Case Information System (CCIS) and of the Broward County Clerk of Courts show no clear indication that this balance has been satisfied (EXHIBIT #2).

Additional Information: This arrest stems from a car stop in which **GONZALEZ** was issued a traffic citation and a Notice to Appear. .

CRIMINAL HISTORY

Arrest 3				
Date of Arrest:	Arresting Agency:			
OFFENSE				
	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

SENTENCE

Additional Information:

Arrest 4				
Date of Arrest:	Arresting Agency:			
OFFENSE				
	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

SENTENCE

Additional Information:

ADDITIONAL LICENSES

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

1. License Type: Temporary 1055 Slot/Cardroom/Pari-Mutuel Individual Combo				
Date Licensed: 03/20/2023	Expiration Date: None	License #: 13530052	Agency or Jurisdiction: Florida Gaming Control Commission	
			YES	NO
Has License ever been suspended or revoked?				X
Was any derogatory information received?			X	
Additional Comments: Applicant failed to disclose his criminal history on his original license application.				

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

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

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

WAIVER INTERVIEW

	YES	NO
Was a Waiver Interview Conducted?	X	
Date of Interview: May 19, 2023	Location of Interview: Via telephone	
	YES	NO
Was the applicant cooperative?	X	
Additional Comments:		

SUMMARY OF INTERVIEW:

During the interview Mr. **GONZALEZ** was cooperative and answered all of this Investigators questions. He provided the following pertinent information regarding the above listed arrests.

In reference to his 2013 Misdemeanor arrest for Possession of Cannabis, Petit Theft and Retail Sale of Drug Paraphernalia from Broward County, Florida, **GONZALEZ** stated that in 2013 he was 18 years old, he and two of his friends were shopping at a Macys Department store. **GONZALEZ** said that he purchased a few items and had placed the items in a bag that he was holding in his hand. The two friends that were with him had not made any purchases. However, unbeknown to him, his friends had removed items from the store shelves and placed them in the bag that he was holding without paying for the items¹. As they were exiting the store they were stopped and detained by store security who then called the Police. When the Police arrived at Macys his two friends who were 17 years old were released to their parents. He on the other hand was detained because he was 18 years old and did not have identification with him. **GONZALEZ** said he was then taken to jail.

Following the interview, a Broward County Clerk of Court inquiry revealed that in 2018, **GONZALEZ** was stopped for a traffic violation in Sunrise, Florida. During the traffic stop the Officer discovered a small amount of Cannabis inside of **GONZALEZ's** vehicle. He was issued citation for the traffic violation and allowed to sign a Notice to Appear summons for the Cannabis.

On May 23, 2023, **GONZALEZ** was re-interviewed based on the newly obtained information regarding his 2018 Notice to Appear summons for the Cannabis Possession.

GONZALEZ stated that in 2018, after he had left a studio in Ft. Lauderdale, he was stopped at a stop sign, and noticed a Police Vehicle behind him. He had obeyed all traffic signs and lights, however, the Officer pulled him over. During the traffic stop, the Officer approached his vehicle and smelled marijuana coming from inside the vehicle as he rolled down his window. The Officer observed a small amount of Marijuana inside his vehicle and issued him a citation for a traffic infraction and had him sign a Notice to Appear Summons for Possession of Cannabis. **GONZALEZ** stated that he was not taken to jail nor did he ever appear in court since he hired an attorney to take care of the traffic citation and the Notice to Appear.

¹ The Complaint Affidavit prepared by the Arresting Officer indicates that after being given his Miranda Warning, **GONZALEZ** admitted to being aware of the theft activity (EXHIBIT #2 – pg. #5).

CONCLUSION:

A check of the Association of Racing Commissioners International (ARCI) database shows no rulings and no information on **GONZALEZ (EXHIBIT #4)**.

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

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET	1
II.	INVESTIGATIVE REPORT	2
III.	EXHIBITS	
	1. Photo / Waiver Request / Application / License	1-11
	2. Legal Documents	1-25
	3. Rap Sheet	1-6
	4. Supporting Docs: ARCI / CCIS / Def. Letter / Other	1-5

Florida

DRIVER LICENSE



4d DL



1 GONZALEZ
2 IGNACIO DARIO

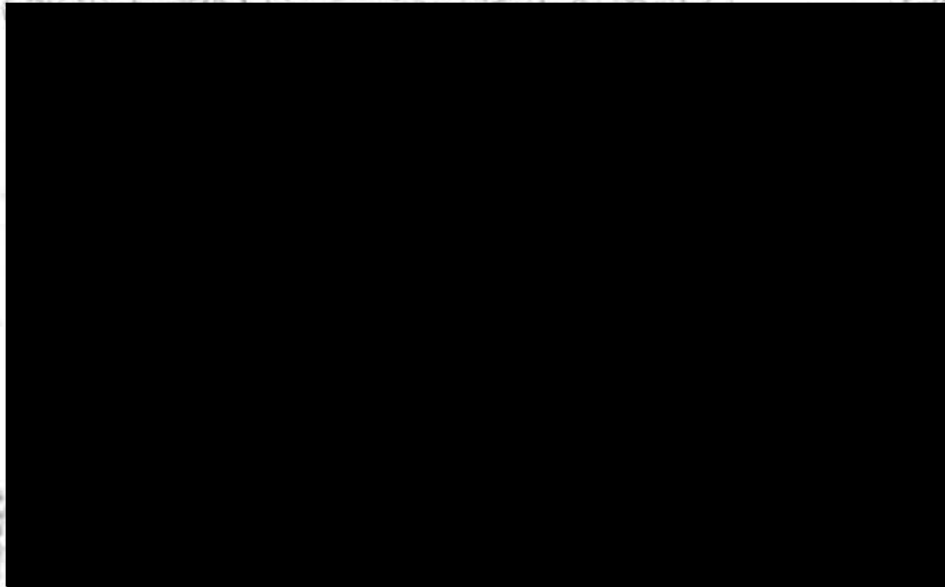


EXHIBIT # — /
PAGE # — /

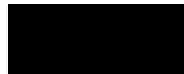


Operation of a motor vehicle constitutes consent to any statutory test required by law.



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

TO: Ignacio David Gonzalez
Full Legal Name of Applicant



13530052
Individual/Org. Number

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

Date

5/2/23

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

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

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:

- US Passport
- Certificate of US Citizenship or Naturalization
- Permanent Resident Card

OR, Provide a copy of two of the items below:

- 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 Gonzalez		First Ignacio	Middle Dario	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 type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input checked="" type="checkbox"/> White or Caucasian <input checked="" 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 2336 NW 56th Ave.			Email Address (optional)		
City Lauderhill	State FL	Zip Code (+4 optional) 33313	Country USA		
Primary Phone Number [REDACTED]			Secondary/Cell Phone Number (optional)		
Current Street Address 2336 NW 56th Ave.			MAR-20-2023		
City Lauderhill	State FL	Zip Code (+4 optional) 33313	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			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): Dealer			Facility where employed and/or doing business: Calder Casino		
*Applicants for a Combo license should disclose all job titles			Employer name: Calder Casino		
FOR DIVISION USE ONLY					
License Code 1055	License # 13530052	File # 17325	App # 40209		
Association Code 285	Date Received 3-20-23	Entered By PJP	License Year 22/25		
License Fee \$100.00	FP Date 3-20-23	FP Fee 0	Total Fee \$100.00		
Waiver Requested (Combo Only)		ARCI <input checked="" type="checkbox"/>	Enforcement <input checked="" type="checkbox"/>		

EXHIBIT # - 1
PAGE # - 4

EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)				
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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
Seminole Casino	5580 NW 40th St, Coconut Creek, FL 33073	12/19 12/22	Dealer	Other Job
PREVIOUS LICENSING HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)				
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Have you ever had a racing or gaming license revoked or denied in this or any other state or country? If yes, you must list the state(s) or jurisdiction(s) of licensure revocation or denial and explain why.		
If you answered yes to the question above, provide details here:				

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

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

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
11/01/13	Broward	FL	Possess Cannabis / 20 Grams or less	Misdemeanor	Adjudication withheld, court fees
11/01/13	Broward	FL	Petit Theft	Misdemeanor	Adjudication withheld, court fees
11/01/13	Broward	FL	Retail sale of drug paraphernalia	Misdemeanor	Adjudication withheld, court fees
			5/2/23		

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

RECEIVED

MAY-02-2023

EXHIBIT # - 1
PAGE # 27

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 659.79, 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.

Ignacio Dario Gonzalez

Print Legal Name (First Middle Last)

Birth Date (MM/DD/YYYY)

Social Security Number

Calder Casino

Name of Employer

Signature of Applicant

Date

3/20/23

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: nmelval

VR Home > License Search > License Home

License

Fed Tax # [REDACTED] Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo Expires On
 File # 11325 Name Gonzalez, Ignacio Dario Extended To
 License # 13530052 Rank Slot/Cardroom/Pari-Mutuel Indiv Combo Renewed On
 Entity # 13530052 Lic Status Closed

- Licensee
- History
- Notes
- Notes History
- Back

Address

Street # 2336 Street NW 56TH AVE.
 Line 2
 Line 3
 City LAUDERHILL State FL Zip 33313
 Routing

Other

1st License Date 03/20/2023 Rank Date 03/20/2023 Certificate #
 Method I-S-1017 Status Date 03/30/2023 Certificate Date
 Fee Exempt No Birth Date [REDACTED] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
C	DEAL - Dealer	03/20/2023	
F	LIVE - Live Scan Fee Exemption	03/20/2023	
I	JLAI - Jal-A-Jal	03/20/2023	
L	285 - Calder	03/20/2023	
Y	3YR - 3 Year License	03/20/2023	

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EXHIBIT # -1
PAGE # -9

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Machine Occupational License

RE: **GONZALEZ, IGNACIO DARIO-**
13530052

Case No: _____

(APPLICANT'S NAME- LICENSE #)

INITIAL APPLICATION RECEIVED:	3/20/2023
COMPLETE APPLICATION RECEIVED:	5/2/2023
90-DAY DEADLINE:	7/31/2023

Clear Maglioni	285- Calder	1055- Dealer
Application Processor	Facility (d/b/a name)	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				
Conviction				
<input type="checkbox"/> Felony : 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)				
Comments:				
Arrest Date	Location	Charge	Level	Disposition
11/01/2013	Broward County, Florida	Possess Cannabis/ 20 Grams or less- Case # 13-020635MM10A	M	Adjudication Withheld
11/01/2013	Broward County, Florida	Petit Theft- Case # 13-020635MM10A	M	Adjudication Withheld
11/01/2013	Broward County, Florida	Retail Sale of Drug Paraphernalia- Case # 13-020635MM10A	M	No Information
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				
Comments:				
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.				
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 <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"/>				

EXHIBIT # -1
PAGE # - 10

Date Deficiency Letter Issued:	Initials:
Comments:	

Licensing Administrator Review			
Disposition Confirmation			
Disqualifying Convictions/Arrests Confirmed?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/> Approval
Forward to	<input checked="" type="checkbox"/> Investigations	<input type="checkbox"/> Legal	<input type="checkbox"/> Director
Comments:	Initials: <i>SS</i>		<i>5/4/13</i>

EXHIBIT # - 1
PAGE # - 11

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: **ddonaldson**

06/03/2023

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

License

Fed Tax # [REDACTED] Lic Type **1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo** Expires On
 File # **11325** Name **Gonzalez, Ignacio Dario** Extended To
 License # **13530052** Rank **SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo** Renewed On
 Entity # **13530052** Lic Status **Closed**

- Licensee
- History
- Notes
- Notes History
- Back

Address

Street # **2336** Street **NW 56TH AVE.**
 Line 2
 Line 3
 City **LAUDERHILL** State **FL** Zip **33313**
 Routing

*New applicant,
 -no previous license,
 -temp issued 03/20/2023

*No ARCI findings.

*CCIS findings.

*No additional enforcement cases.

Other

1st License Date **03/20/2023** Rank Date **03/20/2023** Certificate #
 Method **I-S-1017** Status Date **03/30/2023** Certificate Date
 Fee Exempt **No** Birth Date [REDACTED] Renewal Sent

Select

Action

Modifiers

Type	Modifier	Effective Date	Additional Info
C	DEAL - Dealer	03/20/2023	
F	LIVE - Live Scan Fee Exemption	03/20/2023	
I	JLAI - Jai-Alai	03/20/2023	
L	285 - Calder	03/20/2023	
Y	3YR - 3 Year License	03/20/2023	

Licensing Administrator Review – Slot Machine Occupational License

RE: **GONZALEZ, IGNACIO DARIO-
13530052**

Case No: 2023 02 5891

(APPLICANT'S NAME- LICENSE #)

INITIAL APPLICATION RECEIVED:	<u>3/20/2023</u>
COMPLETE APPLICATION RECEIVED:	<u>5/2/2023</u>
90-DAY DEADLINE:	<u>7/31/2023</u>

Clari Maglioni
Application Processor


285- Calder
Facility (d/b/a name)

1055- Dealer
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				
Conviction				
<input type="checkbox"/> Felony : 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)				
Comments:				
Arrest Date	Location	Charge	Level	Disposition
11/01/2013	Broward County, Florida	Possess Cannabis/ 20 Grams or less- Case # 13-020635MM10A	M	Adjudication Withheld
11/01/2013	Broward County, Florida	Petit Theft- Case # 13-020635MM10A	M	Adjudication Withheld
11/01/2013	Broward County, Florida	Retail Sale of Drug Paraphernalia- Case # 13-020635MM10A	M	No Information
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				
Comments:				
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.				
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 <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:
Comments:	

Licensing Administrator Review			
Disposition Confirmation			
Disqualifying Convictions/Arrests Confirmed?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/> Approval
Forward to	<input checked="" type="checkbox"/> Investigations	<input type="checkbox"/> Legal	<input type="checkbox"/> Director
Comments:	Initials: 	5/4/23	



Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Gonzalez
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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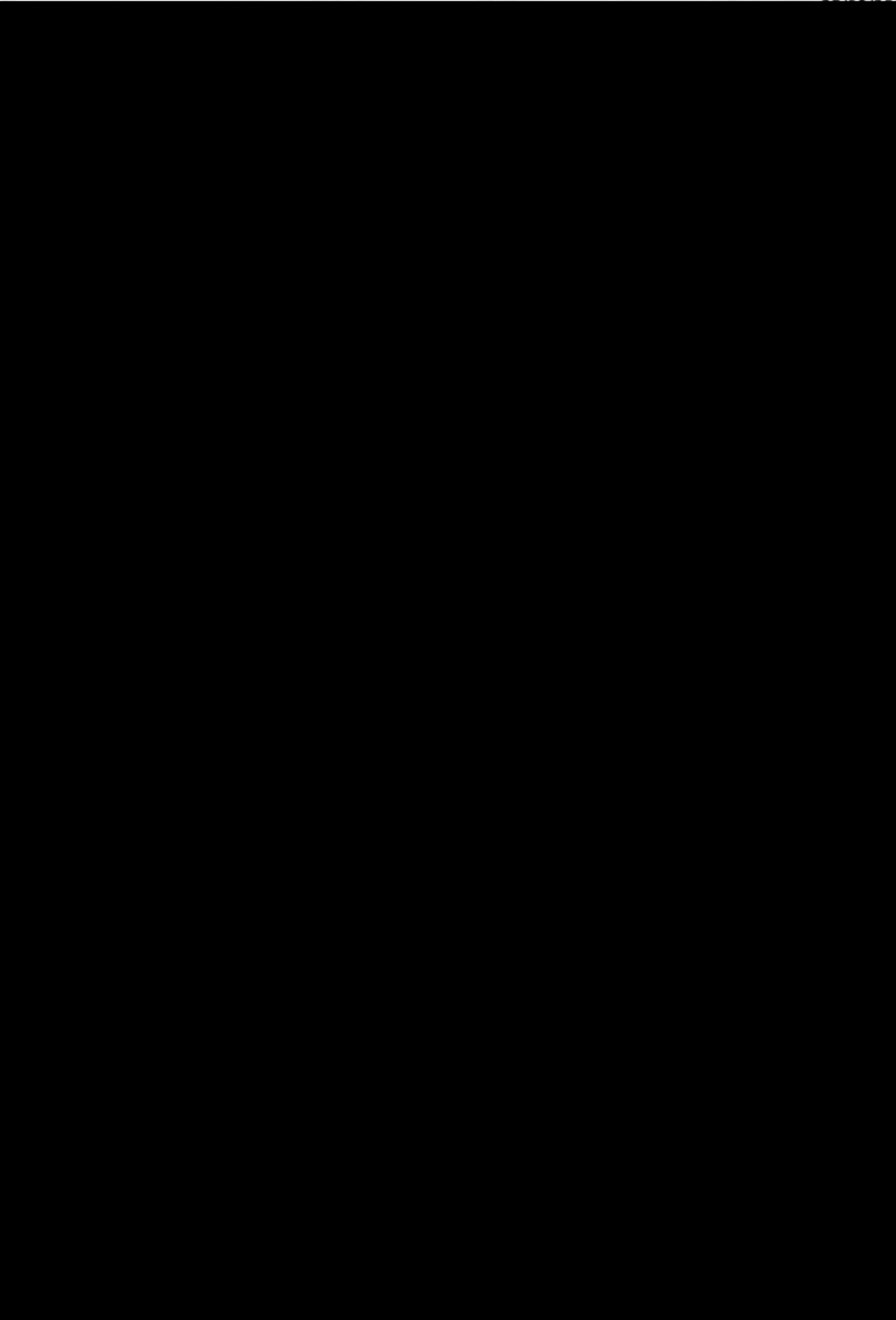
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AND COMPTROLLERS

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ccis COMPREHENSIVE CASE
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David.dequaden@jrc







BROWARD
COUNTY

BRENDA D. FORMAN
CLERK OF THE CIRCUIT AND COUNTY COURT

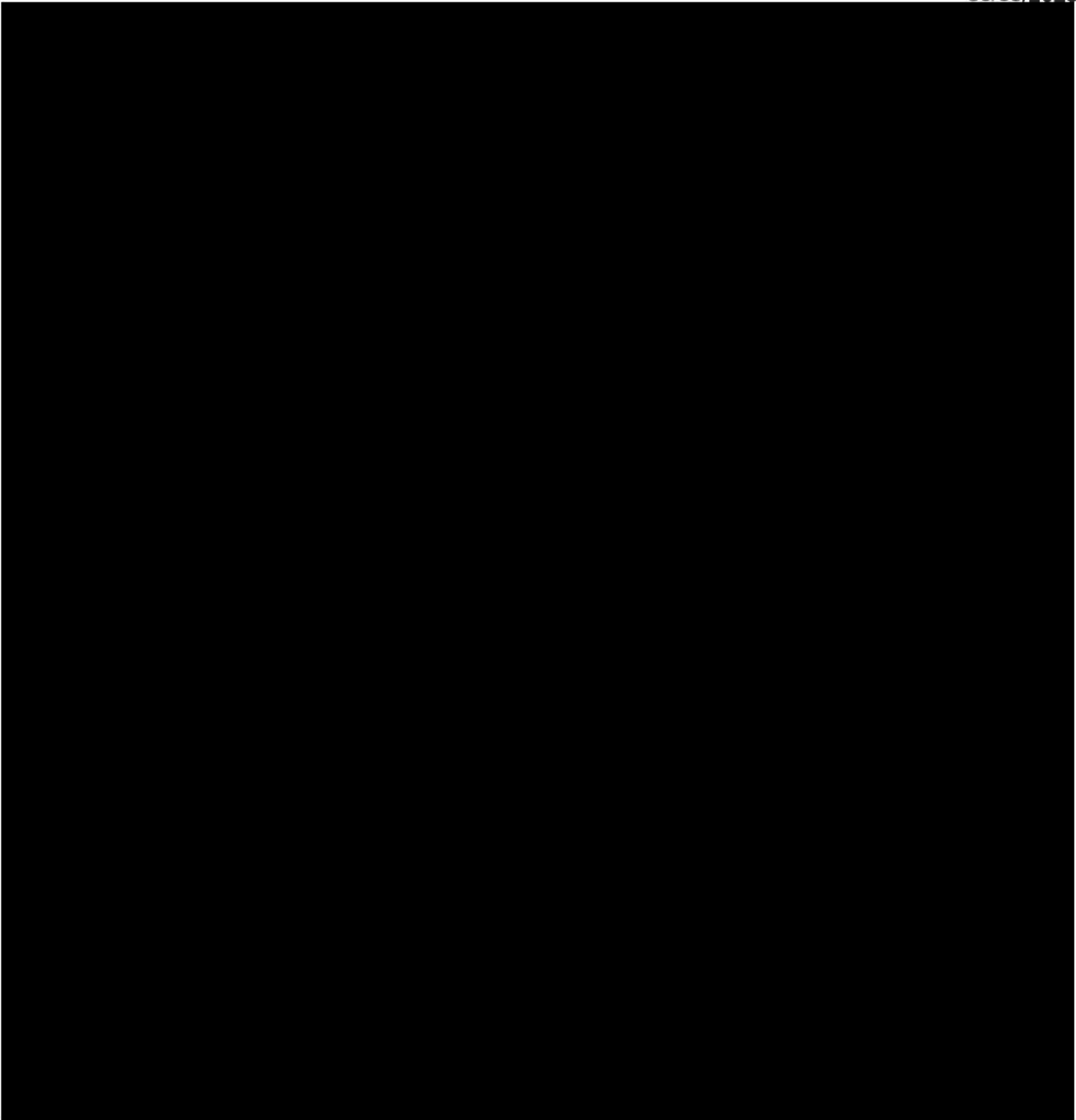


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brenda.d.forman@flcourts.gov

06/03/2023





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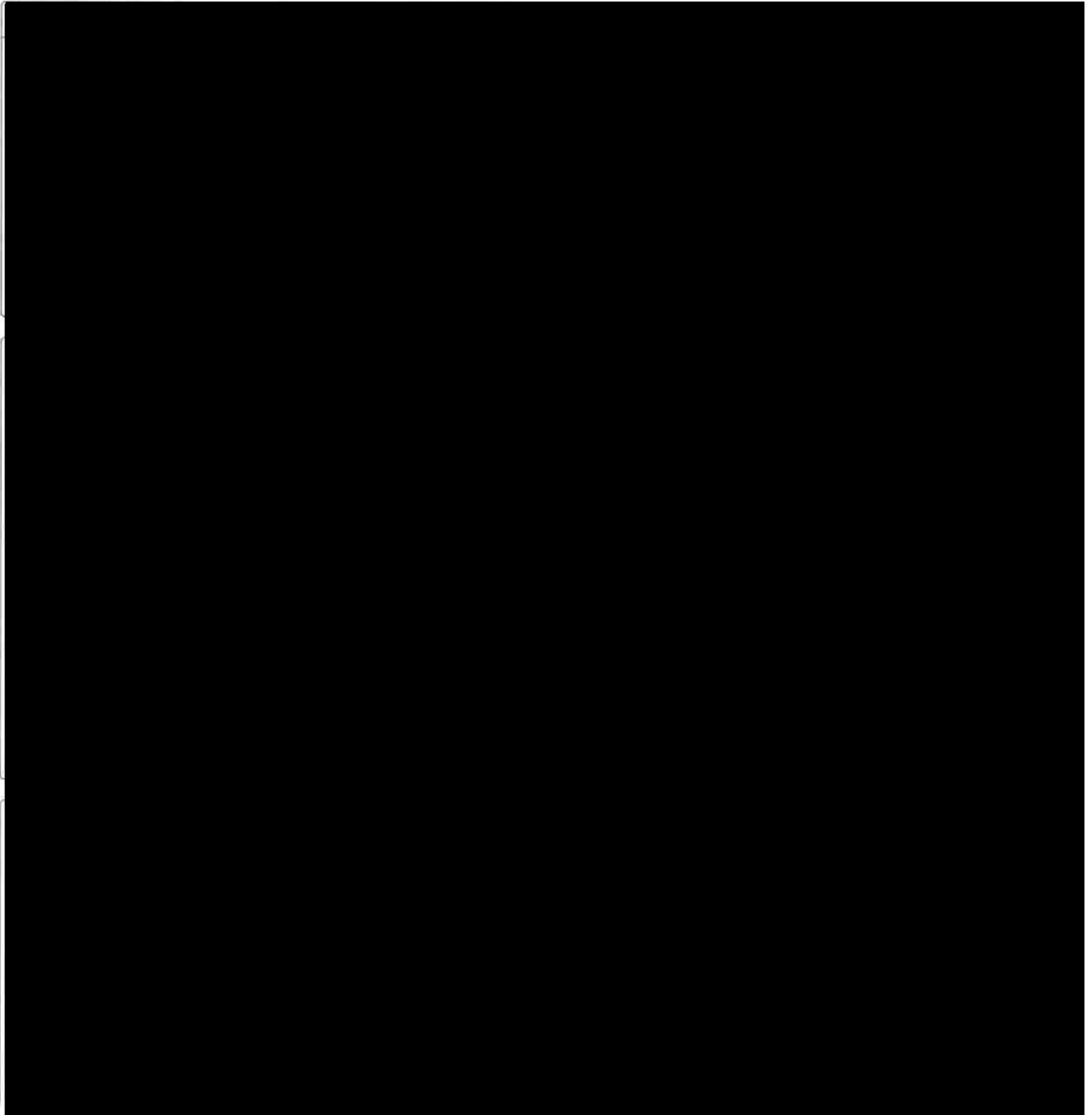


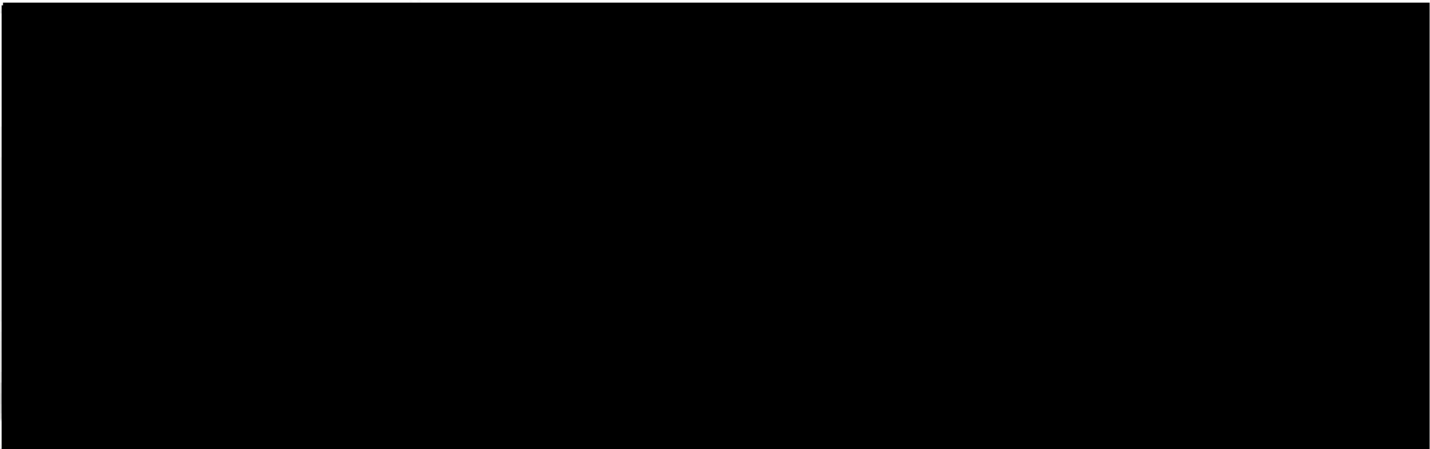
Menu

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(/GeneralInformation/Miscellaneous#RemoteHearingsbyZoom)

Case Detail - Public

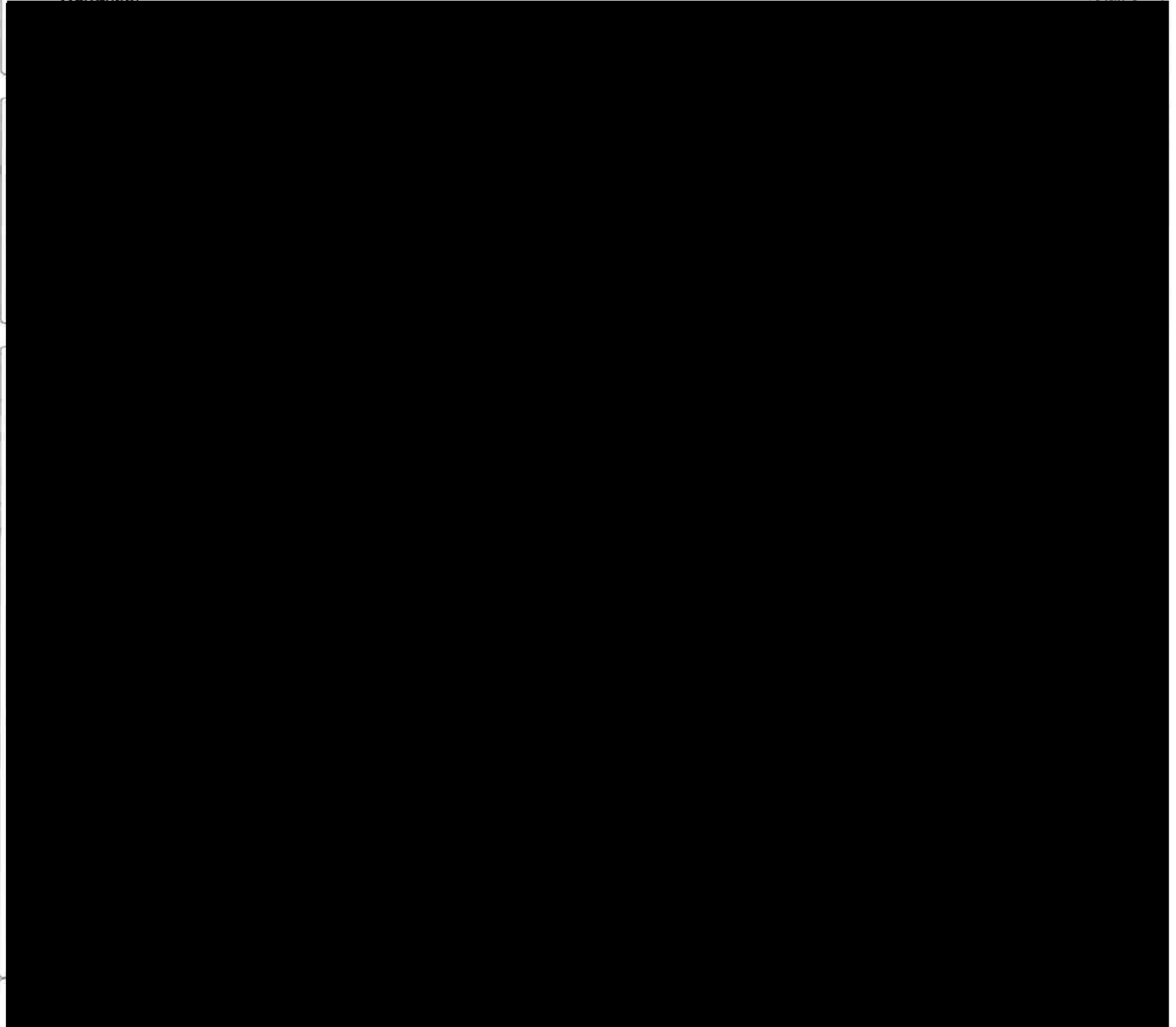
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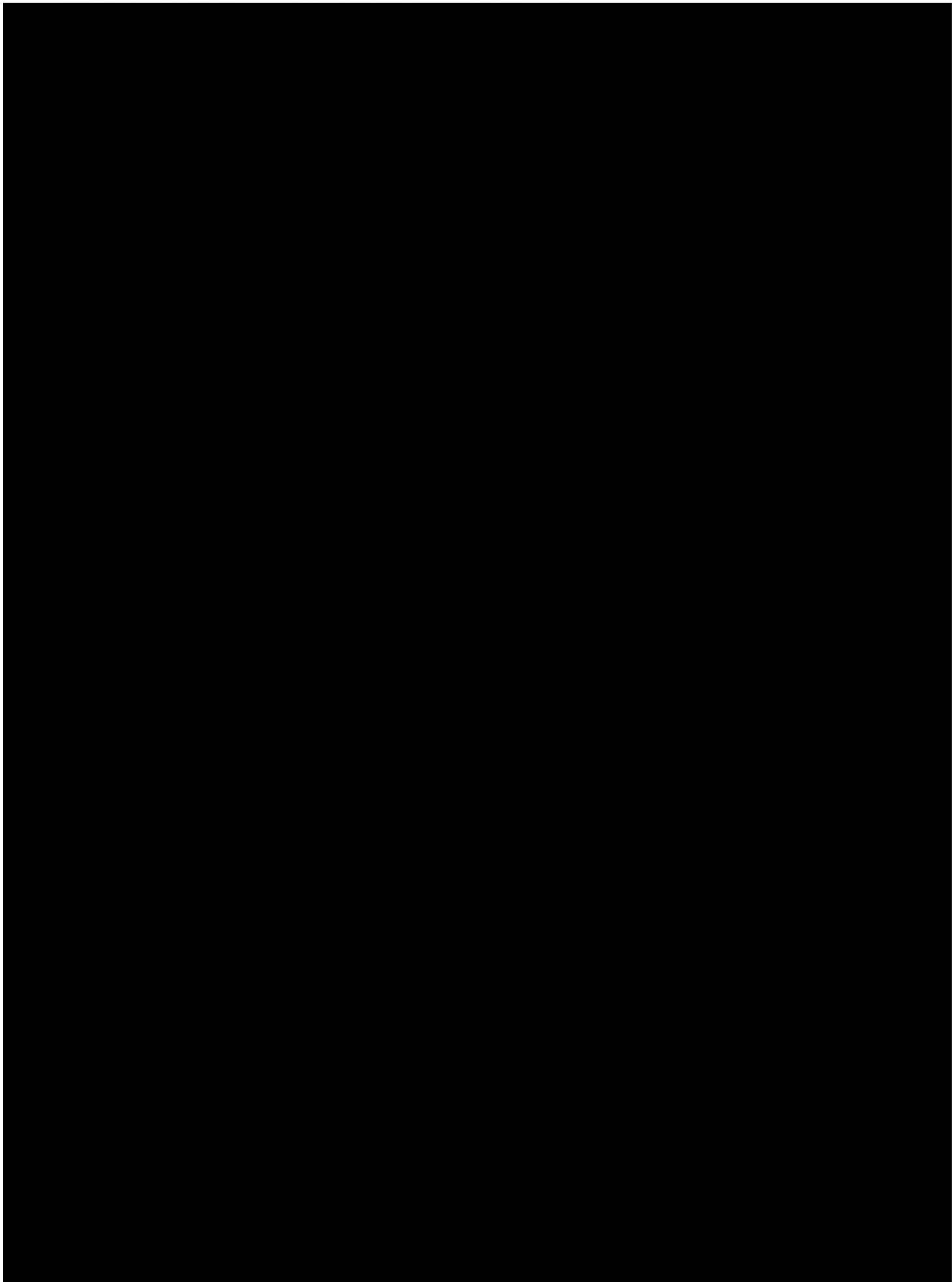


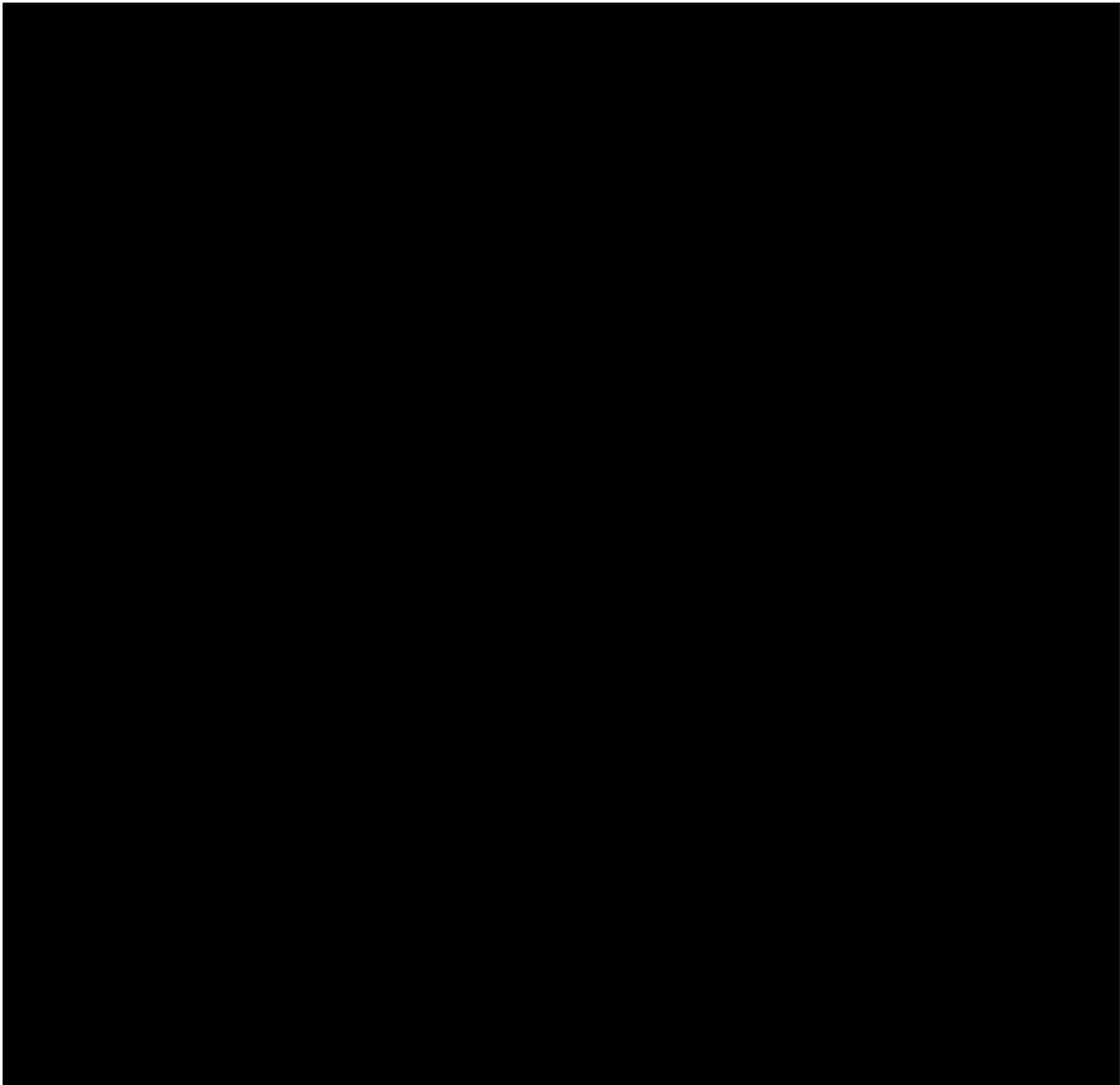
- Warrant(s)

Total: 0



Bowling





DD 06/03/2023

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BROWARD
COUNTY

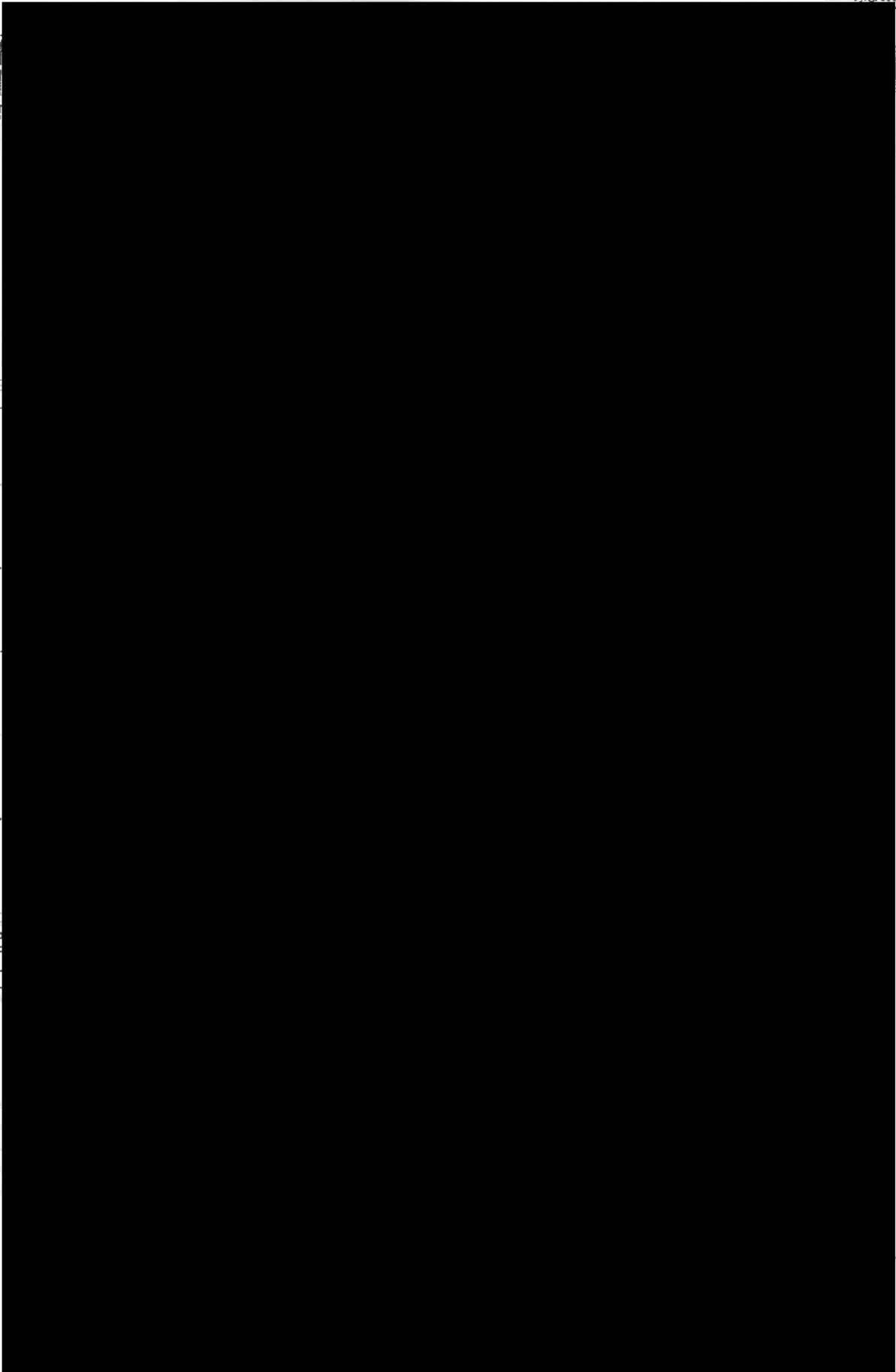
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CLERK OF THE CIRCUIT AND COUNTY COURT

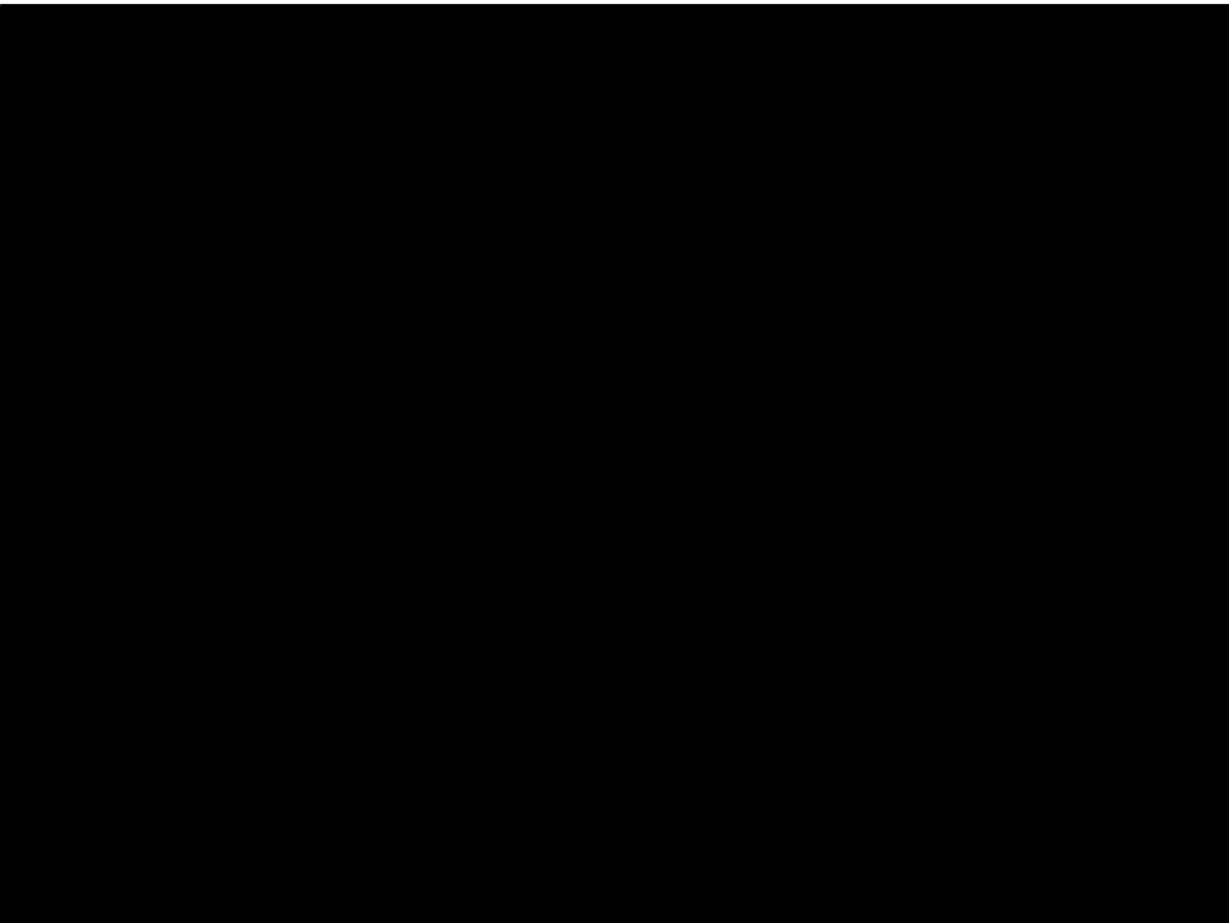


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PROBABLE CAUSE DETERMINATION FOR

IN THE SEVENTEENTH CIRCUIT

IN AND FOR BROWARD COUNTY

GONZALEZ, IGNACIO DARIO

FINDINGS AND ORDER

13-20635MM10A/P

531301732

The Defendant having been arrested by: CORAL SPRINGS Arrest Number: 1301732 and having been brought before the undersigned as Committing Magistrate, the Court makes the following findings and enters the following ORDER:

I. Having reviewed the Affidavit(s) attached hereto of

ANDERSON

the Court finds

IT IS ONLY

A. Probable cause to believe the Defendant has committed, and shall be held to answer for the offense(s) of

Charges

Case #

Bond

1 - PETIT THEFT-2ND DEGREE - 1ST OFFENSE

NC

\$0

2 - POSS CANNABIS 20 GRAMS-LESS/ SYNTH CANN 3 GMS LESS

BO

\$100.00

3 - SELL/OFFER SALE DRUG PARA AT RETAIL- 1ST OFFENSE

NC

\$0

NO PC

But finds no probable cause as to the offense(s) of

III No PC

PC

and this cause is hereby continued for

4 48

days and shall be brought back

before the committing Magistrate on

day of

OCT 2013 # AM #

B. No Probable cause to believe the defendant has committed any offense, and he is hereby ordered discharged from from custody unless held on other unrelated charges

II. The Court has now advised the Defendant:

- A. Of the charges against him (see I.A. above)
- B. That he is not required to say anything, and anything he says may be held against him.
- C. Of his right to counsel, or if indigent, of his right to Court appointed Counsel.
- D. Of his right to an advisory Preliminary Hearing on any Felony charges, if an indictment or information is not filed against him within _____ days of his arrest.

III. BOND: A. Bond is set at the amount indicated.

IV. COUNSEL: A. Defendant has or will retain private counsel: OR B. Defendant is declared indigent, and the Public Defender is appointed to represent him, subject to review at Arraignment.

V. Where the Defendant is detained under the Uniform Extradition Act, F. S. 941, this finding of Probable Cause shall operate to commit the Defendant to the county jail for a period of thirty (30) days.

VI. Defendant is hereby remanded to the custody of the sheriff unless and until bonded (if bond has been set hereinabove) for further proceedings according to law.

DONE AND ORDERED at Fort Lauderdale, Broward County, Florida on

11/2/2013

[Signature]

COMMITTING MAGISTRATE

RECEIVED CLERK COUNTY COURT BROWARD COUNTY, FL 2013 NOV -4 AM 8:13 I & M CENTRAL

Original to: Clerk

Copies to: Sheriff

State Attorney

MSD

EXHIBIT #2 PAGE #3



Broward County Sheriff's Office

Booking Report

13-20635MM10A/P



CIS #	531301732	BCCN #	830632	Booking Sheet Control Date and Time							
OBTS	614081197	Print Clearance	11/1/2013 22:37:35	Prints Yes	11/02/13 01:15:25						
Arrest #	CS 1301732	Offense Report #	0113008076	Agency	CS						
Last Name	GONZALEZ , IGNACIO , DARIO				SSN #	[REDACTED]					
First											
Middle											
Race	Sex	Height	Weight	Eyes	Hair	Comp.	Age Admitted	DOB	Place of Birth	State	FDLE
HISPANIC	M	511	200	BRO	BLK	FAR	18	[REDACTED]		AT	0
Permanent Address	[REDACTED]										
Arrest Date	11/1/2013 19:13:00	Arresting Officer	ANDERSON	Place of Arrest	9263 W ATLANTIC BL	Badge Number	1005				
Inmate Logged Date	11/1/2013 22:17:47	Inmate Log Type		Place Admitted	POMP						
Intake Comments	SP/CO/29/54-15259 WC 14457										
Warrants Officer Id:	bs14457										

Charge No.	Charge Initiation Date	Statute	Warrant/Capias	Level	M.C	B.Type	Bond Amount
1	11/01/2013 22:51	812 014-3a		2M	Y	NO CHARGE	0
Charges PETIT THEFT-2ND DEGREE - 1ST OFFENSE							
Booking Off. ID bs15259		County BROWARD		Judge			
Charge No.	Charge Initiation Date	Statute	Warrant/Capias	Level	M.C	B.Type	Bond Amount
2	11/01/2013 22:51	893 13-6b		1M	Y	BOND	100
Charges POSS CANNABIS 29 GRAMS LESS/ SYNTH CANN 3 GM							
Booking Off. ID bs15259		County BROWARD		Judge			
Charge No.	Charge Initiation Date	Statute	Warrant/Capias	Level	M.C	B.Type	Bond Amount
3	11/01/2013 22:52	893.147-6a(1)		1M	Y	NO CHARGE	0
Charges SELL/OFFER SALE DRUG PARA AT RETAIL - 1ST OFFE							
Booking Off. ID bs15259		County BROWARD		Judge			

* End of Report *

RECEIVED
CLERK COUNTY COUR
BROWARD COUNTY
2013 NOV - 4 AM 8:10

EXHIBIT #2
PAGE #4

COMPLAINT AFFIDAVIT ARREST FORM

BROWARD COUNTY
ARREST # CS- 13-1732

OBTS NO.

Filing Agency Coral Springs Police Dept		Offense Report 0113008076		Local I.D. #		FDLE N/A		FBI N/A		SS #				
Defendant's Last Name GONZALEZ			First IGNACIO		Middle DARIO		SUF		Alias/Street Name		Citizenship UNITED STATES			
Race W	Sex M	Hgt 5'11"	Eyes BROWN	Hair BROWN	Wgt 200	Comp MEDIUM	Age 18	DOB	Birthplace MENDOZA	Scars, marks, TT				
Permanent Address						Local Address:								
Residence Type: (1) City (2) County (3) Florida (4) Out of State						Place of Employment GLOBAL RESPONSE			Length 6 MNTN					
How long defendant in Broward County: 13 YRS		Breathalyzer by/CCN		Reading		Place of arrest 9263 W ATLANTIC BLV CORAL SPRINGS, FL 33071-		Date/Time arrested 11-01-13 19:13		Arresting officer(s) CCN ANDERSON, TAYLOR 1005				
Officer Injured NO	Unit	Zone	Beat 90	Shift ALPH	Trans Unit	PMD	Transporting officer /CCN		Pick-up time:		Drug Type: N,M,N			
Type: N-N/A A-Amphetamine	B-Barbiturate C-Cocaine E-Heroin	H-Hallucinogen M-Marijuana O-Opium	P-Paraphemelia/ Equipment S-Synthetic	U-Unknown Z-Other	Activity: N,P,N	Activity: N-N/A P-Possess S-Sell	B-Buy T-Traffic A-Smuggle D-Deliver	E-Use M-Manufacture/ Produce/ Cultivate	K-Dispense/ Distribute Z-Other	Indication of: Alcohol Influence: <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> Drug Influence: <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>		Y	N	UK

Attach Defendant's Photo: Defendant's Vehicle Make: _____ Type: _____ Year: _____ Color: _____ VIN # _____
Vehicle towed to: _____ Tag # _____ Other Identifiers or remarks: _____

Name of victim(s) (if corporation, exact legal name and state of incorporation): _____ ADDRESS _____ PHONE # _____
MACYS , FL9263 W ATLANTIC BLV CORAL SPRINGS, FL 33071- 954-345-3300

COUNT NO.	OFFENSES CHARGED	CITATION #, IF APPLICABLE	F.S. # OR CAPIAS/WARRANT #
1 / M	RETAIL THEFT (PETTY)		812.014(3A)
2 / M	POSSESSION OF MARIJUANA <20 GRAMS		893.13(6B)
3 / M	POSSESSION OF DRUG PARAPHERNALIA		893.147(1) NR DR

Before me this date personally appeared **ANDERSON, TAYLOR 1005** who being first duly sworn deposes and says that on the **1st day of November, 2013** at **9263 W ATLANTIC BLV CORAL SPRINGS, FL 33071-** the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

THE DEFENDANT IGNACIO GONZALEZ WAS ARRESTED FOR THE LISTED CHARGES TO WIT; THE DEFENDANT AND CO-DEFENDANT COREY BRISCOE ENTERED THE ABOVE LOCATION. THE CO-DEFENDANT THEN SELECTED MERCHANDISE VALUED AT \$28.00 NAMELY MEN'S BOXERS. THE CO-DEFENDANT CONCEALED THE MERCHANDISE IN THE DEFENDANT'S SHOPPING BAG WHICH THE DEFENDANT KNEW WAS NOT PAID FOR. THE DEFENDANT AND CO-DEFENDANT THEN PASSED ALL POINTS OF SALE WITHOUT MAKING AN ATTEMPT TO PAY FOR THE BOXERS. THE DEFENDANT AND CO-DEFENDANT WERE DETAINED BY LOSS PREVENTION OFFICER, CHRISTIAN BENZAN WHO WITNESSED THE INCIDENT VIA CCTV. ONCE THE DEFENDANT AND CO-DEFENDANT WERE DETAINED BY LOSS PREVENTION, LOSS PREVENTION THEN LOCATED ADDITIONAL UNPAID MERCHANDISE VALUED AT \$49.50, NAMELY A MEN'S TIE, INSIDE OF THE DEFENDANT'S BAG. POST MIRANDA READ FROM PREPARED TEXT, THE DEFENDANT ADMITTED TO THE CO-DEFENDANT SELECTING THE MERCHANDISE AND THE DEFENDANT ALLOWING IT TO BE PLACED IN HIS SHOPPING BAG KNOWING THAT THE MERCHANDISE WAS STOLEN. THE MERCHANDISE WAS RECOVERED AND LEFT WITH THE VICTIM. TOTAL LOSS OF MERCHANDISE IS \$77.50 AND THE VICTIM WISHES TO PROSECUTE.

I swear the above statement is correct and true to the best of my knowledge and belief.

OFFICER/AFFIDAVIT SIGNATURE: _____
STATE OF FLORIDA COUNTY OF BROWARD

ANDERSON, TAYLOR 1005
OFFICER'S NAME/CCN

*** CORAL SPRINGS POLICE DEPARTMENT
OFFICER'S DIVISION

The foregoing instrument was acknowledged before me this 1 day of Nov, (year) 2013, who is personally known to me or who has produced (ID Type) Police as identification and who DID take an oath. (SEAL OR STAMP IF APPLICABLE)

DEPUTY CLERK OF THE COURT, NOTARY PUBLIC, OR ASSISTANT STATE ATTORNEY

TITLE OR RANK/CCN

SEVENTEENTH JUDICIAL CIRCUIT
BROWARD COUNTY
STATE OF FLORIDA

FIRST APPEARANCE / ARREST FORM

RECEIVED
CLERK OF THE COURT
BROWARD COUNTY
2013 NOV -4 AM 8:30

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION)
SP/CO/29/54-15259

EXHIBIT #2
PAGE #5

COMPLAINT AFFIDAVIT ARREST FORM
 PROBABLE CAUSE AFFIDAVIT CONTINUATION

BROWARD COUNTY
 ARREST NO. 13-1732

OBTS NO.

DEFENDANT'S LAST NAME GONZALEZ	FIRST IGNACIO	MIDDLE DARIO	SUF.	HGT 5'11"	WGT 200	RC W	SEX M	DOB	Offense Report 0113008078	Arresting Officer(s)/CCN ANDERSON, TAYLOR 1005
Name of victim(s) (if corporation, exact legal name and state of incorporation)								ADDRESS		PHONE #

COUNT NO.	OFFENSES CHARGED	CITATION #, IF APPLICABLE	F.S. # OR CAPIAS/WARRANT #

Before me this date personally appeared ANDERSON, TAYLOR 1005 who being first duly sworn deposes and says that on the 1st day of November, 2013 at 9263 W ATLANTIC BLV CORAL SPRINGS, FL 33071- the above named defendant committed the above offenses charged and the facts showing probable cause to believe the same are as follows:

THE DEFENDANT WAS TRANSPORTED TO CSPD FOR BOOKING. WHILE PROCESSING AT CSPD THE DEFENDANT WAS FOUND TO BE IN POSSESSION OF A SMALL CLEAR PLASTIC BAG CONTAINING CANNABIS. THE CANNABIS WAS FOUND CONCEALED IN THE DEFENDANT'S RIGHT SHOE. THE CANNABIS WAS FIELD TESTED POSITIVE USING A DUQUENOIS-LEVINE REAGENT MARIJUANA TEST KIT. THE TOTAL WEIGHT OF THE CANNABIS WAS 1.75 GRAMS. THE DEFENDANT WAS ALSO FOUND TO BE IN POSSESSION OF BLUNT CUTTER TYPICALLY USED TO CUT OPEN BLUNTS. POST MIRANDA THE DEFENDANT STATED THAT HE USES THE BLUNT CUTTER TO OPEN BLUNTS AND ROLL CANNABIS.

THE DEFENDANT WAS LATER TRANSPORTED TO BSO.

2013 NOV -4 AM 8:11
 REC'D
 CLERK COUNTY COURT
 BROWARD COUNTY FL

I swear the above statement is correct and true to the best of my knowledge and belief.

OFFICER/AFFIANT'S SIGNATURE

ANDERSON, TAYLOR 1005
 OFFICER'S NAME/CCN

*** CORAL SPRINGS POLICE DEPARTMENT
 OFFICER'S DIVISION

STATE OF FLORIDA COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 1 day of Nov, (year) 2013, who is personally known to me or who has produced (ID Type) Police as identification and who DID take an oath. (SEAL OR STAMP IF APPLICABLE)

DEPUTY CLERK OF THE COURT, NOTARY PUBLIC, OR ASSISTANT STATE ATTORNEY

TITLE OR RANK/CCN

SEVENTEENTH JUDICIAL CIRCUIT
 BROWARD COUNTY
 STATE OF FLORIDA

FIRST APPEARANCE / ARREST FORM

(SHOULD ADDITIONAL SPACE BE NEEDED, USE THE PROBABLE CAUSE AFFIDAVIT CONTINUATION)

EXHIBIT # 2
 PAGE # 6

COUNTY COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

1 of 2

127-14

MA/12/19/2013/ 9:00AM/Arrestment/12/04/2013

DATE CASE NO 13020635MM10A ARREST NO CS13001732 BCCN NO 0830632

State of Florida vs. Gonzalez, Ignacio Dario

Cash Bond/Surety Amount \$ 100 Estreated Vacated Return to:Dep
Cash Bond/Surety Amount \$ Estreated Vacated Return to:Dep

- [] Magistrate [] First VOP [] Convicted by Jury [] Adj. Guilty
[] Arraignment [] Final VOP [] Convicted by Court [] Adj. Withheld I II
[X] Change of Plea [] Admits/Denies Allegations [] Acq. by Jury [] Dismissed
[] Trial by Jury [] Guilty [] Acq. by Court [] Nolle Pros
[] Trial by Court [X] No Contest [] Directed Verdict [] No Info
[] Judgment of Acquittal

CHARGES: 1 Possess. Cannabis/20 Grams Or Less (069)

2 Petit Theft (060)

3 Retail Sale of Drug Paraphernalia (060)

SENTENCE:

COUNT(S) Reporting/Administrative Probation: months with special conditions:

- [] DUI School Level
[] License suspended
[] Days immobilization by:
[] Random breath/urine analysis at defendant's expense
[] May work off fine/costs at \$ per hour
[] May buy out community service at \$ per hour
[] Hours of community service
[] No alcohol or intoxicants while on probation
[] AA/NA meeting(s) per week [] Evaluation, treatment and therapy, if necessary
[] Pay all outstanding fine/costs on Driver's License Record
[] Time served days on Count(s)
[] Days Broward County Jail with credit for days time served
[] No contact directly/indirectly with victim(s) or victim(s) family or others listed below
[] All fines/costs are separate and apart from probation
[] All fines/costs imposed are a condition of probation on Count(s):
[] All special conditions of probation must be met by the month of probation
[] DHSMV is directed to revoke defendant's license for 2 years pursuant to F. S 322.055
[] Anger Management
[] Interlock Device
[] SSATE [] PTE [] Shoplifter's Program
[] COS waived/imposed
[] Partial payments accepted
[] Fines/cost converted to civil lien/judgment
[] Probation: Revoked-Terminated-Reinstated
[] Early termination of probation upon completion of all conditions
[] DDS hours
[] Other:

NO RETURN to Macy's: 9263 W. Atlantic Blvd
Coral Springs, 33071
FOR ONE YEAR

JUDGE: Melinda Brown
2210 MA - Judge Melinda Brown

DEPUTY CLERK: Bv. [Signature]

PAYMENT METHODS:

Credit Card: Online payment: www.browardclerk.org and select "FINE PAYMENTS", **By telephone:** (954)712-7899 **By mail:** Check or money order payable to Clerk of Court, P.O. Box 14610, Ft. Lauderdale FL 33302-4610 **Questions:** For assistance call (954)831-6565, press 4 to expedite your call. Please have a pen and paper available, along with your case or citation number. If you fail to pay by the defer date, late fees may be added and your account may be referred to a collection agency for further collection action with additional fees imposed, and/or your license may be suspended. If ordered to attend a Safety Course consult a telephone directory for a school. Safety Courses must be completed with 90 days or your license may be suspended.

ORDER ASSESSING CHARGES/COSTS/FEEES

The defendant is hereby ordered to pay the following sums if checked:

FINES

(Fine) I _____, II _____, III _____, IV _____, V _____ F.S. 775.083
VI _____, VII _____, VIII _____

(5% Surcharge) (if fine assessed) I _____, II _____, III _____, IV _____ F.S. 938.04
V _____, VI _____, VII _____, VIII _____

MANDATORY FEES

Count I 400, Count II W, Count III _____, Count IV _____, Count V _____,
Count VI _____, Count VII _____, Count VIII _____

- () Admin Order VI-02-D-3 (Court Costs) Count(s) I 20 II W III. _____ IV. _____ V. _____
- () Sixty dollars (\$60/case) (Criminal Justice Cost) Add'l Cost _____ F.S. 938.05 (1)
- () Fifty dollars (\$50/case) (Crimes Compensation Trust Fund aka VC) _____ F.S. 938.03
- () Twenty dollars (\$20/count) (Safe Neighborhood Assessment) _____ F.S. 775.083
- () Sixty five dollars (\$65/count) (Court System/legal aid) (BC Ord. Sec. 10-3) _____ F.S. 939.185
- () Twenty dollars (\$20/count) (Crime Stoppers Program) _____ F.S. 938.06
- () Fifty dollar (\$50/case) (Cost of Prosecution) per event _____ F.S. 938.27 (8)
- () Two dollars (\$2/count) (Teen Court /County Ord. Sec. 10-5) _____ F.S. 938.19
- () Thirty dollars (\$30/count) (Court Facilities Fund) _____ F.S. 318.18 (13)
- () (\$2.50/count) (Additional Criminal Justice Education) (all TI's) _____ F.S. 318.18 (11) (c)
- () Five dollars (\$5/count) (Drivers Education Trust Fund) (all TI's) _____ F.S. 318.18 (11)
- () (\$12.50/count) (Administrative Fee) (TI's moving/non moving) _____ F.S. 318.18 (18)
- () Ten dollars (\$10/count) Article V (moving/non moving charges under 316, 320, 322) _____

SPECIFIC OFFENSE/REQUIRED

- () (\$201/count) (Domestic Violence Surcharge) _____ F.S. 938.08
- () (\$151/count) (Rape Crisis Trust) _____ F.S. 938.085
- () (\$151/count) (Child Advocacy Trust) _____ F.S. 938.10 (1)
- () (\$100/count) (FDLE Operation Trust Fund) _____ F.S. 938.055
- () (\$15/count) (County Drug) _____ F.S. 938.13 (1) (a)
- () (\$135/count) (DUI and BUI) (EMTF) _____ F.S. 938.07
- () (\$5/count) (Reckless Driving) (EMTF) _____ F.S. 316.192 (4)
- () (\$5/count) (Leaving Scene) (EMTF) _____ F.S. 316.061 (1)
- () (\$3/count) (Radio System Fee) (HOV & 316 viol) _____ F.S. 318.18 (17)
- () (\$500/case) (Serious Bodily Injury) _____ F.S. 318.14 (5)
- () (\$1000/case) (Fatality/ Serious Bodily Injury) _____ F.S. 318.14 (5)
- () (\$40/case) (Contest Fee) _____ F.S. 34.045 (1) (b)
- () (\$10/case) (1) (c) (Municipal Ordinance Filing Fee) _____ F.S. 34.045 (1) (c)
- () (\$65/count) (ACDH/DOH) (Racing on Highway/Reckless Driving) _____ F.S. 318.18 (5) (c)
- () Fifty dollars (\$50/case) (Public Defender Application) per app _____ F.S. 27.52 (1) (b)
- () Fifty dollars (\$50/case) (Public Defender Assistance Fee) per event _____ F.S. 938.29 (1)
- () A sum of (\$5000.00/count) (Prostitution Civil Penalty) _____ F.S. 796.07 (6)

OTHER

- () Late fees \$ _____
- () Waived (court costs/fines/fees) _____
- () Balance of Court Costs/Fees Converted to Civil Lien _____
- () Restitution \$ _____

DISCRETIONARY

Pay investigative costs: Crime Lab Expert Witness Toxicology Law Enforcement Supp. COP

TOTAL AMOUNT DUE: \$ 426 MUST BE PAID BY: 7-25-14

BY: [Signature] DEPUTY CLERK: [Signature]

METHODS: Please see back for METHODS OF PAYMENTS

PAYMENT METHODS:

Credit Card: Online payment: www.browardclerk.org and select "FINE PAYMENTS", By telephone: (954)712-7899 **By mail:** Check or money order payable to Clerk of Court, P.O. Box 14610, Ft. Lauderdale FL 33302-4610 **Questions:** For assistance call (954)831-6565, press 4 to expedite your call. Please have a pen and paper available, along with your case or citation number. If you fail to pay by the defer date, late fees may be added and your account may be referred to a collection agency for further collection action with additional fees imposed, and/or your license may be suspended. If ordered to attend a Safety Course consult a telephone directory for a school. Safety Courses must be completed with 90 days or your license may be suspended.



BRENDA D. FORMAN
CLERK OF THE COURTS

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Menu ☰

The Clerk's Office will be closed on Monday, May 29th, for Memorial Day

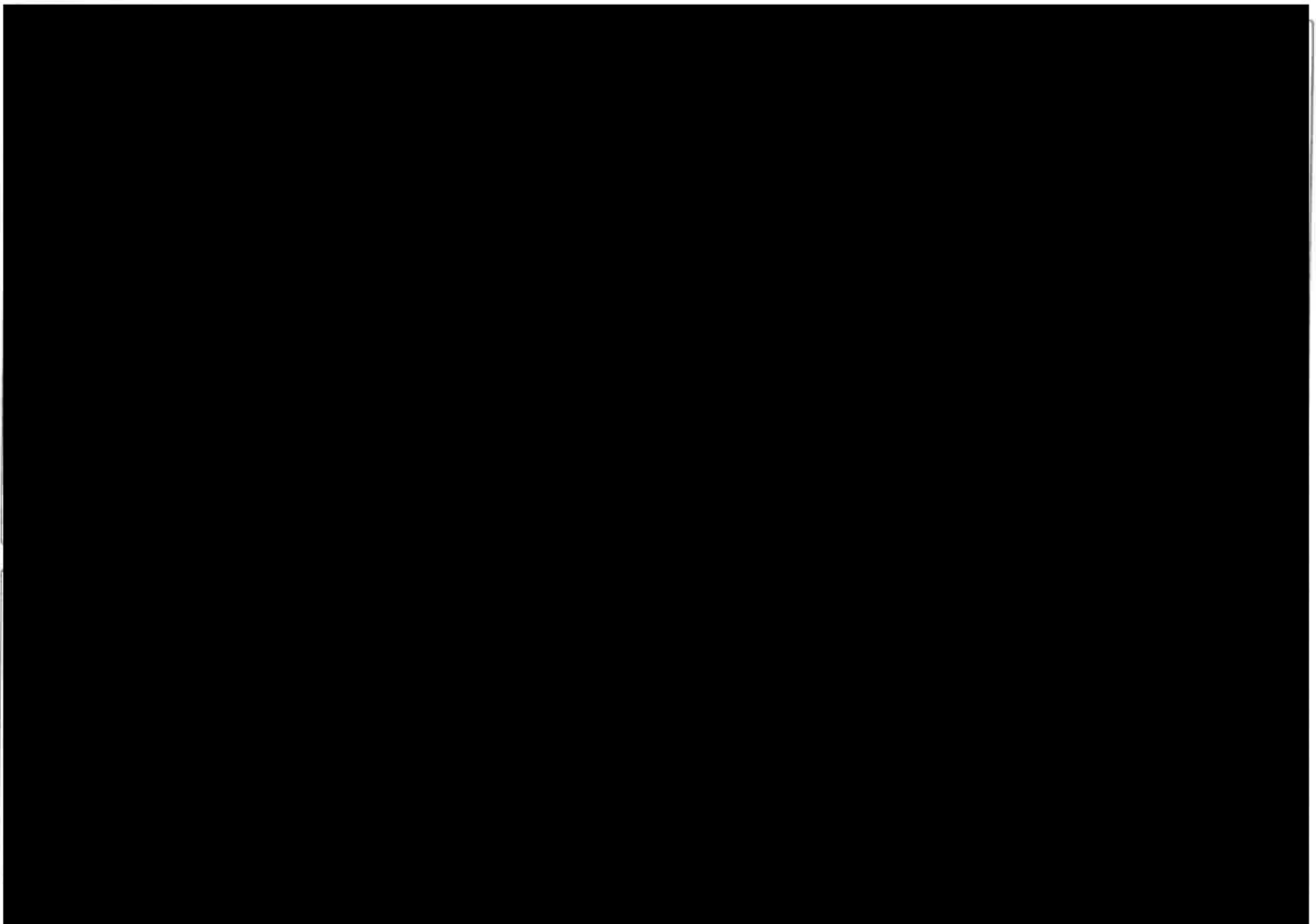
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Case Detail - Public

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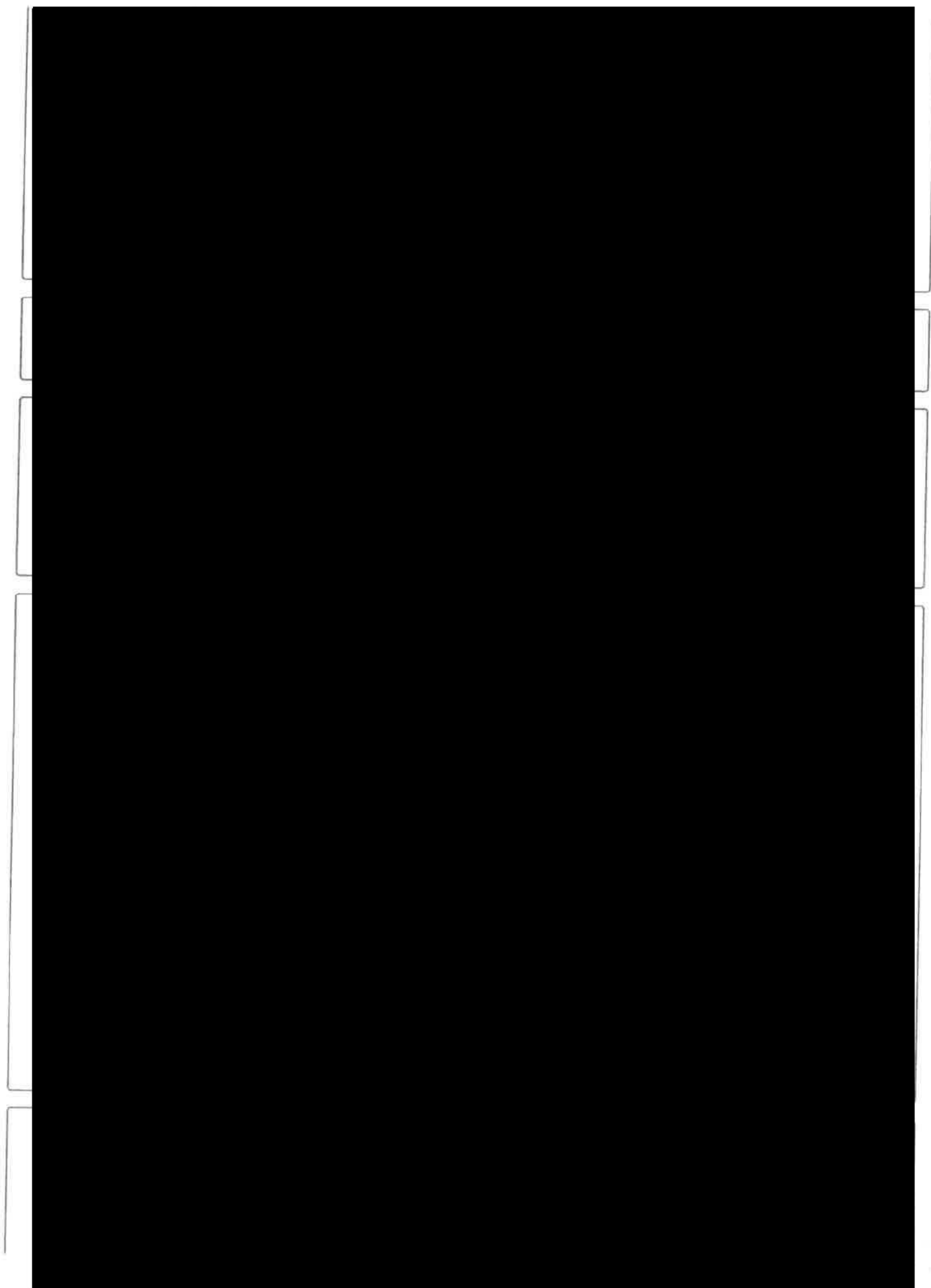
State of Florida Vs Gonzalez, Ignacio Dario

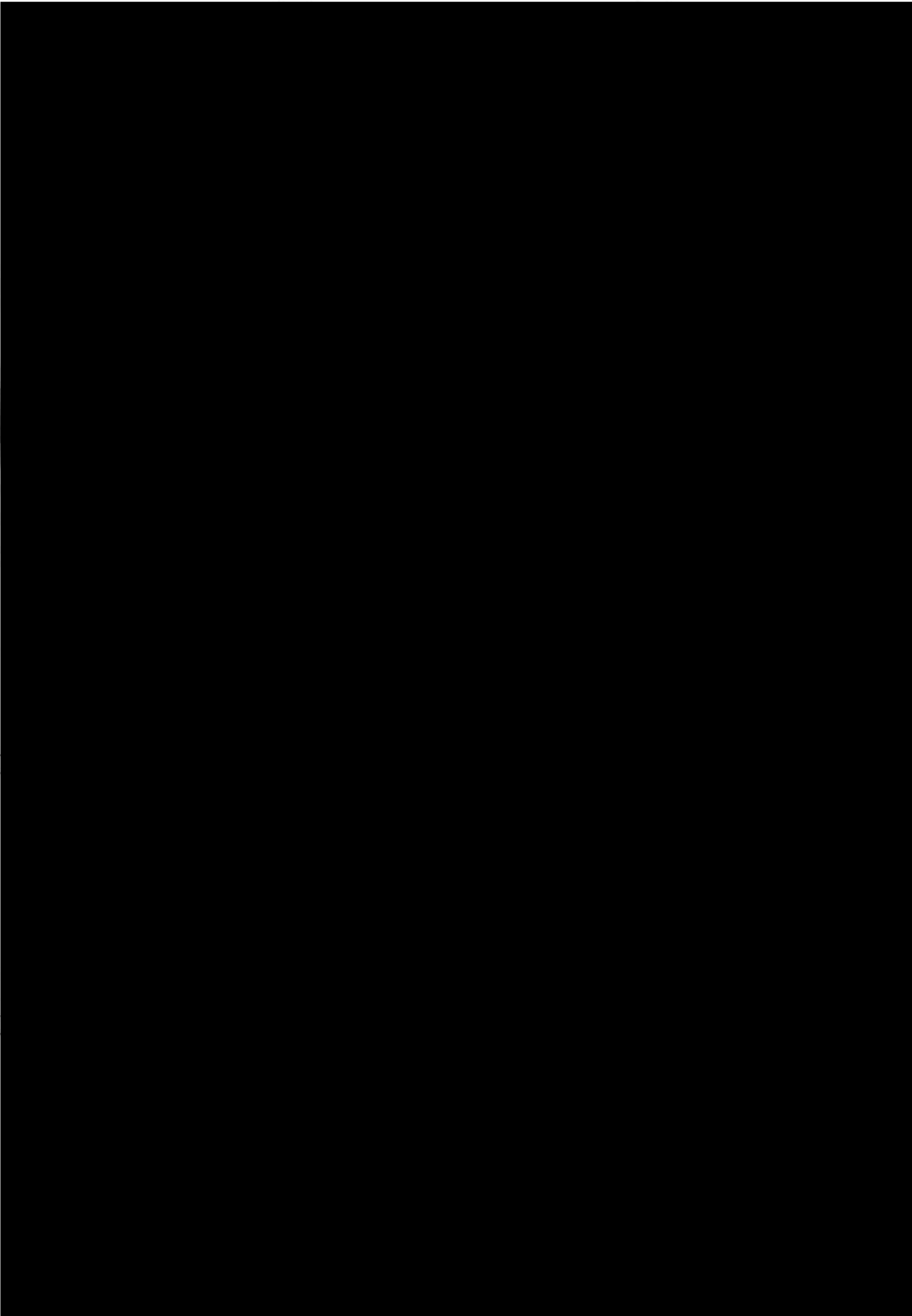
Broward County Case Number: 13020635MM10A
State Reporting Number: 062013MM020635A88810
Court Type: Traffic and Misdemeanor
Case Type: Misdemeanor
Filing Date: 11/02/2013
Case Status: Disposed
Court Location: Central Courthouse
Judge ID / Name: Brown - MA, Melinda
Magistrate Id / Name: N/A
BCCN: 0830632



3

3





pt

1
2
4

Brenda D. Forman

Clerk of Court

Broward County
17th Judicial Circuit

EXHIBIT # 2[^]
PAGE # 15

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Main Courthouse Location

201 SE 6th Street

Fort Lauderdale

Florida, US 33301

Phone: (954) 831-8565

PUBLIC RECORDS CUSTODIAN (/GENERALINFORMATION/MISCELLANEOUS#PUBLICRECORDSCUSTODIAN) > PURSUANT TO 119.12(2), F.S.

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EXHIBIT # 2
PAGE # 16



BROWARD
COUNTY

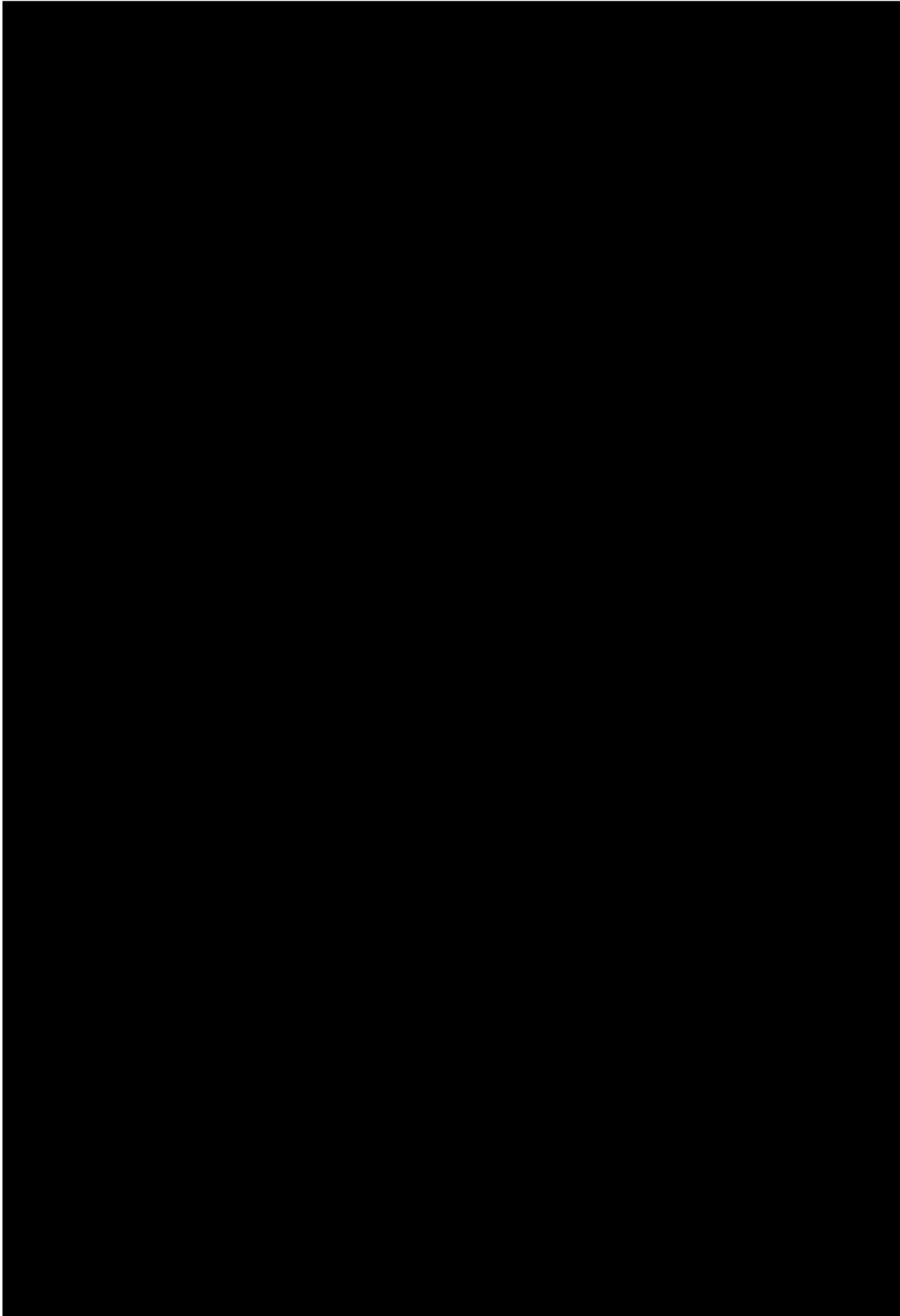
BRENDA D. FORMAN
CLERK OF THE CIRCUIT AND COUNTY COURT



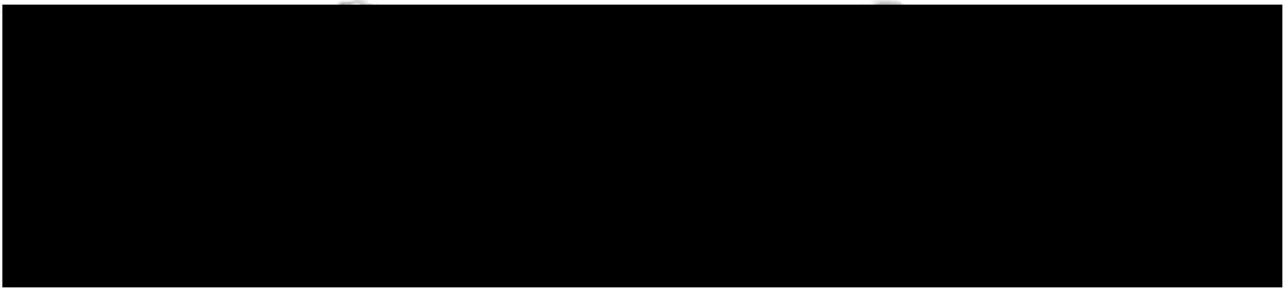
FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS

Bring You
ccis COMPREHENSIVE CASE
INFORMATION SYSTEM

info@foccc.com



T#2
#17



ROBERSON
(3737)

421808040856



FLORIDA UNIFORM TRAFFIC CITATION A94U83E

COUNTY OF **BROWARD 10** AGENCY NAME **SUNRISE POLICE** AGENCY # **76**

SUNRISE

DATE OF VIOLATION: **MONDAY 08 27 2018 02:11**

LOCATION: **IGNACIO DARTO GONZALEZ**

ADDRESS: **3313 NW 101 AVE**

CITY: **CORAL SPRINGS** STATE: **FL** ZIP CODE: **33065**

PLATE: **2002 HOND 2D RED**

REGISTRATION: **JDGP26** EXPIRES: **FL 2019**

VEHICLE TYPE: **W M 600**

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE. CHECK ONLY ONE OFFENSE EACH CITATION.

UNLAWFUL SPEED MPH SPEED APPLICABLE MPH

CARELESS DRIVING CHILD RESTRAINT EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS

VIOLATION OF TRAFFIC CONTROL DEVICE SAFETY BELT VIOLATION EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS

FAILURE TO STOP AT A TRAFFIC SIGNAL IMPROPER OR UNSAFE EQUIPMENT EXPIRED TAG SIX (6) MONTHS OR LESS

IMPROPER LANE CHANGE OR COURSE EXPIRED TAG MORE THAN SIX (6) MONTHS NO VALID DRIVER LICENSE

NO PROOF OF INSURANCE EXPIRED TAG MORE THAN SIX (6) MONTHS DRIVING UNDER THE INFLUENCE

VIOLATION OF RIGHT-OF-WAY DRIVING WHILE LICENSE SUSPENDED OR REVOKED PENDING UNDER 91 Yr BAIL

IMPROPER PASSING

RAN STOP SIGN

AGGRESSIVE DRIVING IN VIOLATION OF STATE STATUTE **316.123-2A**

CRIMINAL VIOLATION. COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

INFRACTION. COURT APPEARANCE REQUIRED, AS INDICATED BELOW.

INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT.

CIVIL PENALTY IS: A94U83E

SEE MATRIL / MUST COMPLY WITHIN 30 DAYS

AGENCY DELIVERED TO: _____ DATE: _____

OFFICER OF VIOLATION (CONSUMER PROVIDED) - INFRACTION REQUIRES APPEARANCE IN COURT
OFC ROBERSON, C. 3737 SN3737

COMPLAINT

WHEN PRESENTED TO VIOLATOR, THE FOLLOWING AMOUNT WAS ENTERED.
PAY A CIVIL PENALTY IN THE AMOUNT OF \$ _____

CASE NO. _____ DOCKET NO. _____ PAGE NO. _____

DATE	COURT ACTION AND OTHER ORDERS
	BAIL FIXED AT \$ _____ OR CASH DEPOSIT OF \$ _____
	SIGNATURE OF PERSON GIVING BAIL _____
	SIGNATURE OF PERSON TAKING BAIL _____
	FINE IN THE AMOUNT OF \$ _____ RECEIVED AS REQUIRED BY COURT SCHEDULE _____ SIGNATURE OF CLERK _____
	CONTINUANCE TO _____ REASON _____
	CONTINUANCE TO _____ REASON _____
	BOND ESTREATED _____
	WARRANT ISSUED _____
	VIOLATOR FAILED TO APPEAR-DRIVER LICENSE SUSPENDED
	VIOLATOR ARRAIGNED ON _____ (DATE)
	PLEA: _____
	FINDING: _____
	ADJUDICATION: _____
	SENTENCE: FINE _____ COST _____
	JAILED _____ DAYS
	DRIVER IMPROVEMENT SCHOOL _____
	OTHER _____
	DRIVER LICENSE SUSPENDED OR REVOKED FOR _____ DAYS
	RECOMMEND DRIVER LICENSE SUSPENSION FOR _____ DAYS
	RECOMMEND RE-TEST _____
	SIGNATURE OF JUDGE _____
	TESTIMONY - JUDGE'S NOTES (OR OTHER COURT ORDERS): _____
	APPEAL BOND OF \$ _____
	VIOLATOR'S FINGERPRINT WHEN APPLICABLE _____

**** COPY - Printed from RMS - 09/05/2018 17:19:06 ****

Officer Notes:

EXHIBIT #2
PAGE #19

21-3729

IN THE COUNTY COURT AND FOR BROWARD COUNTY, FLORIDA
NOTICE TO APPEAR & INITIAL DISCOVERY EXHIBIT

Date of Birth	Agency	City	AGENCY CASE #
08/27/2018	SUNRISE PD	SUNRISE	42-1808-040856
Defendant Last Name	First Name	Sex	Height
GONZALEZ	IGNACIO	D	6'00
Address (Street, City, State, Zip)	City	State	Zip
[REDACTED]	[REDACTED]	FL	33313
General License #	Subj. Code	Class. Stat. Section	State Security # or other ID
[REDACTED]	FL		[REDACTED]
Offense	Amount	Value	Weight
MARIJUANA-POSSESSION OF CANNABIS-SYNTHETIC LESS THAN 20 GRAM	1	\$93.13-6B	F
CONFISCATED Lab Name	Lab #	Lab #	Lab #
In the name of Broward County, Florida, the undersigned certifies that he or she has just and reasonable grounds to believe, and does believe, that on <u>08/27/2018</u> at <u>2:03</u> AM or PM Location: <u>1500 SUNSET STRIP, SUNRISE, FL 33313</u>			
In Broward County, FL, the above named defendant committed the above offenses charged, in that the defendant did:			
On the above date and time, the defendant, identified as Ignacio Gonzalez (DEF), did commit the offense of Possession of Cannabis under 20 grams, to-wit:			
While on patrol I observed a red in color Honda Accord bearing FL tag JDGP26 fail to make a complete stop at a stop sign while traveling north at 1500 Sunset Strip. A stop was conducted and contact was made with the driver and sole occupant of the vehicle. Upon making contact with the DEF, I smelled a strong odor of cannabis emanating from the interior of the vehicle. As the DEF was reaching for his driver's license, I observed a small black tray containing a green leafy substance, suspect cannabis, in the center by the gear shifter. The DEF was removed from the vehicle and detained. The green leafy substance field tested positive for cannabis in the total approximate amount of 2 grams. The DEF was issued a citation for the stop sign violation and given an NTA.			
<input checked="" type="checkbox"/> Suspect by untrained ability; SOONER LIT CEEB where no probable cause is derived from the trained officer's observations <input checked="" type="checkbox"/> CANNABIS presumptively tested POSITIVE / NEGATIVE <input type="checkbox"/> For NTA (see 910.07)			
<input type="checkbox"/> TRAFFIC VIOLATION <input type="checkbox"/> State of Florida <input type="checkbox"/> State of Florida <input type="checkbox"/> State of Florida			
YOU MUST APPEAR <u>10/4/18</u> at <u>4:30</u> <u>PM</u> at <u>2nd</u> <input type="checkbox"/> I will appear in person at the court on the date and time specified above. <input type="checkbox"/> I will appear in person at the court on the date and time specified above. <input type="checkbox"/> I will appear in person at the court on the date and time specified above.			
Signature of Officer: <u>[Signature]</u> Agency: <u>SUNRISE PD</u> Code: <u>3781</u> Date: <u>8/27/18</u>			

EXHIBIT #-2
PAGE # -20

WC



MTW

Jennifer Hilal

MISDEMEANOR

IN THE COUNTY COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

STATE OF FLORIDA,

Court Case Num:

SAO Num: 2402729

v.

Plaintiff

Offense Rpt No: SN1808040856

Offense Date: 8/27/2018

Charge Agency: SUNRISE PD

Case Type: NA

IGNACIO D GONZALEZ

Defendant

Arrest No:

Arrest Date:

Race: W

Sex: M BCCN:

TO THE CLERK OF THE ABOVE-STYLED COURT:

The State hereby announces the following actions to be taken on the charges involved in the above-captioned arrest/matter.

Action taken: DIR FILED CASE

Count	Action	Short Description	Charge
1	As Presented /Filed/Clerk	893.13(6)(B) - 1/MM - POSS OF CANNABIS < 20GRAMS (MISD)	
	Chrg Presented	893.13(6)(B) - 1/MM - POSS OF CANNABIS < 20GRAMS (MISD)	1

Special Instruction to the Clerk/Jail

icitation A94483E 316.123(2)(A)

Dated Day of September, 2018

Michael J. Satz, State Attorney
By: Christian Gonzalez
Florida Bar No: 0008317
Phone: (954) 831-2351

ASA / CH
Unit MT
W

Clerk Comments		
Filed	Custody Status	Division
Arraignment		

CLERK COPY

XSB 0002402729 SCDS55 XCN 012166112 FSI

EXHIBIT #2
PAGE #2/

COUNTY COURT DISPOSITION ORDER IN AND FOR BROWARD COUNTY, FLORIDA

2213 - West

WC/10/23/2018/ 8 45AM/Calendar Call/09/28/2018

DATE 10/23/18 CASE NO 18001623MM30A ARREST NO _____ BCCN NO _____

State of Florida vs. Gonzalez, Ignacio D

Cash Bond/Surety _____ Amount \$ _____ Estreated _____ Vacated _____ Return to Dep
Cash Bond/Surety _____ Amount \$ _____ Estreated _____ Vacated _____ Return to Dep

- Magistrate First VOP Convicted by Jury _____ Adj. Guilty _____
- Arraignment Final VOP Convicted by Court _____ Adj. Withheld 1/2
- Change of Plea Admits/Denies Allegations Acq. by Jury _____ Dismissed _____
- Trial by Jury Guilty Acq. by Court _____ Nolle Pros _____
- Trial by Court No Contest Directed Verdict _____ No Info _____
- Judgment of Acquittal _____

CHARGES: 1 Possess Cannabis/20 Grams Or Less (069)

2 Disobey/Ran Stop Sign (007)

SENTENCE:

- COUNT(S) _____ Reporting/Administrative Probation: _____ months with special conditions:
- DUI School Level _____
- License suspended _____
- Days immobilization by: _____
- Random breath/urine analysis at defendant's expense
- May work off fine/costs at \$ _____ per hour
- May buy out community service at \$ _____ per hour
- Hours of community service _____
- No alcohol or intoxicants while on probation
- AA/NA meeting(s) per week _____ Evaluation, treatment and therapy, if necessary
- Pay all outstanding fine/costs on Driver's License Record
- Time served _____ days on Count(s) _____
- Days Broward County Jail with credit for _____ days time served
- No contact directly/indirectly with victim(s) or victim(s) family or others listed below
- All fines/costs are separate and apart from probation
- All fines/costs imposed are a condition of probation on Count (s): _____
- All special conditions of probation must be met by the _____ month of probation
- DHSMV is directed to revoke defendant's license for 1 year pursuant to F.S 322.055
- Anger Management _____
- Interlock Device _____
- Justice for life PTE MADD/Victim Impact Panel Shoplifter's Program _____
- \$ _____ COS waived/imposed
- Partial payments accepted
- Fines/cost converted to civil lien/judgment
- Probation: Revoked-Terminated-Reinstated _____
- Early termination of probation upon completion of all conditions
- DDS _____ hours
- Other: _____

JUDGE: [Signature]
2213 WC - Jennifer W. Hillal

DEPUTY CLERK: [Signature]

EXHIBIT #2
PAGE # 22

PAYMENT METHODS:

Credit Card: Online payment: www.browardclerk.org and select "FINE PAYMENTS", **By mail:** Check or money order payable to Clerk of Court, P.O. Box 14610, Ft. Lauderdale FL 33302-4610 **Questions:** For assistance call (954)831-6565, press 4 to expedite your call. Please have a pen and paper available, along with your case or citation number. If you fail to pay by the defer date, late fees may be added and your account may be referred to a collection agency for further collection action with additional fees imposed, and/or your license may be suspended. If ordered to attend a Safety Course consult a telephone directory for a school. Safety Courses must be completed with 90 days or your license may be suspended.

2019

2213 - West

ORDER ASSESSING CHARGES/COSTS/FEEs

The defendant is hereby ordered to pay the following sums if checked:

FINES

(Fine) I _____, II _____, III _____, IV _____, V _____ F.S. 775.083
VI _____, VII _____, VIII _____

(5% Surcharge) (if fine assessed) I _____, II _____, III _____, IV _____ F.S. 938.04
V _____, VI _____, VII _____, VIII _____

MANDATORY FEES

Count I 267, Count II 65, Count III _____, Count IV _____, Count V _____,
Count VI _____, Count VII _____, Count VIII _____

- () Admin Order VI-02-D-3 (Court Costs) Count (s) I 267, II 65, III _____, IV _____, V _____
() Sixty dollars (\$60/case) (Criminal Justice Cost) Add'l Cost F.S. 938.05 (1)
() Fifty dollars (\$50/case) (Crimes Compensation Trust Fund aka VC) F.S. 938.03
() Twenty dollars (\$20/count) (Safe Neighborhood Assessment) F.S. 775.083
() Sixty five dollars (\$65/count) (Court System/legal aid) (BC Ord. Sec. 10-3) F.S. 939.185
() Twenty dollars (\$20/count) (Crime Stoppers Program) F.S. 938.06
() Fifty dollar (\$50/case) (Cost of Prosecution) per event F.S. 938.27 (8)
() Two dollars (\$2/count) (Teen Court /County Ord. Sec. 10-5) F.S. 938.19
() Thirty dollars (\$30/count) (Court Facilities Fund) F.S. 318.18 (13)
() (\$2.50/count) (Additional Criminal Justice Education) (all TI's) F.S. 318.18 (11) (c)
() Five dollars (\$5/count) (Drivers Education Trust Fund) (all TI's) F.S. 318.18 (11)
() (\$12.50/count) (Administrative Fee) (TI's moving/non moving) F.S. 318.18 (18)
() Ten dollars (\$10/count) Article V (moving/non moving charges under 316, 320, 322)

SPECIFIC OFFENSE/REQUIRED

- () (\$201/count) (Domestic Violence Surcharge) F.S. 938.08
() (\$151/count) (Rape Crisis Trust) F.S. 938.085
() (\$151/count) (Child Advocacy Trust) F.S. 938.10 (1)
() (\$100/count) (FDLE Operation Trust Fund) F.S. 938.055
() (\$15/count) (County Drug) F.S. 938.13 (1) (a)
() (\$135/count) (DUI and BUI) (EMTF) F.S. 938.07
() (\$5/count) (Reckless Driving) (EMTF) F.S. 316.192 (4)
() (\$5/count) (Leaving Scene) (EMTF) F.S. 316.061 (1)
() (\$3/count) (Radio System Fee) (HOV & 316 viol) F.S. 318.18 (17)
() (\$500/case) (Serious Bodily Injury) F.S. 318.14 (5)
() (\$1000/case) (Fatality/ Serious Bodily Injury) F.S. 318.14 (5)
() (\$40/case) (Contest Fee) F.S. 34.045 (1) (b)
() (\$10/case) (1) (c) (Municipal Ordinance Filing Fee) F.S. 34.045 (1) (c)
() (\$65/count) (ACDH/DOH) (Racing on Highway/Reckless Driving) F.S. 318.18 (5) (c)
() Fifty dollars (\$50/case) (Public Defender Application) per app F.S. 27.52 (1) (b)
() Fifty dollars (\$50/case) (Public Defender Assistance Fee) per event F.S. 938.29 (1)
() A sum of (\$5000.00/count) (Prostitution Civil Penalty) F.S. 796.07 (6)

OTHER

- () Late fees \$ _____
() Waived (court costs/fines/fees) _____
() Balance of Court Costs/Fees Converted to Civil Lien _____
() Restitution \$ _____

DISCRETIONARY

Pay investigative costs: [] Crime Lab [] Expert Witness [] Toxicology [] Law Enforcement [] Supp. COP

TOTAL AMOUNT DUE: \$ 293 MUST BE PAID BY: 4/26/19

JUDGE: [Signature] DEPUTY CLERK: [Signature]

PAYMENT METHODS: Please see back for METHODS OF PAYMENTS

PAYMENT METHODS:

Credit Card: Online payment: www.browardclerk.org and select "FINE PAYMENTS", By mail: Check or money order payable to Clerk of Court, P.O. Box 14610, Ft. Lauderdale FL 33302-4610 Questions: For assistance call (954)831-6565, press 4 to expedite your call. Please have a pen and paper available, along with your case or citation number. If you fail to pay by the defer date, late fees may be added and your account may be referred to a collection agency for further collection action with additional fees imposed, and/or your license may be suspended. If ordered to attend a Safety Course consult a telephone directory for a school. Safety Courses must be completed with 90 days or your license may be suspended.



FLORIDA GAMING CONTROL COMMISSION

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

April 3, 2023

Mr. Ignacio Dario Gonzalez
2336 North West 56th Avenue
Lauderhill, Florida 33313

RE: Application No. 40289, Entity 13530052
1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Dear Mr. Gonzalez:

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 – 11/01/2013

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

If you fail to provide the Florida Gaming Control Commission with a complete application by 08/01/2023, 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: 06/18/2023.

OFFICE OF OPERATIONS
2601 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32399

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.

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. The Division will process a request for waiver upon receipt of a complete application.

Thank you,

CM
Operations Analyst II

Nikita Melvai

From: Julio Minaya
Sent: Thursday, May 4, 2023 12:34 PM
To: Nikita Melvai
Cc: Michelle Futrell; Bradford Jones
Subject: FW: Investigations Referral-GONZALEZ, IGNACIO DARIO, Prof: 1055- File: 11325 - Lic. 13530052

Nikita,

Please open and let me know who to assign it to.

Thanks

From: Cleari Maglioni <Cleari.Maglioni@flgaming.gov>
Sent: Thursday, May 4, 2023 11:13 AM
To: Luz Muniz <Luz.Muniz@flgaming.gov>
Cc: David Donaldson <David.Donaldson@flgaming.gov>; Glenda Ricks <Glenda.Ricks@flgaming.gov>; Michelle Futrell <Michelle.Futrell@flgaming.gov>; Steven Kogan <Steven.Kogan@flgaming.gov>; Julio Minaya <Julio.Minaya@flgaming.gov>; Bradford Jones <Bradford.Jones@flgaming.gov>; Derek Washington <Derek.Washington@flgaming.gov>
Subject: Investigations Referral-GONZALEZ, IGNACIO DARIO, Prof: 1055- File: 11325 - Lic. 13530052

Please open a case for GONZALEZ, IGNACIO DARIO. All documents and rap sheet have been scanned into Onbase. Note: Waiver routing slip has been scanned in Onbase.



FLORIDA
GAMING CONTROL
COMMISSION

Cleari Maglioni
Operations Analyst II
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
850.488.3211 Office ~ 850.410.5350 Fax

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State of Florida
Department of Business and Professional Regulation
Chronology Report

Case #: 2023025891 **Incident date:** 05/02/2023 **Status:** 106 - Sent to Directors office

Lic Type: 1055 **Disposition:**

Case Type: Complaint

Responsible: ltrombeta - TROMBETTA, LOUIS

Complainant: DIVISION OF PARI-MUTUEL WAGERING
1400 W. COMMERCIAL BLVD, STE 165, FORT LAUDERDALE, FL 33309

Respondent: GONZALEZ, IGNACIO DARIO
2336 NW 56TH AVE., LAUDERHILL, FL 33313

Summary: 285 - Calder Race Course, Inc.

Chronology:	Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
	05/04/2023	A	79	440	Incoming Correspondence	nmelvai	GONZALEZ, IGNACIO DARIO
	05/04/2023	A	10	15	Assigned to Investigator	tsmith2	GONZALEZ, IGNACIO DARIO
	05/04/2023	R		tsmith2	SMITH, TYRELL	nmelvai	
	05/30/2023	R		ddonaldson	DONALDSON, DAVID	cstubbs1	
	05/29/2023	R		bjones	JONES, BRADFORD	bjones	
	06/03/2023	R		ltrombeta	TROMBETTA, LOUIS	ddonaldson	
	06/03/2023	S	1055	106	Sent to Directors office	ddonaldson	



State of Florida
Department of Business and Professional Regulation
Chronology Report

Chronology:	Effective Date	Type	Lic Type	Code	Description	Responsible Party	Respondent
	05/30/2023	S	1055	104	Sent to Licensing Section	cstubbs1	
	05/29/2023	S	1055	165	Supervisor Review	bjones	
	05/04/2023	S	1055	20	Under Investigation	nmelvai	
	05/04/2023	S	1055	10	Initial Review	nmelvai	
	05/29/2023	S	1055	90	Closed	cstubbs1	

Allegation:	Code	Description
	WAVR	Waiver of Crim. Conv. or Other Offenses

DD

[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: **cstubbs1**

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

Lic Type	1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination	Status	104 Sent to Licensing Section	Status Date	05/30/2023
Complaint #	2023025891	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent GONZALEZ, IGNACIO DARIO	Responsible	ddonaldson - DONALDSON, DAVID	Private Case	

[Complaint](#) | [Respondent](#) | [Complainant](#) | [Addt'l Info](#)

Source	LIC - Licensee	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	WALK - Walk-in	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	IIIB - Waivers	Complexity	R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	05/02/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	SR - Southern Region	Received	05/02/2023	<input type="checkbox"/> Inspection	
Reference		Entered By	nmelval	<input type="checkbox"/> Costs	<input type="button" value="Auto Assign"/>
Entered	05/04/2023	By	cstubbs1	<input type="checkbox"/> Time Tracking	<input type="button" value="History"/>
Summary	285 - Calder Race Course, Inc.			<input type="checkbox"/> Attachments	<input type="button" value="Print Report"/>
Updated	05/30/2023 08:45:03			<input type="checkbox"/> Work Notes	

| | | |

[Get Adobe Reader.](#)

FDLE Information Notification System

Sent Date: 3/21/23 2:44 PM Purge Date: 9/17/23 2:44 PM Mail Ref No: ORG002044-7866452

Subject : *Results of check for GONZALEZ, IGNACIO DARIO (70CA620000002702)*

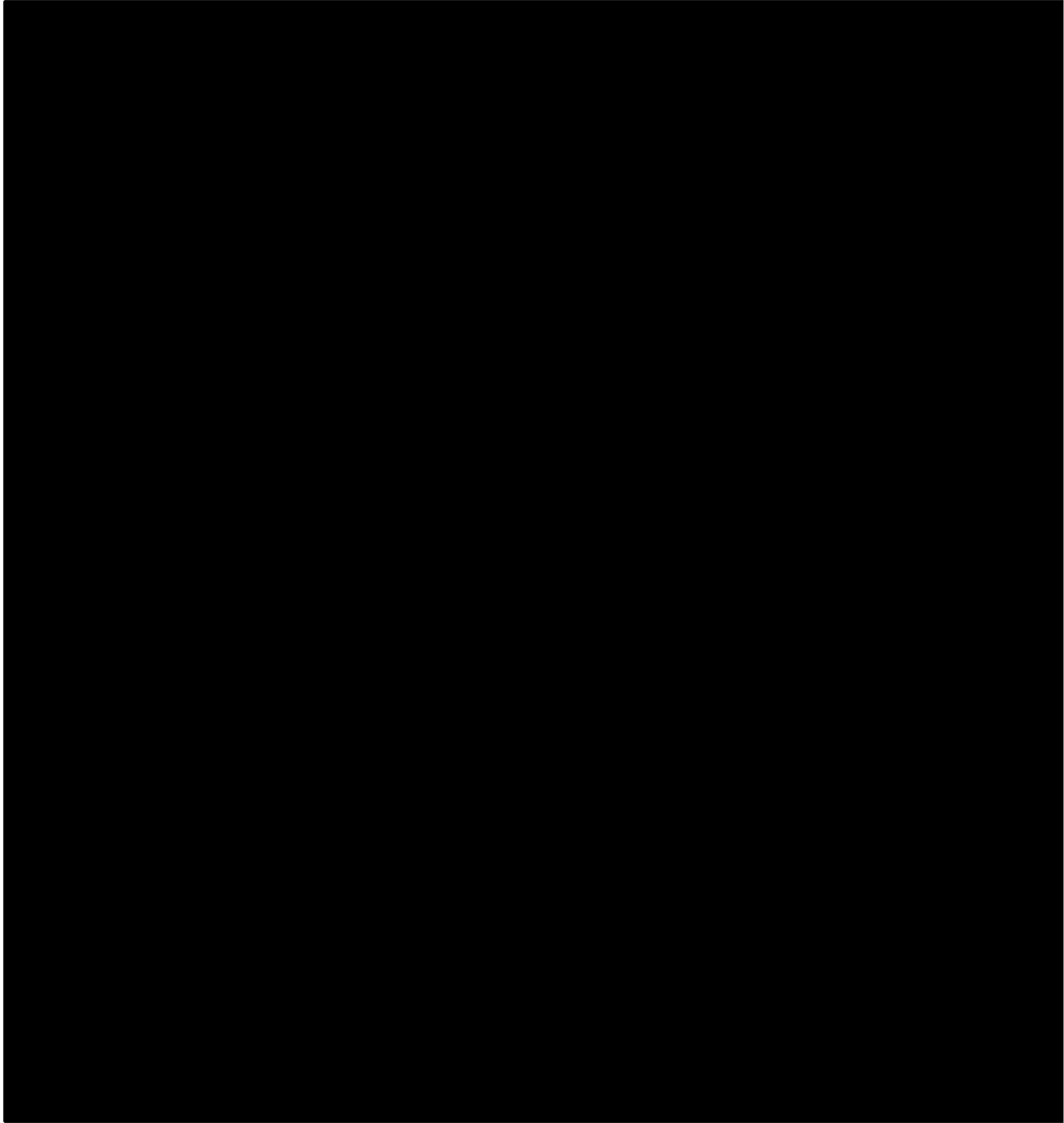
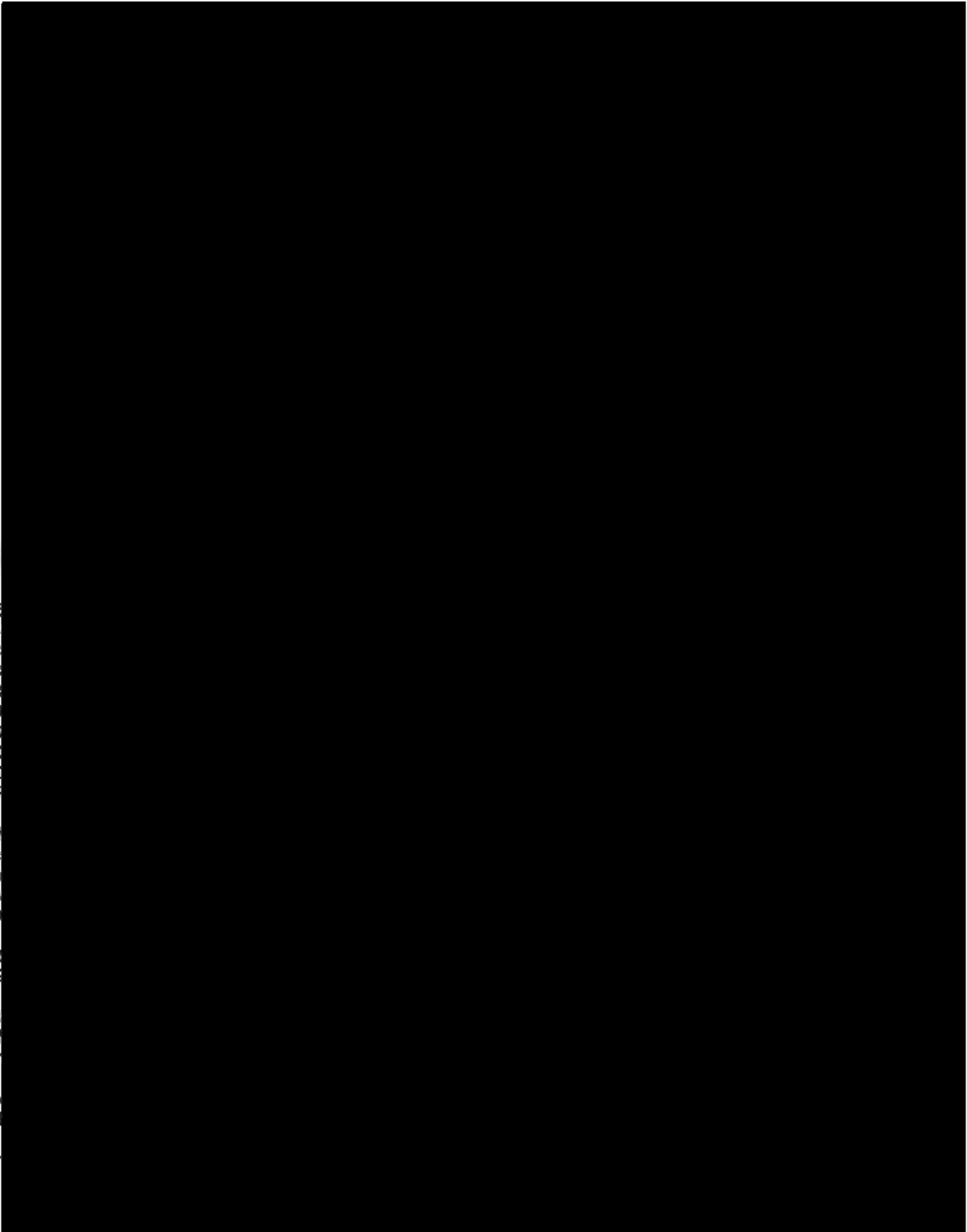


EXHIBIT # -3
PAGE # - 1

Subject : *Results of check for GONZALEZ, IGNACIO DARIO (70CA620000002702)*

EXHIBIT # -3
PAGE # - 2

Subject : Results of check for GONZALEZ, IGNACIO DARIO (70CA620000002702)



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EXHIBIT #-3
PAGE # -3

Subject : Results of check for GONZALEZ, IGNACIO DARIO (70CA620000002702)

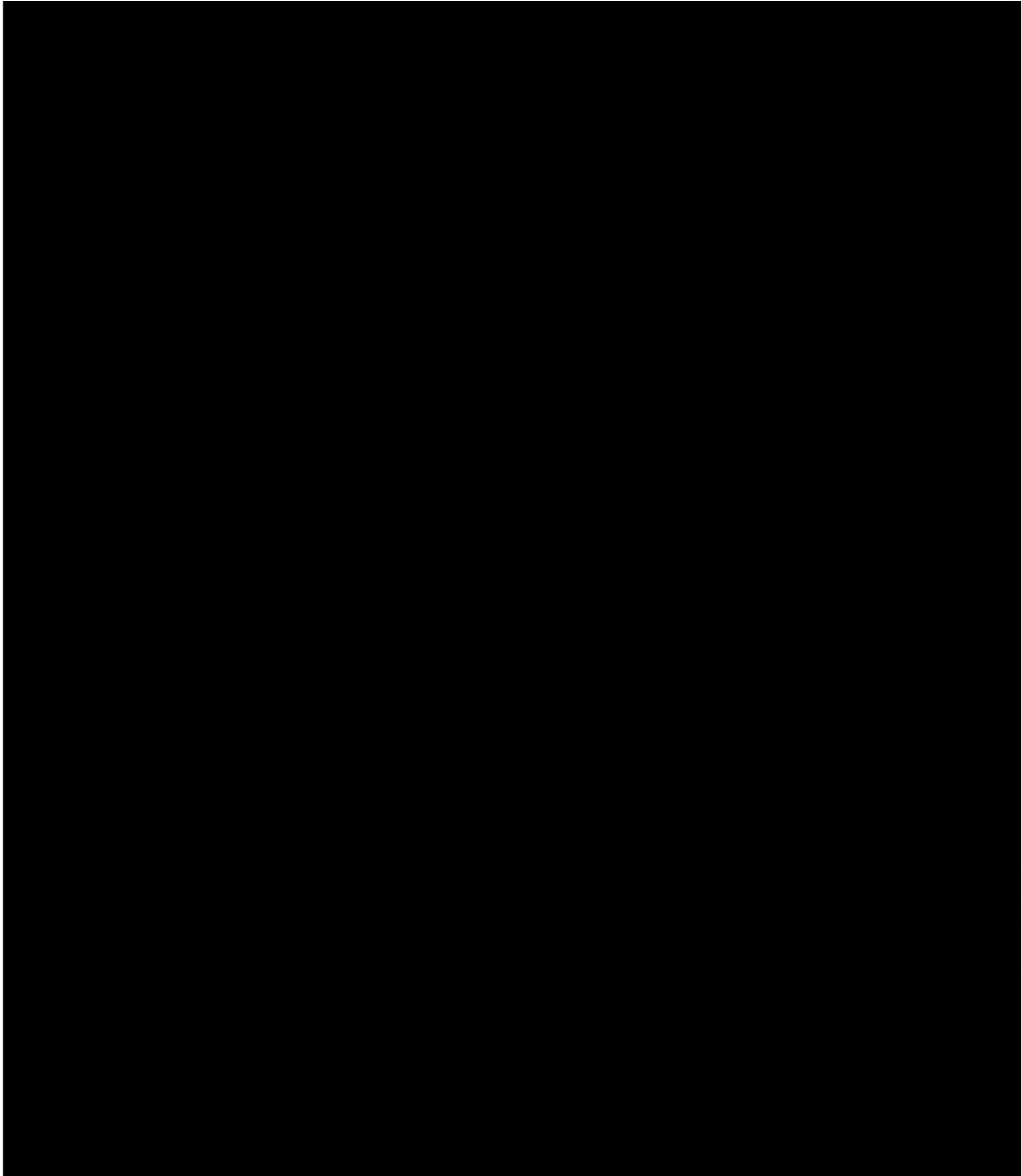


EXHIBIT # -3
PAGE # -4

Subject : Results of check for GONZALEZ, IGNACIO DARIO (70CA620000002702)

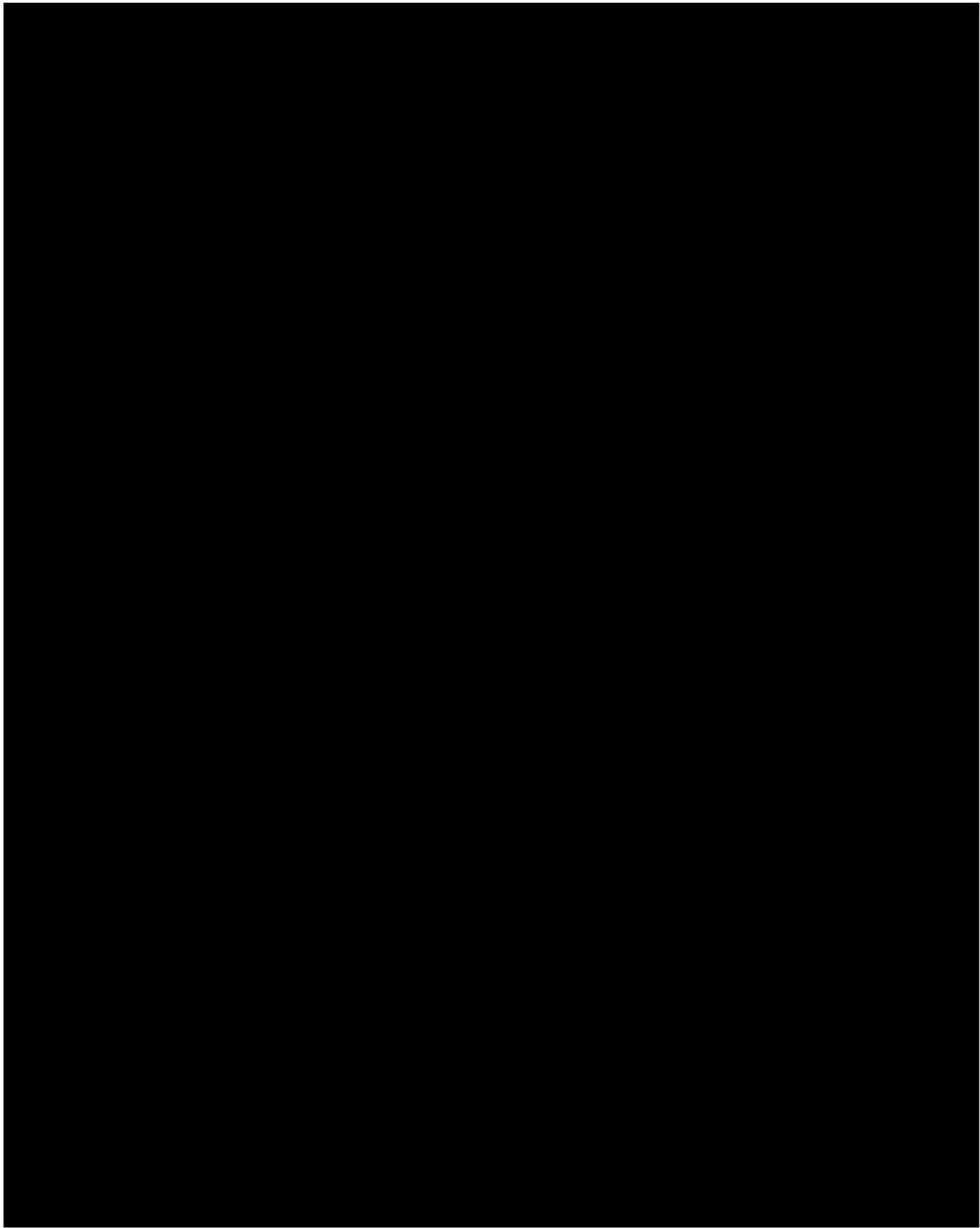
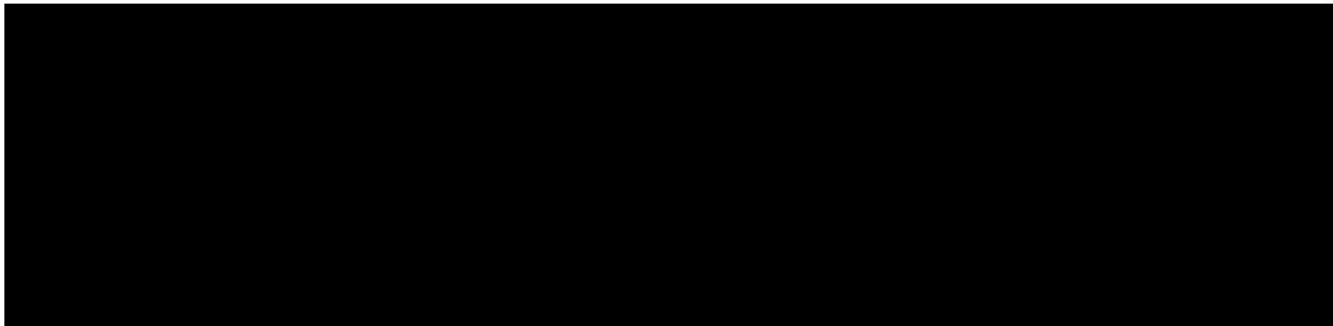


EXHIBIT # -3
PAGE # -5

Subject : *Results of check for GONZALEZ, IGNACIO DARIO (70CA620000002702)*



Page 6 of 6

EXHIBIT # -3
PAGE # -6

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Lorie Denise Whitfield; Case No. 2023-031184
Date: August 24, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Lorie Denise Whitfield's, ("Applicant") application for a Cardroom Employee Occupational License. Applicant submitted a completed application for a Cardroom Employee Occupational License on April 25, 2023. The Applicant's previous Cardroom Employee Occupational License was revoked on June 29, 2022 due to a felony conviction. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On April 25, 2023, Applicant submitted their completed application to the Division of Pari-Mutuel Wagering for a Cardroom Employee Occupational License. Upon review of the completed application, it appears the Applicant's previous Cardroom Employee Occupational License was revoked in 2022 in Case Number 2022-000896. The previously issued license was revoked due to the 2021 felony conviction for Unlawful Sale, Manufacture, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Blanks for Controlled Substance and her failure to notify the Division within 48 hours of her conviction. Applicant disclosed this felony conviction on her application.

Relevant Law

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 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 and previous license revocation, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

ROUTING SLIP REQUEST FOR WAIVER

RE: WHITFIELD, LORIE DENISE – 12548941
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 03 1184

1012 – Chip Runner
Occupation Code and Job Title

154 – WASHINGTON COUNTY KENNEL CLUB (EBRO)
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE: AUGUST 30, 2023
(DATE)

Investigations Section: Reviewed by Bradford D. Jones [Signature] 6/28/2023
(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: DD 06/29/2023 [Signature] 7/7/23
(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: LT 7/17/23
(Initial & Date)

Prepare Waiver or Prepare File for Commission Review

Comments: _____

Investigative Findings:

June 8, 2021 Bay County Sheriff's Office, FL. – Unlawful Sale, Manufacture, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Prescription Blanks for Controlled Substance – Felony – Pled Nolo Contendere – Adjudication Withheld on October 14, 2021. – Sentenced to 18 months' Probation and \$300.00 in Court costs/Fines

June 28, 2022 FGCC – PMW Cardroom Employee Occupational License revoked due to above felony conviction and the Applicant's failure to notify the Division within 48 hours of her conviction (PMW Case #2022-00-0896).

*Please attach Routing Slip to front of case file

[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: **cstubbs1**

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

Lic Type	1012 - Cardroom Employee Occupational	Status	90 Closed	Status Date	06/28/2023
Complaint #	2023031184	Case Type	CMP - Complaint	Disposition	
Docket#		Respondent	WHITFIELD, LORIE DENISE	Responsible	bjones - JONES, BRADFORD
					Private Case

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

Source	LIC - Licensee	Security Level	1	<input type="checkbox"/> Parties	<input checked="" type="checkbox"/> Activities
Form	WALK - Walk-in	Priority		<input checked="" type="checkbox"/> Allegations	<input type="checkbox"/> Discipline
Class'n	IIIB - Waivers	Complexity	R - Regular	<input type="checkbox"/> Violations	<input type="checkbox"/> Compliance
Security	STND - Standard	Incident	05/22/2023	<input type="checkbox"/> Related	<input checked="" type="checkbox"/> Disposition
Region	NR - Northern Region	Received	05/31/2023	<input type="checkbox"/> Inspection	
Reference				<input type="checkbox"/> Costs	
Entered	06/01/2023	Entered By	cstubbs1	<input type="checkbox"/> Time Tracking	<input type="button" value="Auto Assign"/>
Summary	154- Washington Kennel Club, INC			<input type="checkbox"/> Attachments	<input type="button" value="History"/>
Updated	06/28/2023 16:58:03	By	cstubbs1	<input type="checkbox"/> Work Notes	<input type="button" value="Print Report"/>

<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.](#)

ROUTING SLIP REQUEST FOR WAIVER

RE: WHITFIELD, LORIE DENISE – 12548941
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 03 1184

1012 – Chip Runner
Occupation Code and Job Title

154 – WASHINGTON COUNTY KENNEL CLUB (EBRO)
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE: AUGUST 30, 2023
(DATE)

Investigations Section: Reviewed by Bradford D. Jones  6/28/2023
(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:

June 8, 2021 Bay County Sheriff's Office, FL. – Unlawful Sale, Manufacture, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Prescription Blanks for Controlled Substance – Felony – Pled Nolo Contendere – Adjudication Withheld on October 14, 2021. – Sentenced to 18 months' Probation and \$300.00 in Court costs/Fines

June 28, 2022 FGCC – PMW Cardroom Employee Occupational License revoked due to above felony conviction and the Applicant's failure to notify the Division within 48 hours of her conviction (PMW Case #2022-00-0896).

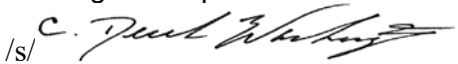
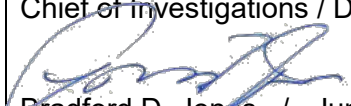
*Please attach Routing Slip to front of case file

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: NORTHERN	Date of Complaint: MAY 31, 2023	Case Number: 2023 03 1184
Respondent: WHITFIELD, LORIE DENISE 362 E. WOODLAND ROAD PANAMA CITY, FLORIDA 32409 [REDACTED]		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # / Type: 12548941 / 1012	Profession: Chip Runner	Report Date: June 26, 2023	
Period of Investigation: May 31, 2023 – June 26, 2023		Type of Report: Final	
<p>Basis of Investigation: This investigation is predicated upon receipt of Lorie Denise WHITFIELD's State of Florida Pari-Mutuel Occupational License Application dated April 18, 2023, and Waiver Request Form dated May 22, 2023.</p> <p>On April 18, 2023, WHITFIELD applied for a PMW Cardroom Employee Occupational license to work as a Chip Runner at Washington County Kennel Club (Ebro). On her application, she answered "Yes" to the question on page 2 of the application, "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?" WHITFIELD disclosed a 2021 Felony conviction in Bay County, FL. for Sale, Possession, Manufacture, Alteration of Prescription Blanks.</p>			
Related Case: 2022 00 0896			
Investigator Supervisor / Date /s/  C. Derek Washington / June 26, 2023		Chief of Investigations / Date  Bradford D. Jones / June 28, 2023	

CRIMINAL HISTORY

Arrest 1					
Date of Arrest: 06/08/2021		Arresting Agency: Bay County Sheriff's Office, FL			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Unlawful Sale, Manufacture, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Prescription Blanks for Controlled Substance.	Felony	Nolo Contendere	Adj. Withheld	10/14/2021
2					
3					
4					

SENTENCE
18 months' probation, \$300.00 Court Costs/Fines.

Additional Information: **Bay County Court #302020CF003912 / All fines paid in full. Early termination of probation on October 11, 2022.**

Arrest 2					
Date of Arrest:		Arresting Agency:			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE
Additional Information:

CRIMINAL HISTORY

Arrest 3

Date of Arrest:	Arresting Agency:
------------------------	--------------------------

OFFENSE

		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE

--

Additional Information:

Arrest 4

Date of Arrest:	Arresting Agency:
------------------------	--------------------------

OFFENSE

		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE

--

Additional Information:

ADDITIONAL LICENSES

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

1. License Type: 1012 – Cardroom Employee Occupational			
Date Licensed: 10/29/2020	Expiration Date: 06/30/2023	License #: 12548941	Agency or Jurisdiction: FGCC
		YES	NO
Has License ever been suspended or revoked?		X	
Was any derogatory information received?		X	
Additional Comments: Applicant's prior license was revoked due to her Felony conviction listed above and failure to notify the Division of the conviction, FGCC Case 2022 00 0896 (Exhibit #4).			

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

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

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

WAIVER INTERVIEW

	YES	NO
Was a Waiver Interview Conducted?	X	
Date of Interview: June 13, 2023	Location of Interview: Via telephone	
	YES	NO
Was the applicant cooperative?	X	
Additional Comments:		

SUMMARY OF INTERVIEW:

In discussing Ms. **WHITFIELD's** 2021 Felony conviction, she explained that she worked at a drug rehabilitation center (Journey Pure) in 2020 and got addicted to sleeping pills. She said she took blank prescriptions from the Doctor and forged them to get the sleeping pills. Ms. **WHITFIELD** further explained that a warrant for her arrest was issued for this incident. She said when she was arrested on June 8, 2021, she had been working at Washington County Kennel Club (Ebro) as a Chip Runner. She said she informed her supervisor of the arrest, and her supervisor sent an email to PMW Chief of Operations Glenda Ricks notifying the Division of Ms. **WHITFIELD's** arrest.

When asked why she failed to notify the Division after she was convicted, Ms. **WHITFIELD** said she informed her supervisor about her arrest, thinking it was sufficient. She said she did not know she had to notify the Division as well.

Ms. **WHITFIELD's** PMW Cardroom Employee License that she held at the time, was revoked because of her felony conviction and her failure to notify the Division of said conviction.

CONCLUSION:

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **WHITFIELD**.

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

TABLE OF CONTENTS

- I. INVESTIGATIVE REPORT COVERSHEET
- II. INVESTIGATIVE REPORT
- III. EXHIBITS
 - 1. Waiver Request / Applications / License1-6
 - 2. Legal Documents..... 1-14
 - 3. Rap Sheet 1-5
 - 4. Supporting Docs 1-15



STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
www.fgcc.fl.gov

RECEIVED
2023 MAY 25 PM 1:46
FLORIDA GAMING
CONTROL COMMISSION

TO: LORIE DENISE WHITFIELD
Full Legal Name of Applicant

[Redacted]
Date of Birth

12548941
Individual/Org. Number

If you are a new applicant to Florida and have been convicted of any felony, regardless of whether adjudication was withheld, or if you are renewing your pari-mutuel occupational license in Florida and have been convicted of any of the crimes listed below, you must first request and receive a waiver from the FGCC 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 FGCC 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 of Applicant

5-22-23
Date

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

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

RECEIVED

2023 APR 25 PM 3:45

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". **GAMING**

DEMOGRAPHIC INFORMATION			
Social Security Number [REDACTED]	Birth Date (MM/DD/YYYY) [REDACTED]	Gender <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
Last Name <u>Whitfield</u>	First <u>Lorie</u>	Middle <u>Denise</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 (optional) <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input checked="" type="checkbox"/> White or Caucasian <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other			
Current Mailing Address <u>362 E. Woodland rd</u>		Email Address (optional)	
City <u>Parana City</u>	State <u>Fl</u>	Zip Code (+4 optional) <u>32409</u>	Country, if other than USA
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional)	
Current Street Address <u>362 E. Woodland rd</u>			
City <u>Parana City</u>	State <u>Fl</u>	Zip Code (+4 optional) <u>32409</u>	Country, if other than USA
Type of Occupational License applying for: <input type="checkbox"/> Pari-Mutuel General Individual <input type="checkbox"/> Pari-Mutuel Professional Individual <input checked="" type="checkbox"/> Cardroom Employee		Facility where employed and/or doing business: <u>Washington County Kennel Club</u>	
Occupation: <u>chip runner / dealer</u>			
Does your position require access to the Cardroom? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Is this your first time applying for a racing/gaming license in Florida? <input 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 <u>N/A</u>			
Trainer Name (horse or greyhound racing only) <u>N/A</u>			
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>1012</u>	License # <u>12548941</u>	File # <u>12350</u>	App # <u>71734</u>
Association Code <u>910</u>	Date Received <u>4/25/23</u>	Entered By <u>CH</u>	License Year <u>22/25</u>
License Fee <u>100.00</u>	FP Date <u>4/25/23</u>	FP Fee <u>37.25</u>	Total Fee <u>137.25</u>
Off Temp	Waiver Requested	<input checked="" type="checkbox"/> (ARCI)	<input checked="" type="checkbox"/> Enforcement
			Minor

* insuff fees received Page 2 of 3

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
F1	Bay	11/9/21	Sell posses. MFG after OAH per se	felony	18 mos pru

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:

yes my license was revoked due to me not immediately notifying the state of my arrest. I did notify my employer the day of the arrest. I was unaware I had to report further up. I have learned from this mistake in my life

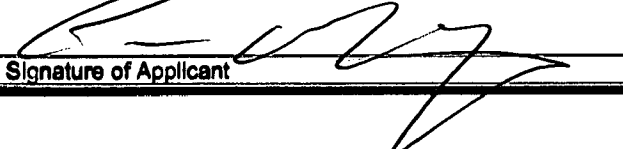
PLEASE READ AND SIGN BELOW

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. 943.066 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 

Date 7-2-23

RECEIVED
25
PMW

Cardroom New - \$137.25, Renewal - \$113.25 Pari-Mutuel New - \$52.25, Renewal \$28.25

DBPR PMW-3120 – Individual Occupational License Application

Supervisor: Please ensure application is complete, form in application & check to poker room cage. Licensing official will issue license within 7-10 days.



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
www.myfloridalicense.com
2023 APR 25 PM 3:45
FLORIDA GAMING CONTROL COMMISSION

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



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

RECEIVED
2023 MAY 25 PM 1:00
FLORIDA GAMING
CONTROL COMMISSION

PERSONAL INFORMATION					
Social Security Number/Federal Employer ID Number					
IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION					
Last Name	First	Middle	Title	Suffix	
Whitfield	LORIE	Denise			
Birth Date (MM/DD/YYYY)					
IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION					
Representative's Name Last		First	Middle	Title	Suffix
Permitholder Name					
Official Capacity					
ATTEST STATEMENT					
I, <u>LORIE WHITFIELD</u> , do hereby instruct all law enforcement (name of applicant/representative) or criminal justice agencies, present and former employers or institutions with whom I or my businesses have a present or past business relationship, as well as all present or past social associates to release all requested information to the bearer of this release form, who is an authorized representative of the State of Florida, Department of Business and Professional Regulation.					
I further authorize any individual, agency, corporation, or other entity to release any and all information requested by the bearer of this release form with respect to myself or my business. Additionally, I do release such individuals or entities from any and all liability due to the release of information requested.					
(if individual applicant - legal name and any nickname or alias in parentheses)					
Applicant/Representative Signature: <u>[Signature]</u>				Date: <u>5/22/23</u>	
NOTARIZATION					
The foregoing application was sworn to and subscribed before me this <u>22nd</u> Day of <u>May</u> 20 <u>23</u>					
by <u>LORIE DENISE WHITFIELD</u>			<u>[Signature]</u>		
Type or print name of applicant			Signature of applicant		
who is personally known to me or who has produced the following as identification.					
<u>FL Drivers license</u>					
Type of identification					
<u>[Signature]</u>					
Signature of person taking acknowledgements					
Notary Seal					
(Rubber Stamp and Expiration)					

VR Hom	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
--------	--------	-------------	---------	------	------	------------	-------------	--------

[License](#) |
 [Entity Search](#) |
 [Modify License Standing](#) |
 [Maintain License CE Control](#)

Domain 1 **Pari-Mutuel Wagering**

Logged in as: **cstubbs1**

VR Hom [Search](#) > [License Home](#)

License			
Fed Tax	Lic Type	1012 - Cardroom Employee Occupational	Expires On 06/30/2023
File	Name	WHITFIELD, LORIE DENISE	Extended To
License	Rank	CEMP - Cardroom Employee Occupational	Renewed On
Entity	Lic Status	Revoked	

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

Address			
Street	et E WOODLAND RD		
Line			
Line			
City	TY	State	FL
		Zip	32409
	Routing		

Other			
1st License Date	10/29/2020	Rank Date	
Method	I-S-1024	Status Date	
Fee Exempt	No	Birth Date	
		Certificate #	
		Certificate Date	
		Renewal Sent	

Select			
Action	<input type="text"/>		

Modifiers			
<input type="button" value="✕"/> <input type="button" value="↕"/>			
Type	Modifier	Count	Additional Info
A	ENFO - Enforcement Alert	0 021	LICENSE REVOKED - 6/29/22
C	RUNN - Chip Runner	1 020	
I	GHND - Greyhound	10/08/2020	
L	154 - Washington County Kennel Club, Inc.	10/08/2020	
Y	3YR - 3 Year License	10/08/2020	

Alt Keys			
	BEST LIC NBR 12548941		

EXHIBIT #1
PAGE 6/6

20-3924

- Adult Def PC Arrest
- Juvenile Def Application for Warrant / Capias

AFFIDAVIT-COMPLAINT

Clerk's Case No. _____

SA Case No.(s) _____

1. Agency Name: Bay County Sheriff's Office		2. Agency Report Number: 2020-022820		3. Charge Type: <input checked="" type="checkbox"/> Felony <input type="checkbox"/> Misd <input type="checkbox"/> Misd w/infery <input type="checkbox"/> Municipal <input type="checkbox"/> County		3a. Ordinance Type: <input type="checkbox"/> Municipal <input type="checkbox"/> County	
4. Date/Time of Offense: 07/09/2020 @ 12:00		5. Date/Time of Arrest:		6. Arresting Officer: DALTON HEAPE #447		7. Investigating Officer: D. HEAPE	

8. Defendant's Name (Last) (First) (Middle) (First) (Middle) ALIAS WHITFIELD, LORIE DENISE						9. OBTS:			
10. Race/Sex: W / F		11. DOB:		12. Residence Type: <input type="checkbox"/> Florida <input type="checkbox"/> City <input checked="" type="checkbox"/> County <input type="checkbox"/> Out of State		13. Weapon Seized: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		14. Controlled Substance Seized: TYPE AND QUANTITY <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. Height: 5'02"		16. Weight:		17. Eye Color: HAZ		18. Hair Color: BRO		19. Scars, marks, tattoos, unique physical features:	
20. Driver's License Number/State:				21. Social Security Number:		22. Residential Telephone:		23. Business Telephone:	
24. Address (Street, Apartment Number): 362 E. WOODLAND ROAD						(City) PANAMA CITY		(State) (Zip) FL 32409	

26. Charge Description (#1): UTTERING & POSSESSION OF PRESCRIPTION FOR CONTROLLED SUBS	25. Statute or Ordinance Number: 831.311 <input checked="" type="checkbox"/> F.S. <input type="checkbox"/> Ord
27. Charge Description (#2):	28. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
29. Charge Description (#3):	30. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
31. Charge Description (#4):	32. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
33. Charge Description (#5):	34. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
35. Charge Description (#6):	36. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
37. Charge Description (#7):	38. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
39. Charge Description (#8):	40. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
41. Charge Description (#9):	42. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord
43. Charge Description (#10):	44. Statute or Ordinance Number: <input type="checkbox"/> F.S. <input type="checkbox"/> Ord

45. Victim's Name (if business, list legal business name) (Last) (First) (Middle) FLORIDA, STATE, OF			46. Race/Sex:		47. DOB:		48. Telephone Number:	
49. Contact Person if victim is deceased, a minor child, or business: (Last) (First) (Middle)			50. Race/Sex:		51. DOB:		52. Telephone Number:	
53. Address (Street, Apartment Number): (City) (State) (Zip)							54. Telephone Number:	

55. Victim Notification of Arrest: NOTIFIED BY: _____ DATE: _____ TIME: _____		56. Information Given: <input type="checkbox"/> Victim Rights Card <input type="checkbox"/> Arrest Info <input type="checkbox"/> First App. Info <input type="checkbox"/> Dom. Viol. Info	
57. Physical Evidence Collected in This Case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Evidence Custodian's Name: BCSO		58. Witness Statements Taken in This Case <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Person Responsible For Statements: BCSO	
59. I certify that all the above information is true and correct to the best of my knowledge and is page <u>1</u> of a <u>3</u> page affidavit/complaint. <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><i>[Signature]</i> Officer / Complainant Signature</p> </div> <div style="width: 45%; text-align: right;"> <p>DALTON HEAPE #447 Officer / Complainant Signature</p> </div> </div>			

PAGE 01 MUST HAVE PAGE 02 (MORE IF REQUIRED) TO BE A VALID AFFIDAVIT/COMPLAINT

Original Copy

EXHIBIT #2
PAGE 1/14

Adult Def PC Arrest
 Juvenile Def Application for

AFFIDAVIT-COMPLAINT

Clerk's Case No. 20-3924H
 SA Case No.(s) _____

80. Agency Name: Bay County Sheriff's Office	81. Agency Report Number: 2020-022820	82. Date/Time of Arrest:	83. Investigating Officer: D. HEAPE
--	---	--------------------------	---

84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies that he / she has just and reasonable grounds to believe that the hereinafter named defendant did commit the violation as stated above and the factual basis for belief is as follows:

Before you appears your affiant, Deputy Dalton Heape, who states the defendant, Lorie Whitfield, did commit the offense of uttering a forged prescription for controlled substances with intent to defraud.

On 3/27/2020, I responded to Journey Pure Rehab Center in reference to a theft / forgery call. The complainant, Dr. Nelson Pichardo, advised he is a doctor for the facility and is authorized to prescribe most medications. Dr. Pichardo told me he has reason to believe one of his subordinates has been stealing blank prescriptions from his office and forging them with his stamp/signature without consent.

Dr. Pichardo provided me with video evidence showing the defendant, identified as Ms. Lorie Whitfield, entering his office, searching through his desk, and taking five blank prescription notes from his prescription pad on 3/25/2020. The defendant can then be seen attempting to use Dr. Pichardo's signature stamp to forge the prescriptions to make them valid. Dr. Pichardo advised once the blank prescriptions have been stamped with his name, they can then be forged for any type of medication and be submitted as valid prescriptions.

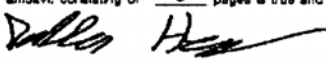

Dr. Pichardo (and other staff members) told me they first became aware of this suspicious activity when an outside pharmaceutical company called and asked for confirmation for a prescription wrote by Dr. Pichardo. It was determined the prescription (which was for an abnormally large quantity of ambien) was not issued by Dr. Pichardo.

The defendant was then fired for internal reasons a few days after the initial report of incident.

On 7/9/2020, the BCSO was contacted by the Winn-Dixie pharmacy located in Lynn Haven in reference to this case. The pharmacy had a suspicious prescription attempt to be filled (supposedly written by Dr. Pichardo).

Upon contacting Dr. Pichardo for confirmation, it was determined the defendant was again attempting to utter a forged prescription (this time using Dr. Gooden's name) for 90 Ambien. Your affiant responded to the pharmacy and contacted the Special Investigations Division for assistance in this matter. It should be noted after attempting to fill the prescription, the defendant did not show back up to take possession of the medication.

On 7/22/2020, your affiant (with assistance from SID) provided a witness at the pharmacy with a photo line-up in attempt to identify the defendant. The witness did independently (and on her own account) recall and positively identify the defendant out of this lineup. She then provided me with a recorded witness statement describing the defendant's actions while trying to unlawfully fill the prescription.

85. The undersigned, being duly sworn, states that the foregoing information contained in an affidavit consisting of <u>3</u> pages is true and correct to the best of his / her knowledge.  Signature of Officer / Complainant DALTON HEAPE #447 Officer / Complainant's Name (Printed) ID Number	86. Sworn to and subscribed before me this <u>02</u> day of <u>Oct</u> , 2020  Signature of Person Administering Oath CHRISTOPHER KING #28 (Printed Name) <input type="checkbox"/> Personally Known <input type="checkbox"/> Other ID ID Type Seal
---	---

87. Adult's Relation to Juvenile Defendant: <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other _____		88. Adult's Name (Last) (First) (Middle)	
89. Address (Street, Apartment Number) (City) (State) (Zip)		90. Residential Phone: () () ()	91. Work Phone: () () ()
92. Notified By: (Name)	93. Date:	93a. Time	94. Notification Method:
95. Law Enforcement Disposition of Juvenile Contact:		Release Date:	Release Time: Released To:

Original Copy

10-02-2020 10:58:45 AM

Adult Def PC Arrest
 Juvenile Def Application for

AFFIDAVIT-COMPLAINT

Clerk's Case No. _____

SA Case No.(s) _____

80. Agency Name: Bay County Sheriff's Office	81. Agency Report Number: 2020-022820	82. Date/Time of Arrest:	83. Investigating Officer: D. HEAPE
--	---	--------------------------	---

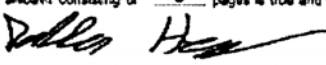

84. NARRATIVE OF THE FACTUAL BASIS FOR PROBABLE CAUSE: The undersigned certifies that he / she has just and reasonable grounds to believe that the hereinafter named defendant did commit the violation as stated above and the factual basis for belief is as follows:

On 7/23/2020, your affiant spoke with the defendant and obtained a recorded statement where she admitted to intentionally trying to fill a fraudulent prescription for 90 Ambien.

Based on the above facts, I believe there is probable cause for the arrest of the defendant, as she was in direct violation of Florida State Statute 831.311 (uttering a forged prescription for controlled substances.)

This offense did occur in Bay County, Florida.

2020 OCT -2 P 12:51
REC'D

85. The undersigned, being duly sworn, states that the foregoing information contained in an affidavit consisting of <u>3</u> pages is true and correct to the best of his / her knowledge.  Signature of Officer / Complainant DALTON HEAPE #447 Officer / Complainant's Name (Printed) ID Number	86. Sworn to and subscribed before me this <u>02</u> day of <u>Oct</u> , 2020  Signature of Person Administering Oath CHRISTOPHER KING #28 (Printed Name) <input type="checkbox"/> Personally Known <input type="checkbox"/> Other ID _____ ID Type Seal
--	--

87. Adult's Relation to Juvenile Defendant: <input type="checkbox"/> Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other _____	88. Adult's Name (Last) (First) (Middle)
89. Address (Street, Apartment Number) (City) (State) (Zip)	90. Residential Phone: () () 91. Work Phone: () ()
92. Notified By: (Name)	93. Date: 93a. Time: 94. Notification Method:
95. Law Enforcement Disposition of Juvenile Contact:	Release Date: Release Time: Released To:

Original Copy

EXHIBIT #2
PAGE 3/14

11
10/02/20 10:55:46 AM

**IN THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY**

State of Florida,

Case Number: 032020CF03912A

vs.

Charges:

LORIE DENISE WHITFIELD
W/F DOB: [REDACTED]
362 E. Woodland Rd.
Southport, FL 32409

UNLAWFUL SALE, MANUFACTURE,
ALTERATION, DELIVERY, UTTERING, OR
POSSESSION OF COUNTERFEIT-RESISTANT
PRESCRIPTION BLANKS FOR
CONTROLLED SUBSTANCES

INFORMATION

Elizabeth P. Magee, Assistant State Attorney for the Fourteenth Judicial Circuit of Florida, duly appointed and designated to sign Informations on behalf of Larry Basford, State Attorney, prosecuting for said State of Florida, in the name and by the authority of the State of Florida, in the County of Bay, under oath informs the Court that:

Lorie Denise Whitfield, on or about July 9, 2020, in the County of Bay and State of Florida, did unlawfully having the intent to injure or defraud any person or to facilitate any violation of s. 893.13 sell, manufacture, alter, deliver, utter, or possess with intent to injure or defraud any person, or to facilitate any violation of s. 893.13, any counterfeit-resistant prescription blanks for controlled substances, the form and content of which are adopted by rule of the Department of Health pursuant to s. 893.065., contrary to Florida Statute 831.311. (F3 - L1)

Elizabeth P. Magee, as Assistant State Attorney for the Fourteenth Judicial Circuit of Florida, under oath, states that the allegations set forth in this Information are based on facts that have been sworn to as true, under oath by material witness(es), and which, if true, would constitute the offense therein charged, and this Information is filed in good faith.

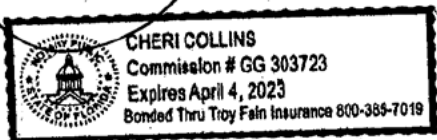
The foregoing instrument was acknowledged before me by means of physical presence this 9th day of July, 2021, by Elizabeth P. Magee, who is personally known to me and did take an oath.

LARRY BASFORD
STATE ATTORNEY
14TH CIRCUIT

By: 
Elizabeth P. Magee
Assistant State Attorney
Florida Bar Number: 0726621
Post Office Box #040
Panama City, FL 32402
(850) 872-4475
(850) 447-5861
Elizabeth.Magee@sa14.fl.gov



Notary Public



**IN THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY**

STATE OF FLORIDA,
Plaintiff,

vs.

Lorie Denise Whitfield

Case No(s): 20 CF3912

Defendant.

PLEA, WAIVER AND CONSENT

I, the above named and undersigned defendant hereby acknowledges that I have been orally informed in open court this date of certain legal rights and other information at this proceeding, namely:

1. I hereby enter my plea of no contest guilty to the crime(s) of:

Charge(s)	Case No.	Count	Degree of Offense	Statutory Maximum*
Unlawful Sale, Manufacture, Alteration, delivery offering or poss prescription blanks			3 rd F	5y15

*the Florida Criminal Punishment Code may supersede the Statutory Maximum as therein provided.

and the plea agreement as to my sentence on the listed charge(s) is as follows:

- Adjudicated guilty Adjudication is withheld Adjudication up Judge No objection to adjudication being withheld
 month(s) year(s) Prison (DOC) County Jail
 month(s) year(s) Community Control
18 month(s) year(s) Probation

SEX OFFENDER PROBATION
JESSICA LUNSFORD ELIGIBLE

Sentence(s) shall be concurrent consecutive with one another

Court costs, fines, and community service hours will be imposed: 1028

Other assessments may include a Public Defender lien of \$340, \$20 to Crime Stopper's Trust Fund, \$60 to Court Construction Improvement Account, and others as announced.

Restitution shall be assessed for an amount not to exceed \$ _____; the total amount of \$ _____;
 a hearing will be conducted or shall be reserved, a hearing date will be: _____.

_____ day(s) jail time credit will be awarded.

100 hours public service work to be performed at the direction of the assigned Probation Officer at the minimum rate of 8 hours per month.

\$20 monthly for cost of supervision.

Drug Offender Probation to include random urinalysis at the defendant's expense; the defendant shall not be subjected to testing for Marijuana only during the first 30 days of supervision; first random urinalysis for other drugs shall serve as a baseline. Comply with attached Drug Offender conditions.

Drug and Alcohol Evaluation and Counseling, as recommended; zero tolerance for use of controlled substances; random urinalysis at defendant's expense; the defendant shall not be subjected to testing for Marijuana only during the first 30 days of supervision; first random urinalysis for other drugs shall serve as a baseline.

DHSMV may apply additional penalties.

Time served on Misdemeanors.

DNA Sample Forfeit seized items

Testify truthfully against any co-defendant(s)

Mental Health Evaluation and Counseling as Recommended

No contact at all with any victim(s) or co-defendant(s)

Letter of apology to: _____

Other:

Every Journey Pure

I feel my plea is in my best interest.

EXHIBIT #2
PAGE 5/14

2. I have been advised of the nature of the charge(s) against me, and have had sufficient time to discuss them with my attorney who is present with me in Court, and who has explained to me every accusation therein. I am satisfied with the services and advices of my attorney.

3. I further acknowledge that I have been advised that probation may or may not be granted, and that no person, officer, agent or any branch of government, nor my attorney, has made any promises or suggestions of any kind to me or to anyone else within my knowledge that if I would plead to these charges I would receive a light sentence, probation or other form of leniency, except as embodied in this plea agreement on this form. I understand the complete terms of the plea agreement, including any obligations under such agreement and if the Court does not concur in such agreement, my plea may be withdrawn.
4. I understand that I have the right to plead not guilty; to be tried by a trial jury who would determine my guilt or innocence; to have the assistance of counsel at trial and all other stages of the proceedings against me; to compel the attendance of witnesses on my behalf; to confront and cross-examine witnesses against me; to remain silent at all times and not be compelled to give evidence against myself; I understand that upon my plea that there will be no further trial of any type. I knowingly give up and waive each of these rights.
5. This plea is made without reservation of the right to appeal the judgment of the Court, including guilt or innocence. I understand that I will not be entitled to the services of a public defender for any appeal other than an appeal based upon an illegal sentence and I must file any notice of appeal within thirty (30) days of sentencing.
6. My plea is entered here today freely and voluntarily, of my own free will and accord, and no one has forced, threatened, persuaded, promised, induced, or otherwise influenced me to enter my plea to these charges except as set forth in this plea agreement.
7. I am in full command of my normal faculties and I am not under the influence of any sedatives, drugs, narcotics, or intoxicating beverages which would render me incapable of knowingly, intelligently, or voluntarily entering this plea today. I am not now suffering from any mental illness. I have a clear understanding of the proceedings today.
8. I agree that the State of Florida can prove a prima facie case.
9. I have had the advice of counsel of all of the above matters, including answers to questions asked of me by the Court, and I fully understand the same and their legal implications and further say that all statements made by me are true, accurate and correct. I understand that if any statements or answers to questions made by me are false that they may be used against me in a later prosecution for perjury.
10. I understand that at sentencing the State, County and various agencies may seek assessment of costs against me pursuant to various statutes and ordinances and that I will have the opportunity to object to the assessment of these costs if I am unable to pay.
11. I understand that if I am not a United States citizen that I may be deported by the United States Naturalization and Immigration Service as a result of my plea.
12. If I am adjudicated guilty of a drug-related offense, I understand that my driver's license is subject to suspension pursuant to § 322.055(1), Florida Statutes.
13. I understand that if I enter a plea to a sexual offense, I may be subject to the sentence provisions of the Jessica Lunsford Act (§ 948.30 and 948.063, Florida Statutes).
14. I understand that if I enter a plea to a sexual offense, I may be subject to civil commitment following the expiration of my sentence, pursuant to the terms of the Jimmy Ryce Act.
15. I have reviewed the nature of the evidence against me and I am not aware of any physical evidence containing DNA which could prove my innocence.

WITNESS my hand this the 14th day of Oct., 2021

ATTEST: [Signature]
 Attorney for Defendant

[Signature]
 Defendant

[Signature]
 Elizabeth P. Magee, Assistant State Attorney

Age: _____
 Education: _____

I find that this plea has been freely and voluntarily made and same was sworn to and subscribed before me this the 14th day of Oct., 2021, and Approved and Accepted.

[Signature]
 CIRCUIT Court Judge

State of Florida
-VS-

WHITFIELD, LORIE DENISE
20003912CFMA

IN THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY

FINAL JUDGMENT

Pursuant to the issuance of an order for payment of court imposed financial obligations, including fines, costs and fees in the above case number, and under the authority of F.S. 938.30(6), a judgment shall be entered against the above named defendant, residing at 302 E. Woodland Rd., Panama City, FL 32409, in the amount of 300.00. It is further

ORDERED AND ADJUDGED that the State of Florida is to have and recover from Lorie Denise Whitfield the sum of 300.00 for which let execution issue. It is further

ORDERED AND ADJUDGED that this final judgment be recorded in the county where the defendant resides and in each county where the defendant owns or later acquires any property. The final judgment shall be enforced on behalf of the State of Florida by the Bay County Clerk of the Fourteenth Judicial Circuit in the manner provided by law.

DONE AND ORDERED this 14th day of Oct. 2021 at Panama City, Bay County, Florida.



Circuit Judge

EXHIBIT #2
PAGE 7/14

(Attorney fee/cost judgment)

Filing # 138225035 E-Filed 11/09/2021 04:52:31 PM

STATE OF FLORIDA

IN THE FOURTEENTH JUDICIAL
CIRCUIT COURT, IN AND FOR
BAY COUNTY

-VS-

CASE NUMBER 20-3912CFMA

WHITFIELD, LORIE DENISE

Defendant

DC NUMBER A81290

Local Jurisdiction Identification Number: 03

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 nolo contendere to

Count 01 SELL, POSSESS, MFG, ALTER DOH PRESCRIPTION BLANKS

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 eighteen (18) months 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 \$20.00 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.
- (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 Bay 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 1625 Florida Ave., Panama City, Florida 32405.

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.
Additional instructions ordered: At the direction of Probation & Parole
- 3. You will be required to pay for drug testing unless exempt by the court.
- 23. Pay \$1 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.
- 27. Other: DMV may apply additional penalties
- 28. Other: Zero tolerance for use of any illegal controlled substances while on supervision not lawfully prescribed
- 29. Other: You will have no contact with Journey Pure

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: \$ _____

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: _____

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.

NUNC PRO TUNC 10/14/2021

DONE AND ORDERED, on Tuesday, November 9, 2021

03-2020-CF-003912-AM 11/09/2021 03:50:41 PM



Christopher N. Patterson, Judge
03-2020-CF-003912-AM 11/09/2021 03:50:41 PM

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: _____

Lorie Denise Whitfield, Defendant

Instructed by: _____
Daniel Salazar, Supervising Officer

EXHIBIT #2
PAGE 10/14



(<http://www.dc.state.fl.us/index.html>)

Florida Department of Corrections
(<http://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** (<http://www.dc.state.fl.us/ci/visit.html>)
- Correctional Institutions** (<http://www.dc.state.fl.us/ci/index.html>) **Probation Services** (<http://www.dc.state.fl.us/cc/index.html>)
- FDC Jobs** (<http://www.fldocjobs.com>) **Newsroom** (<http://www.dc.state.fl.us/comm/index.html>)
- Statistics** (<http://www.dc.state.fl.us/pub/index.html>)

Corrections Offender Network

Supervised Population Information Detail

(This information was current as of 12/19/2021)



DC Number:	A81290
Name:	WHITFIELD, LORIE DENISE
Race:	WHITE
Sex:	FEMALE
Birth Date:	[REDACTED]
Supervision Begin Date:	10/14/2021
Current Location:	PANAMA CITY (http://prod.fwpwso01.fdc.myflorida.com/c)
Current Status:	<u>ACTIVE</u>
Supervision Type:	PROBATION FELONY
Scheduled Termination Date:	04/13/2023
	
https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&agency=900&offenderID=A81290	

Current Verified PERMANENT Address:

362 E WOODLAND RD
PANAMA CITY, FL 32409

Aliases:

LORIE DENISE WHITFIELD

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:

Offense Date	Offense	Sentence Date	County	Case No.	Community Supervision Length
07/09/2020	POS/S/M/A/D/UTT PRESCP BLANK	10/14/2021	BAY	2003912	0Y 18M 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 PANAMA CITY Circuit Office (<http://prod.fdc-wpws001.fdc.myflorida.com/cc/14.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: whitfield First Name: Lorie 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 96,000 inmates and supervises nearly 166,000 offenders in the community.

Quick Links

- [Contact an Inmate](http://www.dc.state.fl.us/ci/ContactInfo/)
- [Public Records](http://www.dc.state.fl.us/ci/ContactInfo/)
- [Volunteer](http://www.dc.state.fl.us/comm/PRR.html)
- [File a Complaint](http://www.dc.state.fl.us/volunteer/index.html)
- [Organization](http://www.dc.state.fl.us/apps/IGcomplaint.html)
- [Regulatory Plan](http://www.dc.state.fl.us/org/orgchart.html)
- [2018.pdf](http://www.dc.state.fl.us/pub/regulatory/2018.pdf)
- [Victim Services](http://www.dc.state.fl.us/vict/index.html)
- [Inmate and Offender Programming](http://www.dc.state.fl.us/vict/index.html)
- [Development Foundation](http://www.dc.state.fl.us/development/index.html)
- [Corrections Foundation](https://www.correctionsfoundation.org/)
- [Prisoner Information](https://www.fcor.state.fl.us/index.shtml)
- [Inspector General](https://www.fcor.state.fl.us/index.shtml)
- [Prison Rape Elimination Act](http://www.dc.state.fl.us/jg/index.html)
- [PREA](http://www.dc.state.fl.us/PREA/index.html)

Contact Us

<http://www.dc.state.fl.us/org>

501 South Calhoun Street
Tallahassee, FL 32399-2500
Main: (850) 488-5021
Phone Directory
<http://www.dc.state.fl.us/org/contact.html>
[Citizen Services](http://www.dc.state.fl.us/citizen/index.html)
<http://www.dc.state.fl.us/citizen/index.html>

IN THE CIRCUIT COURT OF THE
FOURTEENTH JUDICIAL CIRCUIT
IN AND FOR BAY COUNTY, FLORIDA

CASE NO. 20-CF-3912

STATE OF FLORIDA,
Plaintiff,

v.

LORIE WHITFIELD,
Defendant.

ORDER GRANTING MOTION TO TERMINATE PROBATION

THIS MATTER is before the Court on the Defendant's pro se Motion to Terminate Probation, filed on September 28, 2022. Having considered the Motion, the State's Response, court file and records, and being otherwise fully advised, the Court finds that Defendant's Motion is due to be granted, and probation should be terminated.

Therefore, it is ORDERED and ADJUDGED that Defendant's Motion is hereby GRANTED, and probation is TERMINATED.

DONE and ORDERED in chambers, Bay County, Florida, on this 11
day of Oct, 2022.



TIMOTHY REGISTER
CIRCUIT JUDGE

CERTIFICATE OF SERVICE

I CERTIFY that a true and exact copy of the foregoing has been provided by e-portal, email, U.S. Mail, and/or hand delivery to Defendant, Lorie Whitfield, 362 E. Woodland Rd., Panama City, FL 32409; and Frank Sullivan, Assistant State Attorney, P.O. Box 1040, Panama City, FL 32402, on this 11 day of October, 2022.

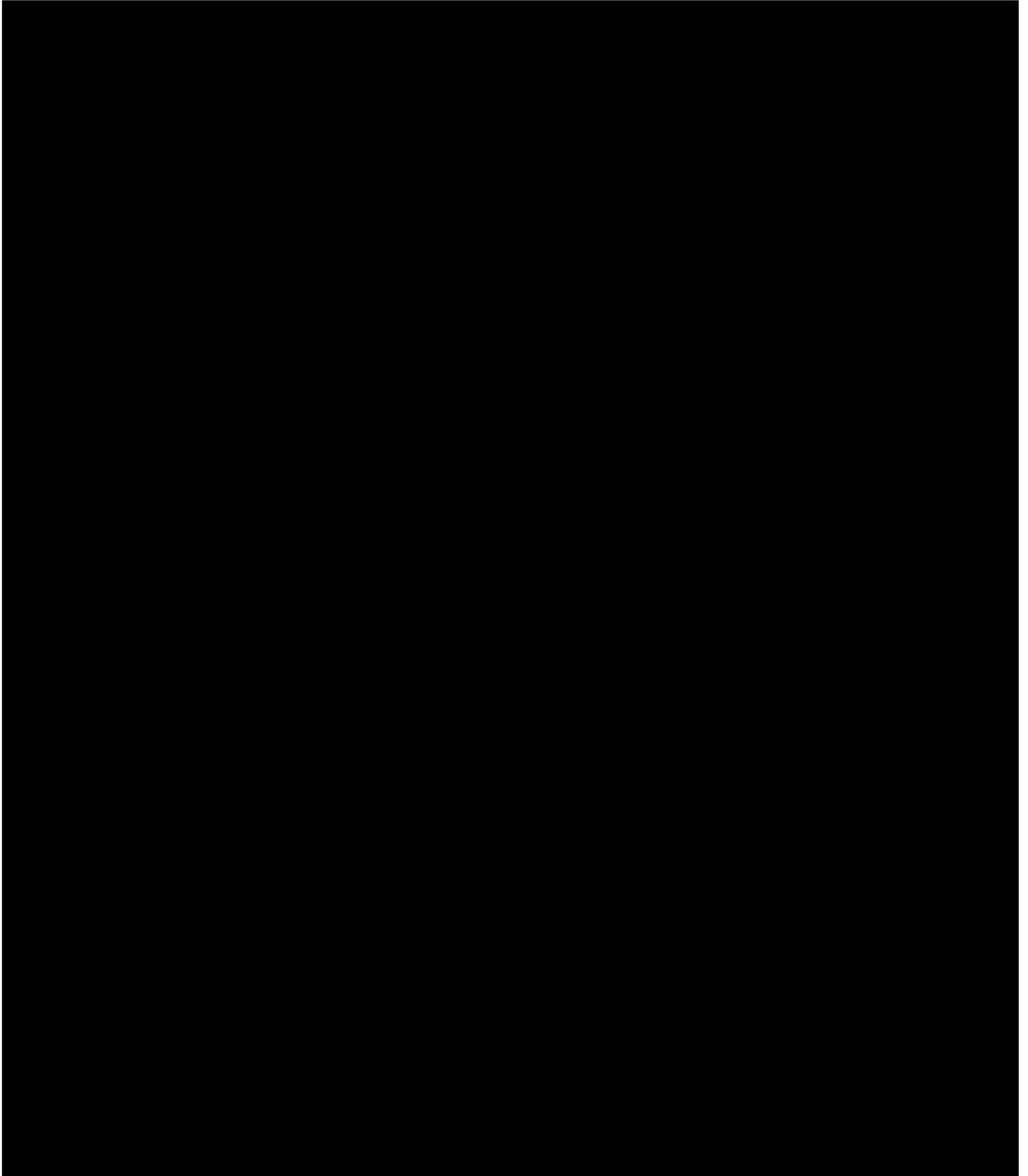


Patty Kelley
Judicial Assistant

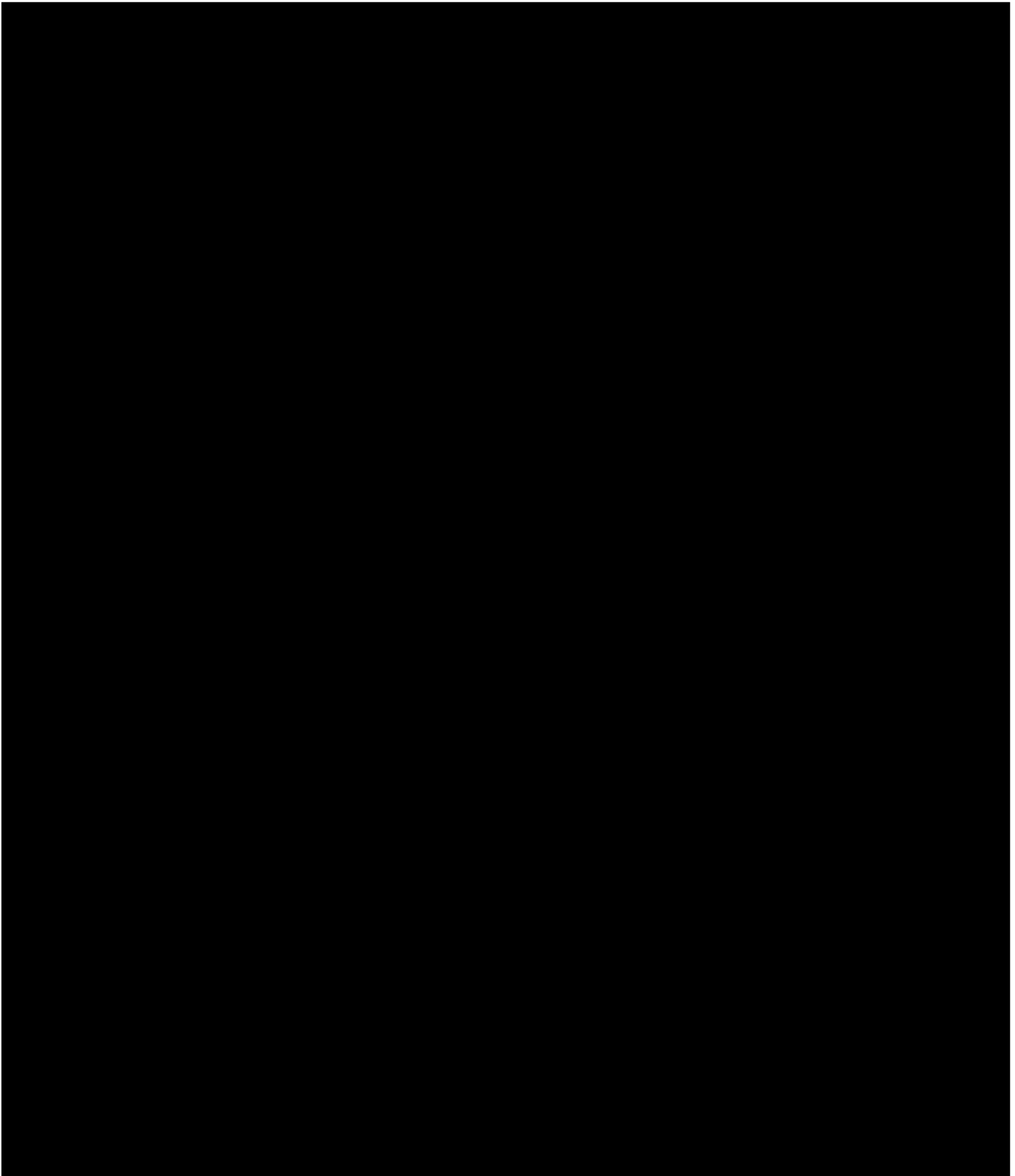
EXHIBIT #2
PAGE 14/14

FDLE Information Notification System

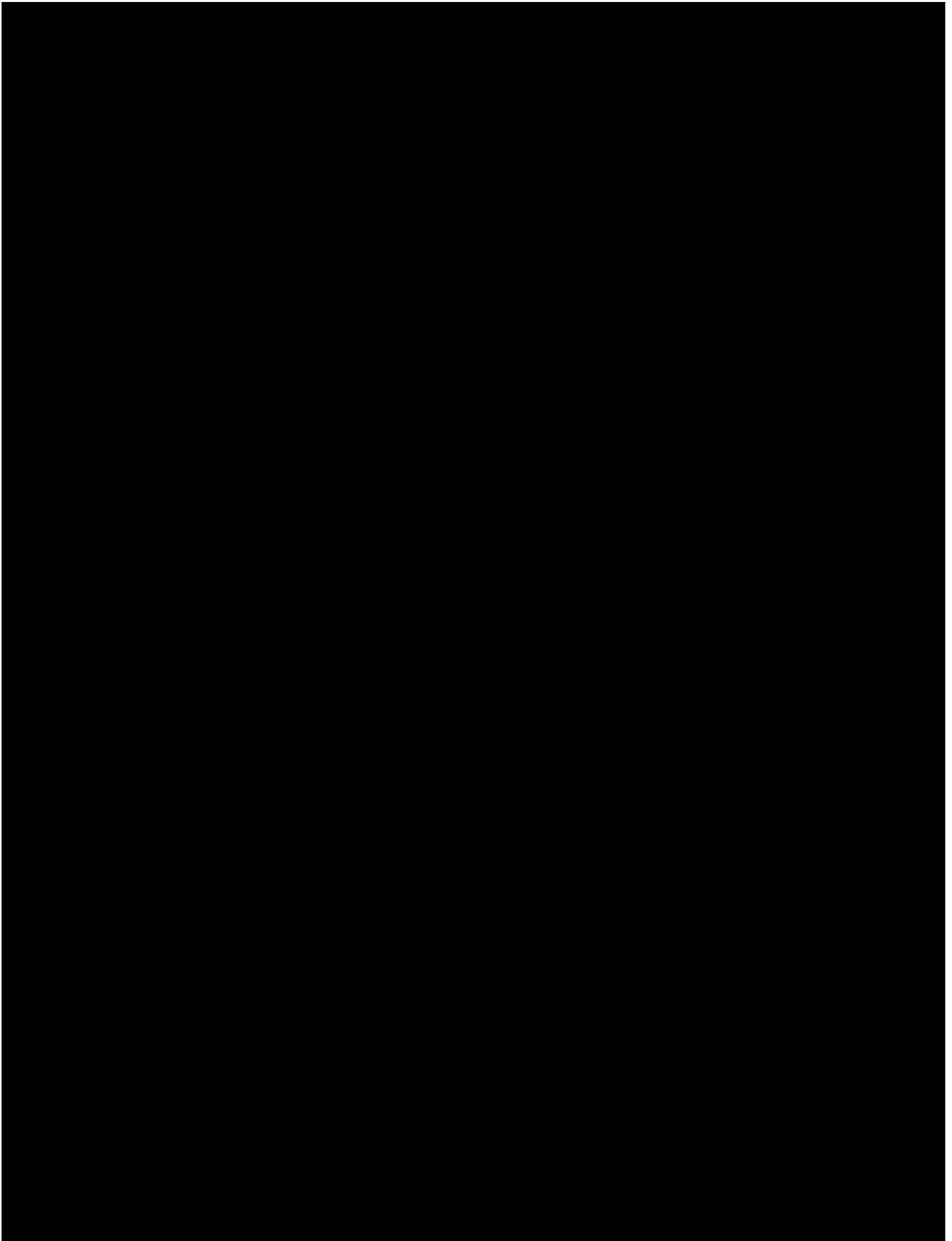
Sent Date: 4/28/23 1:20 PM Purge Date: 10/25/23 1:20 PM Mail Ref.No: ORG002044-8164710



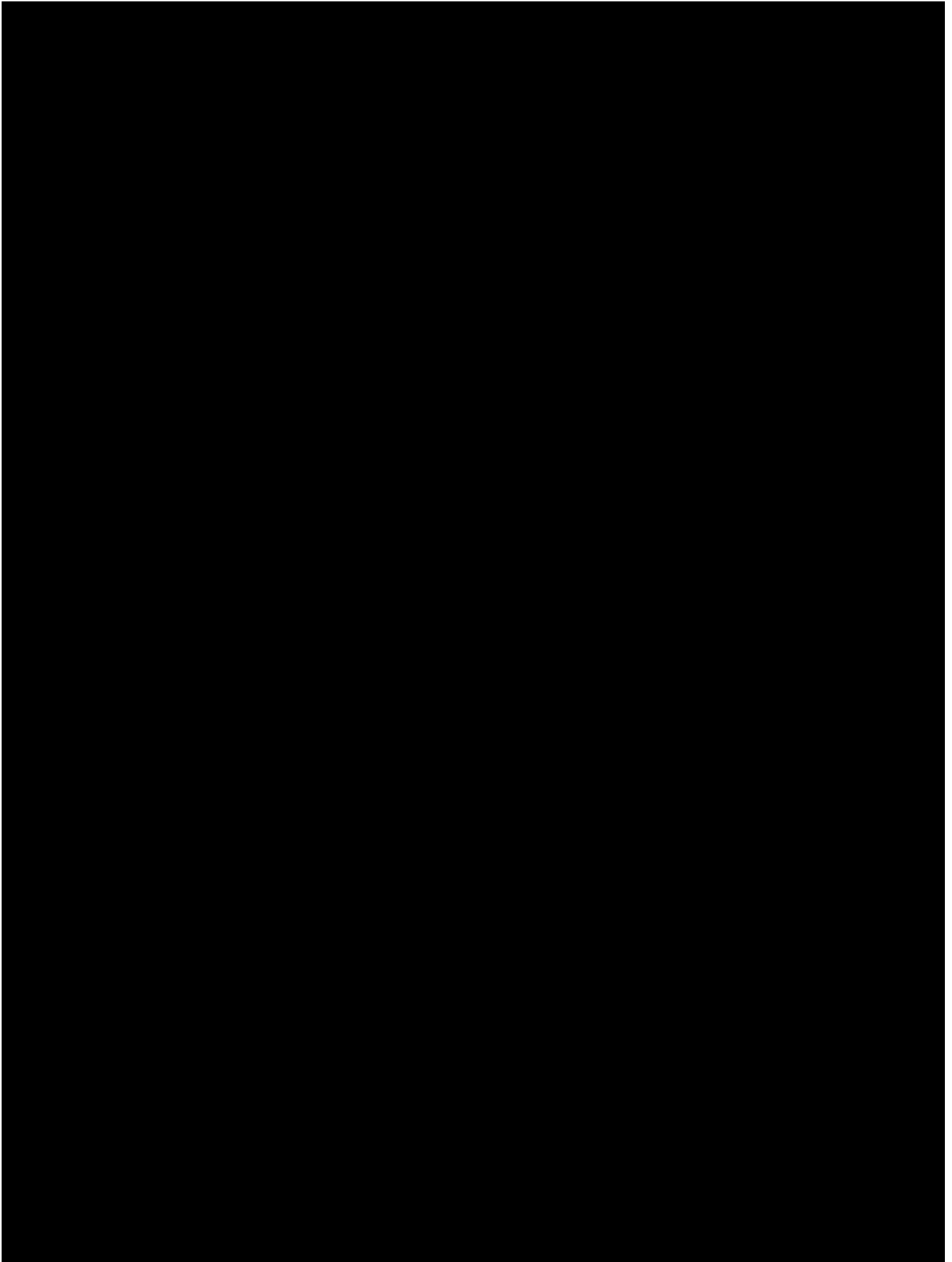
Subject : *Results of check for WHITFIELD, LORIE DENISE (80GBPR040000096575)*



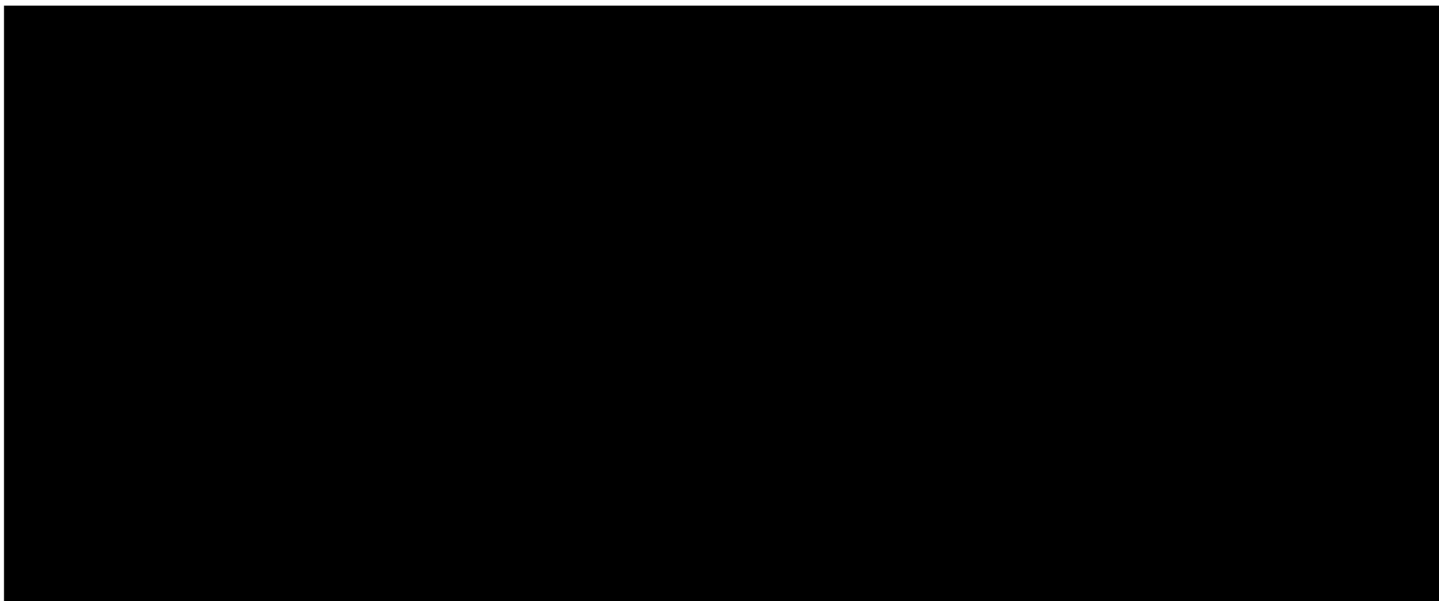
Subject : *Results of check for WHITFIELD, LORIE DENISE (80GBPR040000096575)*



Subject : *Results of check for WHITFIELD, LORIE DENISE (80GBPR040000096575)*



Subject : *Results of check for WHITFIELD, LORIE DENISE (80GBPR040000096575)*



*****NATIONAL/FBI RAP BACK SUBSCRIPTION RESPONSE LISTED BELOW*****

This transaction has been successfully subscribed and retained as a part of the National Rap Back Service.
Rap Back Subscription Identifier: 40054311863
Event Identifier: 40456924764

Comprehensive Ruling Report

Rulings Against: Lorie Denise Whitfield

Legal Name: Lorie Denise Whitfield

Birth Date [REDACTED]

0 Total Ruling(s) Listed

"Multiple medication violation points and point totals are for advisory and informational purposes only to indicate the existence of regulatory medication violation determinations made by racing regulatory entities in order to notify officials of possible aggravating factor that should be reviewed by official prior to taking regulatory action. Confirmation of violation should be made directly with the racing regulatory entity responsible."

No Rulings

Comprehensive Licensee Report

ARCI Licensee: Lorie Denise Whitfield

Identification Information

DOB: [REDACTED]
Country: USA
Sex: Unknown

Licensee's Names

Current Legal Name: Lorie Denise Whitfield

Licensee's Addresses

None

Licensee's Phone Numbers

None

Fingerprint History

None

License History

License Number:	12548941	License Type	Other/OTB/Casino
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date	10/29/2020	Expire Date	6/30/2023
Division	Dog	Breed	Unknown

Ruling History

None

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.: 2022-000896

LORIE DENISE WHITFIELD,

Respondent.
_____ /

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering (“Division”), hereby enters this Final Order for the above styled matter. On May 20, 2022, Alison A. Parker, Hearing Officer for the Department, issued the Recommended Order in this matter. The Recommended Order is attached to the Final Order and incorporated herein by reference.

FINDINGS OF FACT

The Findings of Fact contained in the Recommended Order are hereby adopted as the Findings of Fact of the Division.

CONCLUSIONS OF LAW

The Conclusions of Law contained in the Recommended Order are hereby adopted as the Conclusions of Law of the Division.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law adopted from the Recommended Order of the Department's Informal Hearing, it is hereby ORDERED that:

1) Respondent's Pari-Mutuel Wagering Cardroom Employee Occupational License, number 12548941-1012 is hereby **REVOKED**.

2) This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Business and Professional Regulation.

This Final Order in DBPR Case Number 2022-000896 is DONE AND ORDERED this 28 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

EXHIBIT #4
PAGE 4/15

NOTICE OF RIGHT TO APPEAL UNLESS WAIVED

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to Section 120.68, Florida Statutes. Review Proceedings are governed by Rules 9.110 and 9.190, Florida Rules of Appellate Procedure. Such proceedings are commenced by filing one copy of a Notice of Appeal with the Department of Business and Professional Regulation, Attn: Ronda L. Bryan, Agency Clerk, 2601 Blair Stone Road, Tallahassee, Florida 32399 (agc.filing@myfloridalicense.com) and a second copy, accompanied by filing fees prescribed by law, with the District Court of Appeal, First District, or with the District Court of Appeal in the Florida Appellate District where the Party Resides. The Notice of Appeal must be filed within thirty (30) Days of Rendition of the Order to be reviewed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY this 29th day of June 2022, that a true and correct copy of the foregoing Final Order has been sent via U.S. Mail to:

Lorie D. Whitfield
362 East Woodland Road
Panama City, Florida 32409



AGENCY CLERK'S OFFICE
Department of Business and Professional Regulation

cc: Ebonie Lanier

EXHIBIT #4
PAGE 6/15

FILED	
Department of Business and Professional Regulation Deputy Agency Clerk	
CLERK	Evette Lawson-Proctor
Date	5/20/2022
File #	

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.: 2022-000896

LORIE DENISE WHITFIELD,

Respondent.

_____ /

HEARING OFFICER'S RECOMMENDED ORDER

THIS MATTER came before Alison A. Parker, designated Hearing Officer for the Department of Business and Professional Regulation, on May 4, 2022, in Tallahassee, Florida, in accordance with the provisions of sections 120.569 and 120.57(2), Florida Statutes, for consideration of the Division's two-count Amended Administrative Complaint filed against Lorie Denise Whitfield ("Respondent"), in DBPR Case Number 2022-000896 ("Administrative Complaint"). The Division was represented by Emily A. Leiva, Deputy Chief Attorney, and the hearing was held telephonically. Both parties were permitted to present witnesses, proffer items into evidence, and otherwise fully participate in the hearing.

PROCEDURAL HISTORY

1. On February 4, 2022, the Division filed a two-count Amended Administrative Complaint against Respondent alleging violations of sections 550.105(5)(b), and 550.105(10)(d), Florida Statutes, based on her November 9, 2021, felony conviction and her failure to notify the Division of the conviction within 48 hours.

EXHIBIT #4
PAGE 7/15

2. On February 22, 2022, Respondent requested an informal hearing pursuant to section 120.57(2), Florida Statutes.

The Informal Hearing – May 4, 2022

3. The informal hearing was held on May 4, 2022. It was conducted pursuant to section 120.57(2), Florida Statutes.

4. At the hearing, the Division presented the issues raised in its Amended Administrative Complaint. The undersigned granted the Division's motion to accept the Findings of Fact in the Administrative Complaint as the undisputed facts in the case, and accepted the investigative report into the record.

5. Respondent explained the facts leading to her conviction stating that while she was employed at a drug rehabilitation facility and was arrested for stealing prescription pads from the physician.

6. When asked on how many occasions she illegally obtained prescriptions without authorization from the physician, she stated that she did this on at least eight occasions for narcotic and non-narcotic drugs. She stated that on one occasion, she meant to give the prescription pads back, but was caught by the office's local CCTV.

7. When asked what the purpose of obtaining the illegal drugs was, she responded that she was seeking Ambien for herself, but placed the prescription under her niece's name.

8. Respondent first testified that she called in this particular prescription to the pharmacy, but when asked about the criminal complaint report, she stated that she may have dropped off a paper prescription on this occasion.

9. She also confirmed that she received prescriptions for herself and her family members on numerous occasions.

10. Respondent testified that she is on probation for 18 months. She also testified that she is currently prescribed Ambien and was seeking the illegally prescribed Ambien in case she could not refill her prescription on time.

FINDINGS OF FACT

11. Petitioner is the state agency charged with regulating pari-mutuel wagering, card rooms, and slot machine facilities, pursuant to Chapters 550, 551, and 849, Florida Statutes.

12. Respondent held a Cardroom Employee Occupational License, number 12548941-1012, issued by Petitioner.

13. On November 9, 2021, Respondent was convicted for unlawful sell, manufacture, alteration, delivery, uttering, or possession of counterfeit resistant prescription blanks for controlled substances, a felony, out of Bay County, Florida in Case Number 20-3912CFMA.

14. There is competent substantial evidence to support the foregoing findings of fact.

CONCLUSIONS OF LAW

15. The undersigned Hearing Officer has jurisdiction to hear this case pursuant to section 120.57(2), Florida Statutes.

16. Section 550.105(5)(b), Florida Statutes, provides:

The division 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 division governing the conduct of persons connected with racetracks and frontons. In addition, 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; or a crime involving a lack of good moral character, or has had a pari-mutuel

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.

17. Section 550.105(10)(d), Florida Statutes, 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.”

18. Respondent was convicted of a disqualifying offense on November 9, 2021, and failed to inform the Division of her conviction for the disqualifying offense within 48 hours.

19. Not only is her convicted felony a disqualifying offense, it is also a grave and recent charge. Pari-mutuel wagering, just like the medical profession, is a highly-regulated industry. Her recent behavior demonstrates a cavalier attitude toward these types of highly-regulated industries.

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

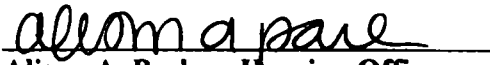
21. Considering the totality of the evidence, a licensure revocation is an appropriate penalty in this case.

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

RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law, it is hereby recommended that the Division issue a Final Order revoking Cardroom Employee Occupational License, number 12548941-1012.

Respectfully submitted this 19th day of May 2022.


Alison A. Parker, Hearing Officer
Department of Business and
Professional Regulation
2601 Blair Stone Road
Tallahassee, FL 32399-2202

CERTIFICATE OF SERVICE

I hereby certify this 20 day of May 2022 that a true copy of the foregoing Hearing Officer's Recommended Order has been provided by mail to:

Lorie D. Whitfield
326 East Woodland Road
Panama City, Florida 32409


AGENCY CLERK'S OFFICE

cc: Emily Leiva, Deputy Chief Attorney
Alison A. Parker, Informal Hearing Officer

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.: 2022-000896

LORIE DENISE WHITFIELD,

Respondent.

AMENDED ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Amended Administrative Complaint against Lorie Denise Whitfield ("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 12548941-1012, issued by Petitioner.
3. On or about November 9, 2021, Respondent entered a plea of nolo contendere and was convicted of Unlawful Sell, Manufacturing, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Prescription Blanks for Controlled Substances, a felony, in the Circuit Court of the Fourteenth Judicial Circuit in and for Bay County, Florida, in case number 20-3912CFMA.

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 division 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 division governing the conduct of persons connected with racetracks and frontons. In addition, 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; 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 Unlawful Sell, Manufacturing, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Prescription Blanks for Controlled Substances, a felony, in Bay County, Florida on November 9, 2021.

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 November 9, 2021 conviction for Unlawful Sell, Manufacturing, Alteration, Delivery, Uttering, or Possession of Counterfeit-Resistant Prescription Blanks for Controlled Substances in Bay County, Florida.

10. Pursuant to Section 550.105(10)(d), Florida Statutes, 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."

11. Based on the foregoing, Respondent violated Section 550.105(10)(d), Florida Statutes, by failing to inform the Division of her November 9, 2021 conviction for a disqualifying offense within 48 hours.

WHEREFORE, Petitioner respectfully requests the Division Director 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 Amended Administrative Complaint for DBPR Case Number 2022-000896 is signed this 3rd day of February, 2022.

/s/ Emily A. Leiva
Emily A. Leiva
Assistant General Counsel
Florida Bar Number: 1025200
Department of Business and Professional Regulation
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.Leiva@MyFloridaLicense.com
Secondary: Ebonie.Lanier@MyFloridaLicense.com

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.

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Dioni Gonzalez Fernandez; Case No. 2023-037449
Date: July 20, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Dioni Gonzalez Fernandez'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 June 15, 2023. The Executive Director reviewed the file and declined to waive the felony convictions. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On June 15, 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 the Applicant was convicted of felonies in the state of Florida. Specifically, the Applicant was convicted of four counts of threats/extortion in 2020.

Applicant did not apply for a waiver for his felony convictions, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing. Applicant disclosed these convictions on his application.

Relevant Law

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.”

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 convictions were not waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – SLOT Occupational License

RE: **GONZALEZ FERNANDEZ, DIONI –**
13630077

Case No: 2023037449

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	6/15/2023
COMPLETE APPLICATION RECEIVED:	6/15/2023
90-DAY DEADLINE:	9/13/2023

Randall Kitchens

544 - Hialeah

1055 - Security

Application Processor

Facility (d/b/a name)

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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
<input checked="" type="checkbox"/> Felony : 4 Count(s)				
<input type="checkbox"/> Misdemeanor – Industry Related/Gambling Related/Bookmaking				
<input type="checkbox"/> Animal Cruelty				
<input checked="" type="checkbox"/> Forgery, Larceny Extortion, Conspiracy to Defraud (Cardroom Professions Only)				
Comments:				
Arrest Date	Location	Charge	Level	Disposition
07/03/2020	Miami Dade, Florida	Threats/Exortion (4 Counts) F20009119	F2	Adj Withheld

Disposition Unknown
<input type="checkbox"/> Felony Arrest(s) :
<input type="checkbox"/> Misdemeanor Arrest – Industry Related/Gambling Related/Bookmaking
<input type="checkbox"/> Animal Cruelty

Enforcement/Jurisdiction Offenses
<input type="checkbox"/> 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 <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: _____

Licensing Administrator Review
Disposition Confirmation
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:  7/6/23
Comments:

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: **rkitchens**

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

Lic Type	1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination	Status	10 Initial Review	Status Date	07/05/2023
Complaint #	2023037449	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent GONZALEZ FERNANDEZ, DIONI	Responsible	ddonaldson - DONALDSON, DAVID	Private Case	

Complaint	Respondent	Complainant	Add'l Info
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Source	INTN - Internal	Security Level	1	<input type="button" value="Parties"/>	<input type="button" value="Activities"/>
Form	INTR - Internal	Priority		<input type="button" value="Allegations"/>	<input type="button" value="Discipline"/>
Class'n	CHIS - Criminal History	Complexity	R - Regular	<input type="button" value="Violations"/>	<input type="button" value="Compliance"/>
Security	STND - Standard	Incident	06/16/2023	<input type="button" value="Related"/>	<input type="button" value="Disposition"/>
Region	SR - Southern Region	Received	06/16/2023	<input type="button" value="Inspection"/>	
Reference	Entered		07/05/2023	<input type="button" value="Costs"/>	
	Entered By		rkitchens	<input type="button" value="Time Tracking"/>	<input type="button" value="Auto Assign"/>
Summary	Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility - 544 - Hialeah.			<input type="button" value="Attachments"/>	<input type="button" value="History"/>
Updated	07/05/2023 16:19:44	By	rkitchens	<input type="button" value="Work Notes"/>	<input type="button" value="Print Report"/>

<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.

Occupational License Fee Voucher

Date 06/15/2023

Voucher No. 1233

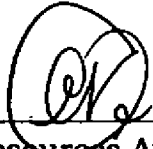
Applicant's Name Dioni Gonzalez Fernandez
(Please Print)

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**

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:
 - US Passport
 - Certificate of US Citizenship or Naturalization
 - Permanent Resident Card
 - OR, Provide a copy of two of the items below:
 - 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
Par-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 Gonzalez Fernandez	First Dioni	Middle	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: <u>N/A</u>			
Race/Ethnicity (check only one): <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			
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 5275 NW 9 AVE		Email Address (optional) [REDACTED]	
City MIAMI	State FL	Zip Code (+4 optional) 33127	Country USA
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional)	
Current Street Address 5275 NW 9 AVE			
City MIAMI	State FL	Zip Code (+4 optional) 33127	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		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>Security Officer</u>		Facility where employed and/or doing business: HIALEAH PARK CASINO	
*Applicants for a Combo license should disclose all job titles		Employer name: South Florida Racing Association, LLC.	
FOR DIVISION USE ONLY			
License Code <u>1065</u>	License # <u>13630077</u>	File # <u>11702</u>	App # <u>41652</u>
Association Code <u>544</u>	Date Received <u>6-15-23</u>	Entered By <u>E. Guerra</u>	License Year <u>23-24</u>
License Fee <u>100</u>	FP Date <u>6-15-23</u>	FP Fee <u>0</u>	Total Fee <u>100</u>
Waiver Requested (Combo Only)	ARCI <input checked="" type="checkbox"/>	Enforcement <input checked="" type="checkbox"/>	

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
		<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:

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
03/08/2019	MIAMI-DADE	FL	Battery	Misdemeanor	Nolle Pros
08/21/2020	MIAMI-DADE	FL	Reckless Driving	Felony	Adj Withheld / PROB
08/21/2020	MIAMI-DADE	FL	Flee/Elude PO	Felony	Adj Withheld / PROB
08/21/2020	MIAMI-DADE	FL	Threats/Extortion	Felony	WH Adj-Prob SP CON

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

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.

Dioni Gonzalez
Print Legal Name (First Middle Last)

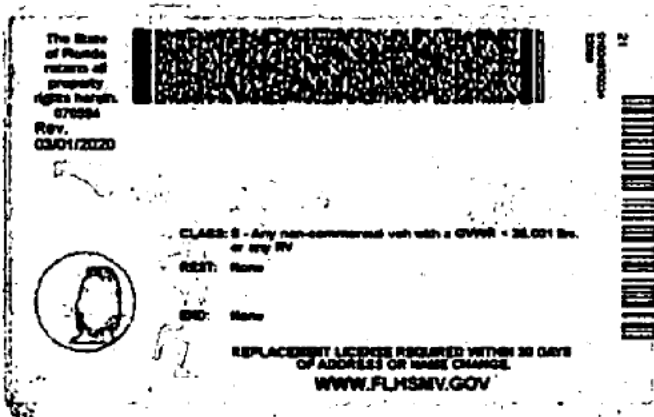
[REDACTED]
Birth Date (MM/DD/YYYY)

[REDACTED]
Social Security Number

South Florida Racing Association, LLC.
Name of Employer

Dioni
Signature of Applicant

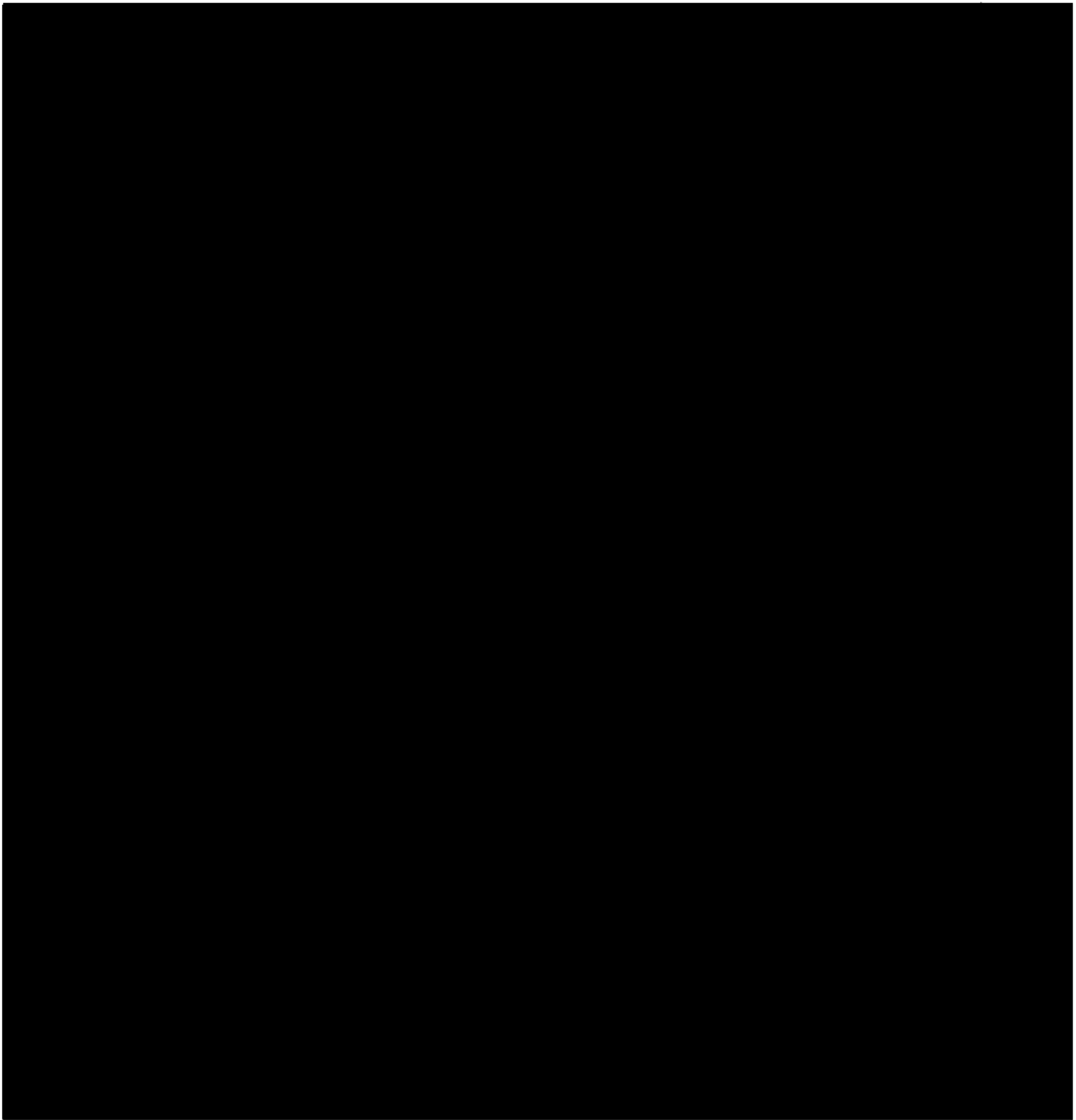
6/15/2023
Date



IN THE CIRCUIT AND COUNTY COURTS OF THE ELEVENTH JUDICIAL CIRCUIT OF FLORIDA

IN AND FOR MIAMI-DADE COUNTY

I, LUIS G. MONTALDO, CLERK AD INTERIM 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:

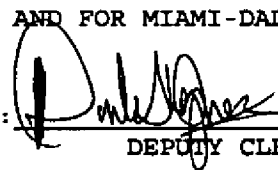


WITNESS MY HAND AND THE SEAL OF THE COURT AT MIAMI, MIAMI-DADE COUNTY,
FLORIDA, THIS 12 DAY OF JUNE, 2023.

LUIS G. MONTALDO, CLERK AD INTERIM
CIRCUIT AND COUNTY COURTS
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

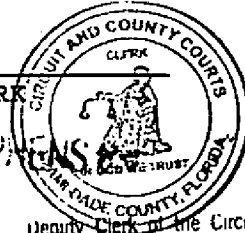
PAGE: 002

BY:



DEPUTY CLERK

MELISSA STEPHENS



Deputy Clerk of the Circuit Court of
the Eleventh Judicial Circuit of Florida,
in and for Miami-Dade County

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: eguerra

VR Home > Complaint Search

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
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No items found.

Total: 0

Print	Back
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 Get Adobe Reader.

*No results found
for Gonzalez Fernandez
dioni*



Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number
Date of Birth:
First Name:
Middle Name:
Last Name: Gonzalez Fernandez
Sex:
Commission:
License Type:

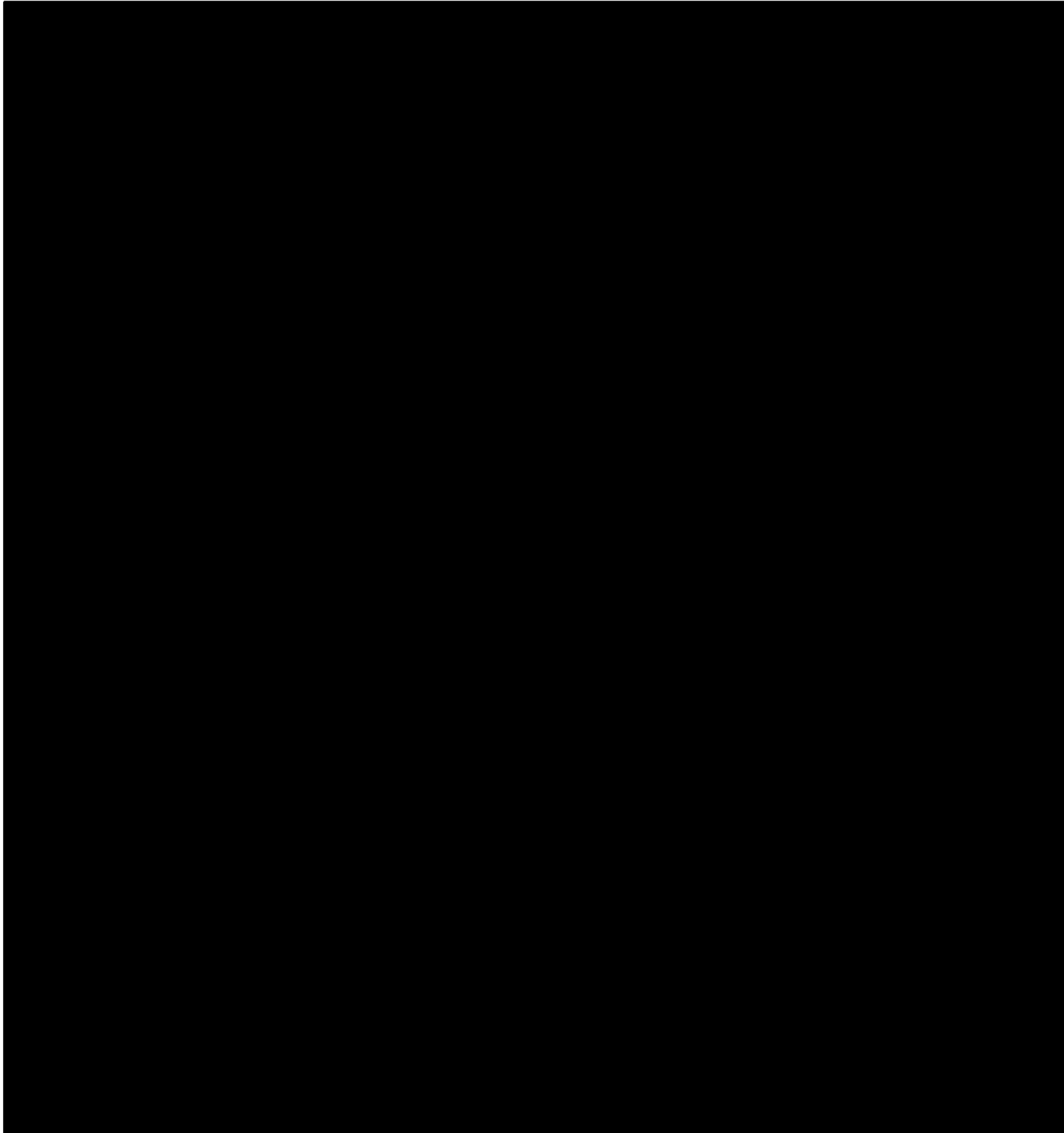
Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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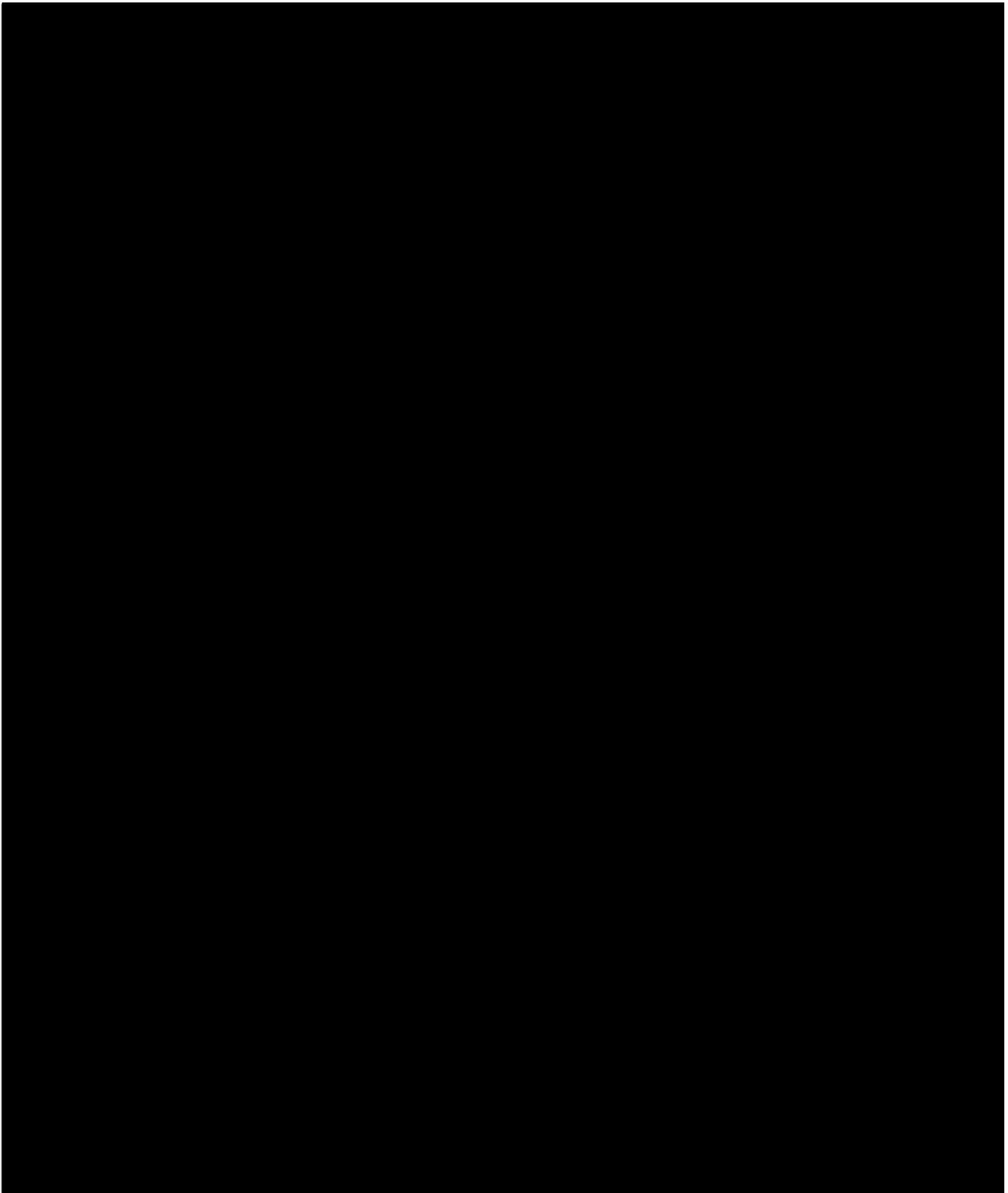
Also searched for
Gonzalez
Fernandez
Fernandez Gonzalez
for Gonzalez Fernandez
Dioni
No results found

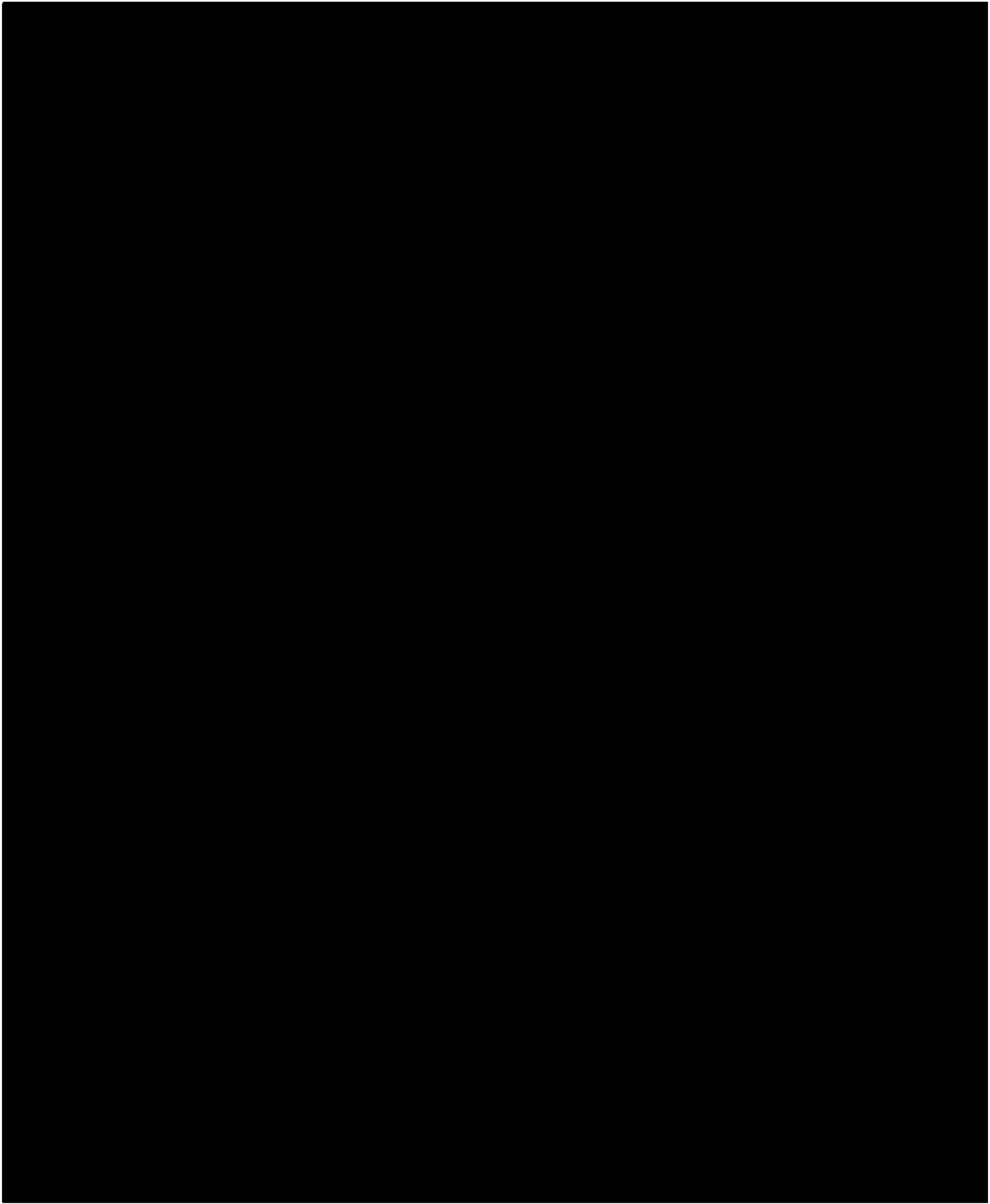
FDLE Information Notification System

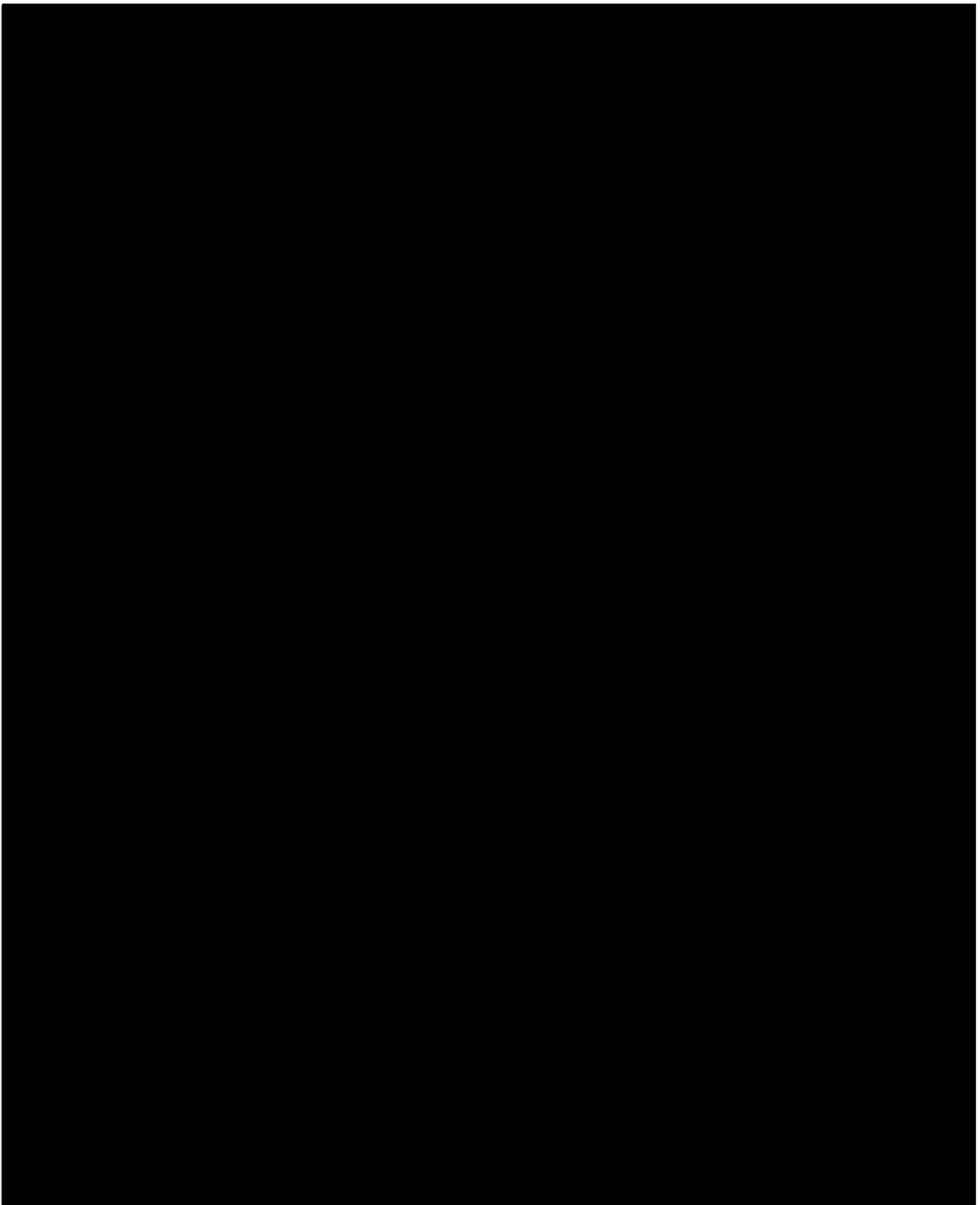
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Subject : *Results of check for GONZALEZFERNANDEZ, DIONI (70CC270000001329)*

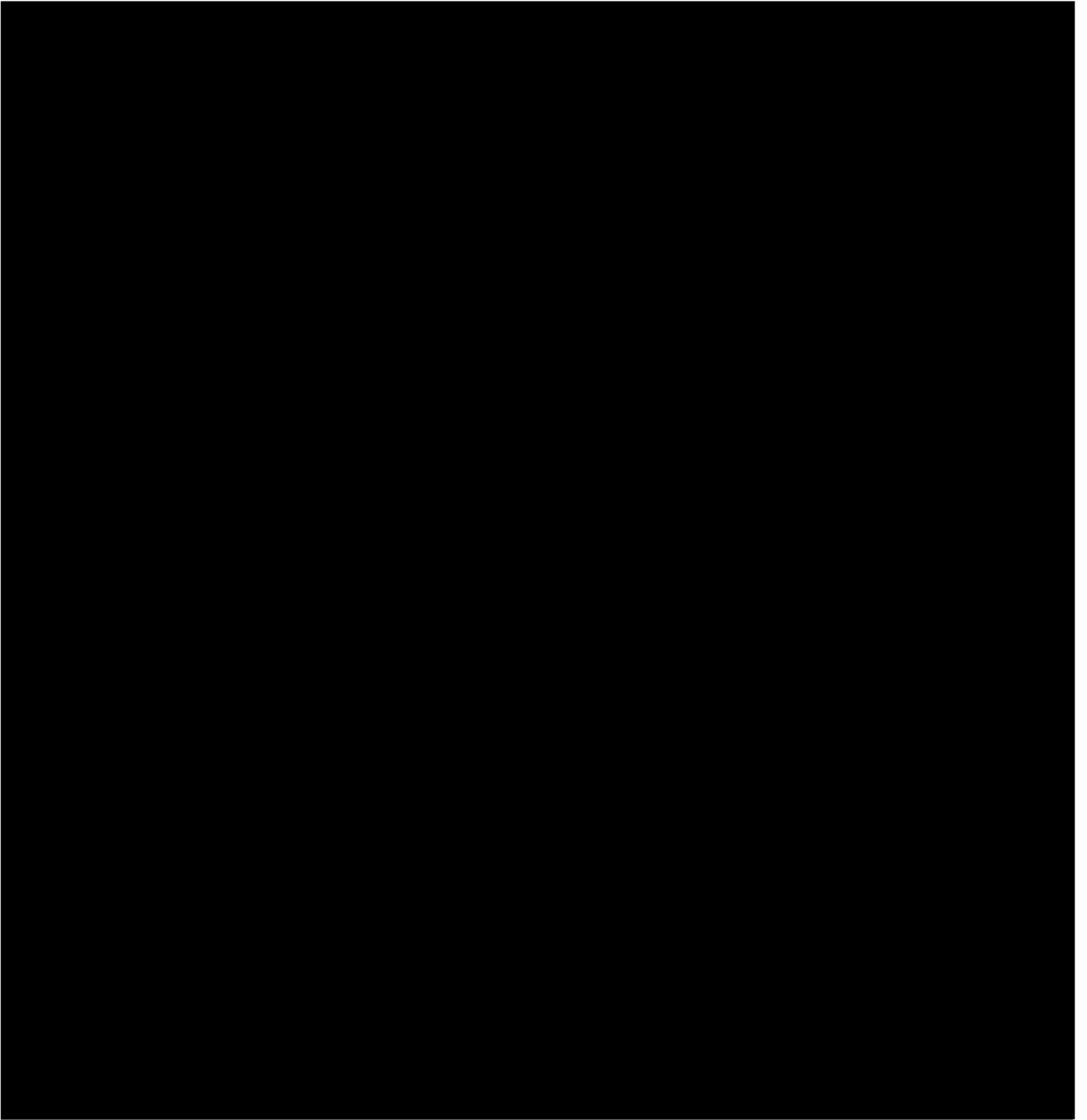








Subject : *Results of check for GONZALEZFERNANDEZ, DIONI (70CC270000001329)*

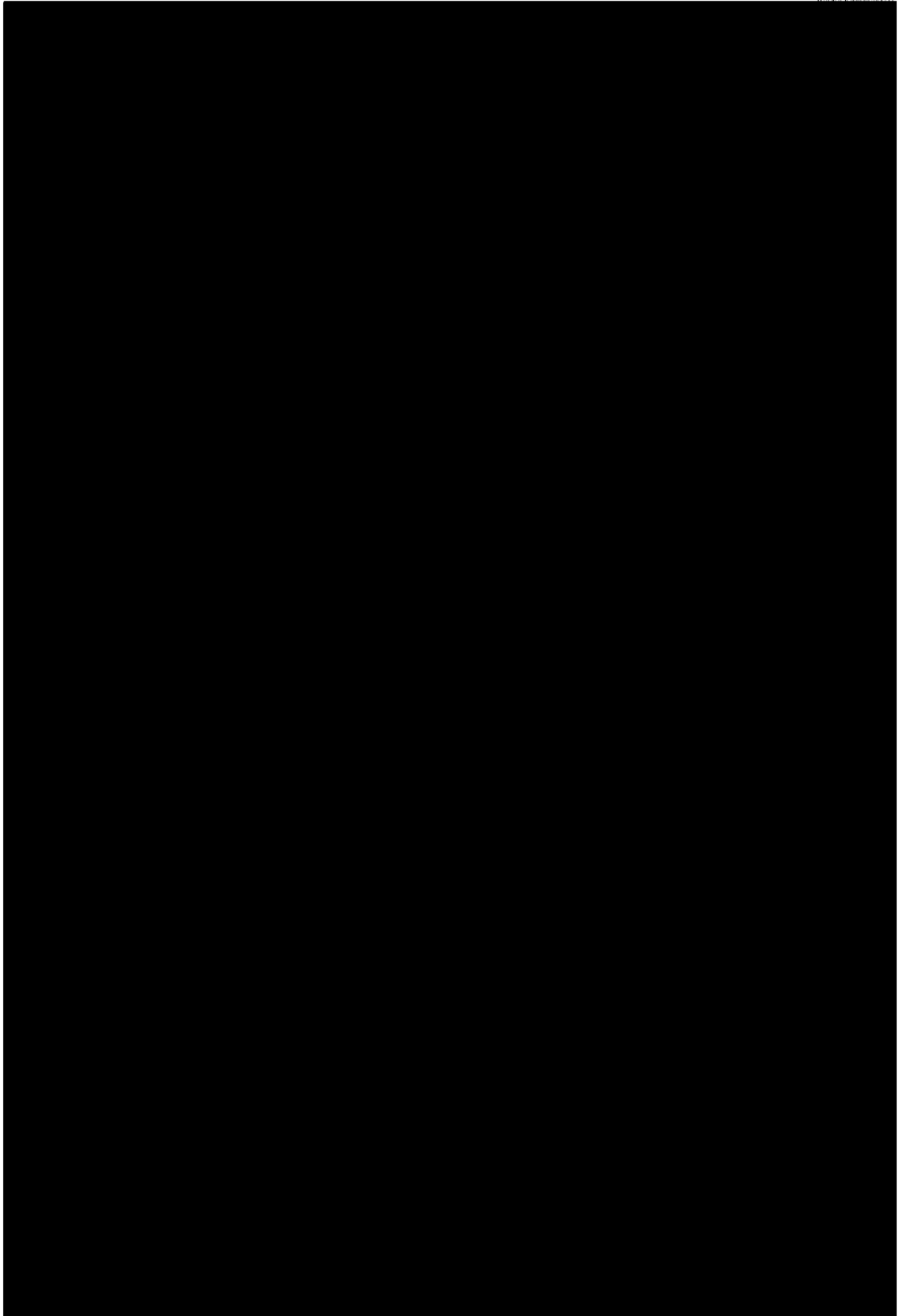
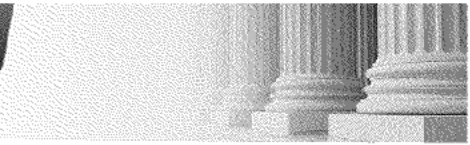


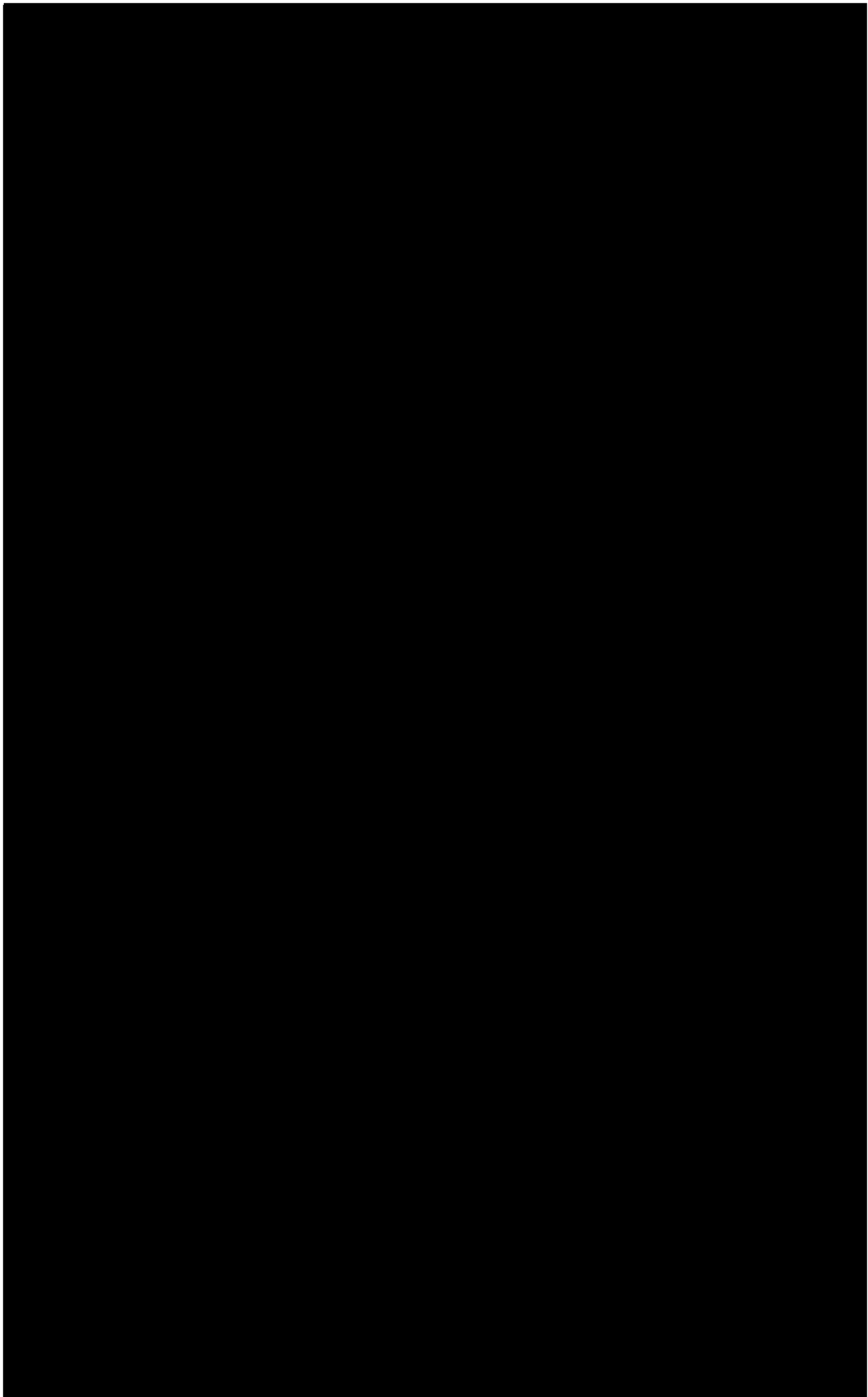


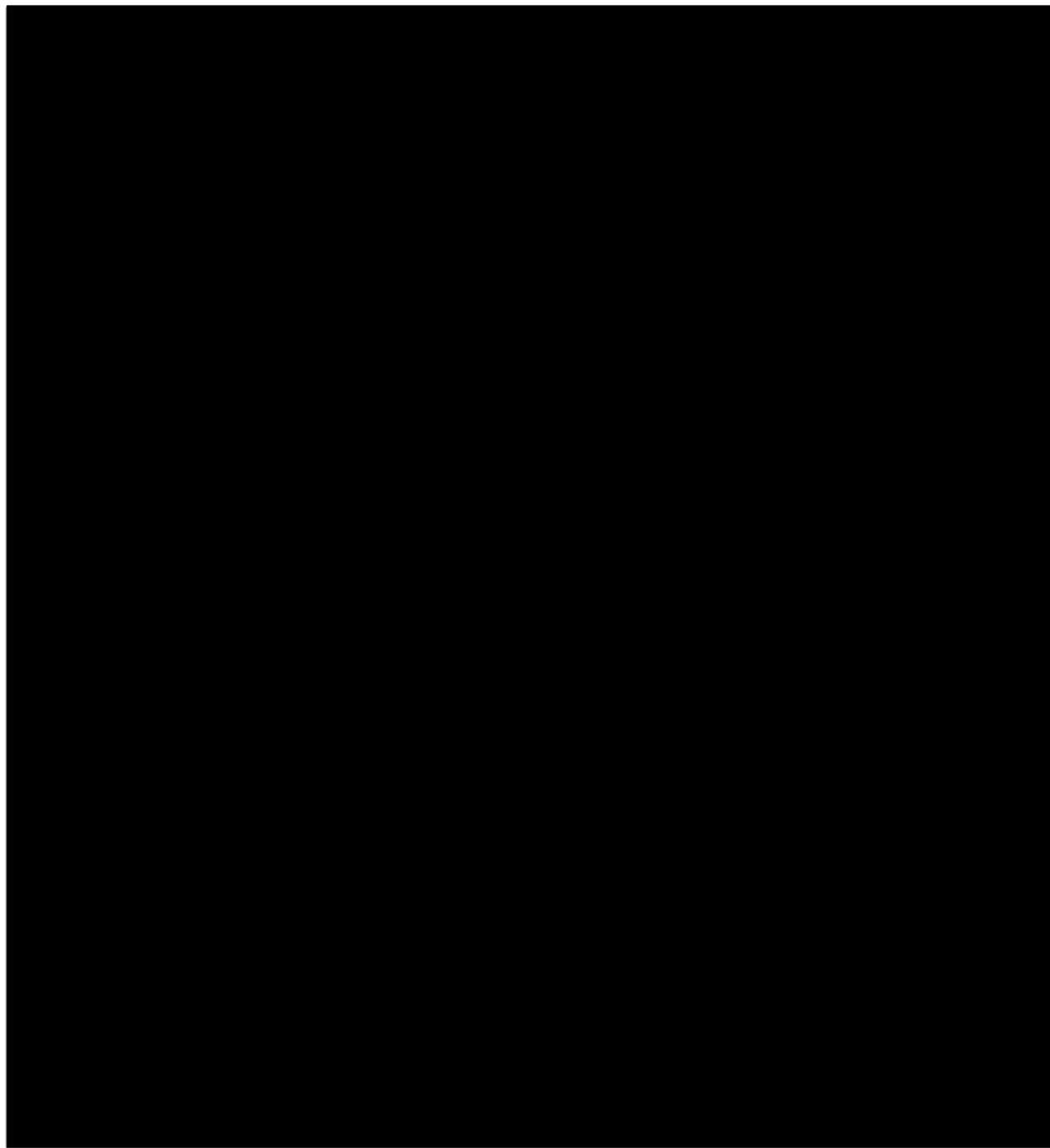
**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

Bring You

ccis COMPREHENSIVE CASE
INFORMATION SYSTEM







IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		388	CLOCK IN 2020 SEP 14 AM 9:23 FILED FOR RECORD
CRIMINAL DIVISION	FINDING OF GUILT AND ORDER OF WITHHOLDING ADJUDICATION/SPECIAL CONDITIONS		
THE STATE OF FLORIDA	VS. DIONI GONZALEZ		
PLAINTIFF	DEFENDANT		
CASE NUMBER:	F20007751		
Dioni Gonzalez-fernandez			

IT APPEARING UNTO THE COURT that the defendant being personally before the court accompanied by his/her attorney, ARMANDO HERNANDEZ, PA has been found guilty of the charge of

COUNT	CRIME	DEGREE
2	RECKLESS DRIVING/REDUCE DUI	2/M
3	DRAG RACING/HIGHWAY	1/M

by the court upon the entry of a guilty plea and it appearing unto the court, upon a hearing of the matter, that the defendant is not likely to engage in a criminal course of conduct and the ends of justice and welfare of society do not require that the defendant shall presently suffer the penalty imposed by law, and the Court being fully advised in the premises, it is thereupon ORDERED and ADJUDGED that an adjudication of guilt be, and the same is hereby stayed and withheld.

IT IS FURTHER ORDERED AND ADJUDGED that:

The defendant is placed on PROBATION in a separate Order entered herein.

SPECIAL CONDITIONS

- Costs
- DNA not taken
- PROBATION
- Concurrent with F20-9119

IT IS ORDERED THAT the defendant be fingerprinted pursuant to Florida Statute 921.241(1).



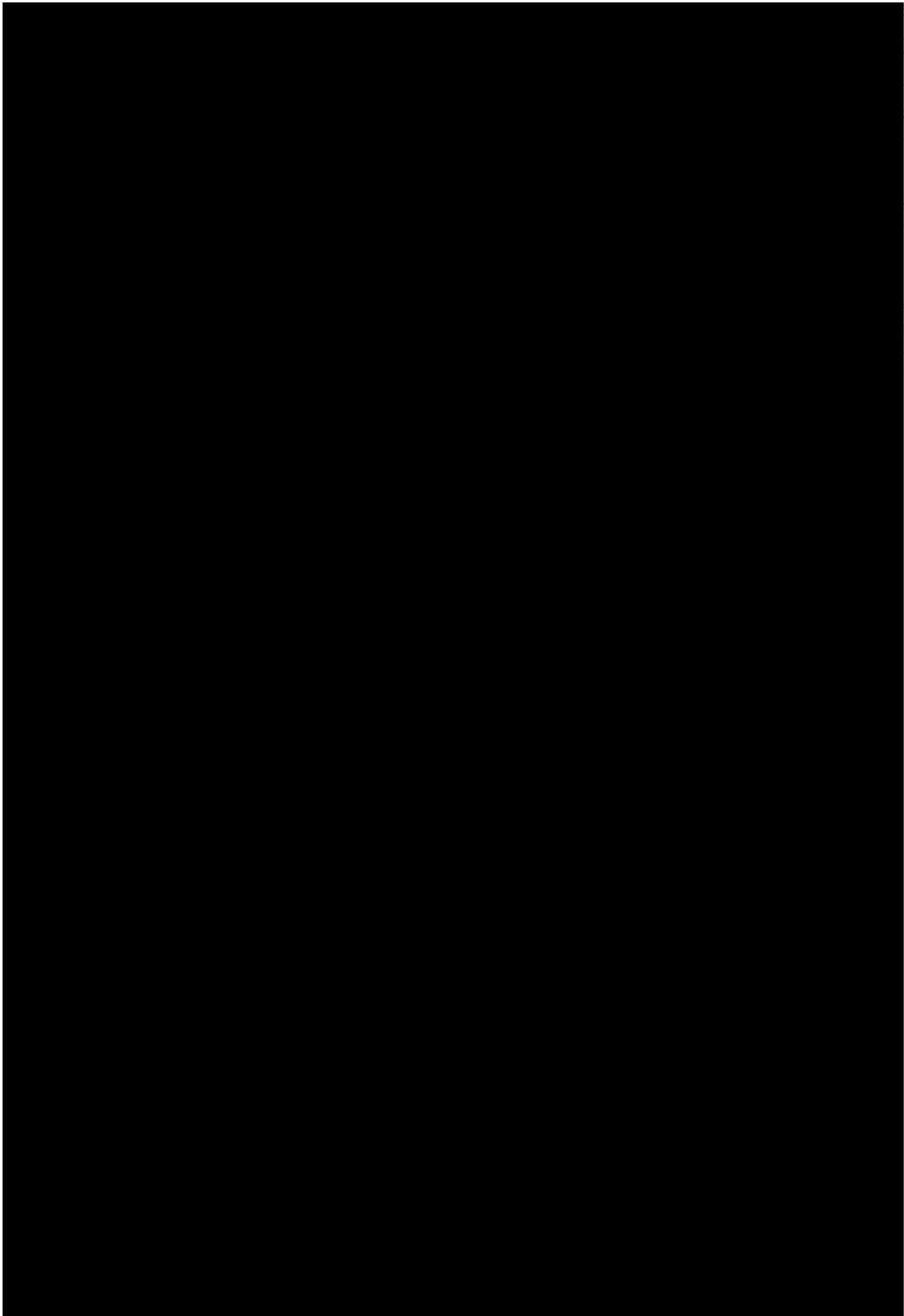
MIAMI-DADE COUNTY

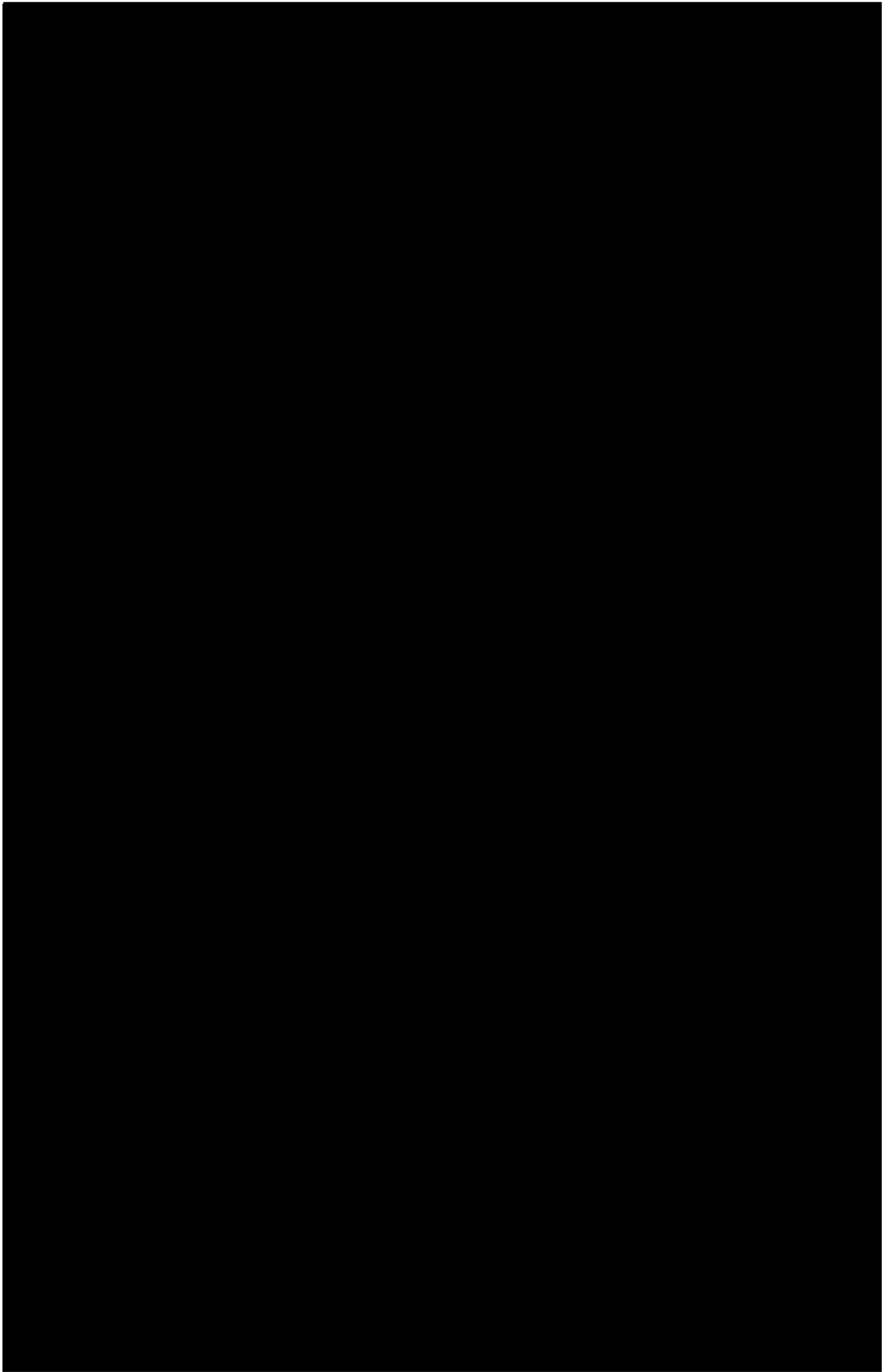
JUAN FERNANDEZ-BARQUIN
CLERK OF THE COURT AND COMPTROLLER

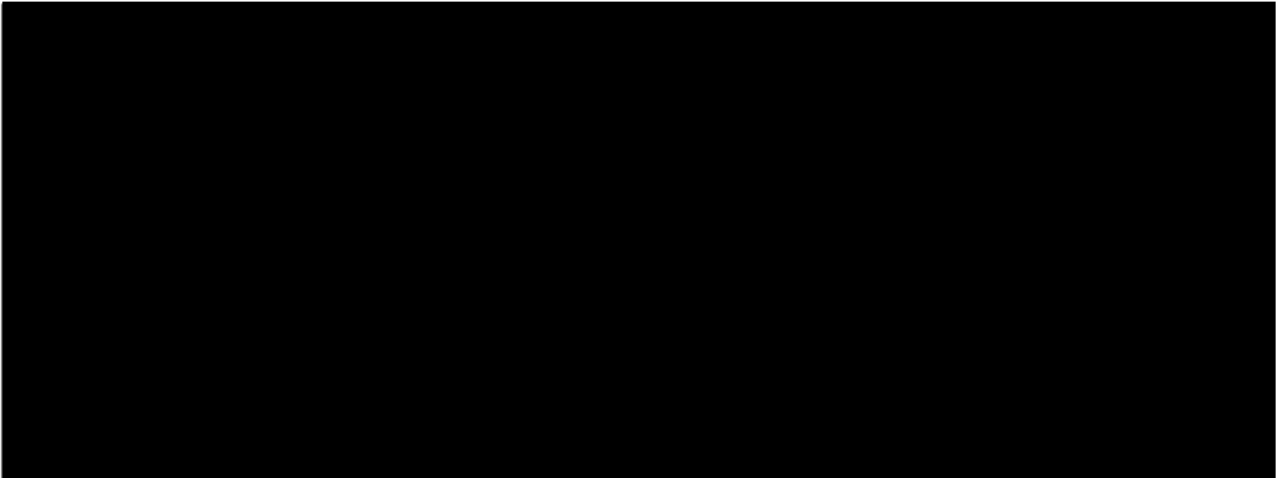
**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

Bring You

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INFORMATION SYSTEM







IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA		388	CLOCK IN 2020 SEP 14 AM 9:22 FILED FOR RECORD
CRIMINAL DIVISION	FINDING OF GUILT AND ORDER OF WITHHOLDING ADJUDICATION/SPECIAL CONDITIONS		
THE STATE OF FLORIDA	VS. DIONI GONZALEZ-FERNANDEZ		
PLAINTIFF	DEFENDANT		
CASE NUMBER:	F20009119		
Dioni Gonzalez			

IT APPEARING UNTO THE COURT that the defendant being personally before the court accompanied by his/her attorney, ARMANDO HERNANDEZ, PA has been found guilty of the charge of

COUNT	CRIME	DEGREE
1	THREATS/EXTORTION	2/F
2	THREATS/EXTORTION	2/F
3	THREATS/EXTORTION	2/F
4	THREATS/EXTORTION	2/F

by the court upon the entry of a guilty plea and it appearing unto the court, upon a hearing of the matter, that the defendant is not likely to engage in a criminal course of conduct and the ends of justice and welfare of society do not require that the defendant shall presently suffer the penalty imposed by law, and the Court being fully advised in the premises, it is thereupon ORDERED and ADJUDGED that an adjudication of guilt be, and the same is hereby stayed and withheld.

IT IS FURTHER ORDERED AND ADJUDGED that:

The defendant is placed on PROBATION in a separate Order entered herein.

SPECIAL CONDITIONS

Costs
 DNA not taken
 PROBATION
 Concurrent with F20-7751

IT IS ORDERED THAT the defendant be fingerprinted pursuant to Florida Statute 921.241(1).

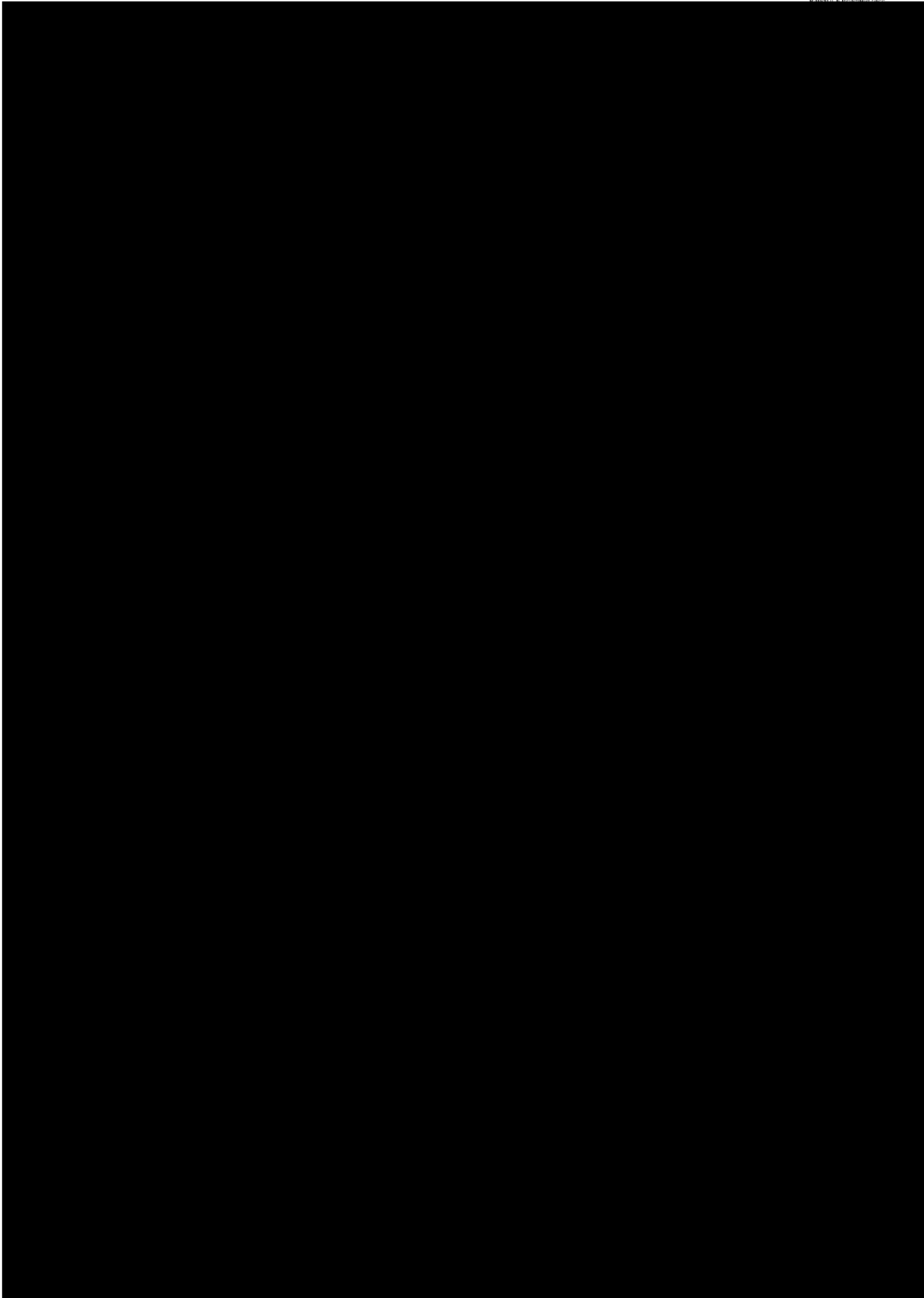


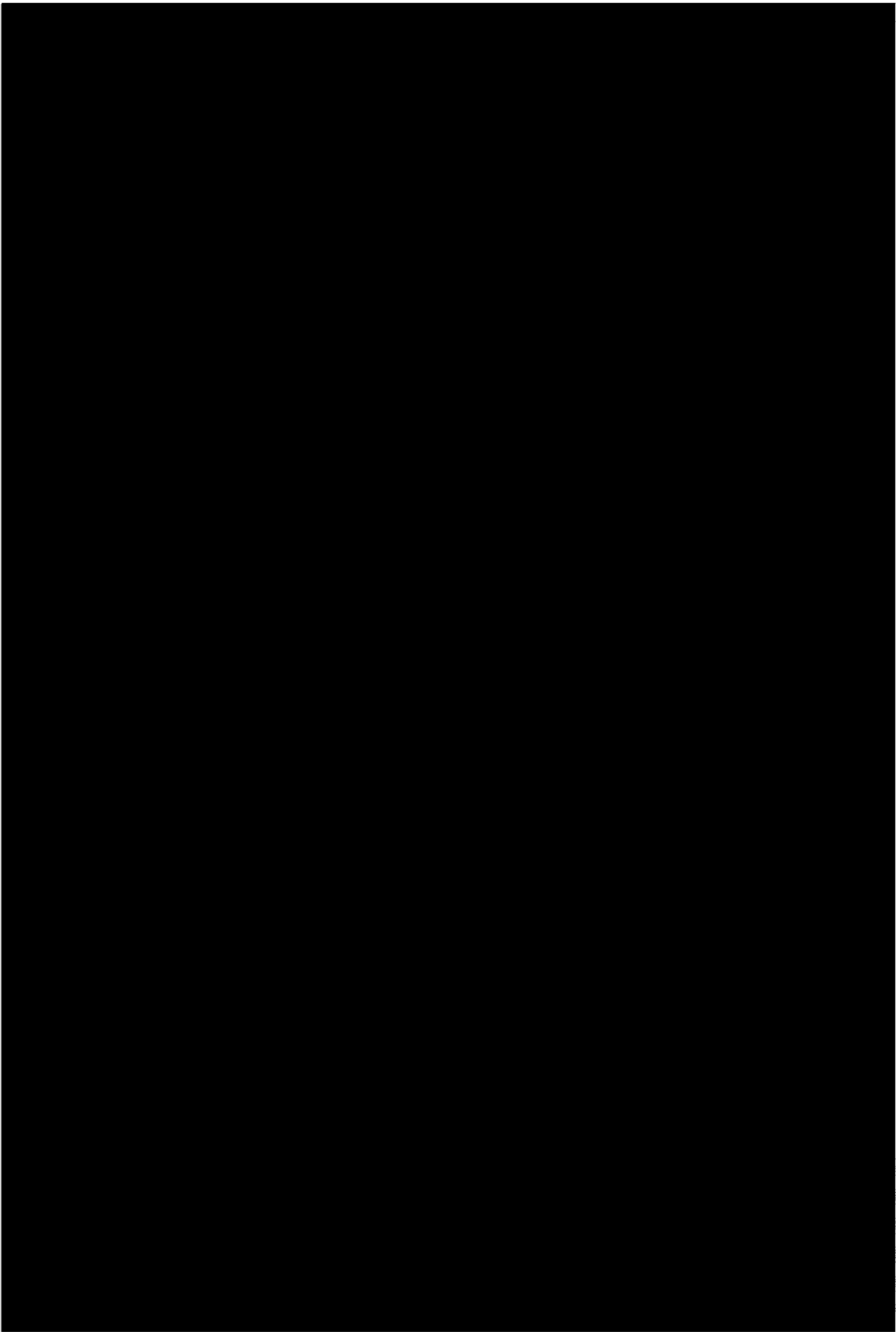
MIAMI-DADE
COUNTY

JUAN FERNANDEZ-BARQUIN
CLERK OF THE COURT AND COMPTROLLER

**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

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MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Garrett T. Anderson; Case No. 2023-037859
Date: August 24, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Garrett T. Anderson's, ("Applicant") application for a Cardroom Employee Occupational License. Applicant submitted a completed application for a Cardroom Employee Occupational License on May 8, 2023. The Executive Director reviewed the file and declined to waive the convictions. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On May 8, 2023, Applicant submitted their completed application to the Division of Pari-Mutuel Wagering for a Cardroom Employee Occupational License. Upon review of the completed application, it appears the Applicant was convicted of two felonies in the state of Florida. Specifically, the Applicant was convicted of the following felonies:

- Feeling or Attempting to Elude High Speed in 2022
- Fleeing or Attempting to Elude in 2022

The Commission is also considering Applicant's license after an informal hearing.

Relevant Law

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 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 convictions were not waived, the Florida Gaming Control Commission may deny or declare Applicant ineligible for any license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

ROUTING SLIP REQUEST FOR WAIVER

RE: ANDERSON, GARRETT T. – 11565390
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 03 7859

1012 – Dealer
Occupation Code and Job Title

175 Orange City Racing & Card Club
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE:

OCTOBER 5, 2023
(DATE)

Investigations Section: Reviewed by Bradford D. Jones *BDJ* 7/28/2023
(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: *DD* 07/31/2023
(Initial & Date)

Shack 8/3/23
(Initial & Date)

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

Yes or No If yes, in what jurisdiction? _____

Executive Director: *LT* 8/8/23
(Initial & Date)

Prepare Waiver or Prepare File for Commission Review

Comments: _____

Investigative Findings:

February 25, 2022 Volusia County Sheriff's Office, FL. – Fleeing or Attempting to Elude High Speed (2nd Degree) and Fleeing or Attempting to Elude – Felonies – Pled Nolo Contendere – Adjudicated Guilty on September 15, 2022 - Sentenced to Community Control for 24 months and fined \$651.00. - Community Control scheduled termination date is September 14, 2024.

October 20, 2022 FGCC – Administrative Complaint filed due to the above felony convictions and Applicant's failure to notify the Division as required (PMW Case #2022 04 8147).

*Please attach Routing Slip to front of case file

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

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: cstubbs1

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

Lic Type	1012 - Cardroom Employee Occupational	Status	90 Closed	Status Date	07/28/2023
Complaint #	2023037859	Case Type	CMP - Complaint	Disposition	
Docket#		Respondent	ANDERSON, GARRETT T	Responsible	bjones - JONES, BRADFORD
					Private Case

Complaint	Respondent	Complainant	Add'l Info
Source	LIC - Licensee	Security Level	1
Form	WALK - Walk-in	Priority	
Class'n	IIIB - Waivers	Complexity	R - Regular
Security	STND - Standard	Incident	07/06/2023
Region	CR - Central Region	Received	07/07/2023
Reference			
Entered	07/07/2023	Entered By	cstubbs1
Summary	175- Orange City Racing & Card Club		
Updated	07/31/2023 08:29:03	By	cstubbs1

<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

Change	Save	OK	Cancel	Back
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[Get Adobe Reader.](#)

ROUTING SLIP REQUEST FOR WAIVER

RE: ANDERSON, GARRETT T. – 11565390
(APPLICANT'S NAME – LICENSE #)

Case No: 2023 03 7859

1012 – Dealer
Occupation Code and Job Title

175 Orange City Racing & Card Club
Facility (d/b/a name)

90-DAY RESPONSE DEADLINE:

OCTOBER 5, 2023
(DATE)

Investigations Section: Reviewed by Bradford D. Jones  7/28/2023
(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 25, 2022 Volusia County Sheriff's Office, FL. – Fleeing or Attempting to Elude High Speed (2nd Degree) and Fleeing or Attempting to Elude – Felonies – Pled Nolo Contendere – Adjudicated Guilty on September 15, 2022 - Sentenced to Community Control for 24 months and fined \$651.00. - Community Control scheduled termination date is September 14, 2024.

October 20, 2022 FGCC – Administrative Complaint filed due to the above felony convictions and Applicant's failure to notify the Division as required (PMW Case #2022 04 8147).

*Please attach Routing Slip to front of case file

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: Central	Date of Complaint: July 7, 2023	Case Number: 2023 03 7859
Respondent: ANDERSON, GARRETT T. 1007 WANDERER DRIVE DELTONA, FLORIDA 32738 Phone: (850) 867-9074		Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BOULEVARD, SUITE 165 FT. LAUDERDALE, FLORIDA 33309	
License # / Type: 11565390 / 1012		Profession: DEALER	Report Date: JULY 24, 2023
Period of Investigation: JULY 7, 2023 – JULY 24, 2023		Type of Report: Final	
<p>Basis of Investigation: This investigation is predicated upon receipt of Garrett T. ANDERSON'S State of Florida Pari-Mutuel Occupational License Application dated April 26, 2023, and Waiver Request Form dated July 6, 2023.</p> <p>On April 26, 2023, ANDERSON applied for a PMW Cardroom Employee Occupational license to work as a Poker Dealer at Orange City Racing & Card Club. On his application, he answered "Yes" to the question on page 2 of the application, "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?" ANDERSON disclosed a 2022 Felony conviction in Volusia County, FL. for Fleeing or Attempting to Elude High Speed and Fleeing or Attempting to Elude.</p>			
Related Case: 2022 04 8147			
Investigator Supervisor / Date <i>C. Derek Washington</i> /s/ C. Derek Washington / July 24, 2023		Chief of Investigations / Date <i>Bradford D. Jones</i> Bradford D. Jones / July 28, 2023	

CRIMINAL HISTORY

Arrest 1					
Date of Arrest: 02/25/2022		Arresting Agency: Volusia County Sheriff's Office, FL.			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1	Fleeing or Attempting to Elude High Speed (2 nd Degree)	Felony	Nolo Contendere	Adjudicated Guilty	09/15/2022
2	Fleeing or Attempting to Elude (3 rd Degree)	Felony	Nolo Contendere	Adjudicated Guilty	09/15/2022
3					
4					

SENTENCE
Placed on Community Control for 24 months and fined \$651.00.

Additional Information: **Applicant failed to notify the Division of his arrest and subsequent conviction while licensed as a Poker Dealer.**

Arrest 2					
Date of Arrest:		Arresting Agency:			
OFFENSE					
		CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1					
2					
3					
4					

SENTENCE
Additional Information:

CRIMINAL HISTORY

Arrest 3

Date of Arrest:	Arresting Agency:
------------------------	--------------------------

OFFENSE

	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

SENTENCE

--

Additional Information:

Arrest 4

Date of Arrest:	Arresting Agency:
------------------------	--------------------------

OFFENSE

	CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE
1				
2				
3				
4				

SENTENCE

--

Additional Information:

ADDITIONAL LICENSES

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

1. License Type: 1012 – Cardroom Employee Occupational			
Date Licensed: 07/14/2020	Expiration Date: 06/30/2023	License #: 11565390	Agency or Jurisdiction: FGCC
		YES	NO
Has License ever been suspended or revoked?			X
Was any derogatory information received?		X	
Additional Comments: Applicant's was issued an Administrative Complaint due to his Felony convictions noted above and failure to notify the Division of the convictions, FGCC Case 2022 04 8147 (Exhibit #4).			

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

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

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

WAIVER INTERVIEW

		YES	NO
Was a Waiver Interview Conducted?		X	
Date of Interview: July 11, 2023	Location of Interview: Via telephone		
		YES	NO
Was the applicant cooperative?		X	
Additional Comments:			

SUMMARY OF INTERVIEW:

In discussing **ANDERSON's** 2022 Felony convictions, he explained that on the date of the incident, he met up with some friends for drinks. He stated that he and another guy started going back and forth about which one of their cars was faster, his New Dodge Charger or the other guy's Ford Mustang. **ANDERSON** said everyone left the bar to go to another bar except for him, who was heading home. He said while stopped at a red light, the guy he was talking to about whose car was fastest was next to him at the light.

ANDERSON said when the light turned green, they both “hit it” (sped) for a few seconds. **ANDERSON** said he saw the police but did not stop because he was afraid the police would think he was street racing and impound the car he just bought, so he kept driving to get home. **ANDERSON** further stated that after driving away from the police, he stopped and tried to report that his car was stolen and flagged down a police officer driving by. Upon questioning, the police officer knew he was lying, and **ANDERSON** was arrested.

ANDERSON further explained that he was going through a rough time and had just ended a toxic relationship with a woman he should not have been dating. He said she continued to harass him, which put him “in a bad place” mentally.

When asked why he failed to notify the Division after he was arrested and subsequently convicted, **ANDERSON** said he was unaware he had to make any such notification.

ANDERSON provided letters of support from his parents and brother (**Exhibit #4**).

CONCLUSION:

A check of the Association of Racing Commissioners International (ARCI) database showed no rulings against **ANDERSON**.

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

TABLE OF CONTENTS

- I. INVESTIGATIVE REPORT COVERSHEET
- II. INVESTIGATIVE REPORT
- III. EXHIBITS
 - 1. Waiver Request / Applications / License1-5
 - 2. Legal Documents..... 1-22
 - 3. Rap Sheet 1-6
 - 4. Supporting Docs 1-10

TO: Garrett Thomas Anderson
Full Legal Name of Applicant

[REDACTED]
Date of Birth

11565390
Individual/Org. Number

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

For Pari-Mutuel and Cardroom Applicants:

- A conviction in this state, in any other state, or under the laws of the United States of a capital felony, a felony or an offense in any other state which would be a felony under the laws of Florida involving arson; trafficking in, conspiracy to traffic in, smuggling, importing, conspiracy to smuggle or import, or delivery, sale, or distribution of a controlled substance; or a crime involving a lack of good moral character. A felony or misdemeanor in this state, in any other state, or under the laws of the United States, if such felony or misdemeanor is related to gambling or bookmaking, as contemplated in Section 849.25, Florida Statutes, or involves cruelty to animals.
- Currently under Suspension, Declared Ineligible, Ruled Off, Revoked, Denied, Ejected, Unpaid Fine, in this or any other racing jurisdiction. Specify discipline and jurisdiction.
- New applicant to Florida who has been convicted of any felony, regardless whether adjudication was withheld.

For Cardroom Applicants Only:

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

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

UNTIL YOU ARE LICENSED:

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

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

Garrett Anderson
Signature of Applicant

7-6-23
Date

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

RECEIVED
2023 JUL -6 PM 4:58
FLORIDA GAMING
CONTROL COMMISSION



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

RECEIVED
2023 JUL -6 PM 4:58
FLORIDA GAMING
CONTROL COMMISSION

PERSONAL INFORMATION

Social Security Number/Federal Employer ID Number [REDACTED]

IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Last Name First Middle Title Suffix
Anderson Garrett Thomas
Birth Date (MM/DD/YYYY)

IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION

Representative's Name Last First Middle Title Suffix
Permitholder Name
Official Capacity

ATTEST STATEMENT

I, Garrett Anderson, do hereby instruct all law enforcement
(name of applicant/representative)
or criminal justice agencies, present and former employers or institutions with whom I or my businesses
have a present or past business relationship, as well as all present or past social associates to release all
requested information to the bearer of this release form, who is an authorized representative of the State
of Florida, Department of Business and Professional Regulation.

I further authorize any individual, agency, corporation, or other entity to release any and all information
requested by the bearer of this release form with respect to myself or my business. Additionally, I do
release such individuals or entities from any and all liability due to the release of information requested.

(if individual applicant - legal name and any nickname or alias in parentheses)

Applicant/Representative Signature: Garrett Anderson Date: 7-6-23

NOTARIZATION

The foregoing application was sworn to and subscribed before me this 6 Day of July, 2023
by Garrett Anderson Garrett Anderson
Type or print name of applicant Signature of applicant

who is personally known to me or who has produced the following as identification.

FL DL
Type of identification

Rhonda Ryan
Signature of person taking acknowledgement
Notary Seal
(Rubber Stamp and Expiration)

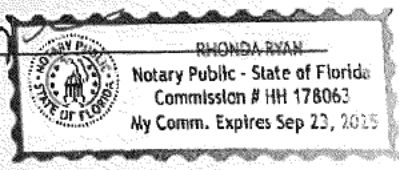


EXHIBIT #1
PAGE 2/5

TW. 70CK84 < 0x9 > 114

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

RECEIVED
MAY 08 2023
Division Use Only.

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

DEMOGRAPHIC INFORMATION				
Social Security Number	Birth Date (MM/DD/YYYY)	Gender	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	
Last Name	First	Middle	Suffix	
Anderson	Garrett	Thomas		
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 checked="" type="checkbox"/> White or Caucasian		<input type="checkbox"/> Hispanic/Latino		<input type="checkbox"/> Other
Current Mailing Address			Email Address (optional)	
1007 Wanderer Drive				
City	State	Zip Code (+4 optional)	Country, if other than USA	
Deltona	FL	32738		
Primary Phone Number			Secondary/Cell Phone Number (optional)	
386 4735509				
Current Street Address				
1007 Wanderer Dr.				
City	State	Zip Code (+4 optional)	Country, if other than USA	
Deltona	FL	32738		
Type of Occupational License applying for:			Facility where employed and/or doing business:	
<input type="checkbox"/> Pari-Mutuel General Individual <input type="checkbox"/> Pari-Mutuel Professional Individual			Orange City racing and card club	
<input checked="" type="checkbox"/> Cardroom Employee				
Occupation: POKER DEALER				
Does your position require access to the Cardroom?			Is this your first time applying for a racing/gaming license in Florida?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<input 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 type="checkbox"/> No <input checked="" type="checkbox"/> Yes, complete the following:				
Stable Name, Kernel Name, or Business Name _____				
Trainer Name (horse or greyhound racing only) _____				
TO BE COMPLETED BY DOCTORS, VETERINARIANS, NURSES, PARAMEDICS, AND EMTS ONLY				
Type of professional license (attach a copy of Florida professional license):			Florida License Number	
FOR DIVISION USE ONLY				
License Code	License #	File #	App #	
1012	11565390	10552	72595	
Association Code	Date Received	Entered By	License Year	
143	5-8-23	Ru	13/26	
License Fee	FP Date	FP Fee	Total Fee	
100.00	5-8-23	0	100.00	
Off Temp	Waiver Requested	ARC	Enforcement	Minor

RECEIVED
2023 MAY 12 PM 1:37
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
Sept 15, 2022	Volusia	FL	Fleeing or Attempting to Elude High Speed	Felony	Community Control 24 months
Sept 15, 2022	Volusia	FL	Fleeing or Attempting to Elude	Felony	Community Control

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:

RECEIVED
 2023 MAY 12 P
 FLORIDA G
 CONTROL COM

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.

Barrett Anderson

Signature of Applicant

4.26.23

Date

**7th. Judicial Circuit 707
Charging Affidavit - Volusia**

Arrest # _____ Bk # _____ Pg # 1 of 3

ARREST <input checked="" type="checkbox"/> NOTICE TO APPEAR <input type="checkbox"/> AFFIDAVIT <input type="checkbox"/> C.C. <input type="checkbox"/> ADULT <input checked="" type="checkbox"/> JUVENILE <input type="checkbox"/>		Court Case Number: 2022 100409 CFDL	
(ORI) FL: FL0641000	Agency Name: ORANGE CITY POLICE DEPARTMENT	Agency Case Number: 220000577	
FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	OBTS #	U.C.R:	Date Arrested: 02-25-2022
ADDRESS OF ARREST (Street, City, State, Zip): 300 Blk Maytown Rd OSTEEN FL 32764		Arrested By: Harralson, Samuel	ID Number: OC1243
DEFENDANT	NAME (Last) Anderson (First) Garrett (Middle) T	A.K.A.:	Sex: M Race: W
DOB: [REDACTED]	Age: 28 Driver's Lic./ ID No.: [REDACTED]	State: FL Year Expires: 2027	S.S.#: [REDACTED]
Height: 5' 09	Weight: 140 Hair: BLN Eyes: HAZ	P.O.B. (City, State, Country): Sanford FL	Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Scars, Marks, Tattoos:	Business & Occupation:	Citizenship: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Address - Mailing/Permanent (STREET, APT. NUMBER) 1007 Wanderer Dr		(CITY) DELTONA (STATE) FL	ZIP CODE 32738 RESIDENCE PHONE
Address - Local (STREET, APT. NUMBER)		(CITY) (STATE)	ZIP CODE RESIDENCE PHONE
Address - Other (Employer/School) (STREET, APT. NUMBER)		(CITY) (STATE)	ZIP CODE BUS/SCHOOL PHONE

CHARGES	DOMESTIC VIOLENCE? Yes <input type="checkbox"/>	Attachments: Affidavit(s)? <input type="checkbox"/>	Statement(s) <input type="checkbox"/>	NTA Schedule <input type="checkbox"/>	Report <input type="checkbox"/>	Traffic Infraction(s) <input checked="" type="checkbox"/>	DUI <input type="checkbox"/>	Total Charges: 1
#1 Charge: Flee/Att.Elude LEO w/Lights/Sirens Active	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: 316.1935(2)	Citation No.: A1CONEP	Bond: 2500.00				
#2 Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:				
#3 Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:				

CO-DEFENDANT	Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>
#1 NAME (Last) (First) (Middle)	Race:	Sex:
#2 NAME (Last) (First) (Middle)	Race:	Sex:

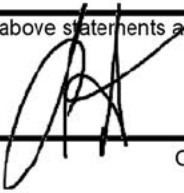
NARRATIVE The undersigned certifies and swears that there is probable cause to believe the above-named defendant, on the 25 day of February, 2022, at approximately 0119 a.m. p.m. at 2800 Blk Enterprise Rd ORANGE CITY within Volusia County, violated the law and did then and there:

1 On 02-25-2022 at approximately 0119 hours I, Sergeant Harralson observed a new model Orange Dodge Charger with dark wheels traveling south
 2 bound on enterprise rd in the 2500 blk. The vehicle was a 2021 model bearing Florida License Plate PYPJ79. I was stationary in my patrol vehicle
 3 when the vehicle passed me. This area is well lightened with street lights and the visibility is high. The way my patrol vehicle was parked my headlights
 4 were shining directly on to Enterprise Rd and I had a clear well view of the vehicle as it passed me. I visually observed the vehicle to be traveling well
 5 above the posted speed limit of 45mph. I visually estimated the vehicle to be traveling at 70 mph. I pulled out behind the vehicle and caught up to the
 6 vehicle in the approximately 2800 blk of Enterprise Rd. When I was behind the vehicle I began to pace the vehicle at 80 mph in a posted 45 mph
 7 zone. I was driving my fully marked patrol vehicle with "Orange City Police" insignias displaced on the vehicle. I activated my emergency blue/red
 8 lights and siren to conduct a traffic stop. It should be noted the vehicle I attempted to conduct a traffic stop on was racing another unknown vehicle
 9 south bound on Enterprise Rd. The other vehicle who was next to this target vehicle immediately began to slow and pull over upon activating my
 10 lights and sirens. The target vehicle failed to stop and began to drive at a higher rate of speed estimated at over 100mph using no due care/safety for
 11 any other drivers on the roadway. It was obvious he was attempting to flee by making no attempt to stop.
 12
 13 I notified dispatch of the fleeing vehicle and deactivated my emergency equipment. Back up VSO Deputies began to respond to this area to BOLO for
 14 the vehicle. I observed the vehicle travel south bound to Dirksen Dr. When I arrived at the Enterprise Rd/ Dirksen Dr intersection I observed the tail
 15 lights of this vehicle traveling east bound on Dirksen Dr at which point I then lost eye site of the vehicle.

NOTICE TO APPEAR	MANDATORY APPEARANCE <input type="checkbox"/>	YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	FINE, AND COSTS AMOUNT:
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I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.

SIGNATURE OF DEFENDANT	Date	RELATIONSHIP TO JUVENILE	JUVE DISP
		SIGNATURE OF JUVENILE PARENT OR CUSTODIAN	CITATION No.

Sworn to and subscribed before me, the undersigned this <u>25</u> day of <u>February</u> , <u>2022</u> , Name: _____	I swear/affirm the above statements are correct and true 	Rt Thumb
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/>	OFFICER'S/COMPLAINANT'S SIGNATURE Harralson, Samuel NAME (PRINTED)	OC1243 ID NUMBER
Type of Identification: _____	Inmate Number & Facility:	EXHIBIT #2 PAGE 1/22

Volusia**Notice to Appear Instruction Sheet**

Follow these instructions according to the boxes checked.

Court Case Number:
Agency Case Number:

- Mandatory Court Appearance -- You MUST appear at COURT. You will receive a Notice of Arraignment from the County Clerk's Office at the mailing address you have given. Failure to appear at the time and place designated, will result in a warrant being issued for your arrest.**
- Court Appearance Not Mandatory -- You MUST comply with EITHER A or B:**

**PAYMENTS SHOULD BE MADE PAYABLE TO:
CLERK OF THE COURT.**

A. Pay the Fine: You must complete the waiver information below and either mail or personally present this citation at the Clerk's Office checked below, from 8:00 a.m. to 4:30 p.m., Monday through Friday within 15 days of the issuance of this Notice to Appear. ***Fines may be paid in cash, personal check, money order or certified check made payable to: Clerk of the Court . (DO NOT MAIL CASH.)***

Total fine and costs you must pay: \$ _____

B. Contest the Citation: You MUST request that a court date be set within 15 days of the issuance of this Notice to Appear (if the 15th day falls on a Saturday, Sunday or legal holiday, the period is extended to the next working day) by either appearing between the hours of 8:00 a.m. and 10:00 a.m. at the Clerk's Office checked below, or by mailing your written request to the Clerk of the Court at the address checked below.

COUNTY CLERK'S OFFICES:

- Volusia County Courthouse, room B155, 101 N. Alabama Avenue, Deland, FL, 32724
- Court House Annex, room 109, 125 E. Orange Avenue, Daytona Beach, FL, 32114
- Volusia County Courthouse, room 6, 124 N. Riverside Drive, New Smyrna Beach, FL, 32169

I agree to appear at the time and place as designated above to answer the listed charge(s) or pay the fine and costs. I understand that if I willfully fail to request a court date and/or fail to appear before the court as required by this Notice to Appear, or fail to pay the indicated fine and costs on or before the date set forth above, I may be held in contempt of court and a warrant for my arrest will be issued.

DEFENDANT'S SIGNATURE (MANDATORY): _____

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, Ste.300, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this notice: If you are hearing or voice impaired, call 1-800-955-8771 or 1-800-955-8770. THIS IS NOT A COURT INFORMATION LINE.

Plea and Waiver Information

If this notice indicates that you have the option to pay a fine or appear in court and you choose to pay the fine, follow the instructions in paragraph A above. Read and sign this page. This page MUST be returned to the clerk's office with your fine payment.

- In consideration of my not appearing in court, I enter my plea on the affidavit in this case, for the offense charged, waiving my right to be present and the reading of the affidavit. I understand the nature of the charge(s) against me and hereby enter my plea of guilty or nolo contendere (no contest) .
- In doing so, I understand the nature of the charge(s) against me, I understand that I waive my right to counsel, the right to a trial before a judge or jury, the right to a continuance, and the right to appeal. Payment of this fine will result in adjudication of guilt to this charge being withheld.
- By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature: _____
(First) (Middle) (Last)

Date: _____

Defendant's Name (print): _____

EXHIBIT #2
PAGE 2/22

Defendant's Address: _____

Narrative Supplement 707-B

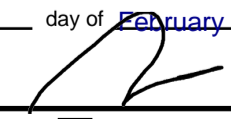

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name: Anderson	(Last)	(First) Garrett	(Middle) T	Agency Case Number: 220000577
CHARGES		DOMESTIC VIOLENCE? Yes <input type="checkbox"/>	Attachments: Affidavit(s)? <input type="checkbox"/>	Statement(s) <input type="checkbox"/>
		NTA Schedule <input type="checkbox"/>	Report <input type="checkbox"/>	Traffic Infraction(s) <input checked="" type="checkbox"/>
				Total Charges: 1
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.: Bond:
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.: Bond:

16
17 Deputy Marty was in the area of Garfield and Doyle Rd and observed the vehicle at which point he attempted to conduct a traffic stop at which point
18 the vehicle fled from him as well. See VSO case #VP220003912 for details. This was at approximately 0124:04 hours per CAD.
19
20 Deputy Nealis was set up east of Deputy Marty at Doyle Rd/Lush Ln with stop sticks where he was able to successfully deploy his stop sticks and
21 deflate the vehicles tires. The vehicle continued to drive east bound on Doyle Rd. This was at approximately 0124:58 hours per CAD.
22
23 Deputy Marty then located the vehicle unoccupied, locked with the windows rolled up at the Circle K located at S.R. 415 and Doyle Rd. This was at
24 approximately 0127:25 hours per CAD. Deputy Martey observed a white male same build and hair cut as the DEF from the back walking south
25 bound on S.R. 415 from the location of where the vehicle was located. Deputy Marty stayed with the vehicle until additional Law Enforcement Officers
26 arrival.
27
28 Units on scene then began to BOLO the area. At approximately 0145:19 hours per CAD the registered owner/DEF called into 911 wanting to report
29 his vehicle stolen. The DEF explained he was on Maytown Rd walking. Deputies arrived in the 300 blk of Maytown Rd and secured the DEF. The 300
30 blk of Maytown Rd is in a close proximity to where the vehicle was located.
31
32 The DEF was read his Miranda Rights by Deputy Bryant from a pre-printed card. The DEF stated he was at his friend "Ryan's" house all night and
33 had recently left "Ryan's" house approximately 20 minutes prior to calling 911 to report his vehicle stolen. The DEF stated "Ryan's" house was off
34 Maytown but he was unsure of the exact location. He estimated he had walked six miles to obtain cell phone service to call 911 to report his vehicle
35 stolen. The DEF stated he walked outside of "Ryan's" house 20 minutes before calling and saw his car gone. The DEF stated he only had one key
36 fob for the car. Noting- when the vehicle was located it showed no sign of damage to the steering column or interior of the vehicle as if it was stolen.
37 The DEF was also found to have the only key fob to the vehicle in his pocket. When questioned how the vehicle would be stolen if he had the key fob
38 and it was not damaged inside, he stated he did not know. While speaking with him deputies were able to speak with "Ryan". "Ryan" stated the DEF
39 was at his house on 02-24-2022 and had left at approximately 1800 hours in his Orange Charger. Ryan had not seen the DEF since. The DEF stated
40 "Ryan" is a close friend and would have no reason to lie to get him in trouble when asked.
41
42 Based on the totality of circumstance probable cause was established to state the DEF/registered owner of the vehicle was driving the car when it
43 fled from Law Enforcement and he was placed under arrest.
44
45 Search incident to arrest the DEF was found to have two bar tab/receipts in his pocket. The receipts were both for "Pub and Grill" located at 2438 S
46 Volusia Ave in Orange City. One block away from where I originally observed the vehicle committing a traffic violation. The time stamps on the
47 receipts are as follows; receipt #1- 02-24-2022 at 1136 hours. Receipt #2- 02-25-2022 at 0108 hours, which was approximately 11 minutes before I
48 attempted to conduct a traffic stop on him. These receipts were taken for evidence by Deputy Martey.
49
50 The DEF was additionally charged with Fleeing and Eluding and Misuse of 911 by Deputy Martey. See VP220003912 for VSO report/charging
51 affidavit.
52
53 The DEF was issued several citation then transported to VCBJ.

EXHIBIT #2
PAGE 3/22

Sworn to and subscribed before me, the undersigned this <u>25</u> day of <u>February</u> , 2022 Name: 	I swear/affirm the above statements are correct and true 	Right Thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	OFFICER'S/COMPLAINANT'S SIGNATURE	
	Harralson, Samuel NAME (PRINTED)	OC1243 ID NUMBER

**7th. Judicial Circuit 707
Charging Affidavit - Volusia**

Arrest # _____ Bk # _____ Pg # 1 of 4

ARREST <input checked="" type="checkbox"/>	NOTICE TO APPEAR <input type="checkbox"/>	AFFIDAVIT <input type="checkbox"/>	C.C. <input type="checkbox"/>	ADULT <input checked="" type="checkbox"/>	JUVENILE <input type="checkbox"/>	Court Case Number: 2022 100408 CFDL
--	---	------------------------------------	-------------------------------	---	-----------------------------------	--

(ORI) FL: <u>FL0640000</u>	Agency Name: <u>VOLUSIA COUNTY SHERIFF'S OFFICE</u>	Agency Case Number: <u>220003912</u>
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FCIC/NCIC Check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	OBTS # _____	U.C.R. _____	Date Arrested: <u>02-25-2022</u>	Time of Arrest: _____
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ADDRESS OF ARREST (Street, City, State, Zip): <u>ENTERPRISE RD/WELLNESS AV ORANGE CITY FL 32763</u>			Arrested By: <u>MARTY, REUBEN</u>	ID Number: <u>9086</u>
--	--	--	-----------------------------------	------------------------

DEFENDANT	NAME (Last) <u>ANDERSON</u> (First) <u>GARRETT</u> (Middle) <u>T</u>	A.K.A.: _____	Sex: <u>M</u>	Race: <u>W</u>
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DOB: _____	Age: <u>28</u>	Driver's Lic./ ID No.: _____	State: <u>FL</u>	Year Expires: _____	S.S.#: _____
------------	----------------	------------------------------	------------------	---------------------	--------------

Height: <u>5' 09</u>	Weight: <u>175</u>	Hair: <u>BRO</u>	Eyes: <u>BLU</u>	P.O.B. (City, State, Country): <u>SANFORD FL</u>	Statement: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
----------------------	--------------------	------------------	------------------	--	--

Scars, Marks, Tattoos: _____	Business & Occupation: _____	Citizenship: Yes <input type="checkbox"/> No <input type="checkbox"/>
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Probation: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Sexual Predator: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	English: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Deaf/Mute: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
--	--	--	--

Address - Mailing/Permanent (STREET, APT. NUMBER) <u>1007 WANDERER DR</u>	(CITY) <u>DELTONA</u>	(STATE) <u>FL</u>	ZIP CODE <u>32738</u>	RESIDENCE PHONE _____
---	-----------------------	-------------------	-----------------------	-----------------------

Address - Local (STREET, APT. NUMBER) _____	(CITY) _____	(STATE) _____	ZIP CODE _____	RESIDENCE PHONE _____
---	--------------	---------------	----------------	-----------------------

Address - Other (Employer/School) (STREET, APT. NUMBER) _____	(CITY) _____	(STATE) _____	ZIP CODE _____	BUS/SCHOOL PHONE _____
---	--------------	---------------	----------------	------------------------

CHARGES	DOMESTIC VIOLENCE? Yes <input type="checkbox"/>	Attachments: Affidavit(s)? <input checked="" type="checkbox"/>	Statement(s) <input type="checkbox"/>	NTA Schedule <input type="checkbox"/>	Report <input checked="" type="checkbox"/>	Traffic Infraction(s) <input checked="" type="checkbox"/>	DUI <input type="checkbox"/>	Total Charges: <u>1</u>
----------------	---	--	---------------------------------------	---------------------------------------	--	---	------------------------------	-------------------------

#1	Charge: <u>Flee/Att.Elude LEO w/Lights/Sirens Active</u>	FEL <input checked="" type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: <u>316.1935(2)</u>	Citation No.: _____	Bond: <u>2500</u>
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#2	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: _____	Citation No.: _____	Bond: _____
----	---------------	---	---------------	---------------------	-------------

#3	Charge: _____	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD: _____	Citation No.: _____	Bond: _____
----	---------------	---	---------------	---------------------	-------------

CO-DEFENDANT	Co-Def #1. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>	Co-Def #2. Arrested? Y <input type="checkbox"/> N <input type="checkbox"/> Fel. <input type="checkbox"/> Misd. <input type="checkbox"/> Traf. <input type="checkbox"/> Ord. <input type="checkbox"/> NTA <input type="checkbox"/>
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#1	NAME (Last) _____ (First) _____ (Middle) _____	Race: _____	Sex: _____	DOB: _____	Age: _____
----	--	-------------	------------	------------	------------

#2	NAME (Last) _____ (First) _____ (Middle) _____	Race: _____	Sex: _____	DOB: _____	Age: _____
----	--	-------------	------------	------------	------------

NARRATIVE	The undersigned certifies and swears that there is probable cause to believe the above-named defendant,				
	on the <u>25</u> day of <u>February</u> , <u>2022</u> , at approximately <u>0119</u> <input checked="" type="checkbox"/> a.m. <input type="checkbox"/> p.m.				
	at <u>GARFIELD RD/ DOYLE RD DELTONA</u> within <u>Volusia</u> County, violated the law and did then and there:				

1 ***BWC***
 2
 3 On February 25, 2022 at approximately 0119 hours, Deputy Marty was dispatched and responded to the area of Providence Blvd/Doyle Rd, Deltona
 4 in reference to an Orange in color Dodge Charger which fled from Sergeant Harrelson of the Orange City Police Department reference OCPD case
 5 #(OC220000577).
 6
 7 Upon arriving in the area of Doyle Rd/Garfield Rd, Deputy Marty observed the Orange in color Dodge Charger traveling east bound on Doyle Rd and
 8 immediately turned around to get behind of the vehicle. Deputy Marty who was in his marked "Volusia Sheriff" patrol vehicle then observed the
 9 orange Charger cross over a double yellow line while passing the vehicle in front of him at a high rate of speed. Deputy Marty activated his
 10 emergency lights and observed the aforementioned vehicle continue to accelerate at a high rate of speed as to elude and flee from law enforcement.
 11 Deputy Marty notified dispatch and responding units referencing the direction of travel and charges for flee and elude.
 12 Deputy Marty notified Deputy Nealis the location of the vehicle, where he then deployed stop sticks in the area of Doyle Rd/Lush Ln, Deltona. The
 13 stop sticks were effective and deflated the driver's side front and rear tire. Deputy Marty then lost sight of the vehicle before observing it again parked
 14 at the Circle K parking lot located at 320 SR 415, Osteen. While securing the vehicle Deputy Marty observed a white male approximately 200 yards
 15 from the aforementioned vehicle walking at a steady pace south on SR 415. Deputies cleared the Dodge Charger FL Tag #(PYPJ79) and made

NOTICE TO APPEAR	MANDATORY APPEARANCE <input type="checkbox"/>	YOU NEED NOT APPEAR IN COURT BUT MUST COMPLY WITH INSTRUCTIONS ON THE REVERSE SIDE OF YOUR COPY <input type="checkbox"/>	FINE, AND COSTS AMOUNT: _____
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I AGREE TO APPEAR IN COURT HEREIN TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE INDICATED, I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED, OR PAY THE LISTED FINE, I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST WILL BE ISSUED.

SIGNATURE OF DEFENDANT	Date	RELATIONSHIP TO JUVENILE	JUVE DISP. _____
SIGNATURE OF JUVENILE PARENT OR CUSTODIAN		CITATION No. _____	

Sworn to and subscribed before me, the undersigned this <u>25</u> day of <u>February</u> , <u>2022</u>	I swear/affirm the above statements are correct and true	Rt Thumb
Name: <u>[Signature]</u>	OFFICER'S/COMPLAINANT'S SIGNATURE	
Notary Public <input type="checkbox"/> Law Enforcement or Corrections Officer <input checked="" type="checkbox"/>	<u>MARTY, REUBEN</u>	
Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/>	<u>9086</u>	
Type of Identification: <u>9061</u>	NAME (PRINTED) ID NUMBER	

OFFICIAL USE ONLY	Inmate Number & Facility: _____
--------------------------	---------------------------------

Volusia**Notice to Appear Instruction Sheet**

Follow these instructions according to the boxes checked.

Court Case Number:
Agency Case Number:

- Mandatory Court Appearance -- You MUST appear at COURT. You will receive a Notice of Arraignment from the County Clerk's Office at the mailing address you have given. Failure to appear at the time and place designated, will result in a warrant being issued for your arrest.**
- Court Appearance Not Mandatory -- You MUST comply with EITHER A or B:**

**PAYMENTS SHOULD BE MADE PAYABLE TO:
CLERK OF THE COURT.**

A. Pay the Fine: You must complete the waiver information below and either mail or personally present this citation at the Clerk's Office checked below, from 8:00 a.m. to 4:30 p.m., Monday through Friday within 15 days of the issuance of this Notice to Appear. ***Fines may be paid in cash, personal check, money order or certified check made payable to: Clerk of the Court . (DO NOT MAIL CASH.)***

Total fine and costs you must pay: \$ _____

B. Contest the Citation: You MUST request that a court date be set within 15 days of the issuance of this Notice to Appear (if the 15th day falls on a Saturday, Sunday or legal holiday, the period is extended to the next working day) by either appearing between the hours of 8:00 a.m. and 10:00 a.m. at the Clerk's Office checked below, or by mailing your written request to the Clerk of the Court at the address checked below.

COUNTY CLERK'S OFFICES:

- Volusia County Courthouse, room B155, 101 N. Alabama Avenue, Deland, FL, 32724
- Court House Annex, room 109, 125 E. Orange Avenue, Daytona Beach, FL, 32114
- Volusia County Courthouse, room 6, 124 N. Riverside Drive, New Smyrna Beach, FL, 32169

I agree to appear at the time and place as designated above to answer the listed charge(s) or pay the fine and costs. I understand that if I willfully fail to request a court date and/or fail to appear before the court as required by this Notice to Appear, or fail to pay the indicated fine and costs on or before the date set forth above, I may be held in contempt of court and a warrant for my arrest will be issued.

DEFENDANT'S SIGNATURE (MANDATORY): _____

ATTENTION: PERSONS WITH DISABILITIES

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration, 125 E. Orange Avenue, Ste.300, Daytona Beach, FL 32114; Telephone: 386-257-6096 within two (2) working days of your receipt of this notice: If you are hearing or voice impaired, call 1-800-955-8771 or 1-800-955-8770. THIS IS NOT A COURT INFORMATION LINE.

Plea and Waiver Information

If this notice indicates that you have the option to pay a fine or appear in court and you choose to pay the fine, follow the instructions in paragraph A above. Read and sign this page. This page MUST be returned to the clerk's office with your fine payment.

- In consideration of my not appearing in court, I enter my plea on the affidavit in this case, for the offense charged, waiving my right to be present and the reading of the affidavit. I understand the nature of the charge(s) against me and hereby enter my plea of guilty or nolo contendere (no contest) .
- In doing so, I understand the nature of the charge(s) against me, I understand that I waive my right to counsel, the right to a trial before a judge or jury, the right to a continuance, and the right to appeal. Payment of this fine will result in adjudication of guilt to this charge being withheld.
- By my signature, I acknowledge that I understand the above statements. I am not under the influence of alcohol or drugs. I also certify that my address listed below is correct.

Defendant's Signature: _____
(First) (Middle) (Last)

Date: _____

Defendant's Name (print): _____

Defendant's Address: _____

Narrative Supplement 707-B

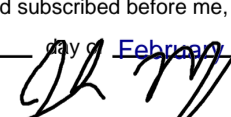
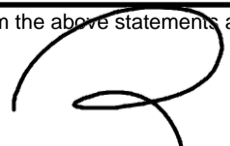
Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant Name: ANDERSON	(Last)	(First) GARRETT	(Middle) T	Agency Case Number: 220003912
---------------------------------	--------	------------------------	-------------------	--------------------------------------

CHARGES	DOMESTIC VIOLENCE? Yes <input type="checkbox"/>	Attachments: Affidavit(s)? <input checked="" type="checkbox"/>	Statement(s) <input type="checkbox"/>	NTA Schedule <input type="checkbox"/>	Report <input checked="" type="checkbox"/>	Traffic Infraction(s) <input checked="" type="checkbox"/>	Total Charges: 1
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:		
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:		
#	Charge:	FEL <input type="checkbox"/> MISD <input type="checkbox"/> ORD <input type="checkbox"/>	FS/ORD:	Citation No.:	Bond:		

16 contact with the Circle K employee who advised she did not see anyone walk away from the vehicle and was unable to provide deputies with video
 17 surveillance. It should be noted the was observed to be locked with the engine off.
 18
 19 Deputies then queried the Charger through FCIC/NCIC which showed Garrett Anderson (D1) as the registered owner of the vehicle. At approximately
 20 0146 hours, Central Communications advised Anderson was calling on 911 where he advised he wanted to report his vehicle as stolen. Anderson
 21 then stated he had been drinking at a friends house and when he went to retrieve a cigarette from out of his vehicle he noticed it was missing.
 22 Anderson advised he had been walking on Osteen Maytown Rd, Osteen until he was able retrieve service on his cell phone. Anderson was unable to
 23 provide an address for his friend's residence.
 24
 25 Deputies then made contact with Anderson who was located at 395 Osteen Maytown Rd, Osteen. It should be noted Anderson was located
 26 approximately half a mile from where his vehicle was parked and matched the description and statute of the white male who was walking south on
 27 SR 415, Osteen. Deputies observed Anderson to be nervous, intoxicated and appeared to have perspiration on his person. Anderson was then read
 28 his Constitutional Rights by Deputy Bryant where he advised he understood and wanted to speak to deputies. Anderson told deputies he had been
 29 drinking at his friend "Ryan's" house the entire day and did not leave until approximately 30 minute prior to him calling 911. Anderson advised he
 30 believed someone either stole his vehicle or had played a joke with him so he did not want to wake his friend "Ryan" up to ask. Deputies then
 31 observed Anderson carrying the Key Fob to his Dodge Charger in his front right pocket. Deputies questioned Anderson about the Key Fob where he
 32 advised he only owned one set at the time because he lost the original when he purchased the vehicle.
 33
 34 Deputies were unable to retrieve video surveillance footage from the Circle K located at 320 SR 415, Osteen and video surveillance footage from the
 35 Foxhead Lounge located at 280 SR 415, Osteen. Deputies then made contact with "Ryan" who advised Anderson was drinking at his home earlier in
 36 the day but left in his Dodge Charger at approximately 1900 hours and did not return.
 37
 38 Based on the totality of circumstances probable cause was established to charge Anderson with the act fleeing and eluding with lights and sirens
 39 active and misuse of 911.
 40
 41 After a search incident to arrest, deputies retrieved two receipts located in his rear right pocket. The receipts were both for the American Pub and Grill
 42 located at 2438 S Volusia Av, Orange City which was approximately one block away from where Sergeant Harrelson observed the initial violation.
 43 Receipt #1 was observed to have a date of February 24, 2022 at 1136 hours and the name garret on it. Receipt #2 was observed to have a date of
 44 February 25, 2022 at 0108 hours, which was approximately 11 minutes prior to the initial traffic violation. Both receipts were later turned into the
 45 District 4 evidence locker for evidence.
 46
 47 Deputies later conducted an inventory on Anderson's vehicle where they located a Colt handgun serial #(25076) in a back bag located in the rear
 48 passenger floor board. Deputies also located a white plastic container with 4.4 grams of a green leafy substance (presumptive marijuana) in the
 49 center console of the vehicle. The handgun and the presumptive marijuana was later turned into the District 4 evidence locker.
 50
 51 Anderson was also issued 2 Uniform Traffic Citations:
 52
 53 AG0H63E- Flee or Attempting to Elude with lights and sirens active
 54 AG0H64E- Traffic control device.
 55
 56 Anderson was additionally charged with fleeing and eluding by Sergeant Harrelson reference OCPD case #(OC220000577).

Sworn to and subscribed before me, the undersigned this <u>25</u> day of <u>February</u> , 2022 Name: 	I swear/affirm the above statements are correct and true 	Right Thumb
Notary Public <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/> Personally Known <input checked="" type="checkbox"/> Produced Identification <input type="checkbox"/> Type of Identification:	OFFICER'S/COMPLAINANT'S SIGNATURE MARTY, REUBEN 9086 NAME (PRINTED) ID NUMBER	

Witness/Victim/Evidence Form 707-A

Arrest
 Affidavit
 Notice to Appear
 Adult
 Juvenile

Court Case Number:

Defendant (Last) (First) (Middle)			Agency Case Number:		220003912				
Name: ANDERSON GARRETT T			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):					Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bus/School Address:					Zip:		Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:						
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):					Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bus/School Address:					Zip:		Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:						
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):					Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bus/School Address:					Zip:		Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:						
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):					Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bus/School Address:					Zip:		Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:						
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):					Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bus/School Address:					Zip:		Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:						
Name: (Last) (First) (Middle)			Vic <input type="checkbox"/> Wit <input type="checkbox"/>		Race:	Sex: M <input type="checkbox"/> F <input type="checkbox"/>	Age:	DOB:	SSN:
Address (#, Street, City, State):					Zip:	Home: Phone:		Statement: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Bus/School Address:					Zip:		Bus: Phone:		Phone:
Relative/Contact Name			Relative/Contact Address:						

EVIDENCE COLLECTED

Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
SEE PROPERT PAGE			
Owner Name (Last) (First) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Owner Name (Last) (First) (Address)		(Phone)	Value
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount
Description of Evidence	Date Recovered	Model Serial/I.D. Number	Drug Amount

I certify that the foregoing is a complete list of witnesses/victims & evidence known to me.

MARTY, REUBEN
Investigating Officer



9086
ID Number

VCSSO
Agency

CLASSIFICATION: FELONY

STATE OF FLORIDA

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT, IN AND FOR VOLUSIA COUNTY, FLORIDA, IN THE YEAR TWO THOUSAND TWENTY TWO

VS.

GARRETT T ANDERSON
W/M; DOB: [REDACTED] SS# [REDACTED]

CASE NO: 2022 100408 CFDL
2022 100409 CFDL
AGENCY: OCPD/220000577
VCSO/220003912

INFORMATION

CHARGE(S):

- I) FLEEING OR ATTEMPTING TO ELUDE HIGH SPEED
- II) FLEEING OR ATTEMPTING TO ELUDE

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: GARRETT T ANDERSON on or about February 25, 2022, in the County of VOLUSIA and State of Florida, did willfully flee or attempt to elude a law enforcement officer of the Orange City Police Department in an authorized law enforcement patrol vehicle with agency insignia and other jurisdictional markings prominently displayed on the vehicle with siren and lights activated, and during the course of the fleeing or attempting to elude drove at high speed, or in any manner which demonstrated a wanton disregard for the safety of persons or property, contrary to Florida Statute 316.1935(3)(a). (2 DEG FEL)

COUNT II: IN THAT GARRETT T ANDERSON on or about February 25, 2022, in the County of VOLUSIA and State of Florida, did operate a vehicle, having knowledge that he had been ordered to stop such vehicle by a duly authorized law enforcement officer of the Volusia County Sheriff's Office, did willfully refuse or fail to stop the vehicle in compliance with such order or, having stopped in knowing compliance with such order, did willfully flee in an attempt to elude the officer, contrary to Florida Statute 316.1935(1). (3 DEG FEL)

FOR THE STATE ATTORNEY

Amy L Walker

AMY L WALKER
Bar No. 0163023
ASSISTANT STATE ATTORNEY
SEVENTH JUDICIAL CIRCUIT OF THE
STATE OF FLORIDA
101 NORTH ALABAMA AVENUE
DELAND, FL 32724
(386) 822-6400
ESERVICEVOLUSIA@SAO7.ORG

CLERK OF THE CIRCUIT
& COUNTY COURT VOLUSIA CTY., FL
CC 35

2022 MAR -1 PM 2:40

FILED

COUNTY OF VOLUSIA

STATE OF FLORIDA

Personally appeared before me AMY L WALKER, 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 01 day of March, 2022.

Submitted to the Clerk of the CIRCUIT

JANE E. PROVOST
Commission # GG 303862
Expires May 31, 2023
Bonded Thru Troy Fain Insurance 800-365-7019

Jane E. Provost

Court, Seventh Judicial Circuit, in and
For VOLUSIA County, Florida, on the
01 day of March, 2022.

NOTARY PUBLIC AT LARGE
STATE OF FLORIDA

EXHIBIT #2
PAGE 9/22

IN THE CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT
IN AND FOR VOLUSIA COUNTY, FLORIDA

STATE OF FLORIDA

CASE NO: 2022 100408, 2022-100409

vs.

Garrett Anderson
DEFENDANT

PLEA

1. I, Garrett Anderson, the defendant herein, withdraw my previously entered plea(s) of Not Guilty, and enter plea(s) as follows:

- () Guilty Nolo Contendere to Fleeing or Attempting to Elude, a ^{high speed} 2 degree felony/misdemeanor
- () Guilty Nolo Contendere to Fleeing or Attempting to Eluding, a 3 degree felony/misdemeanor

2. I understand that if the Court accepts my plea(s) I give up my right to a trial, at which 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 and items in evidence in my defense and to present any defense I might have to a jury or judge; (4) to testify or remain silent; (5) to require the prosecutor to prove my guilt by admissible evidence beyond a reasonable doubt before I can be found guilty. I further understand that I give up my right to appeal all matters except court rulings entered 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.

3. I understand that a plea of "Not Guilty" denies that I committed the crime charged. I also understand that a plea of "Guilty" admits I committed the crime charged, a "Best Interest Guilty" plea and 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), there will be no trial, and the court will impose sentence 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 may be deported. I understand that the court may impose monetary penalties/assessments to include fines, courts costs, restitution (if applicable) and/or other fees.

4. I have read the Information or Indictment in this case, and I understand the charges to which I am pleading. I stipulate that there is a factual basis described in court documents to support the charge(s) against me. 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).

5. No one has promised me anything to get me to enter this (these) plea(s), except as stated herein. My lawyer has not promised me that I will receive a specific sentence. The judge has made no promises as to what sentence I will receive, other than a lawful sentence. Unless the judge accepts this plea as a "conditional plea" and those words appear in the space below, the judge is not required to follow any state or defense recommendation regarding sentence. If I receive a sentence of probation, I may be required to serve time in the county jail as a condition of probation. The state recommends the following sentence:

24 months Community Control; 1 year DL suspension (no objection to hardship); ability to ~~convert~~ convert community control to probation at the half way point; Advanced driving improvement course

FILED
IN OPEN COURT
SEP 15 2022

Clerk Circuit & County
Court Volusia County, FL

6. No one has pressured 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.

7. 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 any credit toward my sentence, which I understand the court and my lawyer cannot affect. Only the Department of Corrections can calculate a release date.

8. This paragraph applies if this or another case against me involves a sex-related charge (even if a reduced charge). My lawyer has explained the mandatory, statutory conditions of sex-offender probation, including the requirement to wear a GPS monitor at all times, and the law of involuntary civil commitment under the Involuntary Civil Commitment of Sexually Violent Predators Act, or similar statutes.

EXHIBIT #2
PAGE 10/22

9. 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.
10. 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.
11. 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 12 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.
12. 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 Volusia County, Florida on 9/15/2022 (Date).

Barnett Anderson
DEFENDANT

CERTIFICATE OF DEFENDANT'S ATTORNEY

I hereby certify that as counsel for the 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, the 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.

Haley Mead
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.

William Busch 0602205
ASSISTANT STATE ATTORNEY
WILLIAM BUSCH

ORDER ACCEPTING PLEA

The foregoing plea document was received and accepted in open court. The 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 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 5, above.

Accepted by the court.

[Signature]
CIRCUIT JUDGE

EXHIBIT #2
PAGE 11/22

Revised: November 2012

- Probation Violator
- Community Control Violator
- Retrial
- Resentence

STATE OF FLORIDA

v.

GARRETT THOMAS ANDERSON

In the Circuit Court, 7th Judicial Circuit

in and for Volusia County, Florida

Division CRIMINAL 07

Case Number 2022 100408 CFDL

JUDGMENT

The defendant, GARRETT THOMAS ANDERSON, being personally before this court represented by HAILEY MARK, the attorney of record, and the state represented by WILLIAM BUSCH, and having

- been tried and found guilty by jury of the following crime(s)
- entered a plea of guilty to the following crime(s)
- entered a plea of nolo contendere to the following crime(s)











Count	Crime	Offense Statute Number(s)	Degree of Crime	Case Number	OBTS Number
1	FLEEING OR ATTEMPT TO ELUDE HIGH SPEED	316.1935(3)(a)	F/S	2022 100408 CFDL	6406081356
2	FLEEING OR ATTEMPTING TO ELUDE	316.1935(1)	F/T	2022 100408 CFDL	6406081356

- and no cause being shown why the defendant should not be adjudicated guilty, **IT IS ORDERED THAT** the defendant is hereby **ADJUDICATED GUILTY** of the above crime(s)
- and good cause being shown; **IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.**
- and having been convicted or found guilty of, or having entered a plea of nolo contendere or guilty, regardless of adjudication, to an offense specified in section 943.325, Florida Statutes, the defendant shall be required to submit blood or other biological specimens.

EXHIBIT #2
PAGE 12/22

FILED
IN OPEN COURT
SEP 15 2022
Clerk Circuit & County
Court Volusia County, FL

FINGERPRINTS OF DEFENDANT

1. Right Thumb	2. Right Index	3. Right Middle	4. Right Ring	5. Right Little
				
6. Left Thumb	7. Left Index	8. Left Middle	9. Left Ring	10. Left Little
				

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant, GARRETT THOMAS ANDERSON and that they were placed thereon by the defendant in my presence this 15 day of September, 2022.

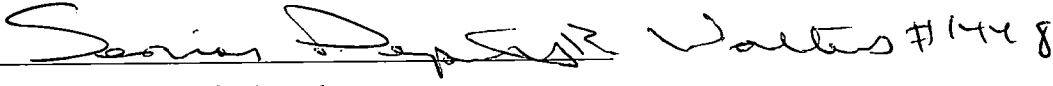

Court Officer/Authorized Employee

EXHIBIT #2
PAGE 13/22

STATE OF FLORIDA

IN THE SEVENTH JUDICIAL
CIRCUIT COURT, IN AND FOR
VOLUSIA COUNTY

-VS-

CASE NUMBER 2022 100408 CFDL

GARRETT THOMAS ANDERSON

Defendant

DC NUMBER B61437

Local Jurisdiction Identification Number: _____

ORDER OF COMMUNITY CONTROL

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

Case # 2022 100408 CFDL Count I Fleeing or Attempt to Elude High Speen, a Second Degree Felony

Case # 2022 100408 CFDL Count II Fleeing or Attempting to Elude, a Third Degree Felony

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 Community Control for a period of Twenty four (24) 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 Community Control for a period of _____ under the supervision of the Department of Corrections, subject to Florida law.

SECTION 3: INCARCERATION DURING PORTION OF SUPERVISION SENTENCE

It is hereby ordered and adjudged that you be:

- committed to the Department of Corrections for a term of _____prison with credit for _____ jail time, followed by Community Control for a period of _____ 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 _____ jail time. After you have served _____ of the term, you shall be placed on Community Control for a period of _____ 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 _____ jail time, as a special condition of supervision.

IT IS FURTHER ORDERED that you shall comply with the following standard conditions of supervision as provided by Florida law:

EXHIBIT #2
PAGE 14/22

- (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.
- (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.
- (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 **VOLUSIA** 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 **334 E. NEW YORK AVE. DELAND, FLORIDA.**

EXHIBIT #2
PAGE 15/22

SPECIAL CONDITIONS

23. Pay \$1 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.
24. You shall pay to the Department of Corrections a **\$2.00** per month surcharge for each month you are under supervision pursuant to Section 948.09(1)(2), F.S. For the period of time cost of supervision is waived, this condition does not apply.
27. Other: Your driver's license is suspended for a period of one year.
28. Other: You will enroll and successfully complete an approved Advanced Driving Improvement Course as directed by your officer. You will pay the cost of said program. (enroll within 60 days of today)
29. Other: The Defendant will submit to warrantless searches of person, car and home.
30. Other: You will not possess any weapons, firearms or ammunition.
31. Other: You may perform community service at a rate of \$15.00 per hour in lieu of court cost.
32. Other: You may convert Community Control to Probation at the halfway point with a letter to the Court.

AND, IF 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:

- (15) You will report to your officer as directed, at least one time a week, unless you have written consent otherwise.
- (16) 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.
- (17) You will maintain an hourly accounting of all your activities on a daily log, which you will submit to your officer on request.
- (18) You will successfully complete ___ hours of community service at a rate of _____, at a work site approved by your officer. Additional instructions ordered: _____
- (19) You will submit to electronic monitoring, follow the rules of electronic monitoring, and pay for the cost of the electronic monitoring service.

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.

**EXHIBIT #2
PAGE 16/22**

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: \$ 651.00 _____

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.

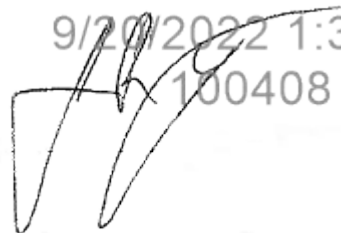
- Court Costs/Fines Waived
- Court Costs/Fines in the amount of _____ converted to _____ community service hours
- Court Costs/Fines in the amount of _____ reduced to civil judgment.

SPECIFIC INSTRUCTIONS FOR PAYMENT: _____

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 on 15th day of September, 2022

9/20/2022 1:37 PM 2022
 100408 CFDL



**EXHIBIT #2
PAGE 17/22**

e-Signed 9/20/2022 1:37 PM 2022 100408 CFDL
CIRCUIT JUDGE

I acknowledge receipt of a certified 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

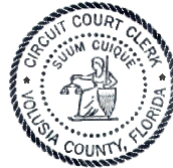
STATE OF FLORIDA
I HEREBY ATTEST the following is a true copy
of the original filed in this office. The
_____ day of _____, _____
Clerk of Circuit and County Court

By _____
Deputy Clerk

Copies To:

Counsel for the state: _____ hand delivery open court _____ U.S. Mail _____ interoffice/hand delivery
Counsel for the defendant: _____ hand delivery open court _____ U.S. Mail _____ interoffice/hand delivery

I do certify that a copy hereof has been furnished to counsel for the state and the defendant by the method indicated above, done this _____ day of _____, _____.



LAURA E. ROTH
CLERK OF CIRCUIT COURT

By: _____
Deputy Clerk

EXHIBIT #2
PAGE 18/22

COPIES TO:

Counsel for the state: eService

Counsel for the defendant: eService

I do certify that a copy hereof has been furnished to counsel for the state and the defendant by the method indicated above, done this 20 day of September, 2022.



Laura E. Roth

CLERK OF CIRCUIT COURT

09/20/2022 01:45 PM 2022 100408 CFDL

09/20/2022 01:45 PM 2022 100408 CFDL

09/20/2022 01:45 PM 2022 100408 CFDL

09/20/2022 01:45 PM 2022 100408 CFDL

BY: Casey L. Beason

eSigned: 09/20/2022 01:45 PM 2022 100408 CFDL

EXHIBIT #2
PAGE 19/22

In The Circuit Court Seventh Judicial Circuit,
In and For Volusia County, Florida

STATE OF FLORIDA
v.
GARRETT THOMAS ANDERSON

Case No. 2022 100408 CFDL
Division: 07

Defendant Address:
1007 WANDERER DR
DELTONA, FL 32738

Order/Final Judgment for Charges, Costs, & Fees
(Costs are assessed by case)

The above named defendant is hereby ordered to pay the following sums, if checked:

Mandatory Costs (Select one)

- \$ 418.00 Felony Standard § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.06
- \$ 770.00 Felony Assault & Battery § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.06
- \$ 451.00 Felony Traffic § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 318.18(17), 318.18(13)(a), 938.06
- \$ 586.00 Felony DUI § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.07, 318.18(17), 318.18(13)(a), 938.06
- \$ 569.00 Felony Crime Agst.Minor § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.06
- \$ 613.00 Felony BUI § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.07, 327.35(9), 938.06
- \$ 921.00 Felony Asslt/Battery-Minor § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.08, 938.085, 938.10(1), 938.06
- \$ 521.00 Felony Reckless Driv. § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 316.192, 318.18(17), 318.18(13)(a), 318.18(20), 938.06
- \$ 569.00 Felony Standard & Rape Crisis § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.085, 938.06
- \$ 720.00 Felony Crime Agst.Minor & Rape Crisis § 938.01(1), 938.03, 938.05, 938.15, 775.083(2), 939.185(1)(a), 938.19(2), 938.10(1), 938.085, 938.06

Additional Mandatory Costs (Select all that apply)

- \$ 50.00 Indigency Application Fee/Public Defender § 27.52(2)(a)
- \$ 5000.00 Prostitution- Additional Civil Penalty § 796.07(6)
- \$ 500.00 BUI Refusal-Civil Penalty § 327.35215(1)
- \$ Indigent Defense Cost/Fee (No less than \$100.00) § 938.29
- \$ 100.00 State Attorney Cost of Prosecution (No less than \$100.00) § 938.27
- \$ Mandatory Costs/Surcharges-Not Primary Offense §§ 938.08, and/or 938.085, and/or 938.10(1)

Fines: (Select all that apply – Enter Amount)

- \$ Fine & 5% surcharge § 316.193, 327.35, 775.083(1), 893.13, 893.135, 938.04
- \$ Fine (Crime result death/injury-not exceed \$10,000) § 775.0835(1), 938.04
- \$ Fine & 5% surcharge – Other (explain) _____

Discretionary Costs: (Select all that apply – Enter Amount)

- \$ 100.00 Drug Related – FDLE Operating Trust Fund § 938.055
- \$ Alcohol and Drug Abuse Additional Cost (up to amount of fine) § 938.21, 938.23
- \$ 100.00 Investigation Costs to _____ VSO § 938.27
- \$ Other (explain) _____

Restitution (Select one)

- No restitution ordered. Jurisdiction is reserved to determine restitution upon motion of the State.
- Restitution Ordered. To be paid in accordance with separate Restitution Order.

Payment of charges, costs, and fees are due immediately and are payable to the Clerk of Court for Distribution unless otherwise noted :

- A condition of probation/community control, payable to FL DOC, Probation & Parole, pursuant to probation/community control order.
- Due within _____ days following release from jail/prison and is payable to the Clerk of Court for distribution.
- Due within _____ days and is payable to the Clerk of Court for distribution.
- Convert costs, fines, and fees to Civil Judgment. _____

Unless payment is ordered as a condition of probation, it is further ordered that Judgment is hereby entered in favor of the State of Florida, and/or Clerk of Court, 101 North Alabama Avenue, DeLand, FL 32724 and victim(s) for the sum of the above amounts, together with interest at the lawful rate, for which let execution issue. (§ § 55.10, 960.295, Fla. Stat.) **This judgment shall supersede any previous judgment that may have been entered against the defendant in the above referenced case only. Fines/Costs/Fees which remain unpaid for 90 days or more may be turned over to a collection agency for further action. Failure to pay as ordered may result in the suspension of your Florida Driver's License.**

DONE AND ORDERED in Volusia County, Florida, this 15 day of September, 2022.

CC: State Attorney
Defense Counsel
Probation & Parole (if applicable)

e-Signed 9/15/2022 12:35 PM

JAMES R CLAYTON
Judge



(<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 \(http://www.fdcjobs.com\)](http://www.fdcjobs.com)
- [Newsroom \(/comm/index.html\)](#)
- [Statistics \(/pub/index.html\)](#)
- [Partners \(mailto:development@fdc.myflorida.com\)](mailto:development@fdc.myflorida.com)

Corrections Offender Network

Supervised Population Information Detail

(This information was current as of 9/25/2022)



DC Number:	B61437
Name:	ANDERSON, GARRETT THOMAS
Race:	WHITE
Sex:	MALE
Birth Date:	██████████
Supervision Begin Date:	09/15/2022
Current Location:	DAYTONA BEACH (http://prcwpws001.fdc.myflorida.com/c)
Current Status:	<u>ACTIVE</u>
Supervision Type:	COMMUNITY CONTROL - PR
Scheduled Termination Date:	09/14/2024
	
https://www.vinelink.com/vinelink/servlet/SubjectSearch?siteID=10000&agency=900&offenderID=B61437	

Current Verified PERMANENT Address:

1007 WANDERER DR
DELTONA, FL 32738

Aliases:

GARRETT THOMAS ANDERSON

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 #2
PAGE 21/22

Offense Date	Offense	Sentence Date	County	Case No.	Community Supervision Length
02/25/2022	FLEE LEO/NO REGARD	09/15/2022	VOLUSIA	2210408	2Y oM oD
02/25/2022	FLEE/ELUDE LEO-FELONY	09/15/2022	VOLUSIA	2210408	2Y oM oD

[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 **DAYTONA BEACH Circuit Office** (<http://prod.fdc-wpws001.fdc.myflorida.com/cc/o7.html>). This information is made available to the public and law enforcement in the interest of public safety.

Search Criteria: (/OffenderSearch/search.aspx?TypeSearch=AQ) Last Name: anderson First Name: garrett 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 Programming](#) (<http://www.dc.state.fl.us/development/index.html>)
- [Corrections Foundation](#) (<https://www.correctionsfoundation.org/>)
- [Parole Information](#) (<https://www.fcor.state.fl.us/index.shtml>)
- [Inspector General](#) (<http://www.dc.state.fl.us/jg/index.html>)
- [Prison Rape Elimination Act](#) (<http://www.dc.state.fl.us/PREA/index.html>)

Contact Us

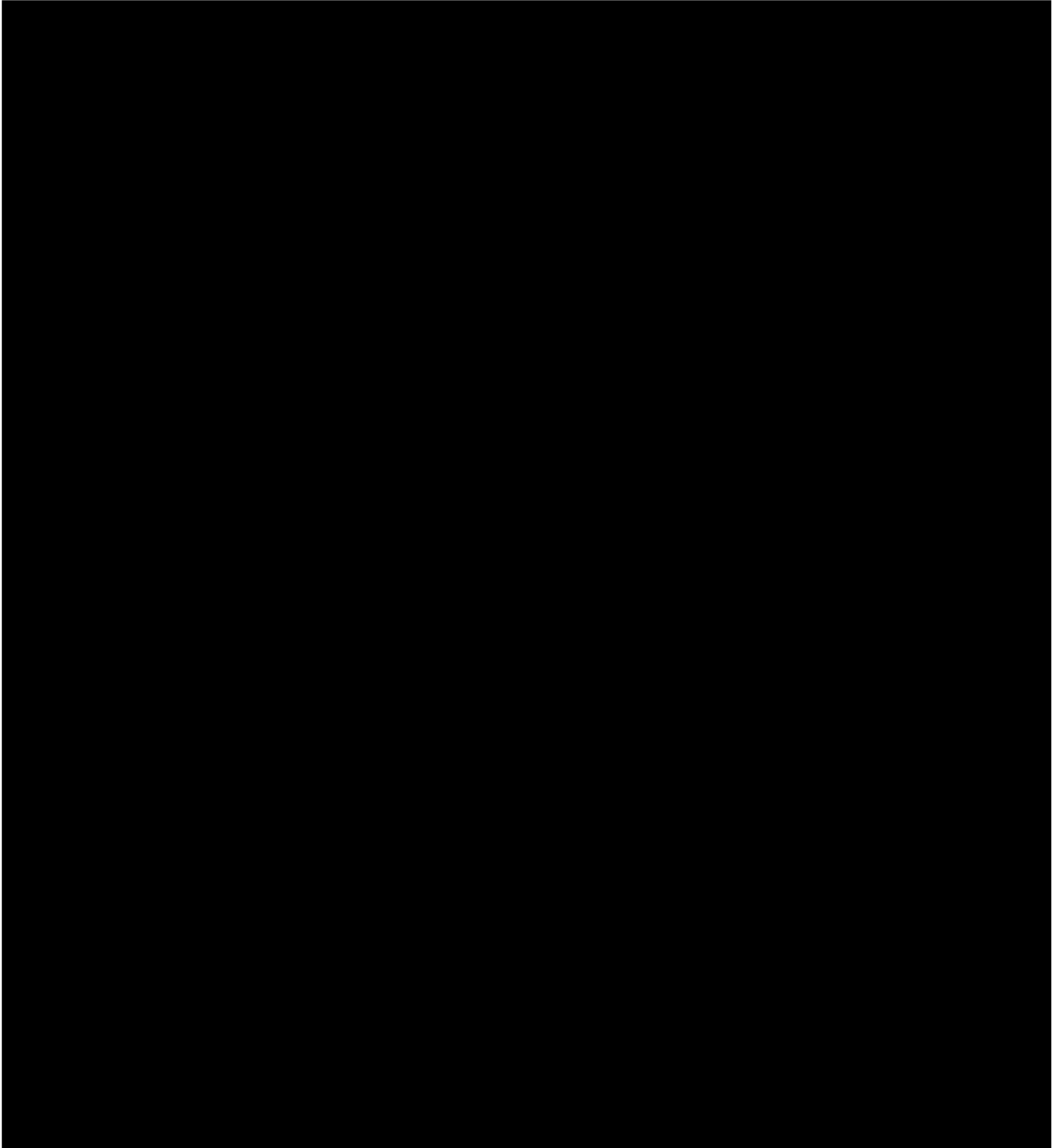
(http://www.dc.state.fl.us/org)

501 South Calhoun Street
Tallahassee, FL 32399-2500
Main: (850) 488-5021
Phone Directory (<http://www.dc.state.fl.us/org/contact.html>)
Citizen Services (<http://www.dc.state.fl.us/citizen/index.html>)

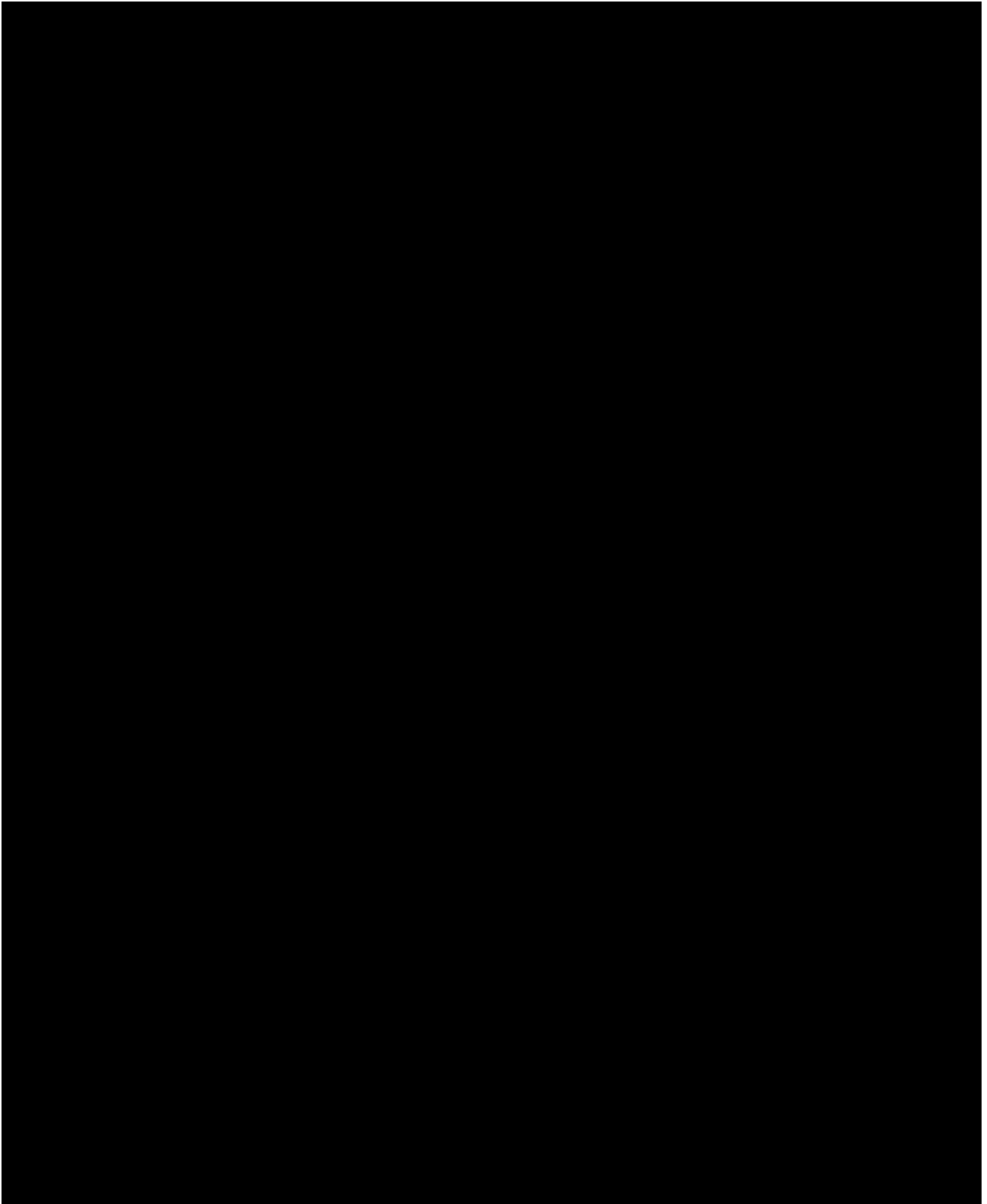
FDLE Information Notification System

Sent Date: 5/8/23 12:42 PM Purge Date: 11/4/23 12:42 PM Mail Ref.No: ORG002044-8237232

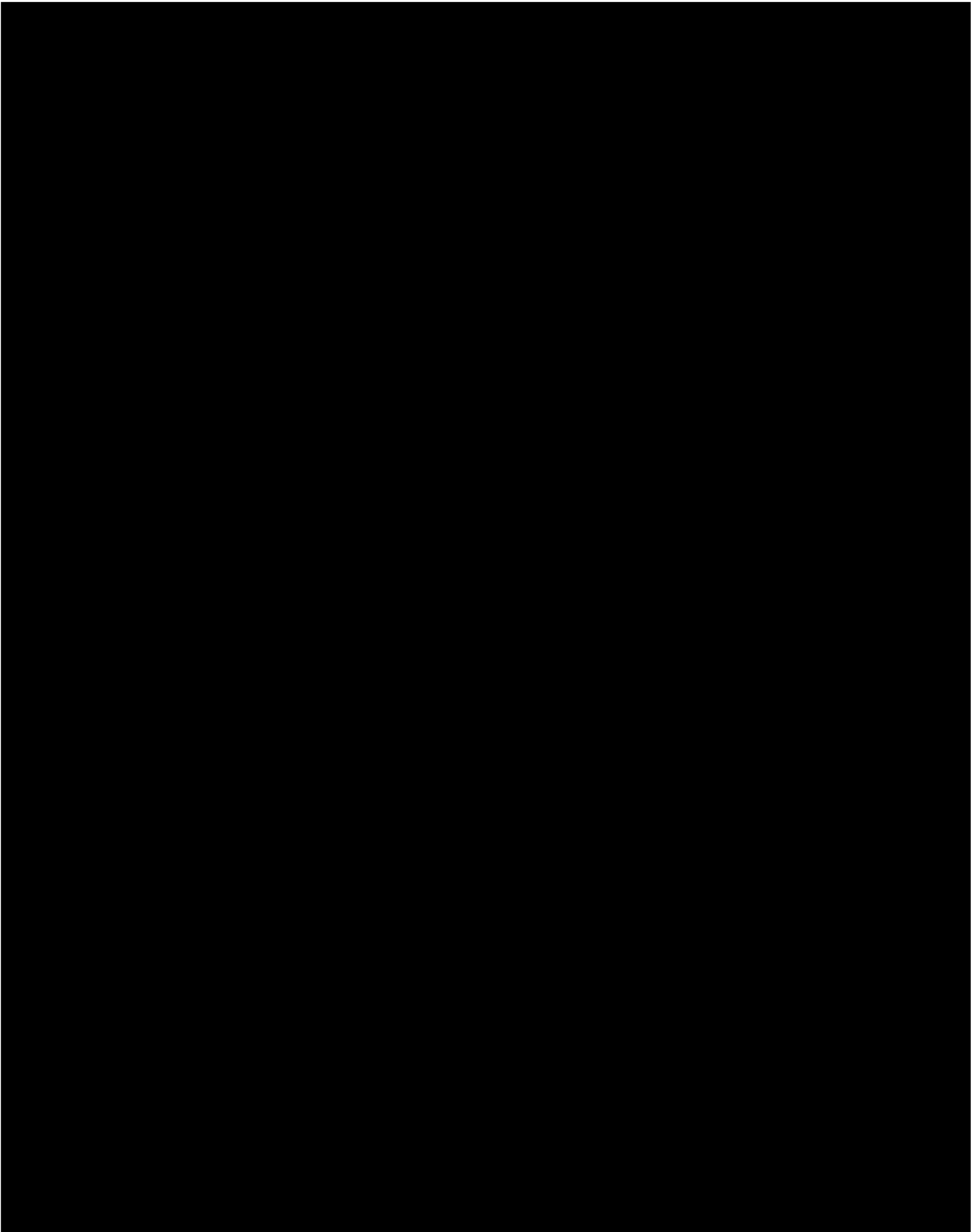
Subject : *Results of check for ANDERSON, GARRETT THOMAS (70CK84000000000116)*



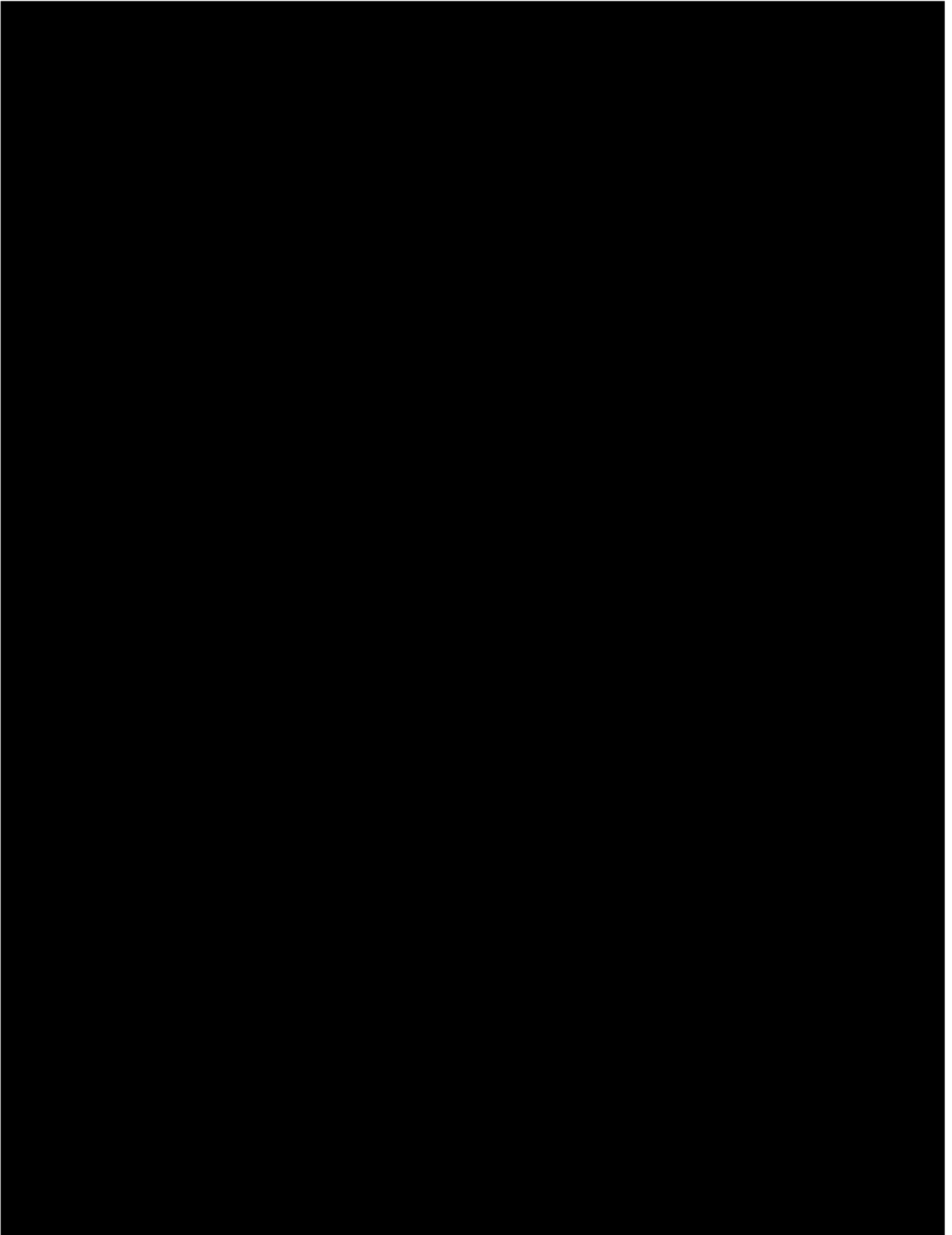
Subject : *Results of check for ANDERSON, GARRETT THOMAS (70CK8400000000116)*



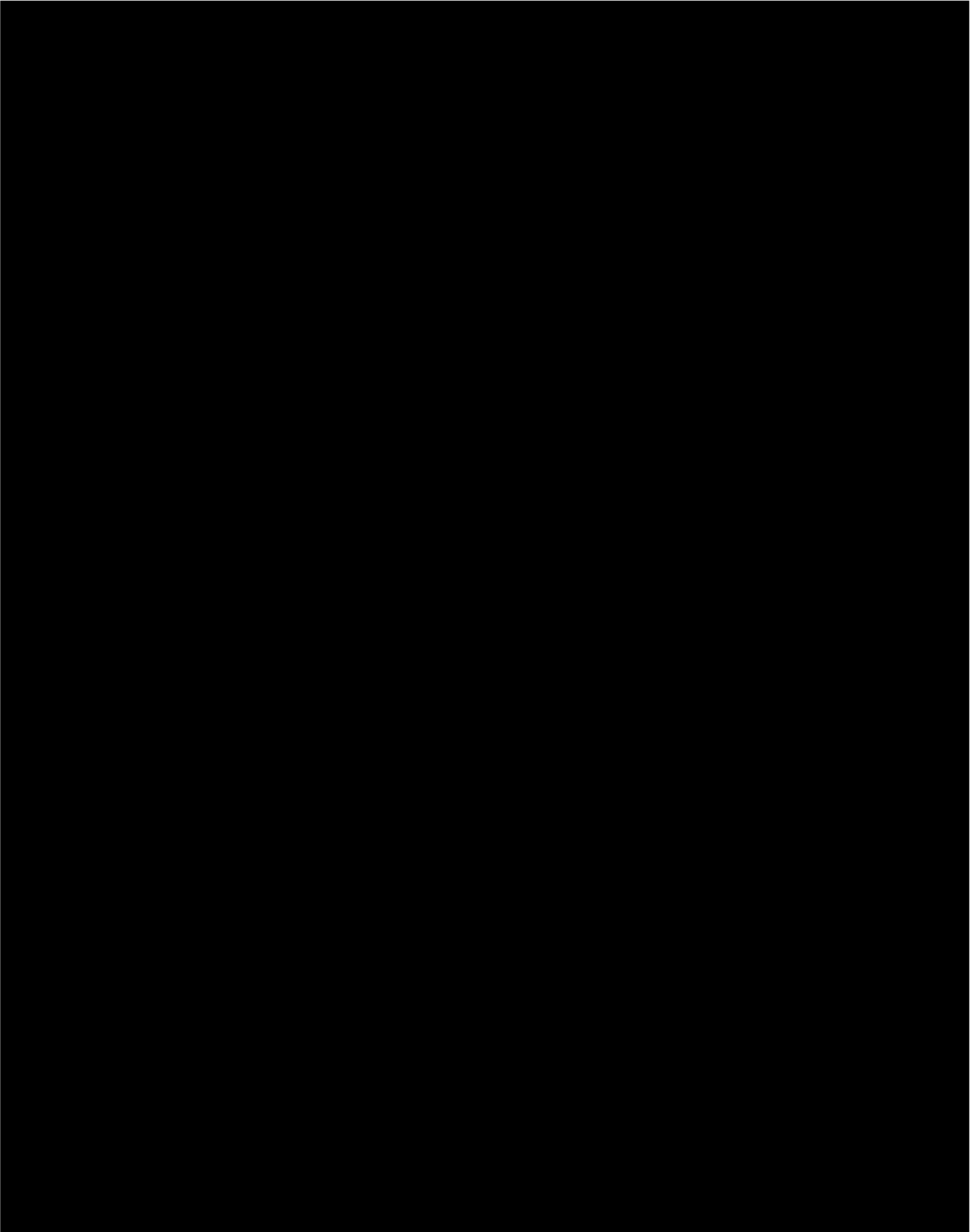
Subject : *Results of check for ANDERSON, GARRETT THOMAS (70CK8400000000116)*



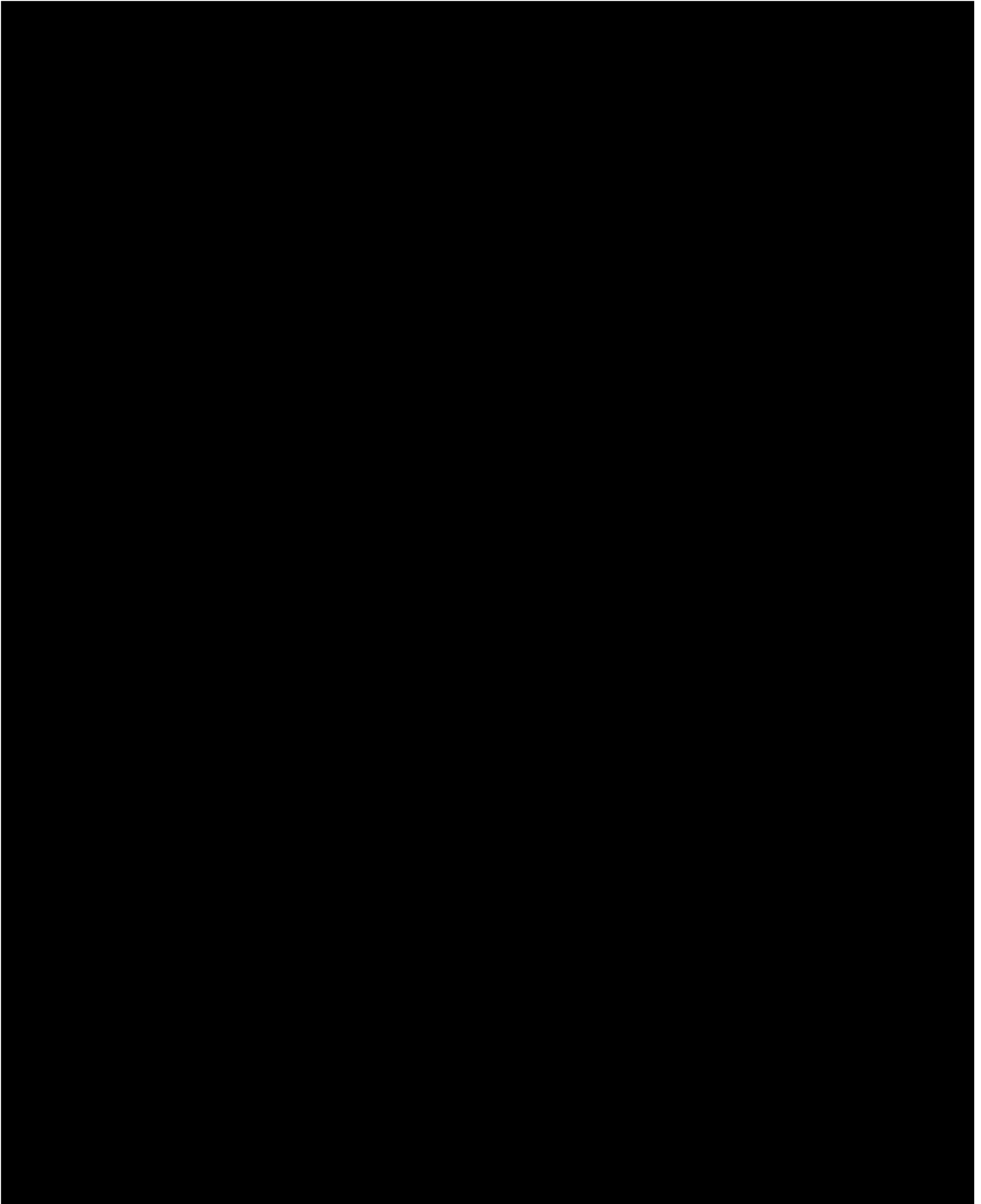
Subject : *Results of check for ANDERSON, GARRETT THOMAS (70CK8400000000116)*



Subject : *Results of check for ANDERSON, GARRETT THOMAS (70CK8400000000116)*



Subject : *Results of check for ANDERSON, GARRETT THOMAS (70CK8400000000116)*



Comprehensive Ruling Report

Rulings Against: Garrett T. Anderson

Legal Name: Garrett T. Anderson

Birth Date: [REDACTED]

0 Total Ruling(s) Listed

"Multiple medication violation points and point totals are for advisory and informational purposes only to indicate the existence of regulatory medication violation determinations made by racing regulatory entities in order to notify officials of possible aggravating factor that should be reviewed by official prior to taking regulatory action. Confirmation of violation should be made directly with the racing regulatory entity responsible."

No Rulings

EXHIBIT #4
PAGE 1/10

Comprehensive Licensee Report

ARCI Licensee: Garrett T. Anderson

Identification Information

DOB: [REDACTED]
 Country: USA
 Sex: Unknown

Licensee's Names

Current Legal Name: Garrett T. Anderson

Licensee's Addresses

None

Licensee's Phone Numbers

None

Fingerprint History

None

License History

License Number:	11565390	License Type	Other/OTB/Casino
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date	7/14/2020	Expire Date	6/30/2023
Division	Dog	Breed	Unknown

License Number:	11565390	License Type	Other/OTB/Casino
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date	7/6/2020	Expire Date	10/4/2020
Division	Dog	Breed	Unknown

License Number:	11565390	License Type	Other/OTB/Casino
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date	12/14/2017	Expire Date	6/30/2020
Division	Dog	Breed	Unknown

EXHIBIT #4
PAGE 2/10

License Number:	11565390	License Type:	Other/OTB/Casino
Commission:	Florida Division of Pari-Mutuel Wagering	State/Province:	Florida
Issue Date:	11/17/2017	Expire Date:	2/15/2018
Division:	Dog	Breed:	Unknown

Ruling History
None

Dear Gaming Commission,

I hope this letter finds you well. I am writing to provide a heartfelt character reference for my brother, Garrett Thomas Anderson, who is currently being considered for the renewal of his gaming license as a poker dealer. I am his brother, Carl, and I want to express my unwavering support for Garrett during this challenging time.

Garrett is more than just a brother to me; he is a beacon of goodness and an invaluable member of our family. His outgoing nature, fun-loving spirit, and sarcastic sense of humor make him a joy to be around. Despite the circumstances that led to his current situation, I have never doubted his inherent goodness and his ability to learn from his mistakes.

One of Garrett's most admirable qualities is his willingness to lend a helping hand to anyone in need. I have witnessed him selflessly assist others countless times, always going the extra mile to ensure that those around him are taken care of. His genuine compassion and generosity are truly remarkable, and they exemplify the kind of person he is.

Garrett's passion for the game of poker is evident in every aspect of his life. As a poker dealer, he excels in his role due to his quick thinking, exceptional memory, and love for the game. His dedication and enthusiasm create a vibrant and enjoyable atmosphere at the poker table, enhancing the experience for all players. Garrett's professionalism and skill make him an invaluable asset in the gaming industry.

Beyond his professional endeavors, Garrett's impact on our family is immeasurable. He has always been a dependable and supportive presence in our lives. Not only does he contribute financially, ensuring that our family's needs are met, but he also provides emotional support and guidance when we need it most. Garrett's unwavering commitment to our family's well-being has made him an irreplaceable pillar of strength.

It is important to understand that the incident leading to Garrett's current situation was a regrettable mistake. It was an uncharacteristic act that does not reflect his true nature or his ability to be a responsible and law-abiding citizen. Prior to this incident, Garrett had a spotless record, demonstrating his commitment to leading a life of integrity.

In light of Garrett's exceptional character, dedication to his work, and the positive impact he has on our family, I wholeheartedly urge you to consider renewing his gaming license. Losing his current job would not only jeopardize his financial stability but also have a profound impact on our family's well-being. I firmly believe that Garrett has learned from this experience and will continue to be a valuable asset to the gaming industry.

Thank you for taking the time to review this character reference on behalf of my brother. Should you require any further information or clarification, please do not hesitate to reach out to me. I am confident that by considering Garrett's unique qualities and contributions, you will make the right decision in renewing his gaming license.

Warm regards,

Carl Anderson II

EXHIBIT #4
PAGE 4/10

Dear Gaming Commission,

This is Garrett's mother and father reaching out to share with you our thoughts, opinions and beliefs of Garrett. Firstly we would like to shed light on Garrett's selfless amazing character. Secondly, we would like to bring attention to Garrett's undying passion for the game of poker and being a poker dealer. Lastly, the unconditional love and support for his family.

Garrett is extremely hard working. He goes to work all day and before coming home he goes grocery shopping, comes home mows and weed eats the lawn before cooking dinner. He brings his girlfriend to work and still manages to show up to work on time. Garrett is also very responsible, he makes sure the mortgage and bills are paid. He provides food and other necessities for the house.

Garrett has a passion for poker, he loves the game. He constantly watches you tube to learn all that he can about poker. As a family we have poker nights and play as if we were at the poker room. He taught his brother's girlfriend, Janae how play and deal poker and now she is a dealer at the Orange City Racing and Card Club. He taught his girlfriend Hayley how to play poker as well. He loves poker so much that he has cards tattooed on his arm.

Garrett has a very strong bond with his family. We were renting a home for 13 years when the landlord decided he needed his home back. With our belongings in storage, we were living in a motel in which Garrett paid the expenses, meanwhile he bought a brand new house. He calls or texts from work to make sure we are okay or if we need anything before he comes home. He picks up our prescriptions, took us on vacations, hockey games and occassionally out to dinner and buys groceries for the week. He is a blessing and we are grateful and proud he is our son! He deserves a second chance, please find it in your heart to help him and his family.

In conclusion, Garrett has a great personality, he is very hard working and a responsible young man. Garrett has a strong passion for poker. We play poker every night as a family. He trained Janae how to play and deal poker in which she is currantly at Orange City Racing and Card Club employed as a poker dealer.

Garrett has a strong family bond. He bought a home for his family, helps with food and travel. We feel he deserves a second chance, Please find it in your heart to help him and his family. It would be detrimental if he loses his license. I appreciate and Thank you for the time you took to read this letter.

Sincerely,,

Lynda and Carl Anderson

EXHIBIT #4
PAGE 5/10

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.: 2022-048147

GARRETT T. ANDERSON,

Respondent.

_____ /

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (“Petitioner”), files this Administrative Complaint against Garrett T. Anderson (“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 11565390-1012, issued by Petitioner.
3. On or about September 15, 2022, Respondent entered a plea of nolo contendere and was convicted of Fleeing or Attempting to Elude High Speed and Fleeing or Attempting to Elude, felonies, in the Circuit Court of the Seventh Judicial Circuit in and for Volusia County, Florida, in case number 2022-100408 CFDL.

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 Fleeing or Attempting to Elude High Speed and Fleeing or Attempting to Elude, felonies, in Volusia County, Florida on September 15, 2022.

COUNT II

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

EXHIBIT #4
PAGE 7/10

9. Respondent failed to notify Petitioner within 48 hours of his September 15, 2022 conviction for Fleeing or Attempting to Elude High Speed and Fleeing or Attempting to Elude in Volusia 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 September 15, 2022 conviction for two disqualifying offenses 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 February 25, 2022, Respondent was arrested in Volusia County, Florida, and was charged with Fleeing or Attempting to Elude a Law Enforcement Officer.

14. Respondent failed to provide written notification to Petitioner within five days of his February 25, 2022 arrest.

15. Rule 61D-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 61D-11.011, Florida Administrative Code, by failing to provide written notification to Petitioner within five days of his February 25, 2022 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 2022-048147 is signed this 19th day of October, 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

EXHIBIT #4
PAGE 9/10

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.

EXHIBIT #4
PAGE 10/10

MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Meshika Latrice Anderson; Case No. 2023-038380; License Denial
Date: July 20, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Meshika Latrice Anderson'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 June 26, 2023. Upon review of the application, it appears Applicant has been convicted of several crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On June 26, 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 the Applicant was convicted of several crimes in the state of Florida. Applicant failed disclose one conviction on their application. Specifically, the Applicant was convicted of the following crimes:

- Cocaine Possession with Intent, a felony, in 1993
- Petit Theft/ Larceny, a misdemeanor, in 1995
- Child Abuse (No Harm), a felony, in 2001

Applicant did not apply for a waiver for her convictions, however, under section 551.107(6)(a), Florida Statutes, the legislature did not authorize the Executive Director to waive criminal convictions for slot machine licensing. Applicant failed disclose the child abuse conviction on their application.

Relevant Law

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 convictions cannot be waived and because Applicant was convicted of a disqualifying offense under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant’s application for a slot combination license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

Department of Business and Professional Regulation
Division of Pari-Mutuel Wagering

Licensing Administrator Review – SLOT Occupational License

RE: **ANDERSON, MESHKA LATRICE –**
13643071

Case No: **2023038380**

(APPLICANT'S NAME– LICENSE #)

INITIAL APPLICATION RECEIVED:	6/26/2023
COMPLETE APPLICATION RECEIVED:	6/26/2023
90-DAY DEADLINE:	9/24/2023

Randall Kitchens
Application Processor

285 - Calder
Facility (d/b/a name)

1055 – Food Service
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 : 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
01/28/1993	Miami Dade, Florida	Cocaine Possess W Intent F93003106A	F2	Adj Withheld
02/23/2001	Miami Dade, Florida	Cruelty Toward Child 13-2001-CF-006101	F3	Guilty
03/04/1995	Miami Dade, Florida	Petty Theft 13-1995-MO-009905	M	Guilty

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: 

7/11/23

Comments:

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: **rkitchens**

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

Lic Type	1055 - Slot Machine/Cardroom/Pari-Mutuel Individual Combination	Status	10 Initial Review	Status Date	07/11/2023
Complaint #	2023038380	Case Type	CMP - Complaint	Disposition	Disposition Date
Docket#	Respondent ANDERSON, MESHKA LATRICE	Responsible	ddonaldson - DONALDSON, DAVID	Private Case	

Complaint	Respondent	Complainant	Add'l Info
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Source	INTN - Internal	Security Level	1	Parties	Activities
Form	INTR - Internal	Priority		Allegations	Discipline
Class'n	CHIS - Criminal History	Complexity	R - Regular	Violations	Compliance
Security	STND - Standard	Incident	06/26/2023	Related	Disposition
Region	SR - Southern Region	Received	06/26/2023	Inspection	
Reference	Entered		07/11/2023	Costs	
	Entered By		rkitchens	Time Tracking	Auto Assign
Summary	Application and rap sheet reviewed. Applicant's criminal history resulted in felony conviction(s) or an industry related offense. Facility - 285 - Calder.			Attachments	History
Updated	07/11/2023 08:26:18		By	rkitchens	Work Notes
				Print Report	

Change	Save	OK	Cancel	Back
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Get Adobe Reader.

OCCUPATIONAL LICENSE FEE VOUCHER

Date 6-20-23

Applicant Name: Meshika Anderson
(Please print)

Position/Title: Concessions Attendant
(Please print)

This voucher must be submitted with the applicant's completed Slot Machine Individual Occupational License Application form to the DBPR Licensing and Compliance Office.

Upon receipt of an authorized voucher, Calder Casino agrees to remit to the Division:

\$100 (3-year license)

Fingerprint fee \$ _____

Upgrade Fee \$ _____


Human Resources Authorized Signature

For Accounting use only.



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF PARI-MUTUEL WAGERING
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:

- US Passport
- Certificate of US Citizenship or Naturalization
- Permanent Resident Card

OR, Provide a copy of two of the items below:

- 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 type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
Last Name Anderson	First Meshika	Middle Latrice	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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list the name or names used: <u>Meshika Latrice Howard</u>			
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: _____			RECEIVED
Current Mailing Address 165 Kalandar St. Apt C5		Email Address (optional)	JUN 26 2023
City Miami	State FL	Zip Code (+4 optional) 33054	Country USA
Primary Phone Number [REDACTED]		Secondary/Cell Phone Number (optional)	
Current Street Address 165 Kalandar St. Apt C5			
City Miami	State FL	Zip Code (+4 optional) 33054	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		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>Concessions Attendant</u>		Facility where employed and/or doing business: Calder Casino	
*Applicants for a Combo license should disclose all job titles		Employer name: Calder Casino	
FOR DIVISION USE ONLY			
License Code <u>1055</u>	License # <u>13643071</u>	File # <u>11743</u>	App # <u>41752</u>
Association Code <u>285</u>	Date Received <u>6-26-23</u>	Entered By <u>PJP</u>	License Year <u>23/26</u>
License Fee <u>\$100.00</u>	FP Date <u>6-26-23</u>	FP Fee <u>0</u>	Total Fee <u>\$100.00</u>
Waiver Requested (Combo Only)	ARCI <input checked="" type="checkbox"/>	Enforcement <input checked="" type="checkbox"/>	

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

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

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:

BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)

<input type="checkbox"/> Yes	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?				
<input checked="" type="checkbox"/> No					
<input checked="" type="checkbox"/> Yes	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you? If yes, the court disposition records for all convictions must be submitted with this application and you must list the details in the section provided below.				
<input type="checkbox"/> No					
Date of Disposition	County	State	Offense	Misdemeanor or Felony?	Sentence
1/29/1993	Miami Dade	FL	COCAINE/POSN w/int	FELONY	ADJ. WITHHELD/SEN
8/28/1998	Dade MIAMI	FL	ASSAULT AND BATTERY	FELONY	DISMISSED
3/10/1995	Dade MIAMI	FL	PETIT LARCENY THEFT	N/A	CONV w/CTS
3/11/2017	Dade MIAMI	FL	TRAFFIC TICKET	N/A	DISMISSED
<input type="checkbox"/> Yes	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?				
<input checked="" type="checkbox"/> No					
<input type="checkbox"/> Yes	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?				
<input checked="" type="checkbox"/> No					

ADDITIONAL INFORMATION

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.

Meshika Latrice Anderson

Print Legal Name (First Middle Last)

Birth Date (MM/DD/YYYY)

Social Security Number

Calder Casino

Name of Employer

Signature of Applicant

Date

THIS DOCUMENT HAS A LIGHT BACKGROUND ON TRUE WATERMARKED PAPER. HOLD TO LIGHT TO VERIFY FLORIDA WATERMARK.

BUREAU of VITAL STATISTICS

CERTIFICATION OF BIRTH

STATE FILE NUMBER: 109-1973-052087

DATE ISSUED [REDACTED]

DATE FILED [REDACTED]

CHILD'S NAME: MESHKA LATRICE HOWARD

DATE OF BIRTH: [REDACTED]

SEX: FEMALE

COUNTY OF BIRTH: MIAMI-DADE COUNTY

MOTHER'S NAME: SHARON YVONNE HOLT
(NAME PRIOR TO FIRST MARRIAGE, IF APPLICABLE)

THIS SPACE INTENTIONALLY LEFT BLANK

Ken Jones

, STATE REGISTRAR

REQ: 2025398917

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CASE INFORMATION

Court Case No.: M95009905
Name: HOWARD, MESHKA LATRICE
Date Filed: 03/04/1995
Previous Case:
Judge:
Bfile Section:
Arresting Agency: MIAMI

State Case No.: 131995MO0099050001XX
Date Closed: 03/04/1995
Next Case:
Defense Attorney:
File Location: DESTROYED
Arrest Date: 03/04/1995

Date of Birth: [REDACTED]
Warrant Type:
Box Number:

HEARING

There are no scheduled hearings.

CHARGES

Seq No.	Charge	Charge Type	Disposition
1	PETIT LARCENY, THEFT	MUNICIPAL ORDINANCE	CONV W/CTS

DOCKETS

Seq. No.	Date	Book/Page	Docket
3	03/10/1995	016705/02990	JUDGMENT AND SENTENCE
2	03/04/1995		FIRST APPEARANCE/JAIL ARRAIGNMENT
1	03/04/1995		CLOSING JUDGE FERRER, ALEX E

CASE INFORMATION

Court Case No.: F93003106
Name: HOWARD, MESHKA LATRICE
Date Filed: 01/29/1993
Assessment Amount: \$0.00
Previous Case:
Judge: ENRIQUEZ JAVIER A
Bfile Section: F017
Arresting Agency: MIAMI DADE POLICE

State Case No.: 131993CF0031060001XX
Date Closed: 02/18/1993
Balance Due: \$0.00
Next Case: F93003106A
Defense Attorney:
File Location: SCANNED
Arrest Date: 01/28/1993
Date of Birth: [REDACTED]
Warrant Type:
Stay Due Date:
Box Number:

HEARING

There are no scheduled hearings.

CHARGES

Seq No.	Charge	Charge Type	Disposition
1	COCAINE/POSN W/INT	FELONY	TRANSF TO OTHER CASE

DOCKETS

Seq. No.	Date	Book/Page	Docket
15	05/04/1993		SUBPOENA FOR TRIAL - RETURNED
16	05/03/1993		SUBPOENA FOR TRIAL - RETURNED
14	02/22/1993		AMENDED WITNESS LIST FOR STATE

CASE INFORMATION

Court Case No.: F93003106A
Name: HOWARD, MESHKA LATRICE
Date Filed: 01/29/1993
Assessment Amount: \$0.00
Previous Case: F93003106
Judge: ENRIQUEZ JAVIER A
Bfile Section: F017
Arresting Agency: MIAMI DADE POLICE

State Case No.: 131993CF003106A000XX
Date of Birth: [REDACTED]
Date Closed: 08/16/1993
Balance Due: \$0.00
Warrant Type:
Stay Due Date:
Next Case:
Defense Attorney: GARCIA-LARSON, KITTY
File Location: SCANNED
Box Number:
Arrest Date: 01/28/1993

HEARING

There are no scheduled hearings.

CHARGES

Seq No.	Charge	Charge Type	Disposition
1	COCAINE/POSN W/INT	FELONY	ADJ WITHHELD/ SENT

DOCKETS

Seq. No.	Date	Book/Page	Docket
53	08/16/1993	016034/04684	SENTENCING GUIDELINES SCORE SHEET
52	08/16/1993	016034/04703	FINDING OF GUILT/ORDER W/H ADJUDICATION & SPECIAL CONDITIONS CREDIT FOR TIME SERVED
50	08/16/1993		PTR AMT/ D DISCHARGED 08/16/1993 POWER/
49	08/16/1993		CLOSING JUDGE GLICK, LEONARD E
46	07/29/1993		SUBPOENA FOR TRIAL - RETURNED
45	07/29/1993		SUBPOENA FOR TRIAL - RETURNED
44	07/29/1993		SUBPOENA FOR TRIAL - RETURNED
43	07/29/1993		SUBPOENA FOR TRIAL - RETURNED
42	07/29/1993		SUBPOENA FOR TRIAL - RETURNED
41	07/27/1993		SUBPOENA FOR TRIAL - RETURNED 1
40	07/27/1993		SUBPOENA FOR TRIAL - RETURNED
38	06/16/1993		DEPOSITION OF: OFC. MARIA VALENZUELA
37	06/16/1993		DEPOSITION OF: OFC. NICHOLAS DELGUIDICE
36	06/16/1993		DEPOSITION OF: OFFCR DANNY MORALES
35	05/28/1993		SUBPOENA FOR DEPOSITION/PRE TRIAL CONFERENCE - RETURNED 3
33	05/26/1993		NOTICE OF TAKING DEPOSITION
34	05/25/1993		SUBPOENA FOR DEPOSITION/PRE TRIAL CONFERENCE - RETURNED 3
32	05/07/1993		DEPOSITION OF: DET. DEMETRIO HERNANDEZ
31	05/03/1993		TRIAL HEARING SCHEDULED FOR 08/16/1993 AT 09:01
30	05/03/1993		MOTION FOR CONTINUANCE FILED 05/03/0093 ORAL SET FOR 05/03/0093 AT 09:00 GRANTED DEFS
28	04/15/1993		SUBPOENA FOR TRIAL - RETURNED
27	04/15/1993		SUBPOENA FOR TRIAL - RETURNED
26	04/15/1993		SUBPOENA FOR TRIAL - RETURNED
25	04/15/1993		SUBPOENA FOR TRIAL - RETURNED 2
48	04/14/1993		SUBPOENA FOR TRIAL - RETURNED
47	04/14/1993		SUBPOENA FOR TRIAL - RETURNED
29	04/08/1993		SUBPOENA FOR DEPOSITION/PRE TRIAL CONFERENCE - RETURNED 5
23	04/06/1993		SUBPOENA FOR DEPOSITION/PRE TRIAL CONFERENCE - RETURNED 05
22	04/05/1993		SUBPOENA FOR DEPOSITION/PRE TRIAL CONFERENCE - RETURNED
21	03/26/1993		TRIAL PROS. ASSIGNED: BURKHART, MARYANN
20	03/17/1993		MEMORANDUM:- ASSISTANT PUBLIC DEFENDER/3-17-93
19	02/22/1993		AMENDED DISCOVERY
18	02/19/1993		TRIAL HEARING SCHEDULED FOR 05/03/1993 AT 09:05
17	02/18/1993		INFORMATION FILED
6	02/18/1993		INTAKE UNIT ASSIGNED: FELONY DIVISION 17
5	02/18/1993		TRIAL PROS. ASSIGNED: HERNANDEZ, FERNANDO
4	02/18/1993		TRIAL UNIT ASSIGNED: FELONY DIVISION 17
3	02/18/1993		TRIAL UNIT ASSIGNED: FELONY DIVISION 17
2	02/18/1993		TRIAL PROS. ASSIGNED: HERNANDEZ, FERNANDO
7	02/17/1993		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING

Seq. No.	Date	Book/Page	Docket
16	02/16/1993		DISCOVERY RESP: STATE'S DEMAND FOR DISCOVERY & DEMAND FOR AL
8	02/15/1993		INTAKE UNIT ASSIGNED: CASE PROCESSING
11	02/01/1993		INTAKE PROS. ASSIGNED: ITURRALDE, EDWARD
10	02/01/1993		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
15	01/29/1993		ARRAIGNMENT HEARING SCHEDULED FOR 02/18/1993 AT 09:00
14	01/29/1993		ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER
13	01/29/1993		FIRST APPEARANCE/BOND HEARING -
12	01/29/1993		PTR AMT/ 0 ISSUED 01/29/1993 POWER/

CASE INFORMATION

Court Case No.: M98045086

State Case No.: 131998CO0450860001XX

Name: HOWARD, MESHKA LATRICE

Date of Birth: [REDACTED]

Date Filed: 08/28/1998

Date Closed: 06/30/1999

Warrant Type:

Previous Case:

Next Case:

Judge: CUERVO RAUL A

Defense Attorney:

Bfile Section: M003

File Location: DESTROYED

Box Number:

Arresting Agency: MIAMI DADE POLICE

Arrest Date: 08/27/1998

ALT Section: M003

ALT/Backup Judge: CUERVO, RAUL A

HEARING

There are no scheduled hearings.

CHARGES

Seq No.	Charge	Charge Type	Disposition
1	ASSAULT AND BATTERY	COUNTY ORDINANCE	DISMISSED

DOCKETS

Seq. No.	Date	Book/Page Docket
34	06/30/1999	CLOSING JUDGE SIGLER, VICTORIA S
31	06/10/1999	REPORT RE: SOUNDING SET FOR 06/30/1999 AT 11:30
30	06/10/1999	TRIAL HEARING SCHEDULED FOR 07/06/1999 AT 09:00
29	05/11/1999	MOTION FOR CONTINUANCE FILED 05/11/1999 ORAL SET FOR 05/11/1999 AT 15:22 GRANTED PROS
26	04/19/1999	REPORT RE: SOUNDING SET FOR 05/05/1999 AT 11:30
25	04/19/1999	TRIAL HEARING SCHEDULED FOR 05/11/1999 AT 09:00
24	01/11/1999	AMT/ 1500 VACATED 01/08/1999 POWER/FS500540844
22	01/07/1999	MOTION TO SET ASIDE BENCH WARRANT FILED 00/00/0000 SET FOR 01/08/1999 AT 09:00
21	12/18/1998	DISCHARGE CERTIFICATE ISSUED FS540844 AMOUNT 1500.00
20	12/18/1998	BOND DISCHARGE ORDER PER ADMINISTRATIVE MEMO FS5540844 AMOUNT 1500.00
19	12/18/1998	DISCHARGE CERTIFICATE ISSUED FS5540844 AMOUNT 1500.00
18	12/18/1998	BOND DISCHARGE ORDER PER ADMINISTRATIVE MEMO FS5540844 AMOUNT 1500.00
17	12/17/1998	MOTION TO SET ASIDE BENCH WARRANT FILED 00/00/0000 SET FOR 01/08/1999 AT 09:30
16	12/07/1998	SURETY NOTIFIED POWER/FS500540844
13	12/03/1998	AMT/ 1500 ESTREATED 12/02/1998 POWER/FS500540844
15	12/02/1998	FORFEITURE OF BAIL BOND #FS500540844 AMOUNT 1500.00
12	11/30/1998	SUBPOENA FOR TRIAL - RETURNED OFFICER LYN EVELYN
9	11/16/1998	REPORT RE: SOUNDING SET FOR 12/02/1998 AT 11:30
8	11/16/1998	TRIAL HEARING SCHEDULED FOR 12/08/1998 AT 09:00
6	09/30/1998	ARRAIGNMENT HEARING SCHEDULED FOR 10/20/1998 AT 15:00
3	09/02/1998	ALTERNATE JUDGE THOMAS, TERETHA L
2	09/02/1998	ARRAIGNMENT HEARING SCHEDULED FOR 09/24/1998 AT 14:00
5	08/31/1998	BOND RECEIVED POWER/RECEIPT # FS500540844
1	08/28/1998	AMT/ 1500 ISSUED 08/28/1998 POWER/FS500540844

licenses



Licensee
Search

Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Anderson
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: Meshika
Middle Name:
Last Name: Anderson
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Howard
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number:
Date of Birth:
First Name: Meshika
Middle Name:
Last Name: Howard
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: ppolanco

VR Home > Complaint Search

Search Criteria | Results

Complaint

Board Complaint #

Lic Type Reference

Case Type Status

Assigned To

Incident From Incident To

Key Phrase in Summary

-
-
-
-

Respondent

Fed Tax # **Anderson, Meshika Latrice** Street #

File # 11743 Street

License # **App in Process** City

Entity # 13643071 Postal/Zip

Key Name Anderson, Meshika Latrice State

County

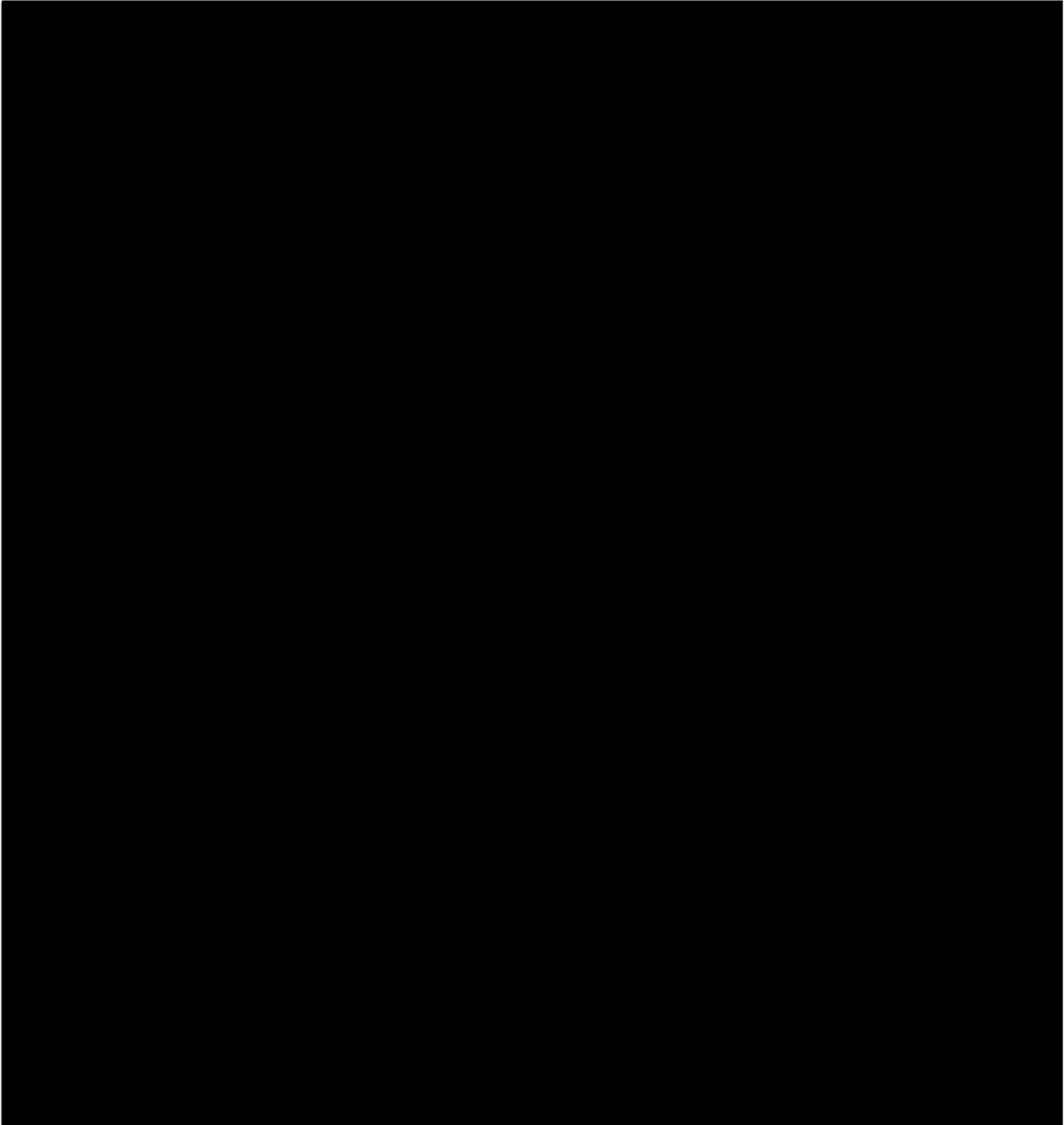
- Complainant** Key Name
- Involved Party** Key Name

No Enforcement Findings

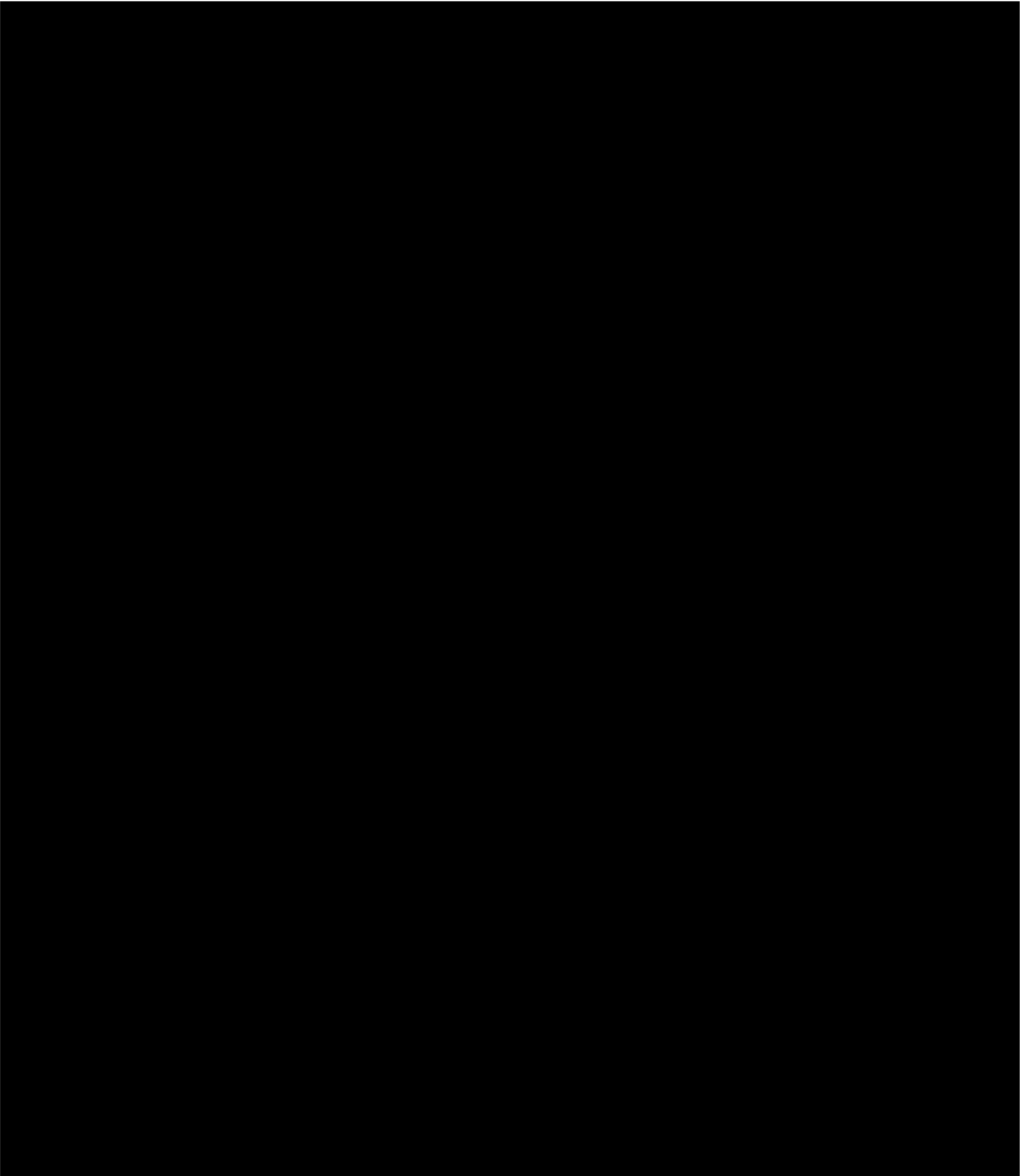
FDLE Information Notification System

Sent Date: 6/27/23 2:52 PM Purge Date: 12/24/23 2:52 PM Mail Ref.No: ORG002044-8642588

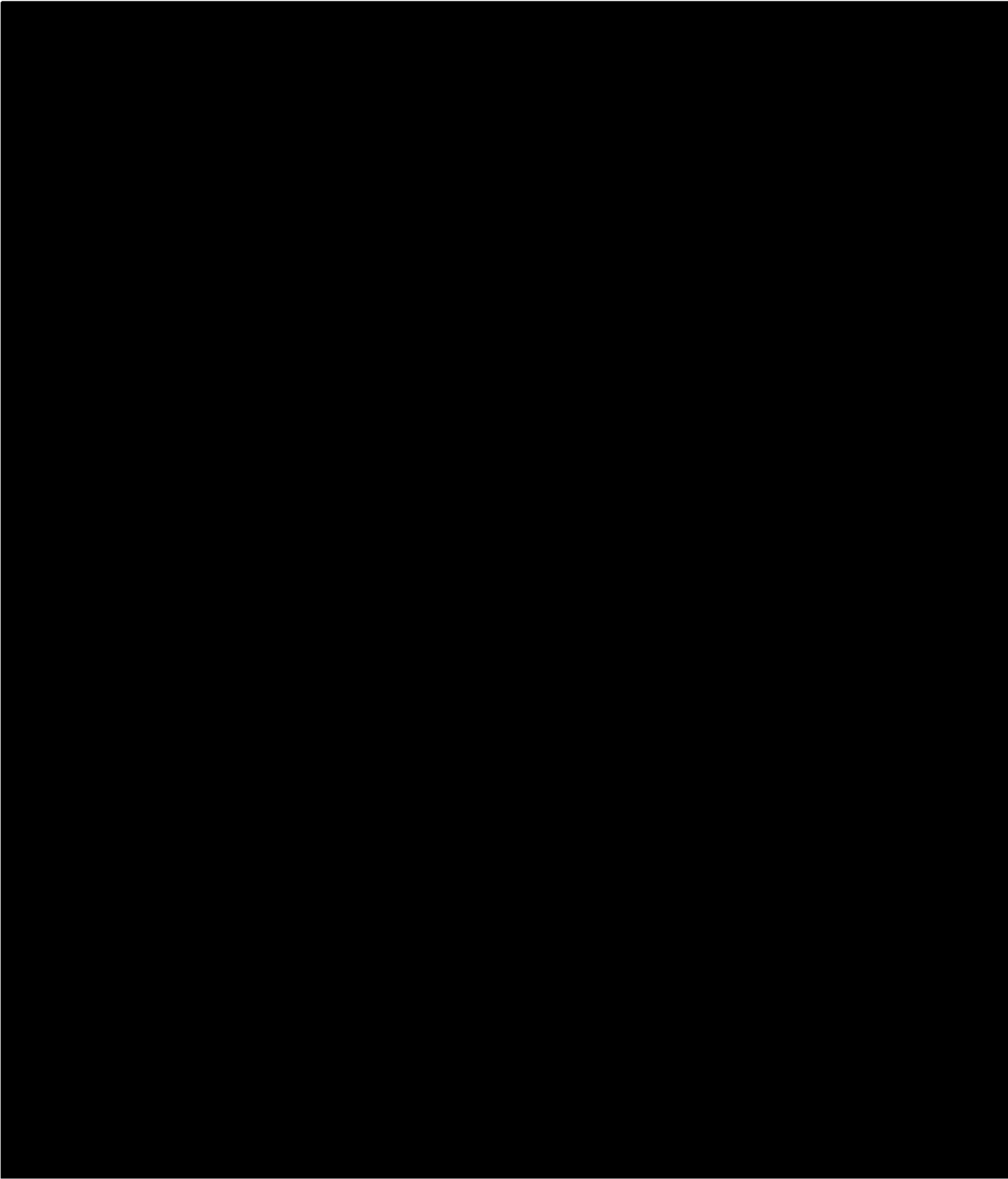
Subject : *Results of check for ANDERSON, MESHKA LATRICE (70CA620000002757)*



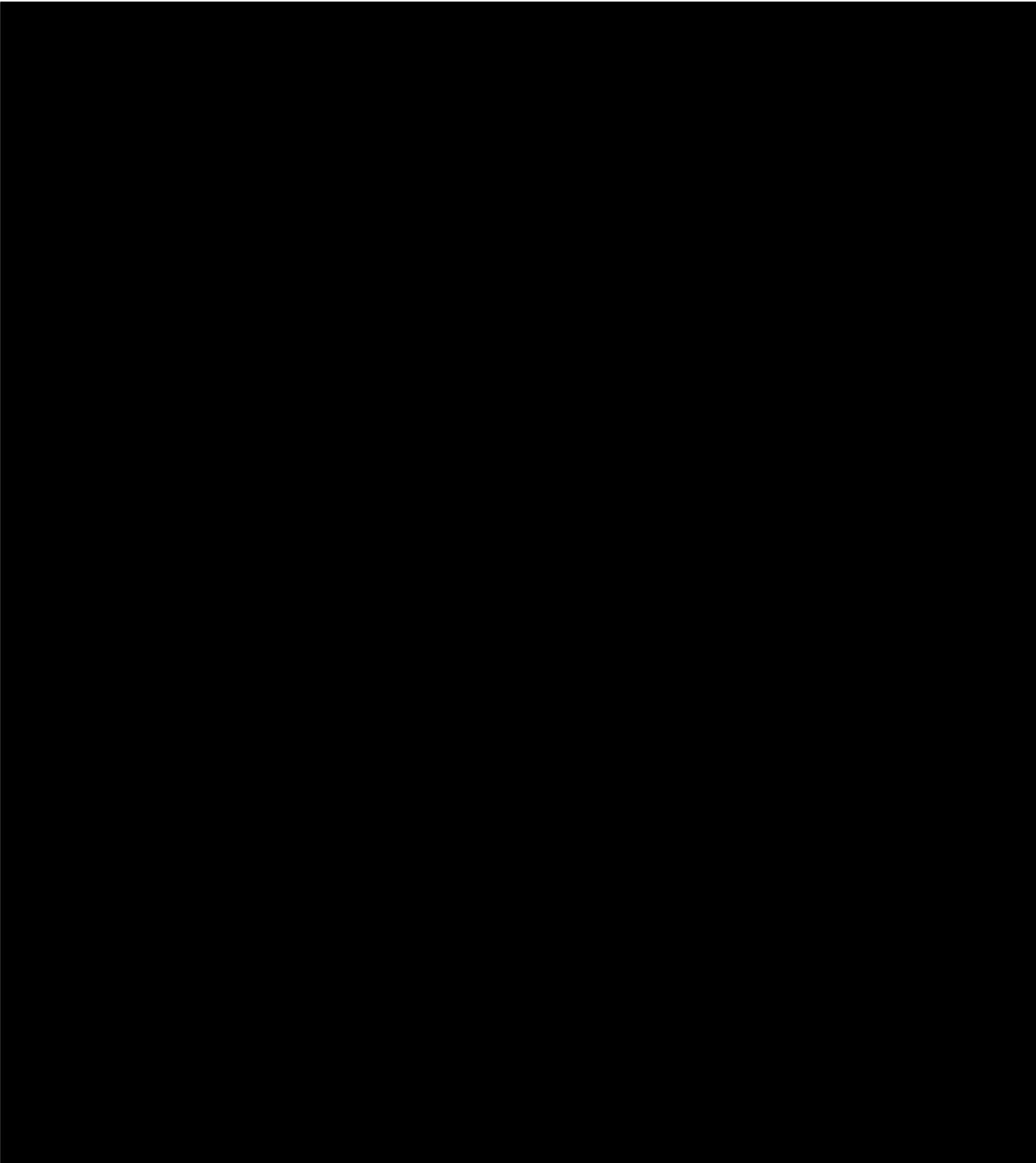
Subject : *Results of check for ANDERSON, MESHKA LATRICE (70CA620000002757)*

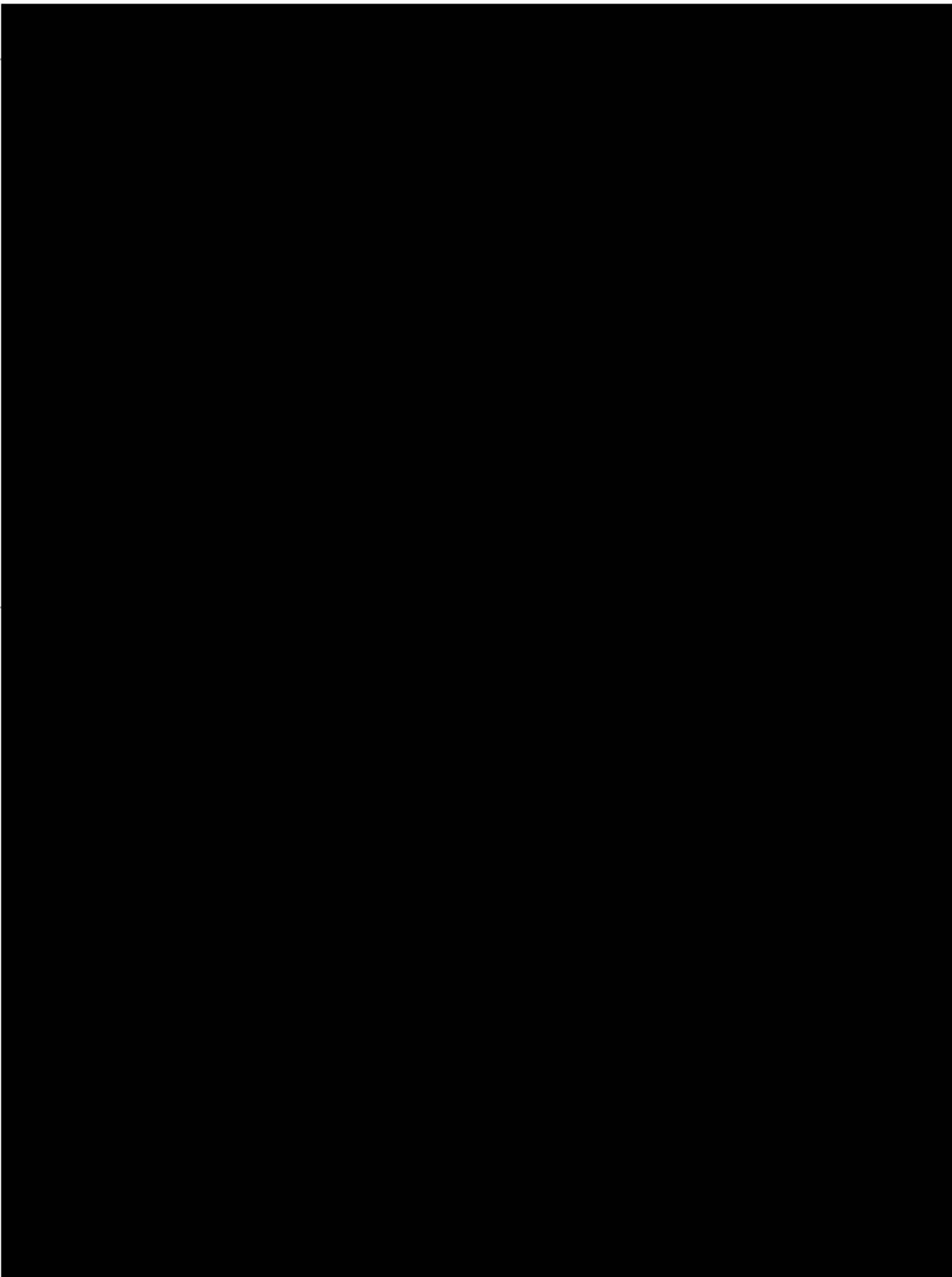


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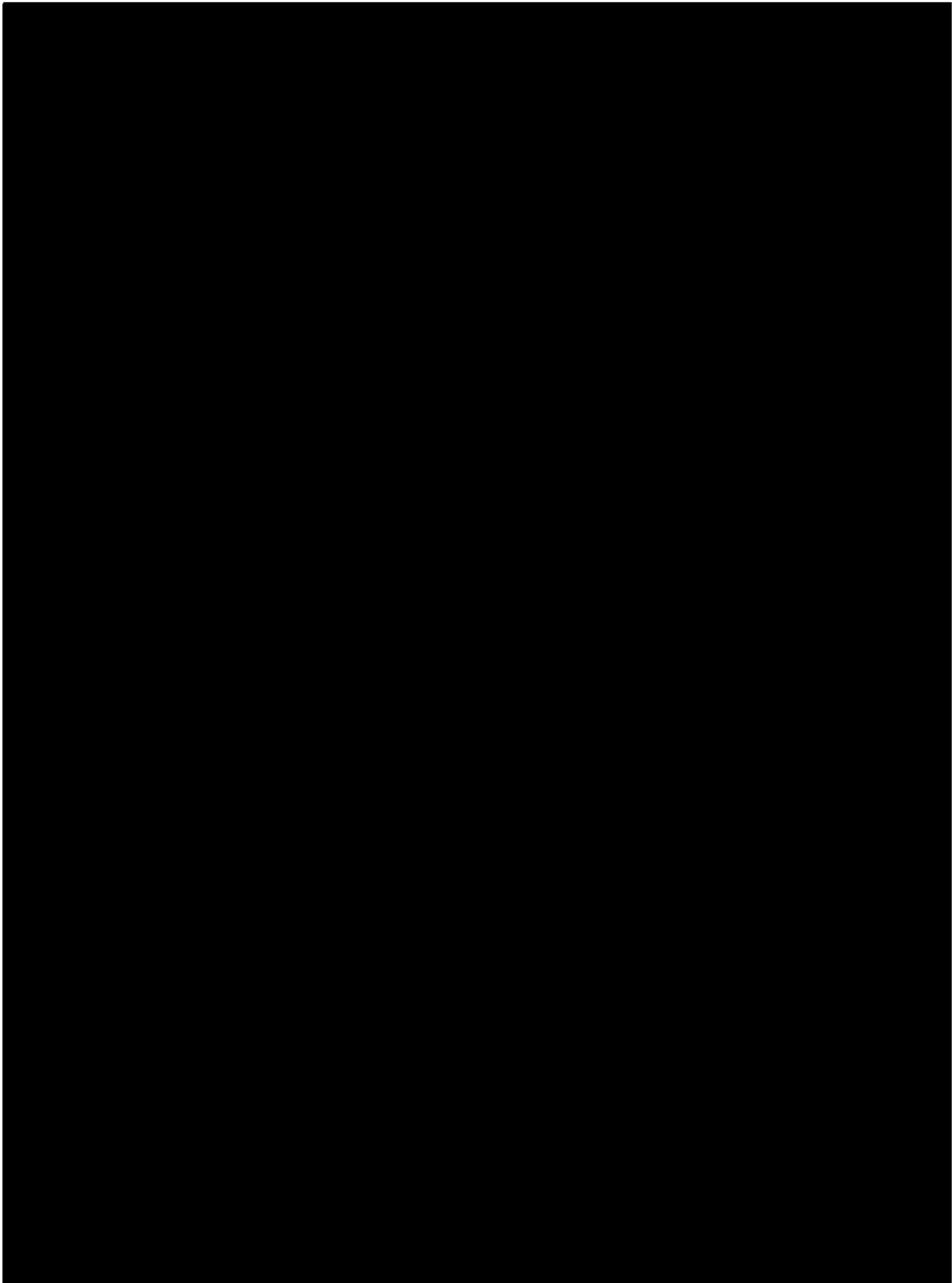


Subject : *Results of check for ANDERSON, MESHKA LATRICE (70CA620000002757)*

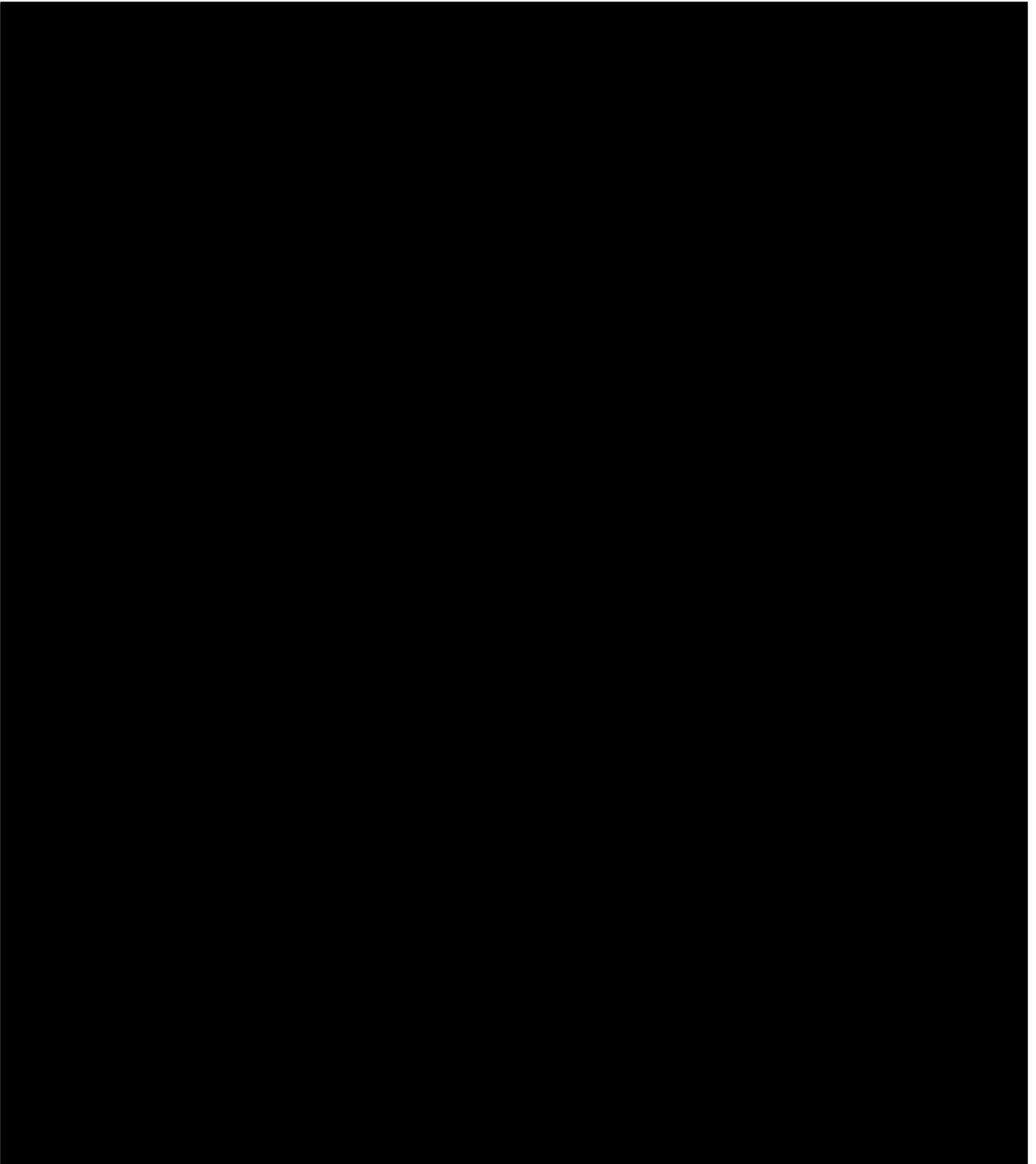




Subject : *Results of check for ANDERSON, MESHKA LATRICE (70CA620000002757)*



Subject : *Results of check for ANDERSON, MESHKA LATRICE (70CA620000002757)*

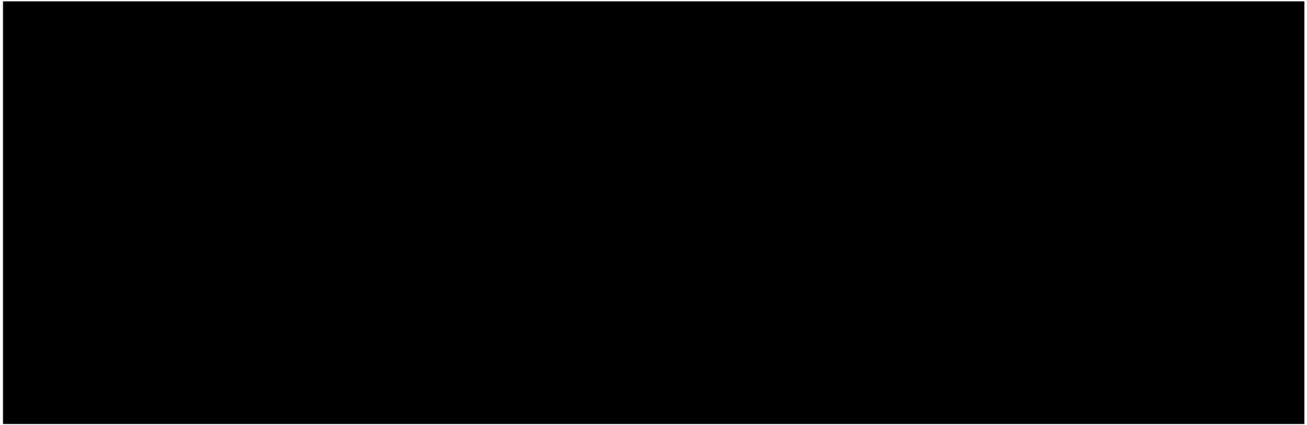




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Court Case No.: F-01-006101

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

☰ Case Information			
State Case No.:	13-2001-CF-006101-0001-XX	Name:	HOWARD, MESHKA LATRICA <small>AKAs</small>
Date Filed:	02/24/2001	Date Closed:	03/16/2001
Warrant Type:		Warrant Amount:	\$0.00
Assessment Amount:	\$0.00	Balance Due:	\$0.00
Judge:	JEAN LODY	Defense Attorney:	BAKER, RUSSELL
File Section:	F015	File Location:	SCANNED
Probation Start Date:	03/16/2001	Probation End Date:	03/16/2002
Probation Length:	1 YEARS	Probation Type:	PROBATION
Defendant in Jail:	N	Defendant Release to:	
Bond Amount:	\$0.00	Bond Status:	
Arresting Agency:	OPA LOCKA	Arrest Date:	02/23/2001



🔍 Hearing +

☰ Charges Total Of Charges: 3 -

📄 EXPORT TO CSV

Seq No.	Charge	Charge Type	Disposition

1	CHILD ABUSE/NO HARM	FELONY	CONV-PROB SPEC COND
2	PROBATION VIOLATION	MISC HOLD	VOLUNTARILY WTHDRAWN
1	CHILD ABUSE/AGG	FELONY	NO ACTION

 **Dockets**
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Total Of Dockets: 35 

 **Payment History**
Total Of Payments: 4 

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Miami, Florida 33130

305-275-1155

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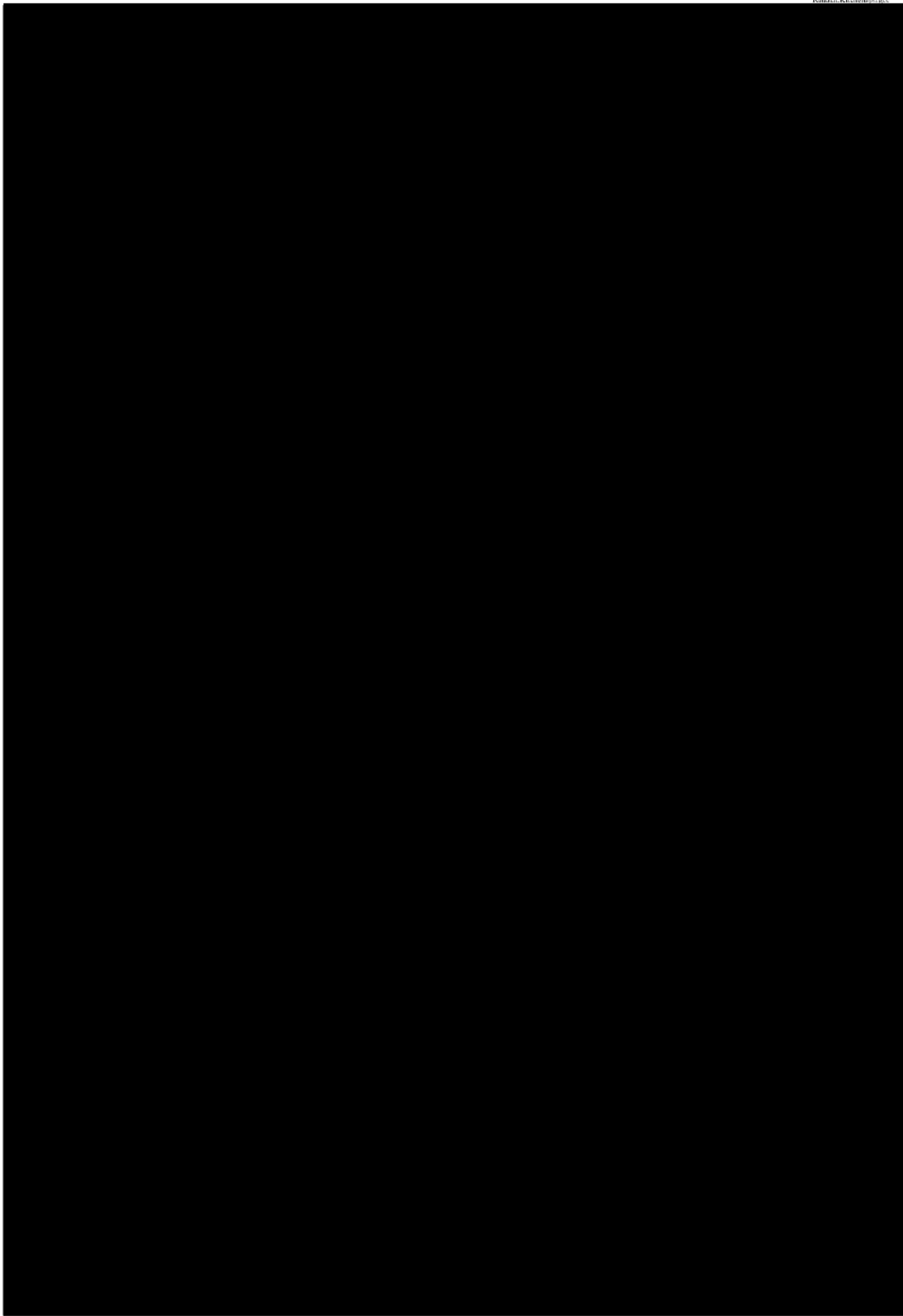
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MIAMI-DADE COUNTY

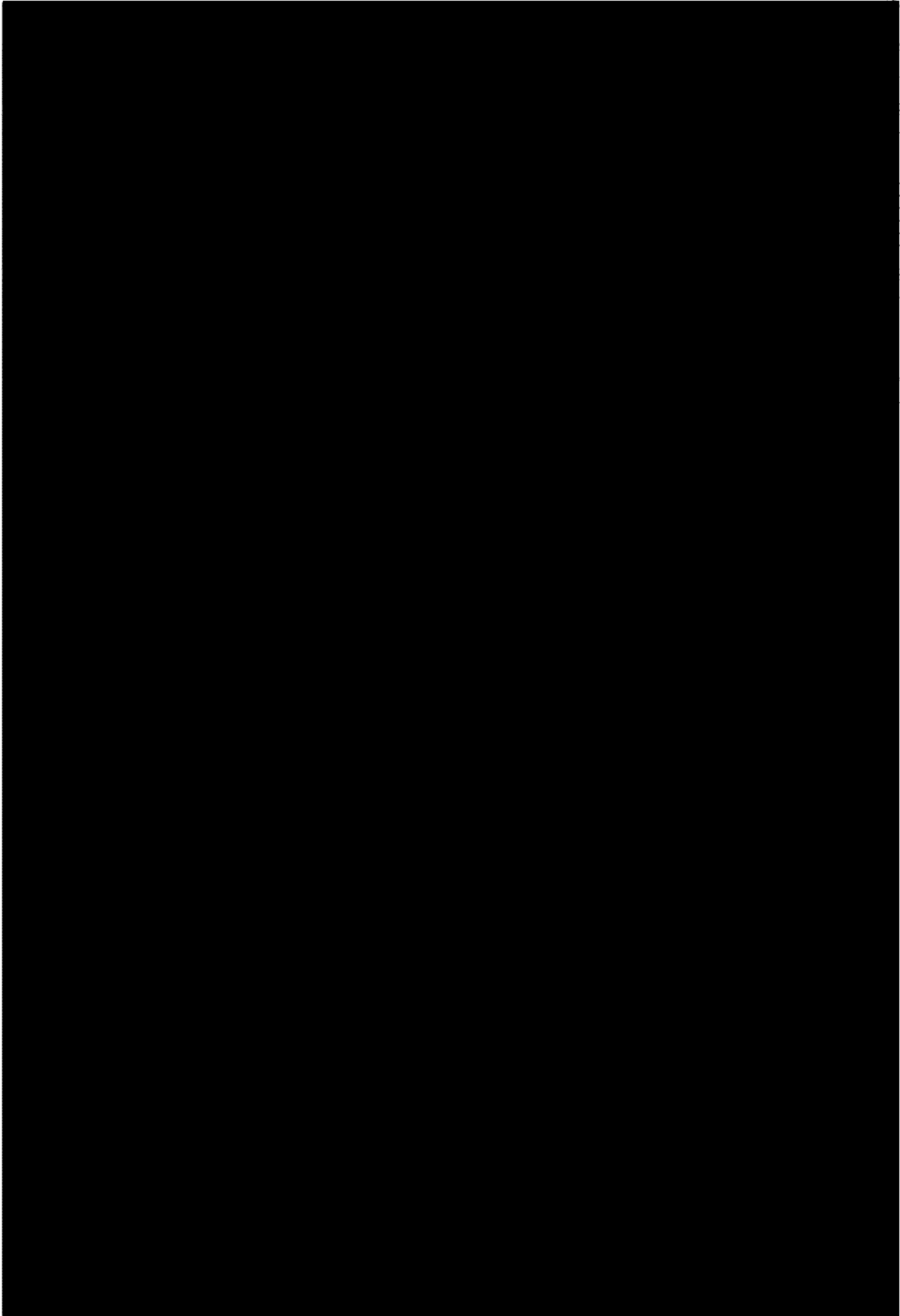
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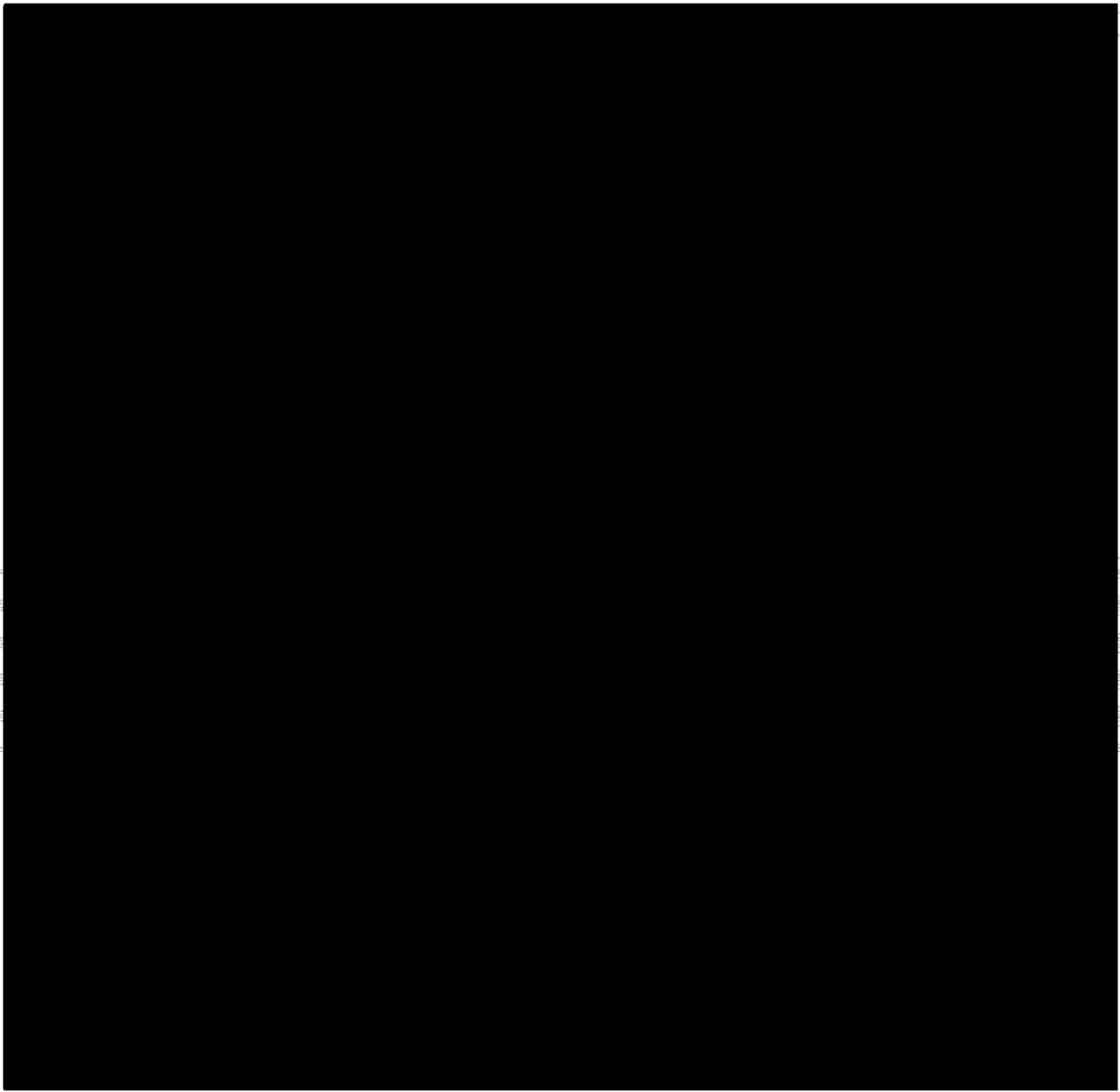
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Court Case No.: M-95-009905

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

☰ Case Information			
State Case No.:	13-1995-MO-009905-0001-XX	Name:	HOWARD, MESHKA LATRICE AKAs
Date of Birth:	[REDACTED]	Date Filed:	03/04/1995
Date Closed:	03/04/1995	Warrant Type:	
Warrant Amount:	\$0.00	Assessment Amount:	\$0.00
Balance Due:	\$0.00	Stay Due Date:	
Judge:		Defense Attorney:	
File Section:		File Location:	DESTROYED
Box No.:		Defendant in Jail:	N
Defendant Release to:		Bond Amount:	\$0.00
Bond Status:		Arresting Agency:	MIAMI
Arrest Date:	03/04/1995		

🔍 Hearing +

☰ Charges Total Of Charges: 1 -			
📄 EXPORT TO CSV			
Seq No.	Charge	Charge Type	Disposition
1	PETIT LARCENY, THEFT	MUNICIPAL ORDINANCE	CONV W/CTS

📄 Dockets Total Of Dockets: 3 +

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MEMORANDUM

To: The Florida Gaming Control Commission
From: Division of Pari-Mutuel Wagering
Through: Emily Alvarado, Deputy Chief Attorney
Re: Cherri Christine Behnke Samson Case No. 2023-045367
Date: August 24, 2023

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Cherri Christine Behnke Samson'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 August 8, 2023. Upon review of the application, it appears Applicant has been convicted of a felony crime. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On August 8, 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 the Applicant was convicted of a felony in the state of Indiana. Specifically, the Applicant was convicted of the felony of Permitted Unlawful Use of a Building in 2007. The Applicant disclosed this conviction on their application.

Relevant Law

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, and because Applicant was convicted of a disqualifying offense under section 551.107(6), Florida Statutes, the Florida Gaming Control Commission shall deny Applicant's application for a slot combination license. Accordingly, the Division of Pari-Mutuel Wagering recommends the Florida Gaming Control

Commission authorize the issuance of a Notice of Intent to Deny License in this matter.

**CASE FILE ROUTING SLIP
SLOT MACHINE APPLICATION**

RE: BEHNKE SAMSON, CHERRI CHRISTINE-
13542408

Case No:

2023045367

(APPLICANT'S NAME- LICENSE #)

INITIAL APP RECEIVED:	<u>3/30/2023</u> (Date)
COMPLETE APP RECEIVED:	<u>8/8/2023</u> (Date)
90-DAY DEADLINE:	<u>11/6/2023</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:

Cleari Maglioni

Application Processor

274- Dania

Facility (d/b/a name)

Cocktail Waitress

Occupation/Job Title

Reviewed by David Donaldson



8/14/23

(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: Application and rap sheet reviewed. Applicant's criminal history resulted in disqualifying conviction.

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 – Slot Machine Occupational License

RE: Behnke Samson, Cherri Christine- 13542408

Case No: 2023045367

(APPLICANT'S NAME-- LICENSE #)

INITIAL APPLICATION RECEIVED:	3/30/2023
COMPLETE APPLICATION RECEIVED:	8/8/2023
90-DAY DEADLINE:	11/6/2023

Cleari Maglioni
 Application Processor

274- Dania
 Facility (d/b/a name)

Cocktail Waitress
 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? Yes No

Conviction

- Felony : 1 Count(s)
- Misdemeanor – Gambling Related/Bookmaking
- Two or more misdemeanor convictions that involve theft, fraud, or burglary
- Forgery, Larceny, Theft, Extortion, Conspiracy to Defraud (Slot Combo Professions Only)

Comments:

Arrest Date	Location	Charge	Level	Disposition
11/03/2005	Peoria County, Illinois	Permit Unlawful use of Building- Class 4 CaseNo-05-CF-01354	F	Guilty

Disposition Unknown

- Felony Arrest(s) :1
- Misdemeanor Arrest – Gambling Related/Bookmaking
- Two or more misdemeanor arrests/counts that involve theft, fraud, or burglary

Comments:

Arrest Date	Location	Charge	Level	Disposition
05/05/2004	Peoria County, Illinois	Possession Controlld Substance- Class 4	F	Unknown

Enforcement/Jurisdiction Offenses

- 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.

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

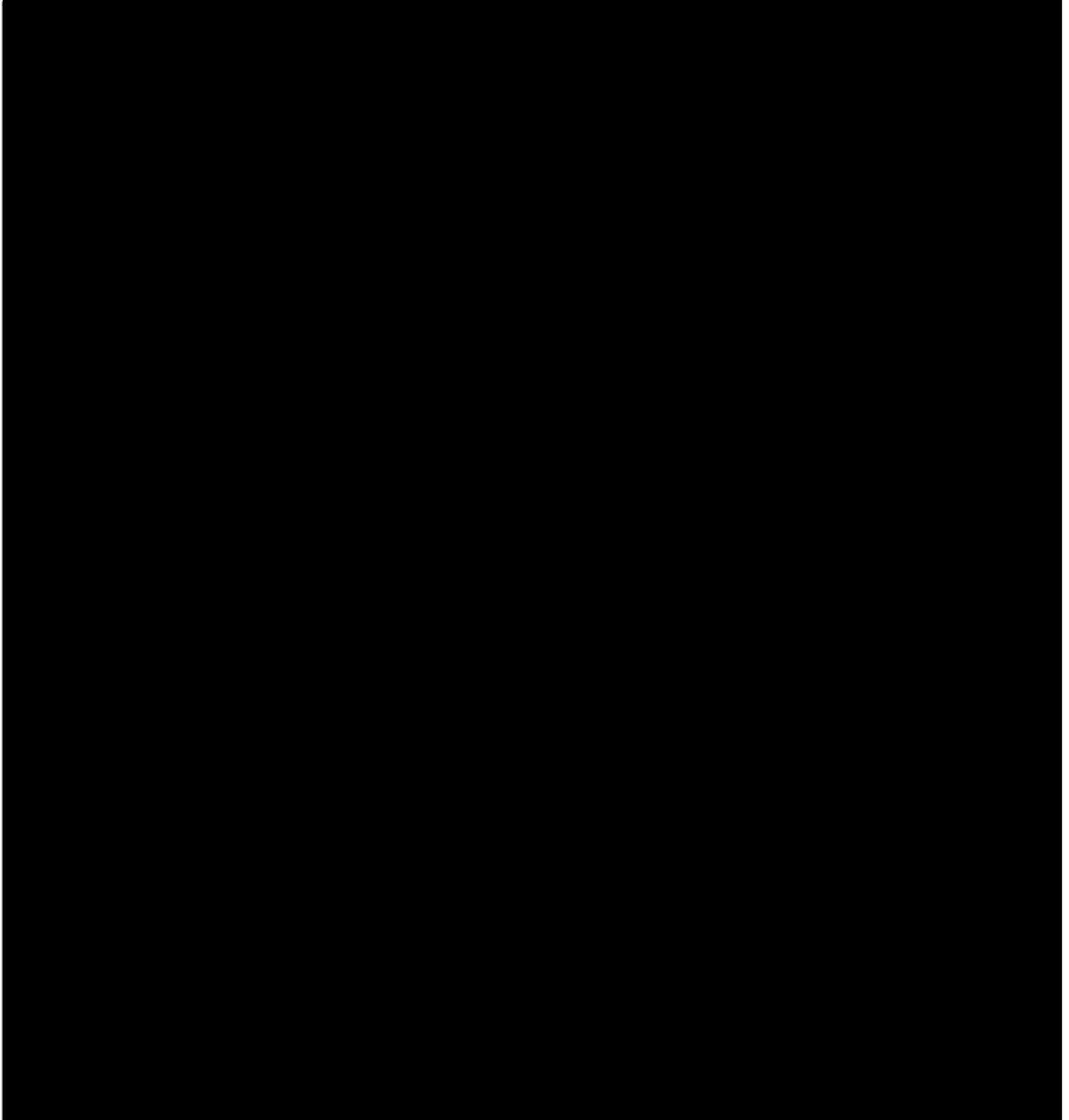
Date Deficiency Letter Issued: _____ Initials: _____

Comments:

FDLE Information Notification System

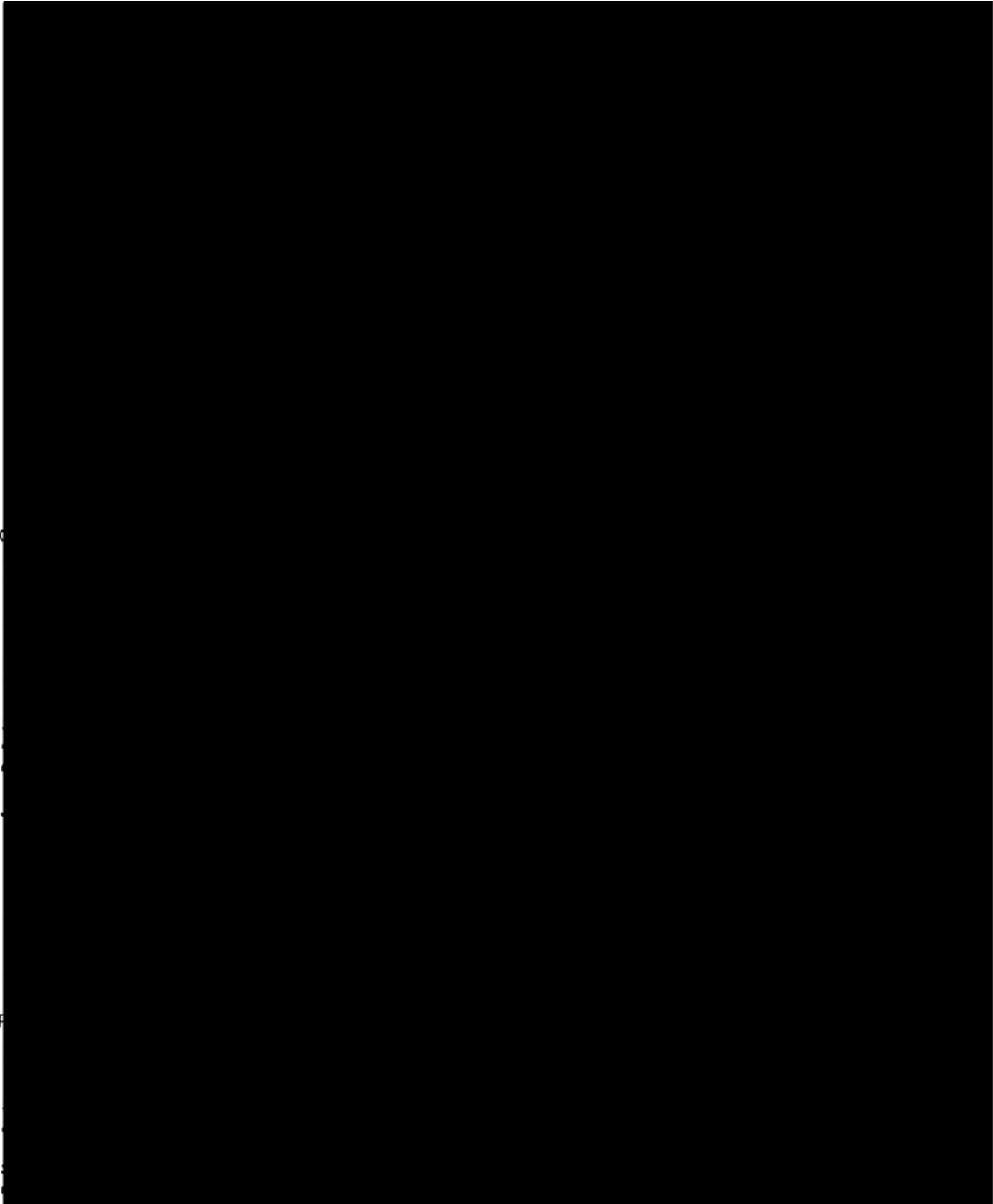
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Subject : *Results of check for BAHNKESAMSON, CHERR CHRISTINE (70CC470000001420)*

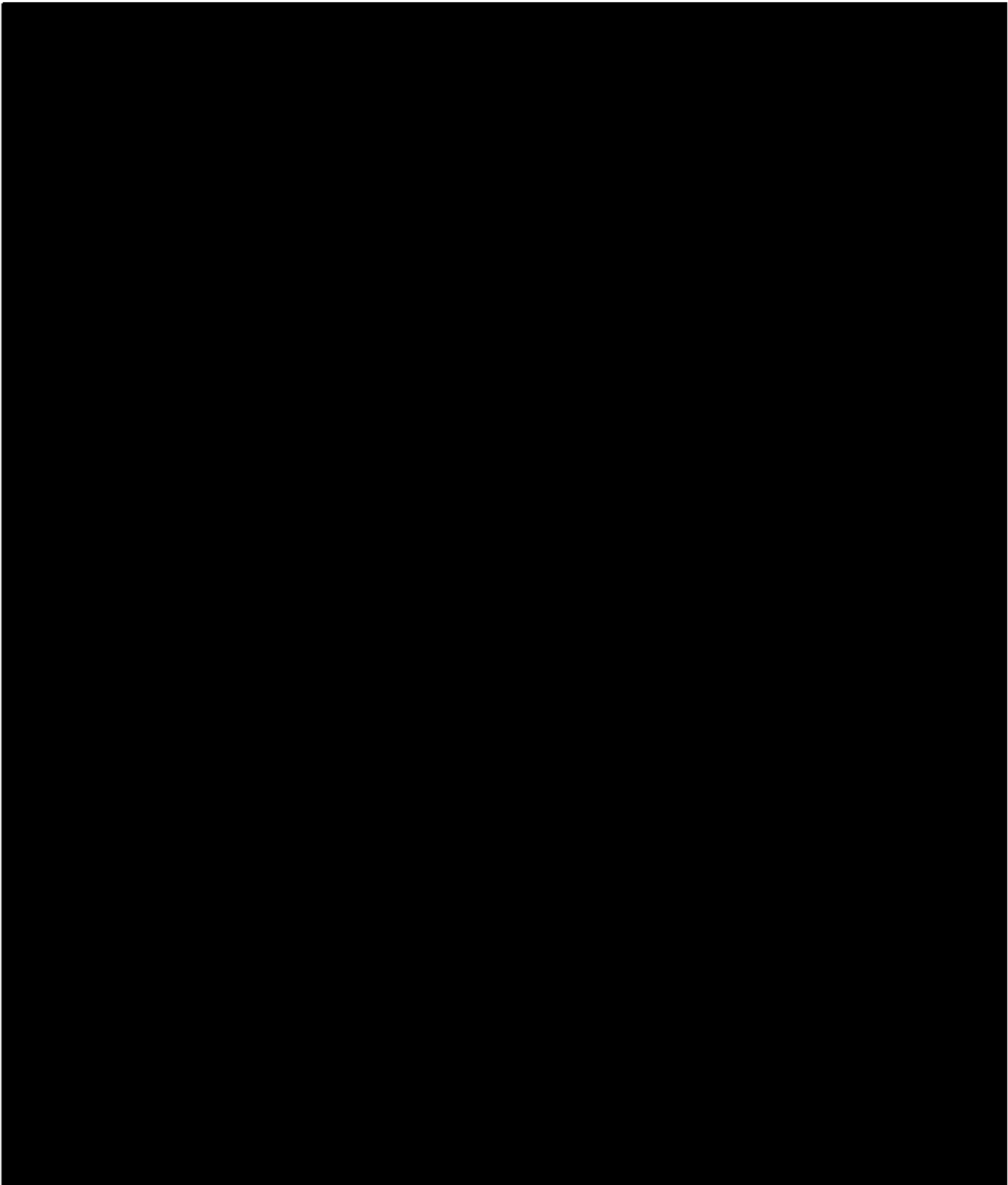


Subject : *Results of check for BAHNKESAMSON, CHERR CHRISTINE (70CC470000001420)*

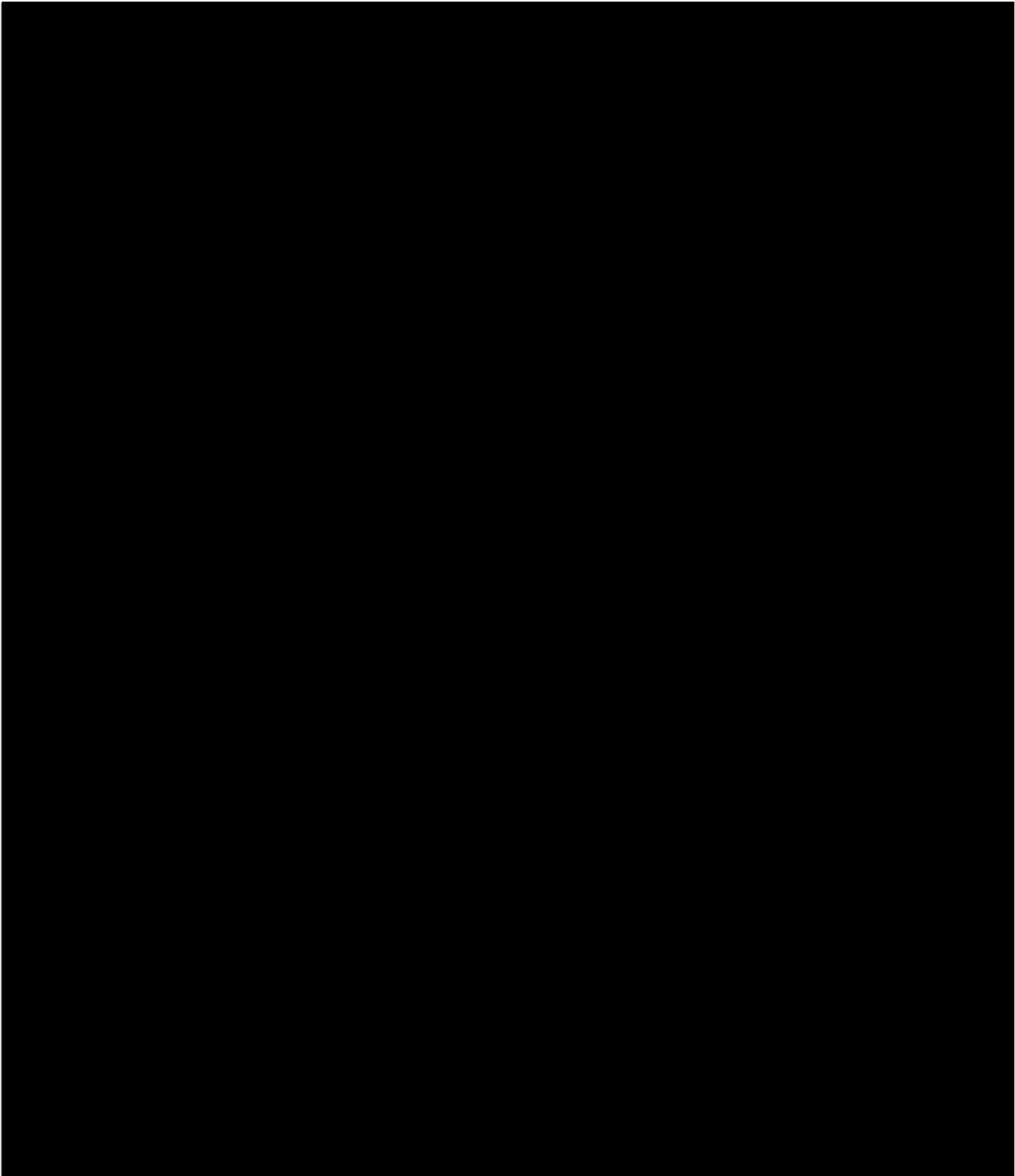
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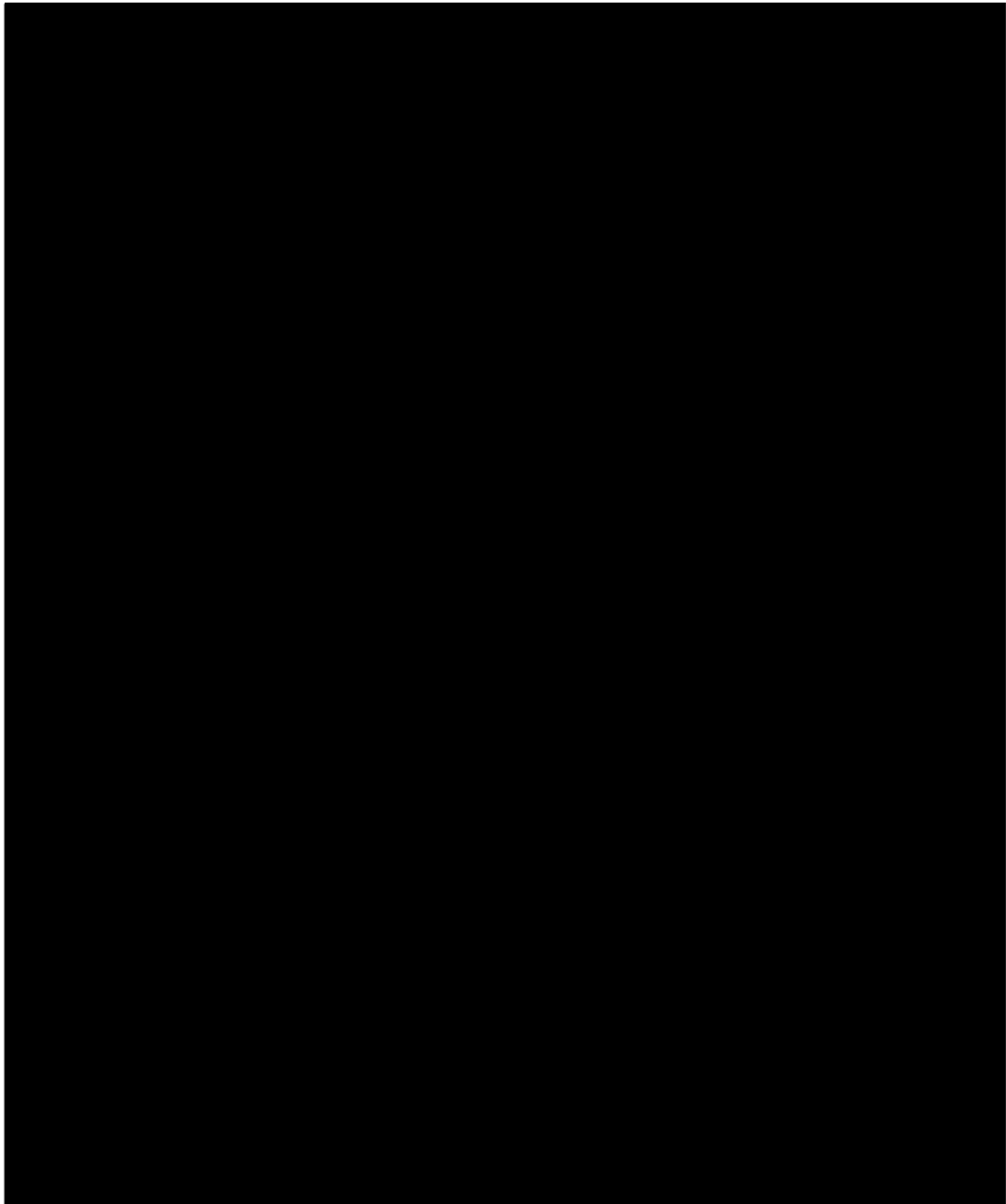
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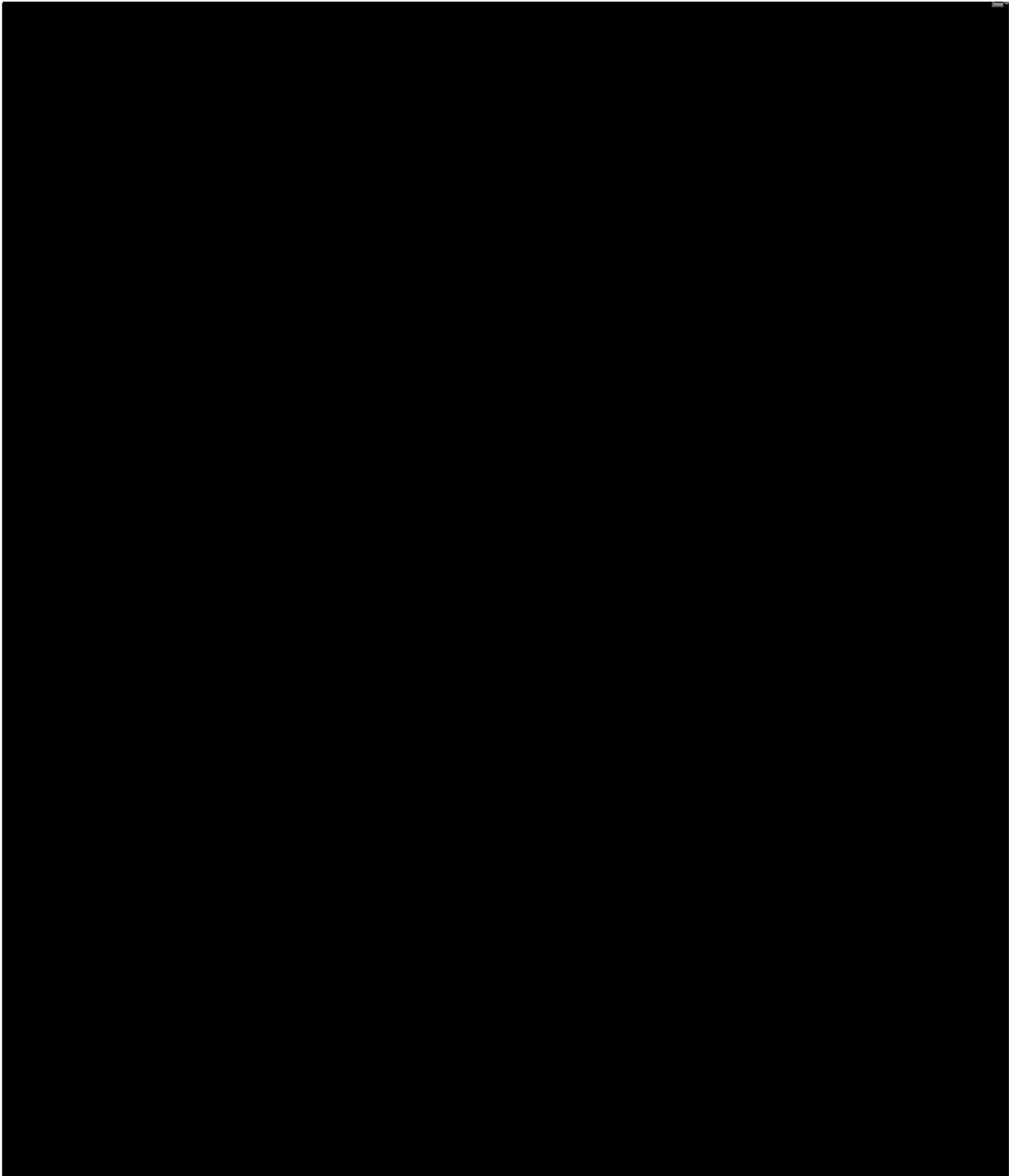
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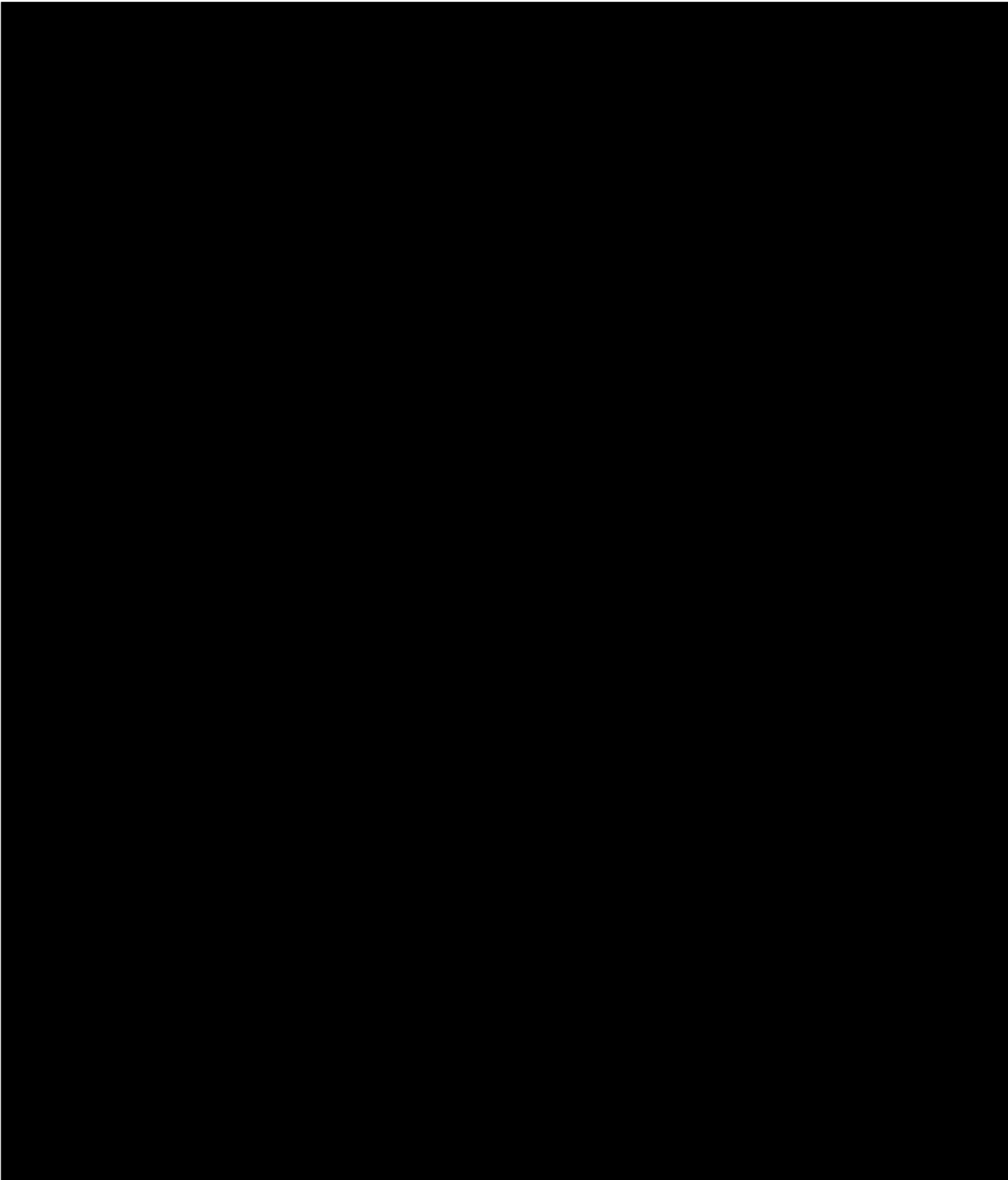
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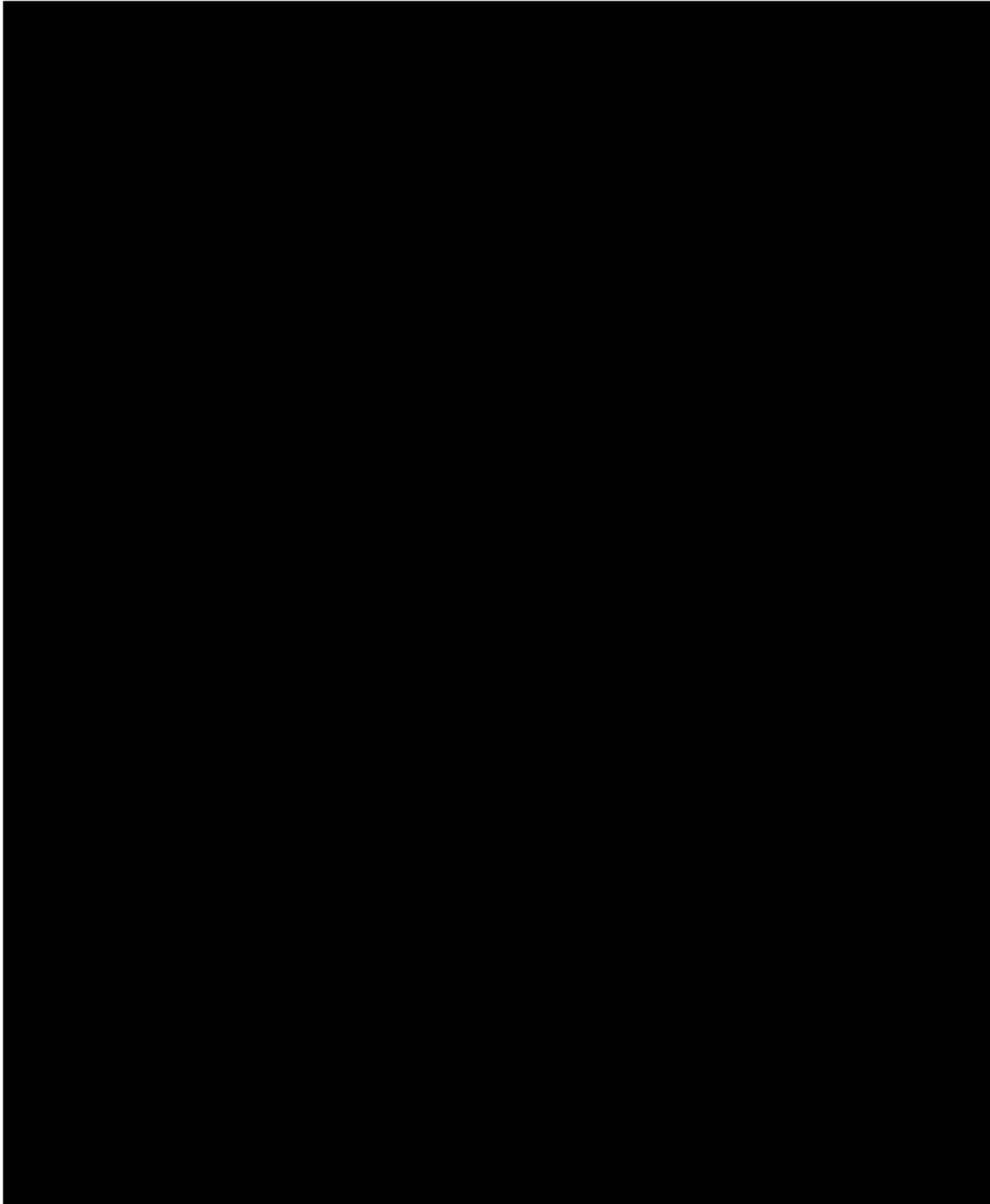
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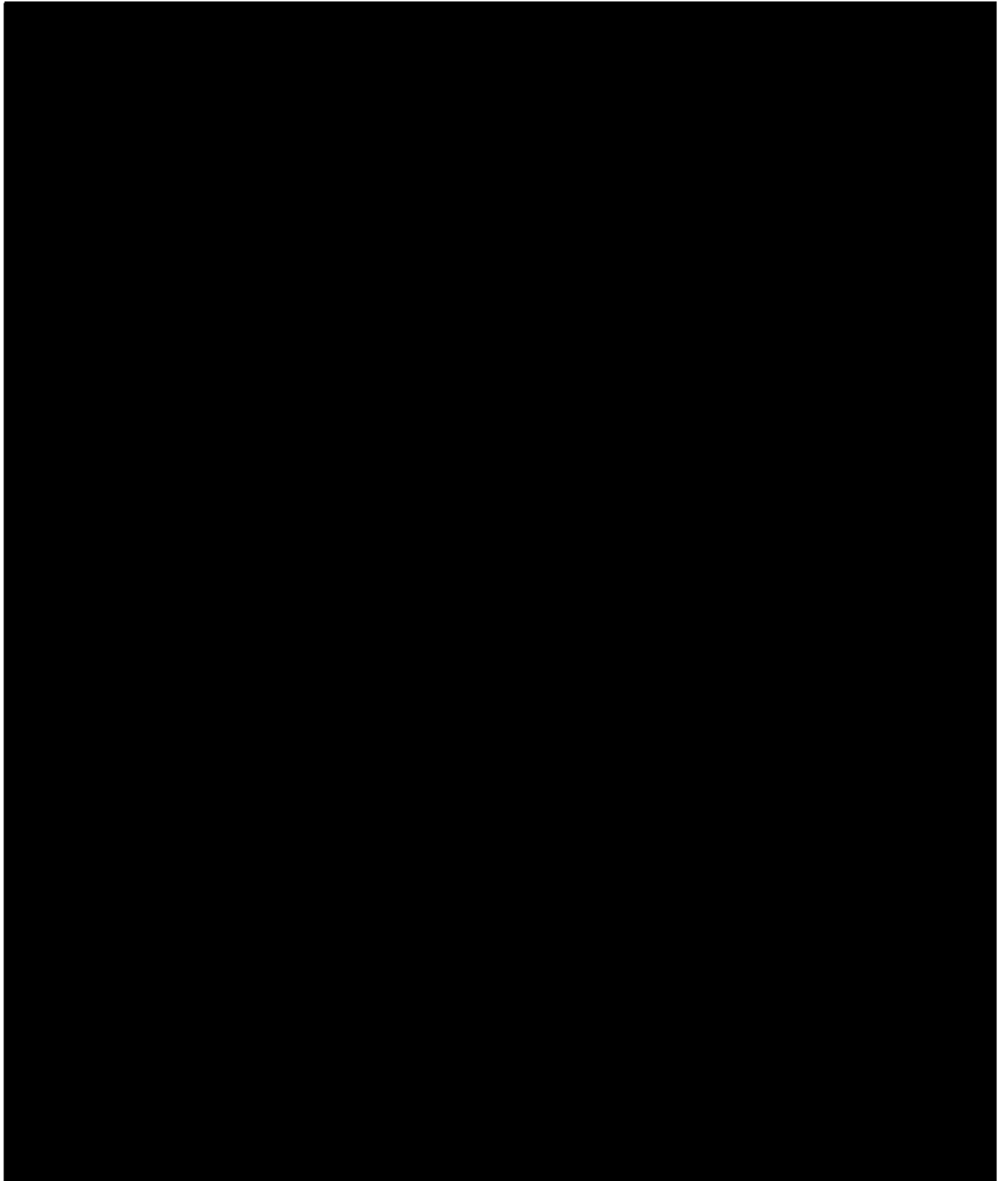
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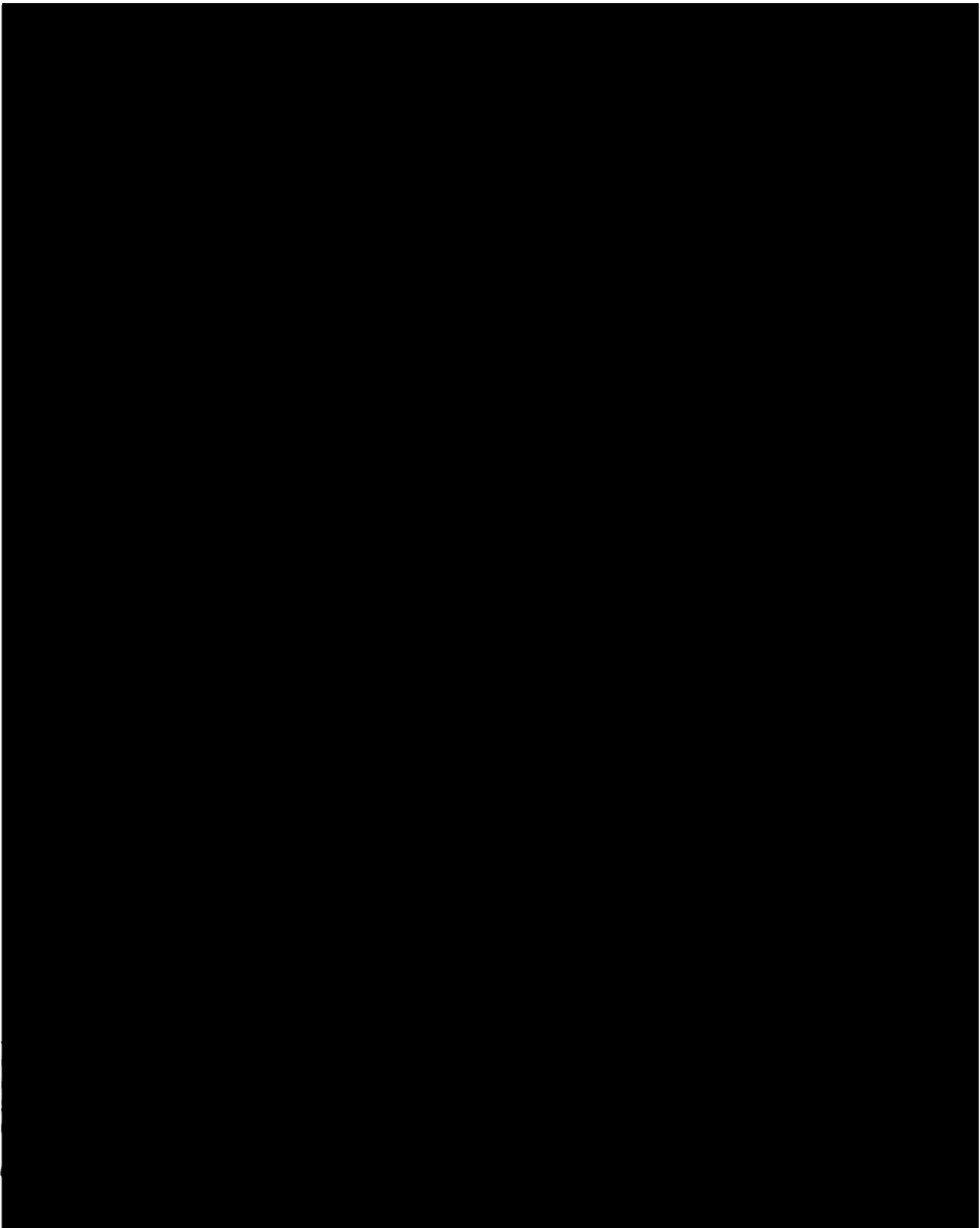
Subject : *Results of check for BAHNKESAMSON, CHERR CHRISTINE (70CC470000001420)*



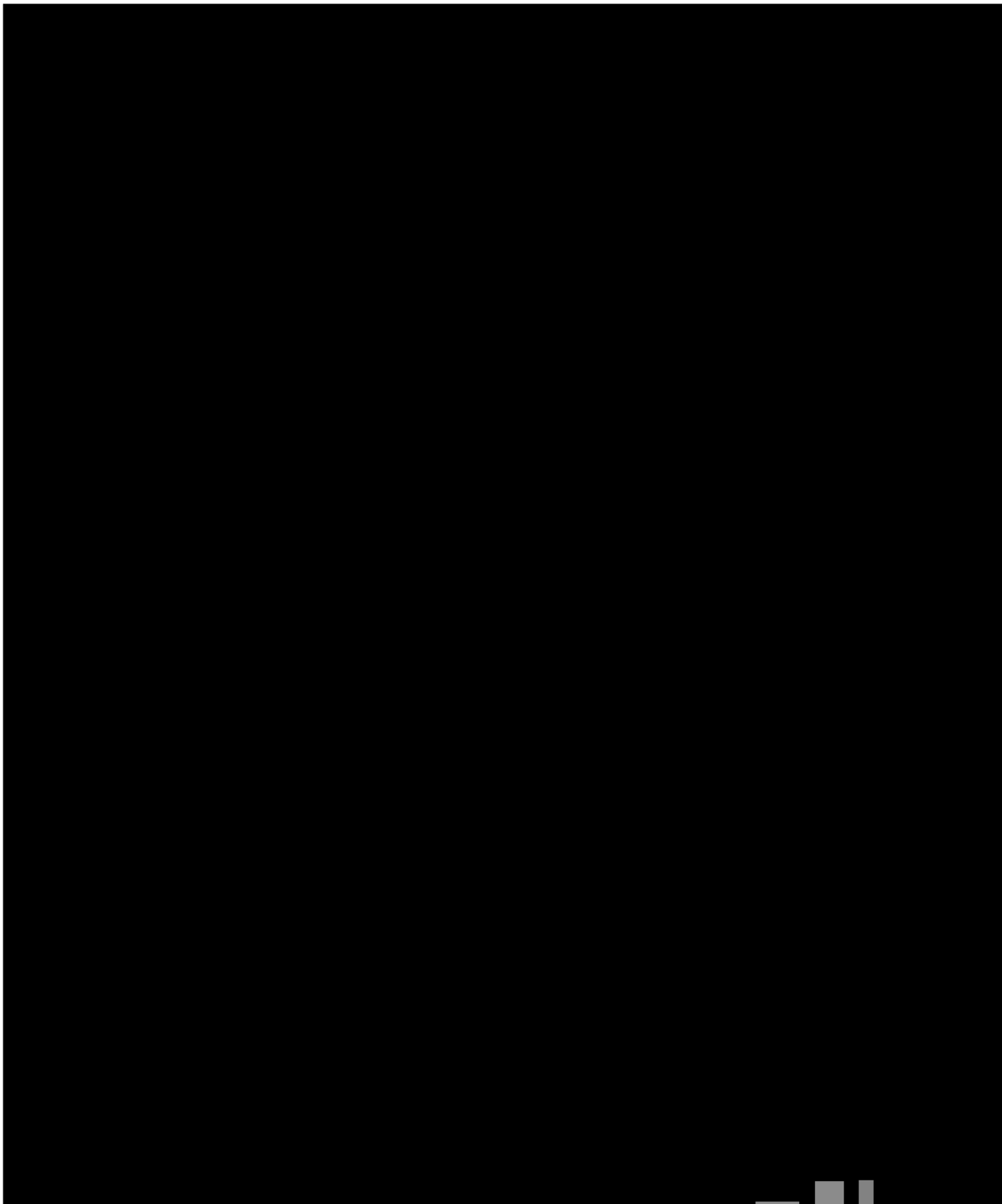
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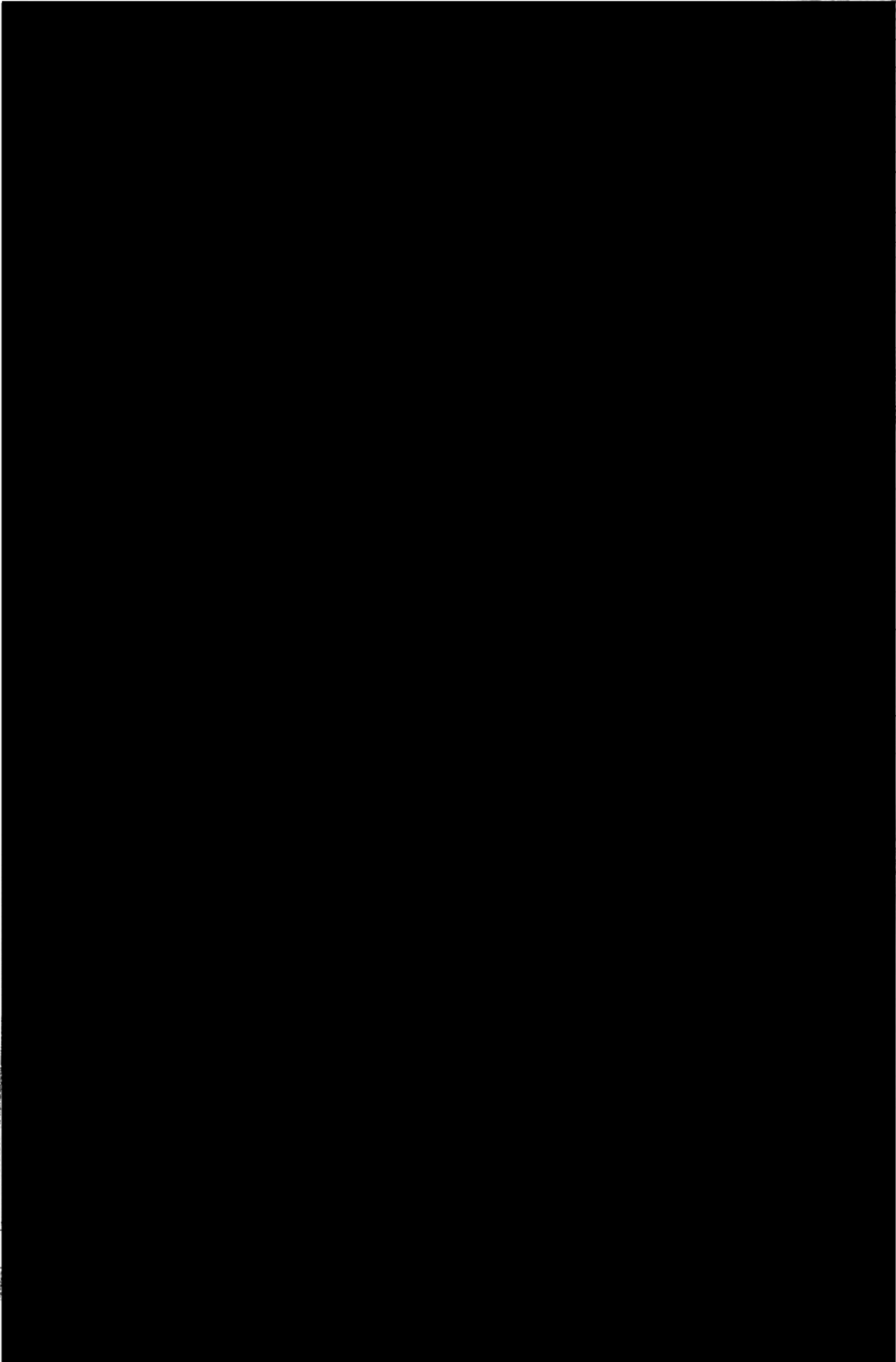


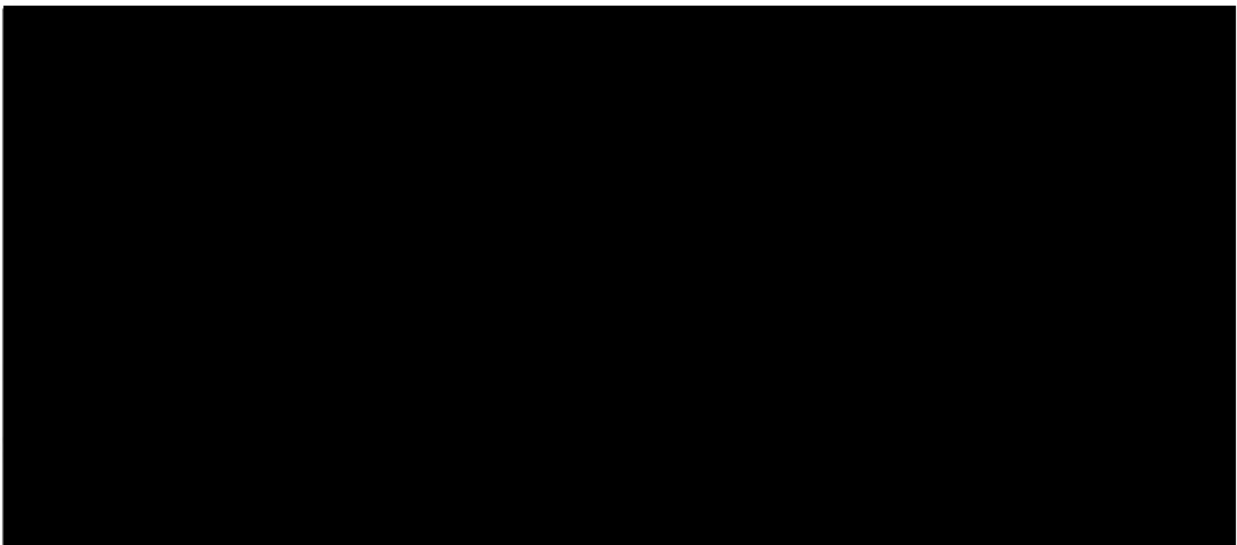


**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

Bring You

ccis COMPREHENSIVE CASE
INFORMATION SYSTEM



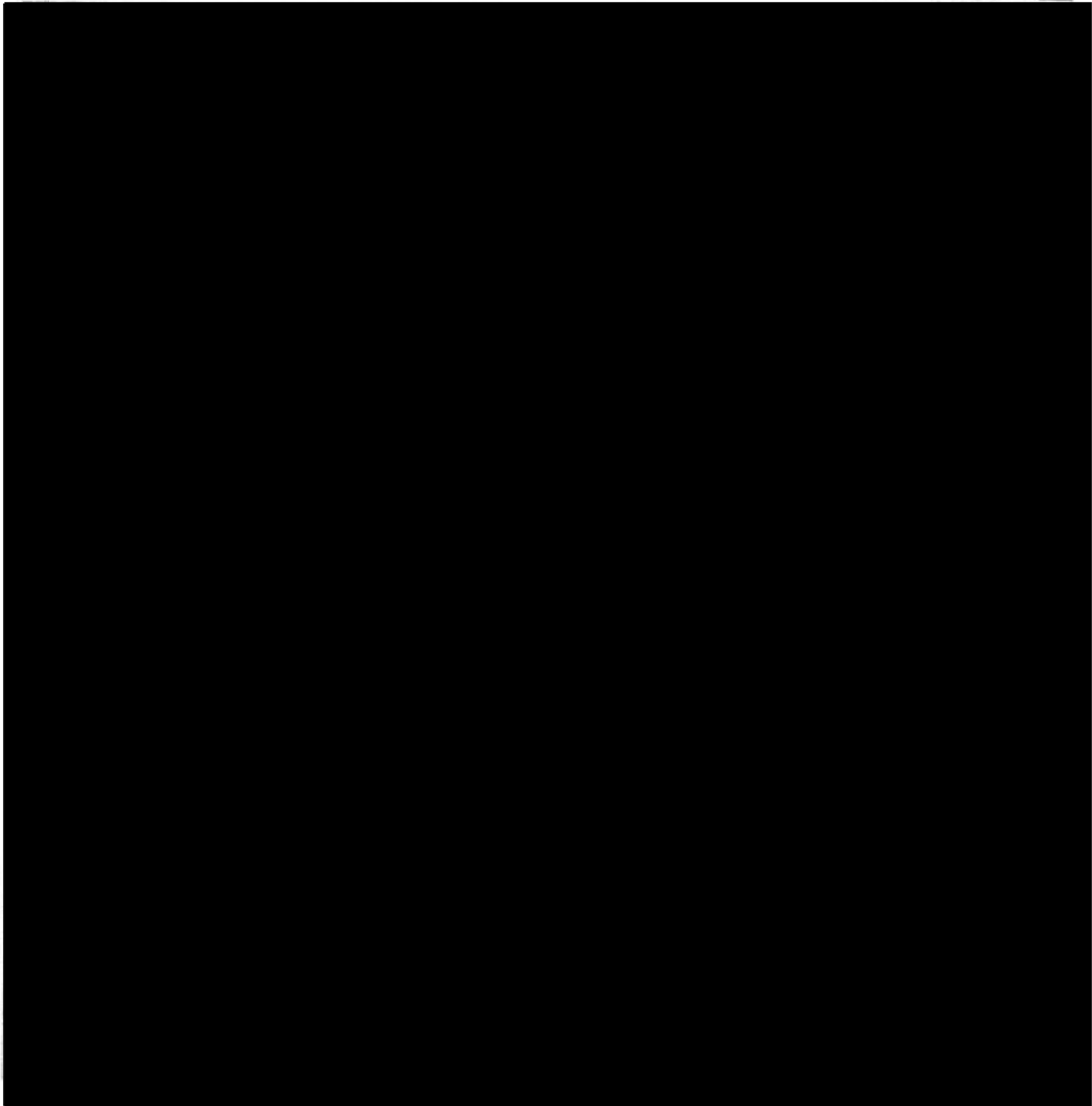




**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

Bring You

ccis ✓ **COMPREHENSIVE CASE
INFORMATION SYSTEM**

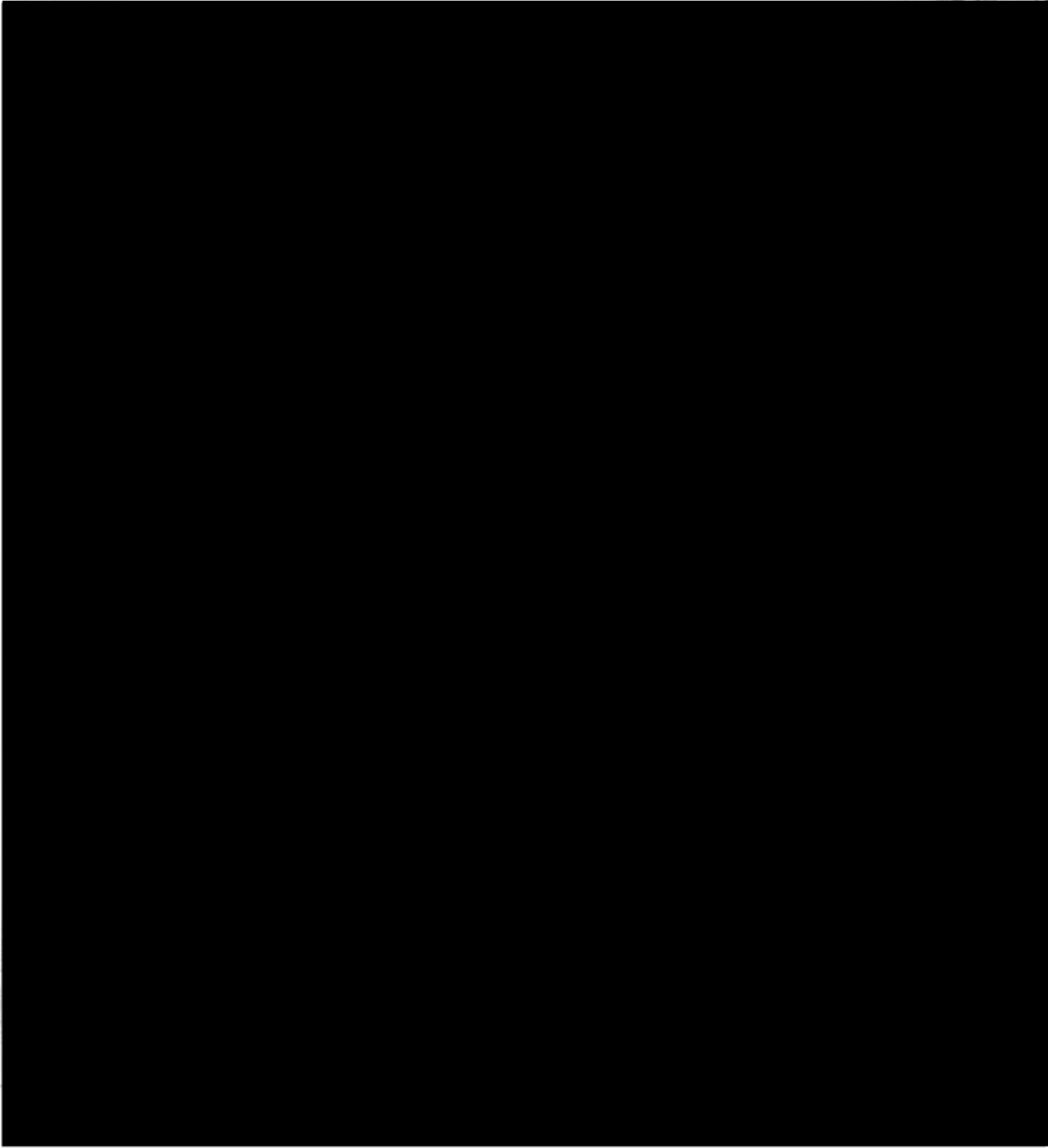




**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

Bring You

ccis COMPREHENSIVE CASE
INFORMATION SYSTEM

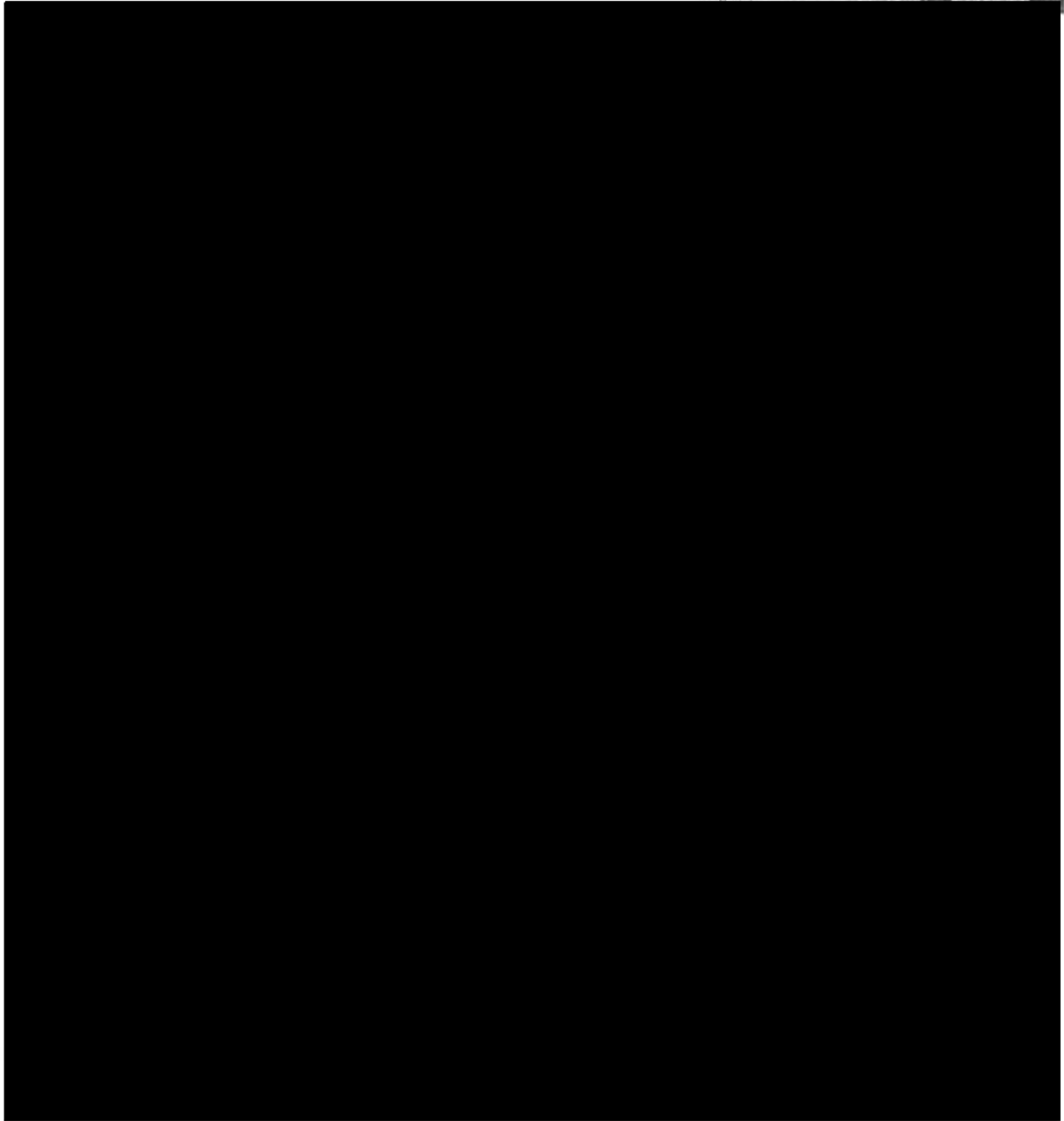




**FLORIDA'S CLERKS OF COURT
AND COMPTROLLERS**

Bring You

ccis COMPREHENSIVE CASE
INFORMATION SYSTEM



STATE OF ILLINOIS, PEORIA COUNTY
IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

THE PEOPLE OF THE STATE OF ILLINOIS,
vs.

0500033694 PD PEORIA

CASENO:05-CF-01354

CHERRI C BARICUATRO
AKA: WOOD, CHERRI C
2117 N PEORIA
PEORIA IL 61603

RACE: W
HGT:5 02 WT:115 SEX:F EYE:HAZ HAIR:BRO
DCN: 071268960
INDICTMENT

FILED
ROBERT M. SPEARS

JAN 03 2006

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

Defendant

BILL OF INDICTMENT

THE UNDERSIGNED THE GRAND JURY charges in Count 01 OF 01, a Class 4 FELONY, that
on or about the date of 11/02/2005 in said Peoria County, State of Illinois,

CHERRI C BARICUATRO committed the offense of PERMITTING THE UNLAWFUL USE OF A BUILDING in that
SHE KNOWINGLY AND WITHOUT LAWFUL AUTHORITY PERMITTED A BUILDING, UNDER HER
CONTROL, BEING A RESIDENCE LOCATED AT 2117 N. PEORIA, PEORIA, ILLINOIS,
TO BE USED BY ANOTHER FOR THE PURPOSE OF THE UNLAWFUL DELIVERY OR
MANUFACTURE OF A CONTROLLED SUBSTANCE BEING COCAINE

in violation of 720 ILCS 570/406.1

of the Illinois Compiled Statutes.

A TRUE BILL

James W. Anderson
Grand Jury Foreperson

The undersigned, on oath, states that the allegations herein are true.

KEVIN W. LYONS, State's Attorney

Sworn to me on _____
(Date)

By _____
Assistant State's Attorney

LIST OF WITNESSES:
OFC CHAD BATTERHAM PPD

Judge - Notary Public (seal)

ORDER

Based on matters presented, the Court finds probable cause for pretrial detention and bond is set at \$ _____
 Clerk shall prepare and issue a Warrant of Arrest based on a finding of probable cause and bond is set at \$ _____
 Summons to issue for Appearance on _____ at _____ A.M./P.M. in Courtroom _____
 This indictment having been returned in open court on January 3, 2006, this case is hereby assigned to
Judge Shore in Courtroom 221.

Defendant(s) is in custody, and a Directive is issued to the Sheriff to produce the _____

to appear for arraignment in Courtroom _____ on _____ at _____ A.M./P.M.

Defendant(s) has been released pending this case and the Clerk is ordered to notify the _____

to appear for arraignment in Courtroom 221 on January 12, 2006 at 9:15 A.M./P.M.

This Bill of Indictment is hereby ordered kept secret until the defendant(s) is in custody or has given bond pursuant to Chapter 725 Act 5 Section 6(b), Illinois Compiled Statutes.

Bond is presently set on this Indictment at NTA

Other: _____

January 3, 2006
Entered (date) Judge *[Signature]*

[Signature]
Assistant State's Attorney

STATE OF ILLINOIS, PEORIA COUNTY
IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

DEC 07 2006

PEOPLE OF THE STATE OF ILLINOIS,
PLAINTIFF,

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

CHERIE ^{VS.} BARIQUATTO
DEFENDANT.

CASE NO. 05CF 1354

ORDER

JUDGE <i>Nemeroff for Stone</i>	COURT REPORTER <i>Dond J</i>	PLTF ATTY <i>Nwas by Cash</i>
DATE <i>12/7/06</i>	COURT ROOM <i>221</i>	DEFT ATTY <i>Leann H.H.</i>
	CLERK <i>Smiddy</i>	

The Defendant having been called into Open Court on this date, and:

- 1. Defendant is present ~~in custody~~ / out of custody;
- 2. Defendant is informed of the charge in the *indictment* and furnished with a copy thereof;
- 3. The Defendant desires Court appointed counsel and the Court determines the Defendant is / is not indigent;
- 4. The Defendant requests additional time for private counsel to appear;
- 5. Counsel identified above appears for the Defendant;
- 6. The Defendant waives the reading or explanation of the charge;
- 7. The Defendant moves that the People furnish Discovery pursuant to Illinois Supreme Court Rules;
- 8. The People move that the Defendant furnish Discovery pursuant to Illinois Supreme Court Rules;
- 9. The Defendant enters a plea of Not Guilty to each count of the charge;
- 10. The Defendant is advised pursuant to 725 ILCS 5/115-4.1 of the consequences of the failure to appear for trial and sentencing;
- 11. The Defendant waives a Jury Trial and requests a Bench Trial after admonition;
- 12. The People / Defendant move(s) for a continuance;
- 13. The Defendant moves for reduction of bail;
- 14. The Defendant fails to appear;
- 15. Hearing held on People's / Defendant's Motion for: _____;
- 16. Defendant advised that Bond Money is presumed to be the property of the Defendant and Bond Money may be used for Costs, Fine, Restitution, Attorney Fees, or other purposes authorized by the Court;
- 17. Other: *NA*

IT IS HEREBY ORDERED THAT:

- A. The Public Defender is / ~~is not~~ appointed for the Defendant.
- B. This matter is continued on Defendant's / People's Motion to _____, 20____, at _____ A.M./P.M. for _____
- C. The People are to furnish Discovery pursuant to Supreme Court Rules by _____, 20____.
- D. The Defendant is to furnish Discovery pursuant to Supreme Court Rules by _____, 20____.
- E. The People's / Defendant's Motion _____
- F. The Scheduling Conference is set for *March 2*, 20*07*, at *1:00* A.M./P.M.
- G. The Jury / ~~Bench~~ Trial is set for *March 12*, 20*07*, at *9:15* A.M./P.M. / *Judge Brandt*
- H. The Defendant's Motion for bond reduction is granted denied. Bail set at \$ _____
- I. A Warrant of Arrest for the Defendant issue with bail set at \$ _____
- J. The Bond Forfeiture Order entered herein on _____ is vacated.
- K. The Warrant of Arrest ordered to issue on _____ is recalled.
- L. People to Elect within _____ days.
- M. Trial / Hearing Date of _____ is vacated.
- N. Subpoenas to remain in full force and effect.
- O. Other: *A REQUEST FOR PERMISSION TO RESIDE IN FLORIDA - SAID PERMISSION IS GRANTED SUBJECT TO EXECUTION OF EXEMPTION WAIVER*

ENTERED. *12/7/06*

JUDGE OF THE TENTH JUDICIAL CIRCUIT

FILED
ROBERT M. SPEARS
MAR 09 2007
CLERK OF THE CIRCUIT COURT
FLORIDA COUNTY
PLEASANTS

Case Number OSCF 1354

The undersigned defendant respectfully submits a PLEA OF GUILTY to the charge of PERMIT UNLAWFUL USE OF BUILDING (CLASS 4) and states that I have personally appeared in open Court and:

- I was informed and understand the nature of the charge against me;
- I understand the minimum and maximum penalty to which I may be subjected including any penalty because of prior convictions or consecutive sentences;
- I understand I have a right to plead not Guilty or to persist in that plea if it has already been made.

I understand I have a right to plead Guilty and that if I plead Guilty, there will not be a trial of any kind, and that by pleading Guilty I give up the right to a trial by Judge or jury, and the right to be confronted with the witness against me: I further understand that I am waiving all of my possible defenses. I represent to the Court that no one has exerted any force, threats, or promises to obtain this plea, including the prosecuting attorney, the Judge, or my own attorney, if any. I understand the facts alleged in the complaint and I am entering a plea of Guilty because the facts are true and I am in fact Guilty of the charges. I further understand that I have a right to be represented by a lawyer and that if I cannot afford a lawyer, or am indigent, the Court will appoint a lawyer to represent me free of charge.

I further understand that I have the right to appeal and that I must first file, within 30 days of being sentenced, a written motion to vacate the judgment and to withdraw my plea of guilty or to reconsider the sentence, which motion must contain all issues and errors I am claiming, and if said motion is granted, the sentence will be modified or the plea of guilty, sentence and judgment will be vacated and trial date will be set on the charges and that any charges dismissed as part of the plea agreement may be reinstated and set for trial.

I further understand that, if I am indigent, a copy of proceedings will be provided without cost and a lawyer will be appointed to assist me in the appeal without cost.

I represent my age to be 20 yrs.

I am represented by T. I. Sen, a lawyer of my choice.

Dated: 03-09-07

SIGNED Cheribawastwa

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
PEORIA COUNTY

FILED
ROBERT M. SPEARS

MAR 09 2007

THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff

vs.

CASE NO.

05 CF 1354

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

Cherri C. Baricuatro, Defendant

CERTIFICATE OF THE CONDITIONS OF (PROBATION/CONDITIONAL DISCHARGE)

The defendant, named above is hereby notified that he has been sentenced to (Probation/Conditional Discharge/Probation pursuant to Ill. Rev. St. Chap. 561/ Sec. 710 or 1440) for the criminal offense(s) of Permit Unlawful Use of Building for a period of 24 (years/months) commencing 3/9/07 and ending 3/9/09. The defendant is hereby notified that the following conditions are ordered into effect on this date and for the period of time set forth above:

- 1- The defendant shall not violate any criminal statute of any jurisdiction.
- 2- The defendant shall report to and appear in person before the Peoria County Adult Probation Department, 324 Main St., Room 520, Peoria, IL. Phone: 672-6018, immediately and at such other times, places, and in such manner as directed by the Probation Department.
- 3- The defendant shall refrain from possessing a firearm or other dangerous weapon.
- 4- The defendant shall not leave the State without the consent of the court, or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of the person's probation officer.
- 5- The defendant shall permit a probation officer to visit him at his home or elsewhere.
- 6- The defendant shall notify the Peoria Probation Department immediately of any change in defendant's home address or phone number, and any change in status of employment.
- 7- The defendant shall pay probation services fee of \$25 for each month of (Probation/conditional Discharge) ordered by the court, at the office of the Circuit Clerk, Room 22-Courthouse. Balance of bail deposit, if any, to apply in payment. Total said fee is to be paid by 9/9/08.
- 8- The defendant shall serve a term of (imprisonment, periodic imprisonment) for _____ (years/months/days) at the Peoria County Jail.
 - a. The parties recommend the ecology program.
 - b. Periodic imprisonment is for (work, _____) and the defendant shall abide by the Peoria County Rules for Periodic Imprisonment.
 - c. The defendant shall report to said facility on _____, at _____ (a.m./p.m.).
 - d. The defendant shall report to said facility immediately or intake and thereafter as directed by the facility's staff.
- 9- Pay a fine of \$ _____, costs of \$ _____, Violent Crime Victims Assistance fee of \$ 20, Laboratory fee of \$ 100, and Public Defender fee of \$ 949.08, all to be paid to the Circuit Clerk, Room 22-Courthouse; the balance of bail deposit, if any, to apply in payment. Total to be paid by 9/9/08.
- 10- Make restitution at the office of the Circuit Clerk of \$ _____ to: _____

Monthly payments of \$ _____ are allowed beginning _____

- 11- Perform _____ hours of public service work as directed by Probation Department and work program within the first _____ months of probation.
- 12- Work or pursue a course of study or vocation training at _____
- 13- Undergo:

<input type="checkbox"/> a. Medical Treatment	<input type="checkbox"/> c. Treatment for drug addiction	<input type="checkbox"/> e. Alcohol treatment as set forth in DUI evaluation;
<input type="checkbox"/> b. Psychiatric treatment	<input checked="" type="checkbox"/> d. Treatment for alcoholism	

as directed by Probation Department and the treatment program. Violation of program rules shall be considered a violation of probation. Defendant shall execute releases permitting Probation Department and State's Attorney to acquire defendant's medical, psychiatric, drug, and alcoholism treatment records.

- 14- Defendant shall submit to requests by Probation Department for random drug testing. If defendant receives positive test result, he shall immediately report to laboratory for test confirmation as directed by Probation Department, and said costs shall be paid by defendant.
- 15- Defendant is to serve the first year of probation (after any incarceration) on intensive Probation and abide by its conditions which are attached hereto, incorporated by reference.
- 16- Provide for the support of dependents _____
- 17- Defendant shall undergo medical testing and pay its costs, to determine infection of any sexually transmissible disease pursuant to Ch. 38, §1005-5-3(g).
- 18- Defendant to initiate no contact with _____

- 19- Defendant to refrain from entering the area described as: DNA FUE/TESTING
- 20- Other: Drug assessments \$500, chemistries \$25. Probation may be transferred to Florida.

[Signature]
Judge of the Tenth Judicial Circuit

3/9/07
Date

The defendant acknowledges receipt of the above document setting forth the specifications and conditions of the sentence of (Probation/Conditional Discharge) pursuant to Illinois Revised Statutes, Chapter 38, Section 1005-6-3, and understands that a failure to follow these conditions could result in a revocation of the (Probation/Conditional Discharge) and resentencing up to the maximum penalty for the crime for which he was sentenced.

CHERRI BARICUATRO
(Defendant-Probationer)

620 JEFFERSON AVE
(Address)

MIC BCH, FL (Phone)

Clerk's Copy-White · Defendant Copy-Pink · State's Atty Copy-Canary · Probation Copy-Green · Detention Facility Copy-Goldenrod 33139

Form 20.

CERTIFICATE OF THE CONDITIONS OF (PROBATION/CONDITIONAL DISCHARGE)

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS

PEORIA COUNTY

FILED
ROBERT M. SPEARS

MAR 09 2007

PEOPLE OF THE STATE OF ILLINOIS,

Plaintiff,

CASE No.

05 CF 1354

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

vs.

Chaei C. Baricoster Defendant.

Judge: Beardt	Crt. Rep: Joaney	Plt. Atty: Nuss	
Date: 3/9/07	Crt. Rm: 221	Crt. Clerk: Smiddy	Def. Atty: Joan

ORDER

- 1. The People and the defendant announce that a tentative plea agreement has been reached by the parties and the parties disclose the agreement and the reasons for it to the Court.
- 2. Without any agreement of any kind, the defendant announces to the Court that he desires to waive his right to a trial in this case and to enter a plea of guilty to the charge(s) of _____.
- 3. The defendant having previously entered a voluntary plea of guilty on _____, 20 _____, to the charge(s) of _____.
- 4. The defendant having previously been found guilty on _____, 20 _____, by the (Court/Jury) of the charge(s) of _____.

THE COURT FULLY INFORMS THE DEFENDANT AND DETERMINES THAT HE UNDERSTANDS PURSUANT TO S. CT Rule 402 (a)

- 5. The nature of the charge(s) against him; and the minimum and maximum sentences and the maximum parole period prescribed by law for each charge against him, including where applicable, the penalty to which the defendant may be subject because of prior convictions or consecutive sentences; and his right to plead not guilty or to persist in that plea or to plead guilty; and that by pleading guilty he waives his right to a trial of any kind and that by pleading guilty he waives the right to a trial by jury and to the right to be confronted with the witnesses against him.

THE COURT FINDS, PURSUANT TO IL. S.C. RULE 402 (b), (c), and (d):

- 6. The defendant's plea of guilty to the charge(s) is voluntary, and no force or threats or any promises, (apart from any plea agreement), were used to obtain the plea of guilty, and there is a factual basis for the defendant's plea of guilty, and:
 - a. The plea agreement has been stated in open Court and the terms of the agreement have been confirmed by the defendant personally after he was questioned in open Court;
 - b. The defendant personally confirmed that there is no plea agreement after he was questioned in open Court;
 - c. The defendant waives his right to a pre-sentence investigation and a written pre-sentence report of the investigation, both parties having agreed to the imposition of a specific sentence, and the Court having made a finding as to the defendant's history of delinquency or criminality, including any previous sentence to a term of probation, periodic imprisonment, conditional-discharge, or imprisonment.
 - d. The defendant knowingly waives his right to a preliminary hearing or to be charged by Indictment pursuant to S. Ct. Rule 401(b), and the People concur in this waiver and an Information charging the defendant with _____ is filed on _____, 20 _____;
 - e. The Court unconditionally concurs in the plea agreement presented by the parties;

THE COURT, PURSUANT TO Ill. Rev. Stat. CHAP. 38, SEC. 1005-4-1:

- 7. Conducts a full sentencing hearing on this date;

FILED
ROBERT M. SPEARS
MAR 09 2007

ORDER

CASE No.

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

05 CE 1354

IT IS HEREBY ORDERED:

- A. That the [defendant's plea(s)] or [jury's verdict(s)] or [Court's finding(s)] of guilty to the charge(s) of Permit the Unlawful Use of Building (CLASS 4) is accepted and entered of record, and the Court hereby enters judgment on the [plea(s)] or [verdict(s)] or [finding(s)] of guilty and convicts the defendant of said charge(s);
- B. This matter is referred to the Adult Probation Office of Peoria County for a pre-sentence investigation and report, and the sentencing hearing is set for _____ 20 _____ at _____ A.M. / P.M.
- C. That the defendant be sentenced to (Probation/Conditional Discharge/Court Supervision) for a period of 24 months commencing this date and it is further ordered that the attached Certificate of Conditions of (Probation/Conditional Discharge/Court Supervision) is expressly incorporated by reference into this order;
- D. The defendant is sentenced to imprisonment at the Department of Corrections of Illinois for a term of _____ years or until the defendant is discharged by law, the Court having regard to the nature and circumstance of the offense and to the history, character and condition of the offender and being of the opinion that a sentence of imprisonment is appropriate pursuant to paragraph 1005-6-1 (a), (1), or (2) of Chap. 38, of the Ill. Rev. Stat., and:
 - (1) Said sentence is to run concurrently with the sentence in Case No(s) _____ in _____ County, State of _____;
 - (2) Said sentence is to run consecutively with the sentence in Case No(s) _____ in _____ County, State of _____;
- E. That the defendant pay a fine of _____
- F. That the defendant make restitution to the victim(s) _____ in the amount of _____ to be paid _____
- G. That a judgment be entered against the defendant for costs;
- H. That the Court, pursuant to S. Ct. Rule [605(a)] [605(b)] informs the defendant of his appeal rights;
- I. That a mittimus not be issued immediately but that the defendant be allowed _____ in order to wind up his affairs and the defendant is to report to the Peoria County Jail on _____ 20 _____ at _____ A.M./P.M.
- J. That a mittimus is to be issued and executed without delay. The defendant is remanded to the custody of the Sheriff of Peoria County for transmittal to the Department of Corrections of Illinois;
- K. Other: _____

DATE ENTERED 3/9/07

[Signature]
Judge of the Tenth Judicial Circuit

221

PROBATION TERMINATION

STATE OF ILLINOIS
COUNTY OF PEORIA

DATE: 02/02/2009
CASE NO.: 05-CF-01354
CHARGE: PERMIT UNLAWFUL USE

THE PEOPLE OF THE STATE OF ILLINOIS
VS

CHERRI C BARICUATRO
6900 SW 39TH ST APT 205
DAVIE FL, 33314

FILED
CLERK OF THE
CIRCUIT COURT
PEORIA COUNTY, IL
2009 FEB - 3 P 4: 37
ROBERT M SPEARS

NOW COMES THE ADULT PROBATION DEPARTMENT, IN AND FOR THE COUNTY OF PEORIA AND STATE OF ILLINOIS, TO WHOM THE ABOVE NAMED INDIVIDUAL WAS REFERRED BY JUDGE BRANDT FOR A PROBATIONARY PERIOD OF 25 MONTHS BEGINNING ON 03/09/2007, HAVING COURT COSTS IN THE AMOUNT OF 1,852.73; WHICH SUM IS FULLY PAID AT THIS TIME.

FURTHER CONDITIONS OF PROBATION HAVE BEEN FULFILLED.
(1) NOT VIOLATE ANY CRIMINAL STATUTE OF ANY JURISDICTION; AND
(2) MAKE A REPORT TO AND APPEAR IN PERSON BEFORE SUCH PERSON OR AGENCY AS DIRECTED BY THE COURT, MONTHLY.

(ONLY STANDARD CONDITIONS APPLY)

UPON INVESTIGATION OF THE DEFENDANT AND CONSIDERATION OF HIS CONDUCT WHILE ON PROBATION, IT IS RECOMMENDED BY THE ADULT PROBATION OFFICE THAT SAID DEFENDANT'S PROBATION BE TERMINATED ON 02/02/2009.

NOW ON THIS DAY COMES THE ADULT PROBATION OFFICER OF THIS COURT AND NOW RECOMMENDS THAT THE PROBATION OF THE ABOVE NAMED DEFENDANT BE TERMINATED AND THE COURT HAVING CONSIDERED SAID RECOMMENDATION AND BEING NOW SUFFICIENTLY ADVISED IN THE PREMISES DOTH ORDER THAT THE PROBATION OF THE ABOVE NAMED DEFENDANT BE AND THE SAID IS HEREBY TERMINATED.

IT IS HEREBY REQUESTED THAT
PROBATION HEREIN FOR

RESPECTFULLY SUBMITTED,

[Signature]

CHERRI C BARICUATRO

PEORIA COUNTY, ILLINOIS 61602

CASE # 05-CF-01354

SAID TERMINATION IS APPROVED
AND ORDERED THIS DATE 2/3/09

BE TERMINATED THIS DATE

02/02/2009

BY *[Signature]*
JUDGE OF THE 10TH JUDICIAL
CIRCUIT OF ILLINOIS


[Signature]
ADULT PROBATION OFFICER

[Signature]
ADULT PROBATION SUPERVISOR

Voucher

Date 03/30/23

No. 2289

Cherri Christine Behnke Samson		Amount \$	100.00
Description	FEB		
Charged to	General Employee	Slot Machine/Cardroom/PMW Combo	
	Professional Employee	3 year	
Received by			
Approved by			

MAR 30 2023

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 type="checkbox"/> Male <input checked="" type="checkbox"/> Female	
Last Name Behnke Samson		First Cherri		Middle Christine	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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
If yes, list the name or names used: <u>Cherri Christine Baricuatro</u>					
Race/Ethnicity (check only one): <input type="checkbox"/> Black or African American <input type="checkbox"/> Asian or Pacific Islander <input type="checkbox"/> Native American or Alaskan Native <input checked="" 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 1033 NE 17th Way #1803				Email Address (optional) [REDACTED]	
City Fort Lauderdale		State FL	Zip Code (+4 optional) 33304	Country USA	
Primary Phone Number [REDACTED]			Secondary/Cell Phone Number (optional) [REDACTED]		
Current Street Address 1033 NE 17th Way #1803					
City Fort Lauderdale		State FL	Zip Code (+4 optional) 33304	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				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>Cocktail Waitress</u>				Facility where employed and/or doing business: <u>Dania Entertainment Center LLC</u>	
*Applicants for a Combo license should disclose all job titles				Employer name: <u>Dania Entertainment Center LLC</u>	
FOR DIVISION USE ONLY					
License Code <u>1055</u>	License # <u>13542408</u>	File # <u>11360</u>	App # <u>40291</u>		
Association Code <u>274</u>	Date Received <u>3/30/2023</u>	Entered By <u>MD</u>	License Year <u>22/25</u>		
License Fee <u>\$100</u>	FP Date <u>3/30/2023</u>	FP Fee <u>0</u>	Total Fee <u>\$100</u>		
Waiver Requested (Combo Only)		ARCI <input checked="" type="checkbox"/>		Enforcement <input checked="" type="checkbox"/>	

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

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:

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.

Cherri Christine Behnke Samson

Print Legal Name (First Middle Last)

Birth Date (MM/DD/YYYY)

Social Security Number

Dania Entertainment Center LLC

Name of Employer

C. Behnke Samson
Signature of Applicant

03/30/2023

Date

Florida

DRIVER LICENSE

USA



[REDACTED]
1. BEHNKE-SAMSON
2. CHERRI CHRISTINE
3. 1033 NE 17TH WAY UNIT 1803
FORT LAUDERDALE FL 33304-2461

4a ISS 06/02/2021

500 X652207140232

REPLACED 07/14/2022

Operation of a motor vehicle constitutes consent to any sobriety test required by law.

Samson



STATE OF ILLINOIS, PEORIA COUNTY
IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

PEOPLE OF THE STATE OF ILLINOIS,
vs.

()
0500033694 PD PEORIA

CASENO:05-CF-01354

CHERRI C BARICUATRO
AKA: WOOD, CHERRI C
2117 N PEORIA
PEORIA IL 61603
RACE: W
HGT:5'02 WT:115 SEX:F EYE:HAZ HAIR:BRO
DCN: 071268960
INDICTMENT

FILED
ROBERT M. SPEARS

JAN 03 2006

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

Defendant

BILL OF INDICTMENT

THE UNDERSIGNED THE GRAND JURY charges in Count 01 OF 01, a Class 4 FELONY, that
on or about the date of 11/02/2005 in said Peoria County, State of Illinois,

CHERRI C BARICUATRO committed the offense of PERMITTING THE UNLAWFUL USE OF A BUILDING in that
SHE KNOWINGLY AND WITHOUT LAWFUL AUTHORITY PERMITTED A BUILDING, UNDER HER
CONTROL, BEING A RESIDENCE LOCATED AT 2117 N. PEORIA, PEORIA, ILLINOIS,
TO BE USED BY ANOTHER FOR THE PURPOSE OF THE UNLAWFUL DELIVERY OR
MANUFACTURE OF A CONTROLLED SUBSTANCE BEING COCAINE

in violation of 720 ILCS 570/406.1

of the Illinois Compiled Statutes.

A TRUE BILL

James W. Anderson
Grand Jury Foreperson

The undersigned, on oath, states that the allegations herein are true.

KEVIN W. LYONS, State's Attorney

Sworn to me on _____ (Date)

By _____
Assistant State's Attorney

LIST OF WITNESSES:
OFC CHAD BATTERHAM PPD

Judge - Notary Public (seal)

ORDER

- Based on matters presented, the Court finds probable cause for pretrial detention and bond is set at \$ _____
- Clerk shall prepare and issue a Warrant of Arrest based on a finding of probable cause and bond is set at \$ _____
- Summons to Issue for Appearance on _____ at _____ A.M./P.M. in Courtroom _____
- This indictment having been returned in open court on January 3, 2006, this case is hereby assigned to
Judge Shaw in Courtroom 221.

Defendant(s) is in custody, and a Directive is issued to the Sheriff to produce the _____

to appear for arraignment in Courtroom _____ on _____ at _____ A.M./P.M.

Defendant(s) has been released pending this case and the Clerk is ordered to notify the
Cherri C Baricuatro AKA Cherri C Wood
to appear for arraignment in Courtroom 221 on January 12, 2006 at 9:15 A.M./P.M.

This Bill of Indictment is hereby ordered kept secret until the defendant(s) is in custody or has given bond pursuant to Chapter 725 Act 5 Section 6(b), Illinois Compiled Statutes.

Bond is presently set on this Indictment at N/A

Other: _____

January 3, 2006
Entered (date) _____
Judge: *[Signature]*

[Signature]
Assistant State's Attorney

STATE OF ILLINOIS, PEORIA COUNTY
IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT

DEC 07 2006

PEOPLE OF THE STATE OF ILLINOIS,
PLAINTIFF,

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

CHERI ^{VS.} BARICUATRO
DEFENDANT.

CASE NO. 05CF1354

ORDER

JUDGE <u>Nemeroff for Stone</u>	COURT REPORTER <u>Dond M</u>	PLTF ATTY <u>Nwas by Cash</u>
DATE <u>12/7/06</u>	COURT ROOM <u>221</u>	DEFT ATTY <u>Lenn P.H.</u>
	CLERK <u>Smiddy</u>	

The Defendant having been called into Open Court on this date, and:

- 1. Defendant is present ~~in custody~~ / out of custody;
- 2. Defendant is informed of the charge in the indictment and furnished with a copy thereof;
- 3. The Defendant desires Court appointed counsel and the Court determines the Defendant is / is not indigent;
- 4. The Defendant requests additional time for private counsel to appear;
- 5. Counsel identified above appears for the Defendant;
- 6. The Defendant waives the reading or explanation of the charge;
- 7. The Defendant moves that the People furnish Discovery pursuant to Illinois Supreme Court Rules;
- 8. The People move that the Defendant furnish Discovery pursuant to Illinois Supreme Court Rules;
- 9. The Defendant enters a plea of Not Guilty to each count of the charge;
- 10. The Defendant is advised pursuant to 725 ILCS 5/115-4.1 of the consequences of the failure to appear for trial and sentencing;
- 11. The Defendant waives a Jury Trial and requests a Bench Trial after admonition;
- 12. The People / Defendant move(s) for a continuance;
- 13. The Defendant moves for reduction of bail;
- 14. The Defendant fails to appear;
- 15. Hearing held on People's / Defendant's Motion for: _____;
- 16. Defendant advised that Bond Money is presumed to be the property of the Defendant and Bond Money may be used for Costs, Fine, Restitution, Attorney Fees, or other purposes authorized by the Court;
- 17. Other: NA

IT IS HEREBY ORDERED THAT:

- A. The Public Defender is / ~~is not~~ appointed for the Defendant.
- B. This matter is continued on Defendant's / People's Motion to _____, 20____, at _____ A.M./P.M. for _____.
- C. The People are to furnish Discovery pursuant to Supreme Court Rules by _____, 20____.
- D. The Defendant is to furnish Discovery pursuant to Supreme Court Rules by _____, 20____.
- E. The People's / Defendant's Motion _____.
- F. The Scheduling Conference is set for March 2, 2007, at 1:00 A.M./P.M. Judge Brandt
- G. The Jury / ~~Bench~~ Trial is set for March 12, 2007, at 9:15 A.M./P.M. Judge Brandt
- H. The Defendant's Motion for bond reduction is granted denied. Bail set at \$ _____.
- I. A Warrant of Arrest for the Defendant issue with bail set at \$ _____.
- J. The Bond Forfeiture Order entered herein on _____ is vacated.
- K. The Warrant of Arrest ordered to issue on _____ is recalled.
- L. People to Elect within _____ days.
- M. Trial / Hearing Date of _____ is vacated.
- N. Subpoenas to remain in full force and effect.
- O. Other: A REQUESTS PERMISSION TO RESIDE IN FLORIDA - SAID PERMISSION IS GRANTED SUBJECT TO EXECUTION OF EXTRADITION WAIVER

ENTERED: 12/7/06

JUDGE OF THE TENTH JUDICIAL CIRCUIT

ROBERT M. SPEARS

MAR 09 2007

Case Number

OSCF 1354

CLERK OF THE CIRCUIT COURT
FLORIDA COUNTY
ILLINOIS

The undersigned defendant respectfully submits a PLEA OF GUILTY to the charge of PERMIT UNLAWFUL USE OF BUILDING (CLASSY) and states that I have personally appeared in open Court and:

I was informed and understand the nature of the charge against me;

I understand the minimum and maximum penalty to which I may be subjected including any penalty because of prior convictions or consecutive sentences;

I understand I have a right to plead not Guilty or to persist in that plea if it has already been made.

I understand I have a right to plead Guilty and that if I plead Guilty, there will not be a trial of any kind, and that by pleading Guilty I give up the right to a trial by Judge or jury, and the right to be confronted with the witness against me: I further understand that I am waiving all of my possible defenses. I represent to the Court that no one has exerted any force, threats, or promises to obtain this plea, including the prosecuting attorney, the Judge, or my own attorney, if any. I understand the facts alleged in the complaint and I am entering a plea of Guilty because the facts are true and I am in fact Guilty of the charges. I further understand that I have a right to be represented by a lawyer and that if I cannot afford a lawyer, or am indigent, the Court will appoint a lawyer to represent me free of charge.

I further understand that I have the right to appeal and that I must first file, within 30 days of being sentenced, a written motion to vacate the judgment and to withdraw my plea of guilty or to reconsider the sentence, which motion must contain all issues and errors I am claiming, and if said motion is granted, the sentence will be modified or the plea of guilty, sentence and judgment will be vacated and trial date will be set on the charges and that any charges dismissed as part of the plea agreement may be reinstated and set for trial.

I further understand that, if I am indigent, a copy of proceedings will be provided without cost and a lawyer will be appointed to assist me in the appeal without cost.

I represent my age to be 20 yrs.

I am represented by I. I. Ben, a lawyer of my choice.

Dated: 03.09.07

SIGNED

[Handwritten Signature]

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS
PEORIA COUNTY

FILED
 ROBERT M. SPEARS

MAR 09 2007

CLERK OF THE CIRCUIT COURT
 PEORIA COUNTY, ILLINOIS

THE PEOPLE OF THE STATE OF ILLINOIS, Plaintiff)

vs.)

CASE NO. 05 CF 1354

Cherri C. Baricuatro, Defendant)

CERTIFICATE OF THE CONDITIONS OF (PROBATION/CONDITIONAL DISCHARGE)

The defendant, named above is hereby notified that he has been sentenced to (Probation/Conditional Discharge/Probation pursuant to Ill. Rev. St. Chap. 56 1/2, Sec. 710 or 1444) for the criminal offense(s) of Permit Unlawful Use of Building for a period of 24 ~~years~~/months commencing 3/9/07 and ending 3/9/09. The defendant is hereby notified that the following conditions are ordered into effect on this date and for the period of time set forth above:

- 1- The defendant shall not violate any criminal statute of any jurisdiction.
 - 2- The defendant shall report to and appear in person before the Peoria County Adult Probation Department, 324 Main St., Room 520, Peoria, IL. Phone: 672-6018, immediately and at such other times, places, and in such manner as directed by the Probation Department.
 - 3- The defendant shall refrain from possessing a firearm or other dangerous weapon.
 - 4- The defendant shall not leave the State without the consent of the court, or, in circumstances in which the reason for the absence is of such an emergency nature that prior consent by the court is not possible, without the prior notification and approval of the person's probation officer.
 - 5- The defendant shall permit a probation officer to visit him at his home or elsewhere.
 - 6- The defendant shall notify the Peoria Probation Department immediately of any change in defendant's home address or phone number, and any change in status of employment.
 - 7- The defendant shall pay probation services fee of \$ 25 for each month of (Probation/conditional Discharge) ordered by the court, at the office of the Circuit Clerk, Room 22-Courthouse. Balance of bail deposit, if any, to apply in payment. Total said fee is to be paid by 9/9/08.
 - 8- The defendant shall serve a term of (imprisonment, periodic imprisonment) for _____ (years/months/days) at the Peoria County Jail.
 - a. The parties recommend the ecology program.
 - b. Periodic imprisonment is for (work, _____) and the defendant shall abide by the Peoria County Rules for Periodic Imprisonment.
 - c. The defendant shall report to said facility on _____, _____, at _____ (a.m./p.m.).
 - d. The defendant shall report to said facility immediately or intake and thereafter as directed by the facility's staff.
 - 9- Pay a fine of \$ _____, costs of \$ _____, Violent Crime Victims Assistance fee of \$ 20, Laboratory fee of \$ ~~100~~, and Public Defender fee of \$ 100, all to be paid to the Circuit Clerk, Room 22-Courthouse; the balance of bail deposit, if any, to apply in payment. Total to be paid by 9/9/08.
 - 10- Make restitution at the office of the Circuit Clerk of \$ _____ to: _____
- Monthly payments of \$ _____ are allowed beginning _____
- 11- Perform _____ hours of public service work as directed by Probation Department and work program within the first _____ months of probation.
 - 12- Work or pursue a course of study or vocation training at _____
 - 13- Undergo:

<input type="checkbox"/> a. Medical Treatment	<input checked="" type="checkbox"/> c. Treatment for drug addiction	<input type="checkbox"/> e. Alcohol treatment as set forth in DUI evaluation;
<input type="checkbox"/> b. Psychiatric treatment	<input checked="" type="checkbox"/> d. Treatment for alcoholism	

 as directed by Probation Department and the treatment program. Violation of program rules shall be considered a violation of probation. Defendant shall execute releases permitting Probation Department and State's Attorney to acquire defendant's medical, psychiatric, drug, and alcoholism treatment records.
 - 14- Defendant shall submit to requests by Probation Department for random drug testing. If defendant receives positive test result, he shall immediately report to laboratory for test confirmation as directed by Probation Department, and said costs shall be paid by defendant.
 - 15- Defendant is to serve the first year of probation (after any incarceration) on Intensive Probation and abide by its conditions which are attached hereto, incorporated by reference.
 - 16- Provide for the support of dependents _____
 - 17- Defendant shall undergo medical testing and pay its costs, to determine infection of any sexually transmissible disease pursuant to Ch. 38, §1005-5-3(g).
 - 18- Defendant to initiate no contact with _____
 - 19- Defendant to refrain from entering the area described as: DNA FEE / TESTING
 - 20- Other: Drug assessments \$500, urine stoppers \$25, ~~Assessments~~ Probation may be transferred to Florida.

[Signature] _____ Date 3/9/07

Judge of the Tenth Judicial Circuit

The defendant acknowledges receipt of the above document setting forth the specifications and conditions of the sentence of (Probation/Conditional Discharge) pursuant to Illinois Revised Statutes, Chapter 38, Section 1005-6-3, and understands that a failure to follow these conditions could result in a revocation of the (Probation/Conditional Discharge) and resentencing up to the maximum penalty for the crime for which he was sentenced herein.

CHERRI BARICUATRO (Defendant-Probationer) 620 JEFFERSON AVE (Address) MIA BCH, FL (Phone) 786 426 7007 (APT. 2) 786 251 0148

CERTIFICATE OF THE CONDITIONS OF (PROBATION/CONDITIONAL DISCHARGE)

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS

PEORIA COUNTY

FILED
ROBERT M. SPEARS

PEOPLE OF THE STATE OF ILLINOIS,

vs.

Plaintiff,

CASE No.

05 CF 1354

MAR 09 2007

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

Chaei C. Baricoster Defendant.

Judge: <u>Beardt</u>	Crt. Rep: <u>Harney</u>	Plt. Atty: <u>Nuss</u>	<input checked="" type="checkbox"/>
Date: <u>3/9/07</u>	Crt. Rm: <u>221</u>	Crt. Clerk: <u>Smiddy Jr</u>	Def. Atty: <u>Joan</u>

ORDER

- 1. The People and the defendant announce that a tentative plea agreement has been reached by the parties and the parties disclose the agreement and the reasons for it to the Court.
- 2. Without any agreement of any kind, the defendant announces to the Court that he desires to waive his right to a trial in this case and to enter a plea of guilty to the charge(s) of _____.
- 3. The defendant having previously entered a voluntary plea of guilty on _____, 20 _____, to the charge(s) of _____.
- 4. The defendant having previously been found guilty on _____, 20 _____, by the (Court/Jury) of the charge(s) of _____.

THE COURT FULLY INFORMS THE DEFENDANT AND DETERMINES THAT HE UNDERSTANDS PURSUANT TO S. CT Rule 402 (a)

- 5. The nature of the charge(s) against him; and the minimum and maximum sentences and the maximum parole period prescribed by law for each charge against him, including where applicable, the penalty to which the defendant may be subject because of prior convictions or consecutive sentences; and his right to plead not guilty or to persist in that plea or to plead guilty; and that by pleading guilty he waives his right to a trial of any kind and that by pleading guilty he waives the right to a trial by jury and to the right to be confronted with the witnesses against him.

THE COURT FINDS, PURSUANT TO IL. S.C. RULE 402 (b), (c), and (d):

- 6. The defendant's plea of guilty to the charge(s) is voluntary, and no force or threats or any promises, (apart from any plea agreement), were used to obtain the plea of guilty, and there is a factual basis for the defendant's plea of guilty, and:
 - a. The plea agreement has been stated in open Court and the terms of the agreement have been confirmed by the defendant personally after he was questioned in open Court;
 - b. The defendant personally confirmed that there is no plea agreement after he was questioned in open Court;
 - c. The defendant waives his right to a pre-sentence investigation and a written pre-sentence report of the investigation, both parties having agreed to the imposition of a specific sentence, and the Court having made a finding as to the defendant's history of delinquency or criminality, including any previous sentence to a term of probation, periodic imprisonment, conditional-discharge, or imprisonment.
 - d. The defendant knowingly waives his right to a preliminary hearing or to be charged by Indictment pursuant to S. Ct. Rule 401(b), and the People concur in this waiver and an Information charging the defendant with _____ is filed on _____, 20 _____;
 - e. The Court unconditionally concurs in the plea agreement presented by the parties;

THE COURT, PURSUANT TO Ill. Rev. Stat. CHAP. 38, SEC. 1005-4-1:

- 7. Conducts a full sentencing hearing on this date;

FILED
ROBERT M. SPEARS

ORDER

MAR 09 2007

CASE No.

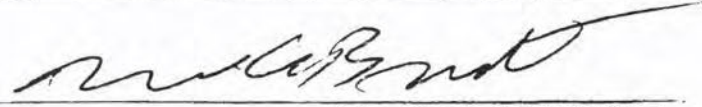
05 CF 1354

CLERK OF THE CIRCUIT COURT
PEORIA COUNTY, ILLINOIS

IT IS HEREBY ORDERED:

- A. That the [defendant's plea(s)] or [jury's verdict(s)] or [Court's finding(s)] of guilty to the charge(s) of Permit the Unlawful Use of Building (CLASS 4) is accepted and entered of record, and the Court hereby enters judgment on the [plea(s)] or [verdict(s)] or [finding(s)] of guilty and convicts the defendant of said charge(s);
- B. This matter is referred to the Adult Probation Office of Peoria County for a pre-sentence investigation and report, and the sentencing hearing is set for _____, 20____, at _____ A.M. / P.M.
- C. That the defendant be sentenced to (Probation/Conditional Discharge/Court Supervision) for a period of 24 months commencing this date and it is further ordered that the attached Certificate of Conditions of (Probation/Conditional Discharge/Court Supervision) is expressly incorporated by reference into this order;
- D. The defendant is sentenced to imprisonment at the Department of Corrections of Illinois for a term of _____ years or until the defendant is discharged by law, the Court having regard to the nature and circumstance of the offense and to the history, character and condition of the offender and being of the opinion that a sentence of imprisonment is appropriate pursuant to paragraph 1005-6-1 (a), (1), or (2) of Chap. 38, of the Ill. Rev. Stat., and:
 - (1) Said sentence is to run concurrently with the sentence in Case No(s) _____ in _____ County, State of _____;
 - (2) Said sentence is to run consecutively with the sentence in Case No(s) _____ in _____ County, State of _____;
- E. That the defendant pay a fine of _____
- F. That the defendant make restitution to the victim(s) _____ in the amount of _____ to be paid _____
- G. That a judgment be entered against the defendant for costs;
- H. That the Court, pursuant to S. Ct. Rule [605(a)] [605(b)] informs the defendant of his appeal rights;
- I. That a mittimus not be issued immediately but that the defendant be allowed _____ in order to wind up his affairs and the defendant is to report to the Peoria County Jail on _____ 20____, at _____ A.M./P.M.
- J. That a mittimus is to be issued and executed without delay. The defendant is remanded to the custody of the Sheriff of Peoria County for transmittal to the Department of Corrections of Illinois;
- K. Other: _____

DATE ENTERED 3/9/07


Judge of the Tenth Judicial Circuit

PROBATION TERMINATION

STATE OF ILLINOIS
COUNTY OF PEORIA

DATE: 02/02/2009
CASE NO.: 05-CF-01354
CHARGE: PERMIT UNLAWFUL USE

THE PEOPLE OF THE STATE OF ILLINOIS
VS

CHERRI C BARICUATRO
6900 SW 39TH ST APT 205
DAVIE FL, 33314

FILED
CLERK OF THE
CIRCUIT COURT
PEORIA COUNTY, IL
2009 FEB - 3 P 4: 37
ROBERT SPEARS

NOW COMES THE ADULT PROBATION DEPARTMENT, IN AND FOR THE COUNTY OF PEORIA AND STATE OF ILLINOIS, TO WHOM THE ABOVE NAMED INDIVIDUAL WAS REFERRED BY JUDGE BRANDT FOR A PROBATIONARY PERIOD OF 25 MONTHS BEGINNING ON 03/09/2007, HAVING COURT COSTS IN THE AMOUNT OF 1,852.73; WHICH SUM IS FULLY PAID AT THIS TIME.

FURTHER CONDITIONS OF PROBATION HAVE BEEN FULFILLED.

- (1) NOT VIOLATE ANY CRIMINAL STATUTE OF ANY JURISDICTION; AND
- (2) MAKE A REPORT TO AND APPEAR IN PERSON BEFORE SUCH PERSON OR AGENCY AS DIRECTED BY THE COURT, MONTHLY.

(ONLY STANDARD CONDITIONS APPLY)

UPON INVESTIGATION OF THE DEFENDANT AND CONSIDERATION OF HIS CONDUCT WHILE ON PROBATION, IT IS RECOMMENDED BY THE ADULT PROBATION OFFICE THAT SAID DEFENDANT'S PROBATION BE TERMINATED ON 02/02/2009.

NOW ON THIS DAY COMES THE ADULT PROBATION OFFICER OF THIS COURT AND NOW RECOMMENDS THAT THE PROBATION OF THE ABOVE NAMED DEFENDANT BE TERMINATED AND THE COURT HAVING CONSIDERED SAID RECOMMENDATION AND BEING NOW SUFFICIENTLY ADVISED IN THE PREMISES DOTH ORDER THAT THE PROBATION OF THE ABOVE NAMED DEFENDANT BE AND THE SAID IS HEREBY TERMINATED.

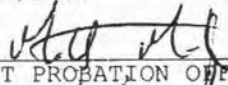
IT IS HEREBY REQUESTED THAT
PROBATION HEREIN FOR

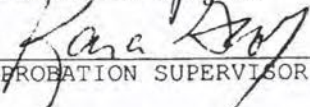
CHERRI C BARICUATRO

CASE # 05-CF-01354

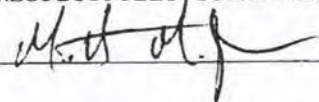
BE TERMINATED THIS DATE

02/02/2009


ADULT PROBATION OFFICER

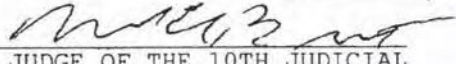

ADULT PROBATION SUPERVISOR

RESPECTFULLY SUBMITTED,



PEORIA COUNTY, ILLINOIS 61602

SAID TERMINATION IS APPROVED
AND ORDERED THIS DATE 2/13/09

BY 
JUDGE OF THE 10TH JUDICIAL
CIRCUIT OF ILLINOIS

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: **mderico**

VR Home > **Complaint Search**

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

Behnke Samson,

No Enforcement

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: mderico

VR Home > Complaint Search

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

[Print](#) [Back](#)

Behnke,

No Enforcement

Get Adobe Reader.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report
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 Mass Status Update Public Case Info

Domain 10 - Division of Pari-Mutuel Wagering

Logged in as: mderico

VR Home > Complaint Search

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

[Print](#) [Back](#)

Samson, No Enforcement

Get Adobe Reader.

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: mderico

VR Home > Complaint Search

Search Criteria	Results
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Case Type	Complaint #	Status	Reference	Incident	Respondent	Complainant	Lic Type	Public Case	View	Process
No items found.										

Total: 0

Baricuatro,

No Enforcement

Get Adobe Reader.



Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Behnke Samson
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number: [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Behnke
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Samson
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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Page 1 of 1. 0 total matches.

Search Parameters
Govt. Number [REDACTED]
Date of Birth:
First Name:
Middle Name:
Last Name: Baricuatro
Sex:
Commission:
License Type:

Master ID	Last Name	First Name	Middle Name	SSN/Federal ID	Rulings	Birth Date	City	State
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11. Presentation of Rulemaking

12. Discussion of Polices and Procedures



TITLE: Travel

POLICY NUMBER

01.02.01

EFFECTIVE DATE:

Administration

REVISED:

AUTHORITY AND REFERENCE

Section 112.061; 215.422, Florida Statutes (F.S.)

Chapter 69I-42, Florida Administrative Code (F.A.C.)

Department of Financial Services (DFS) Reference Guide for State Expenditures

<https://www.myfloridacfo.com/docs-sf/accounting-and-auditing-libraries/state-agencies/reference-guide-for-state-expenditures.pdf>

Department of Management Services (DMS) Statewide Travel Management Services (STMS) User Manual

<https://www.dms.myflorida.com/content/download/142904/953408/STMS User Manual -June 2023.pdf>

Chief Financial Officer's (CFO) Travel Restrictions Imposed by Chapter 2022-157, Laws of Florida, Dated July 6,2022

<https://www.flsenate.gov/Laws/Statutes/2022/Chapter157>

I. STATEMENT OF POLICY

Travel is performed and reimbursed as provided by Section 112.061, Florida Statutes. Authorized travel expenses shall be promptly reimbursed in accordance with the Florida Gaming Control Commission's policies and procedures. This policy is applicable to all FGCC employees, any authorized persons, and to all travel reimbursements. Travel should be processed through the Statewide Travel Management System (STMS). The STMS is the State of Florida's secure, cloud-based travel management solution for tracking and processing travel authorizations

and reimbursements.

It is the responsibility of all state employees to utilize the most economical method of travel for each trip, keeping in mind the nature of the business, the most effective and economical means of travel (considering time of the travel, cost of transportation and per diem or subsistence required), and the number of persons making the trip and the amount of equipment or material to be transported.

An Authorization to Incur Travel Expenses should be completed for all trips with the exception of routine travel by field auditors and inspectors related to their duties. To be sure that the most economical method of travel is being used, the employee should discuss the travel methods with FGCC travel auditor prior to submission to confirm. Authorization to Incur Travel Expenses form for conferences, conventions, speaking engagements, and out-of-state travel must have approval from the Executive Director (EXE).

FGCC has a separate policy for the FGCC Fleet. Please refer to the fleet policy-01.03.01 for complete information.

II. PURPOSE

To explain the procedures for obtaining authorization and reimbursement of travel expenses.

III. TRAVEL TERMS

- A. **Agency Head** - The highest policymaking authority of a public agency.
- B. **Authorized Person** - A person other than a public officer or Commission employee who is authorized by the agency head or designee to incur travel expenses in the performance of official duties, a person who is called upon by the Commission to contribute time and services as consultant or advisor, or a person who is a candidate for an executive or professional position. [See Rule 112.061(b), F.A.C.]
- C. **Class A Travel** - Continuous travel of more than 24 hours or more away from official headquarters. [See Rule 112.01(3)(k), F.A.C.]
- D. **Class B Travel** - Continuous travel of less than 24 hours which involves overnight absence from official headquarters. [See Rule 112.01(3)(l), F.A.C.]
- E. **Class C Travel** - Travel for short or day trips where the traveler is not away from his or her official headquarters overnight (NOTE: Section 112.061 (15), F.S., states "Moneys appropriated from the State Treasury may not be used to pay per diem or subsistence related to Class C Travel." [See Rule 112.01(3)(m), F.A.C])

- F. **Common Carrier** - Common carrier includes trains, buses, commercial airlines operating scheduled flights, or rental cars of established rental car firms.
- G. **Conference** - The coming together of persons with a common interest or interests for the purpose of deliberation, exchange of views or for the removal of differences or disputes, and for discussion of their common problems and interests. A conference may also be termed as being similar meetings such as seminars and workshops which are large, formal group meetings that are programmed and supervised to accomplish intensive research, study, discussion, and work in some specific field or on a governmental problem or problems. [See Rule 69I-42.002 (3), F.A.C.]
- H. **Convention** - An assembly of a group of persons representing persons and groups, coming together for the accomplishment of a purpose of interest to a larger group or groups. A convention does not mean the coming together of agency or interagency personnel. [See Rule 69I-42.002 (4), F.A.C.]
- I. **Designee** - Designee means an employee who has been delegated authority to approve the Authorization to Incur Travel Expenses and the Voucher for Reimbursement of Travel Expenses forms.
- J. **Emergency Notice** - Written or oral notification to the traveler of less than 24 hours prior to scheduled departure. [See Rule 69I-42.002(5), F.A.C.]
- K. **Emergency Situation** - Circumstances in which there is an immediate danger or a threat of immediate danger to the public health, safety, or welfare, or of other substantial loss to the state. [See Rule 69I-42.002(6), F.A.C.]
- L. **Employee or Public Employee** - An individual, whether commissioned or not, other than an officer or authorized person as defined in 112.061 (2) (c) and 112.061 (2) (e), who is filling a regular or full-time authorized position and is responsible to the agency head.
- M. **Meal Allowance** - The following amounts authorized by Section 112.061 (6) (b), F.S., for each meal during the travel period:

	<u>Amounts</u>	<u>Travel Begins Before</u>	<u>Travel Extends Beyond</u>
Breakfast	\$6.00	6 a.m.	8 a.m.
Lunch	\$11.00	12 p.m.	2 p.m.
Dinner	\$19.00	6 p.m.	8 p.m.

- N. **Meeting** - A gathering of Commission personnel called by a Commissioner, the Executive Director, a division director/office head, or any other administrator for the discussion and study of common problems or interests. A meeting may be in the form of a management review, seminar, or workshop not deemed to be either a convention or a conference.

- O. **Most Economical Class of Transportation** - The class having the lowest fare which is available.
- P. **Most Economical Method of Travel** - The mode of transportation (state-owned vehicle, privately owned vehicle, common carrier, etc.) designated by the agency head or designee in accordance with criteria prescribed by Section 112.061, F.S.
- Q. **Nonbusiness Day** - For a Commission employee, a weekend or an authorized state holiday; for an authorized person, a day on which such person was not scheduled to be performing service or contributing time to the Commission.
- R. **Officer or Public Officer** - An individual who in the performance of his or her official duties are vested by law with sovereign powers of government and who is either elected by the people, or commissioned by the Governor and has jurisdiction extending throughout the state, or any person lawfully serving instead of either of the foregoing two classes of individuals as initial designee or successor.
- T. **Per Diem Rate** - The amount as authorized by Section 112.061 (6) (a), F.S. (\$80 per day)
- U. **Personal Time** - Time outside the regular work hours of a business day, a nonbusiness day, or a day for which an officer or employee had prior approval for leave of absence.
- V. **Physically Handicapped** - Any person diagnosed as having a physical disability, including but not limited to blindness, or the loss of one or more life functions leaving that person mobility-impaired (or sensory-impaired) requiring the use of trained animal companions or prosthetic equipment, including, but not limited to, crutches, walkers, canes, or wheelchairs.
- W. **Point of Origin** - The geographic location of the traveler's official headquarters or the geographic location where travel begins, whichever is the lesser distance from the destination. (Refer to Attorney General's Opinion 75-275)
- X. **Routine Travel** - Travel which is performed on a day-to-day basis within a specified geographical area as a part of an employee's normal work assignment.
- Y. **Statewide Travel Management Services (STMS)** - the State of Florida's secure, cloud-based travel management solution for tracking and processing travel authorizations and reimbursements.
- Z. **Travel Auditor (FGCC)** – STMS Travel Auditor works in the Division of Administration and is the person that answers travel questions and audits travel vouchers through STMS.
- AA. **Travel Agency Surcharge** - Assessment made by travel agencies for the use of their services.

- BB. **Travel Agent** - One Administrative Assistant (AA) employee in each unit will be assigned the responsibility of acting as the travel agent for authorized travel.
- CC. **Travel Day** - A period of 24 hours consisting of four quarters of six hours each.
- DD. **Traveler** - A public officer, public employee, or authorized person performing authorized travel.
- EE. **Travel Expense** - The usual ordinary and incidental expenditures incurred by a traveler.
- FF. **Travel Period** - The period of time between the time of departure and time of return.

IV. **AUTHORITY TO INCUR TRAVEL EXPENSES**

- A. Travel must be authorized and approved by the Agency Head or designee in advance of travel. Employees whose position requires significant travel as part of their position are not required to complete an authorization to incur travel expenses for routine travel. However, Authorization to Incur Travel Expenses for conferences, conventions, speaking engagements, and out-of-state travel must have prior approval from the Executive Director (EXE).
- B. Travel expenses of travelers shall be limited to those expenses necessarily incurred by them in the performance of a public purpose authorized by law to be performed by the agency and must be within limitations prescribed by section 112.061, F.S.
- C. Authorization to Incur Travel (in STMS) must be completed in advance for each employee attending a conference or convention. It will include a statement of the benefits to the State of Florida, all registration programs, agenda itemizing the registration fees, and any meals or lodging included in the registration fee.
- D. Travel expenses for public employees for the sole purpose of taking merit system or other job placement examinations, written or oral, will not be allowed, except upon written approval of the Executive Director. Written requests for executive or professional travel allowance should be forwarded directly to the Executive Director.
- E. Travel expenses of public officers or employees for the purpose of implementing, organizing, directing, coordinating, or administering, or supporting the implementation, organization, direction, coordination, or administration of, activities related to or involving travel to a terrorist state shall not be allowed under any circumstances. For purposes of this section, "terrorist state" is defined as any state, country, or nation designated by the United States Department of State as a state sponsor of terrorism.

V. OFFICIAL HEADQUARTERS

The official headquarters of an officer or employee assigned to an office shall be in the city or town in which the office is located except that:

- A. The official headquarters of a person located in a place other than primary headquarters, the headquarters designation shall be in the next city or town nearest to the area where the majority of the traveler's work is performed unless designated by the agency head. Any such designation must be in the best interests of the agency.
- B. When any state employee is stationed in any city or town for a period of over 30 continuous workdays, such city or town shall be deemed to be the employee's official headquarters, and they shall not be allowed per diem or subsistence after the paid period of 30 continuous workdays has elapsed, unless this period of time is extended by the express approval of the agency head or his or her designee.
- C. A traveler may leave their assigned post to return home overnight, over the weekend, or during a holiday, but any time lost from regular duties shall be taken as annual leave and authorized in the usual manner. The traveler shall not be reimbursed for travel expenses in excess of the established rate for per diem allowable had the employee remained at his or her assigned post. However, when a traveler has been temporarily assigned away from their official headquarters for an approved period extending beyond 30 days, the traveler shall be entitled to reimbursement for travel expenses at the established rate of one round trip for each 30-day period taken to his or her home in addition to pay and allowances otherwise provided.

VI. COMPUTATION OF TRAVEL TIME FOR REIMBURSEMENT

- A. The travel day for Class A travel shall be a calendar day (midnight to midnight). A continuous travel of 24 hours or more away from official headquarters and is based on a calendar day.
- B. The travel day for Class B travel shall be less than 24 hours, which involves overnight absence from official headquarters.
- C. For Class A and Class B travel, the traveler shall be reimbursed one-fourth of the authorized rate of per diem for each quarter, or fraction thereof, of the travel day included within the travel period. Class A and Class B travel shall include any assignment on official business outside of regular office hours and away from regular places of employment when it is considered reasonable and

necessary to stay overnight and for which travel expenses are approved.

D. A traveler shall not be reimbursed on a per diem basis for Class C travel, but shall receive subsistence as provided:

1. Breakfast- When travel begins before 6 a.m. and extends beyond 8 a.m.
2. Lunch- When travel begins before 12 noon and extends beyond 2 p.m.
3. Dinner- When travel begins before 6 p.m. and extends beyond 8 p.m., or when travel occurs during nighttime hours due to special assignments.

VII. HOURS WORKED

While in travel status, a normal workday of eight hours shall be observed unless extra hours are approved by the employee's supervisor and are recorded on the employee's People First Time Sheet. In determining overtime, "work required to be performed" includes time spent in travel beyond the normal workday when the employee is in official travel status for which per diem is reimbursable under state law (See Rule 60L-34.0031, F.A.C.)

VIII. TIMES OF DEPARTURE AND RETURN

The hours of departure and return should be specified as a.m. and p.m.; 12 o'clock noon should be "12 p.m." and 12 o'clock midnight should be "12 a.m." The hours reported as traveled must meet the criteria that the time allowed is "reasonable and necessary" to complete the official assignment. When traveling by air, travelers shall be allowed travel time to begin up to two hours prior to the scheduled departure time displayed on the airline ticket. Other than air travel, if more than an hour is needed, justification must be included on the travel voucher, e.g.:

1. Flight was late; therefore, the ticket does not reflect the actual return time.
2. Extra time was necessary due to an airline requirement that a passenger check in an hour before flight time.
3. Traveler had to wait in line to get luggage or check out of parking lot.

IX. RATES PER DIEM AND SUBSISTENCE ALLOWANCE

A. All travelers shall be allowed for subsistence when traveling to a convention or conference or when traveling within or outside the state in order to conduct bona fide state business, which convention, conference, or business serves a direct and lawful public purpose with relation to the public agency served by the person attending such meeting or conducting such business, either of the following for

each day of such travel at the option of the traveler:

1. The daily rate for Class A or B travel when overnight travel occurs is \$80.
2. The quarterly rate for Class A or Class B travel is \$20.

B. All travelers shall be allowed the following amounts for subsistence:

1. Breakfast- \$6 When travel begins before 6:00 a.m. and extends beyond 8:00 a.m.
2. Lunch- \$11 When travel begins before 12:00 noon and extends beyond 2:00 p.m.
3. Dinner- \$19 When travel begins before 6:00 p.m. and extends beyond 8:00 p.m.

X. CLAIMING HOTE/LODGING REIMBURSEMENT

When claiming reimbursement for lodging expenses, receipts must show the name and address of the establishment, the name of the traveler, the daily rate(s) actually paid showing a zero balance, the dates checked in and out and the number of persons who occupied the room. The lodging receipts must be uploaded in STMS with your reimbursement request. In addition, the following requirements must be met:

1. Each travel reimbursement or Purchasing Card charge that seeks payment for lodging associated with a meeting, conference, or convention organized or sponsored by an agency may not exceed the traveler's daily room rate of \$225., pursuant to Dept. of Financial Services Agency Memo (Agency Addressed (No.2, 2023-2024) dated July 6, 2023. If lodging daily room rates exceed \$225 and there are no other reasonable options available, the traveler must obtain at least three comparable hotel quotes within a reasonable vicinity of meeting/work location and include this documentation to the agency head or designee to approve in advance by providing them in the Authorization to Incur Travel within STMS.
3. If the room was occupied by more than one person, the receipt must show the single occupancy rate. Only the single occupancy rate can be reimbursed.
4. If there is a mandatory hotel parking charge, it should be included on the hotel receipt. This should be listed as a separate charge on the travel reimbursement form, and it should be stated "hotel parking mandatory".

XI. TRANSPORTATION

A. All travel must be by a usually traveled route. In case a person travels by an indirect route for his or her own convenience, any extra costs shall be borne by the traveler; and reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route. The agency head or his or her designee shall designate the most economical method of travel for each trip and keep in mind the nature of the business.

B. When it is more efficient and economical to either the traveler or the agency head, jet service offered by any airline, whether on state contract or not, may be used when the cost is within an approved threshold determined by the agency head or his or her designee.

C. Air Travel

1. Air Travel should be made well in advance to reduce the ticket cost, when possible. Except for extenuating circumstances, commercial air travel is to be by coach class.
2. Off-peak, excursion, or other promotional fares should be used whenever practical. Travelers must obtain the lowest fare available considering such factors as per diem, subsistence, productivity, Saturday stay-over, and the amount of time required for travel scheduled departure time displayed on the airline ticket.
3. Non-Refundable Tickets - Travelers and supervisors should carefully evaluate the circumstances and risk of cancellation prior to purchase of non-refundable tickets to avoid or at least minimize the cancellation penalty on these tickets (e.g. event cancellation or rescheduling; illness to the traveler or immediate family; separation of employee). Employees have up to one year to use their non-refundable ticket and should use that ticket immediately toward their next trip.
4. Travelers are responsible for their own unused or lost tickets if they were obtained on a traveler's personal credit card.
5. Penalties for cancellation of airline tickets may be paid from State funds only if cause for cancellation is in the best interest of the state.
6. Charges for excess luggage may be allowed when the luggage is required for the performance of the duties of the job and adequate justification is provided.
7. Parking a vehicle at an airport for the duration of a trip by air travel is allowed.

8. Travelers that do not park vehicles at the airport for the duration of a trip may claim mileage from home or office (8 miles), to and from the airport when performing authorized travel.

D. Rental Car

1. State of Florida maintains a statewide car rental contract. Arrangements for rental cars should be made in advance by the traveler or preparer.
2. The FGCC-approved rental vehicle class is class "C" or Compact unless upgraded by the state rental car contractor at no additional cost.
3. If a trip includes two or more travelers, the traveler may upgrade the car class and be paid by the FGCC
4. In accordance with subsection 212.08(6), F.S., only in-state business use rentals that are billed directly to the customer by use of a state purchasing card (P-Card), purchase order, or by a preapproved method of payment are tax-exempt. Tax exemption will not apply to rentals when travelers use personal funds for payment, including cash, checks, or credit cards.

- E. The use of privately-owned vehicles for official travel in lieu of publicly owned vehicles (fleet) or common carriers may be authorized by the agency head or his or her designee on a case-by-case basis. Employees who use their personal vehicle for official state business must have insurance that meets state insurance requirements of \$10,000 personal injury protection and \$10,000 property damage liability insurance. Commissioners and employees who are authorized to use their private vehicles for official Commission travel will be covered by the state risk management program, and the state will provide defense counsel if the employee is sued for injuries or damages caused to others while driving their private vehicle provided that the accident occurs while the employee is acting within the scope of their employment. If, however, the accident occurs while the employee is acting outside the scope of their employment or if it is a result of the employee acting in bad faith, or with malicious purpose, or in a manner exhibiting wanton and willful disregard of human rights, safety, or property, the state coverage will not apply. In addition, state coverage will not cover the cost to repair the employee's private automobile or the employee's medical expenses as a result of an accident occurring in the employee's private automobile, whether or not the employee is acting within the scope of their employment.

F. Whenever travel is by privately owned vehicle:

1. A traveler shall be entitled to a mileage allowance at a rate of 44.5 cents per mile; or

2. A traveler shall be entitled to the common carrier fare for such travel if determined by the agency head to be more economical.
- G. Reimbursement for expenditures related to the operation, maintenance, and ownership of a vehicle shall not be allowed when privately owned vehicles are used for public business and reimbursement is made, except for:
- Taxi fare
 - Ferry fares; bridge, road, and tunnel tolls
 - Storage or parking fees
 - Communication expense
- H. No traveler shall be allowed either mileage or transportation expense when transported by another traveler who is entitled to mileage or transportation expense. However, a traveler on a private aircraft shall be reimbursed the actual amount charged and paid for the fare for such transportation up to the cost of a commercial airline ticket for the same flight, even though the owner or pilot of such aircraft is also entitled to transportation expense for the same flight.
- I. Two-or three-wheeled vehicles may not be used for travel in an official capacity unless prior approval is obtained in writing from the Executive Director or designee and uploaded in the STMS system.

XII. INCIDENTAL TRAVEL EXPENSES

- A. Limousine and Taxi Fare: Reimbursement for limousine and taxi fare is limited to reasonable amounts for transportation to and from the office and airport. Receipts are required for fares in excess of \$25 each. Limousine services should not be used instead of taxi service unless it can be shown that it is the more economical method.
- B. Ferry Fare and Bridge, Road, and Tunnel Tolls: Receipts are required for items in excess of \$25.
- C. Tips and Gratuities: Reasonable tips and gratuities may be reimbursed to the traveler as per the following:
1. Actual tips paid to taxi or Uber drivers shall not exceed 15% of the fare.
 2. Actual amount paid for mandatory valet parking which shall not exceed \$1 per occasion, and which was incurred in the performance of public business. Actual portage charges paid which shall not exceed \$1 per bag

not to exceed a total of \$5.

D. Other Incidental Expenses: Other incidental travel expenses of the traveler may be reimbursed upon presentation of a receipt as follows:

1. Actual laundry, pressing, and dry-cleaning expenses when official travel extends beyond seven days and such expenses are necessarily incurred to complete the official business portion of the trip.
2. Actual passport and visa fees required for official travel.
3. Actual fee charged to exchange currency necessary to pay official travel expenses.
4. Receipts for baggage fees are required. Baggage fees for more than one bag must be justified.

E. Non-reimbursable Expenses:

1. Fines for traffic violations.
2. Expenses related to lost keys or keys locked in a vehicle.
3. Tips made to housekeeping

XIII. MAP MILEAGE CLAIMED

- A. Map mileage shall be computed based on the official state road map issued by the Department of Transportation. Map mileage may also be obtained through the website: <https://fdotewp1.dot.state.fl.us/CityToCityMileage/viewer.aspx>.
- B. Reasonable vicinity mileage necessary for the conduct of official business is allowable but is shown as a separate item on the expense voucher. Claiming mileage to travel to the airport from office, which is eight (8) miles of home, whichever is less, is permitted when performing authorized travel. Vicinity mileage is computed on actual additional mileage incurred.
- C. If a person travels by an indirect route for his/her own convenience, any extra cost shall be borne by the traveler and reimbursement for expenses shall be based only on such charges as would have been incurred by a usually traveled route.

XIV. UNUSUAL TRAVEL EVENTS

If unusual events occur during a trip, employees should prepare a memo and explain the circumstances surrounding the unusual event to assist auditor comprehension.

If an employee becomes ill while traveling and cannot perform assigned duties, the employee and supervisor must decide whether it is likely to be less costly to the State to return the employee to official headquarters immediately or for the employee to ride out the illness away from official headquarters. If a decision is made for the employee to ride out the illness away from official headquarters, the employee shall continue to receive subsistence during this period of illness or injury until such time as the employee is able to perform the official duties or return to official headquarters, whichever is earlier. The employee's People First Time Sheet should also reflect "sick leave" for that period.

XV. OTHER GENERAL INFORMATION REGARDING TRAVEL

A. Immediate vicinity of headquarters

Reimbursement may not be made for per diem or meals for day trips where the traveler is not away from official headquarters overnight.

B. Overnight travel versus return to headquarters

1. When an employee is working at a location away from headquarters at the close of business on one day and is required to be at or near the same location on the following day, the decision whether to return to headquarters for the night should be based on the relative expense involving round-trip mileage or common carrier expense versus per diem or actual lodging plus meals. Round-trip mileage or common carrier expense in such cases may not exceed the per diem rate or actual lodging plus meals.
2. A traveler may not claim per diem or reimbursement for lodging for overnight travel within 50 miles of his/her headquarters or residence, unless the circumstances necessitating such overnight travel are fully explained by the traveler and approved by the Agency Head. Criteria for approval shall include late night or early morning job responsibilities and excessive travel time because of traffic conditions.

C. Absence from duty while in travel status

When absent from official duty while in a travel status, (including annual leave, weekends, and holidays) the exact hours of beginning and ending such absence must be shown within STMS. Per diem rate will not apply during leave. It shall be the responsibility of the employee's supervisor to ensure the hours worked and leave taken agree with the People First Time Sheet. (Attorney General's Opinion 076-46)

D. Request for reimbursement of travel expenses related to an emergency situation

Requests for reimbursement of the emergency situations stated below must be presented in writing to the Director of Administration or designee, who will forward them to the Chief, Bureau of Auditing, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0355 for approval prior to being vouchered for payment.


When a public officer, employee, or authorized person away from his or her official headquarters on personal time is required to travel because of an emergency situation pertaining to official work-related business, the following shall apply:

1. The traveler may be reimbursed for travel expenses incurred when traveling from the actual point of origin to the point of destination, which may be the official headquarters.
2. If personal circumstances necessitate the traveler to return to the actual point of origin after the emergency situation has ended rather than returning to or staying at the official headquarters, the traveler may be reimbursed for travel expenses to return. For example, an individual on personal time in California whose official headquarters is Tallahassee is required to travel back to Tallahassee because of an emergency situation. If, due to personal circumstances, the individual is required to travel back to California after the emergency situation has ended instead of remaining in Tallahassee, the individual may be reimbursed for travel expenses to return to California.
3. If the traveler is able to return directly to or remain at official headquarters, the traveler may only be reimbursed the excess of the necessary actual travel expenses for the emergency situation over what would have incurred for the traveler's own personal convenience.
4. The traveler's reimbursement request of travel expenses claimed from an actual point of origin rather than the official headquarters shall contain an explanation of the emergency situation that necessitated the travel from such point. Detail of the cost should be provided showing the net cost of what the traveler would have incurred against his actual cost of returning.

If an authorized traveler has incurred certain unrecoverable costs associated with personal plans and is unable to carry out such plans due to an emergency situation, such recoverable costs may be reimbursed by the agency. Requests for reimbursement must provide the circumstances of the emergency situation.

E. General requirements for reimbursement of Expenditures by physically handicapped travelers

When a physically handicapped traveler incurs travel expenses in excess of those ordinarily authorized pursuant to the travel law and rules, and such excess travel expenses were incurred to permit the safe travel of that handicapped traveler, those excess expenses will be reimbursed by the Commission to the extent that the expenses were reasonable and necessary to the safe travel of the individual. All such claims for reimbursement of excess travel expenses shall be submitted with sufficient documentation to permit a proper audit.

 <p>FLORIDA GAMING CONTROL COMMISSION</p>	<p align="center">FLORIDA GAMING CONTROL COMMISSION ADMINISTRATIVE POLICIES AND PROCEDURES</p>
<p>TITLE: Sick Leave Transfer Plan</p>	<p align="center">03.12.01</p> <p align="center">HUMAN RESOURCE MANAGEMENT</p> <p align="center">Authority</p> <p>Section 60L-34.0042(5), Florida Administrative Code (F.A.C.)</p>
<p>EFFECTIVE DATE:</p>	
<p>REVISED:</p>	

I. Statement of Policy

The purpose of this policy is to establish an interagency/intra-agency sick leave transfer plan for eligible and participating employees to voluntarily donate sick leave hours to or receive sick leave hours from eligible employees of the Florida Gaming Control Commission (FGCC) or another state agency that have exhausted their accrued sick, compensatory, and annual leave.

II. Definitions

- 1) **Donor:** refers to the FGCC or other State Personnel System employee who is donating sick leave.
- 2) **Recipient:** refers to the FGCC or other State Personnel System employee receiving donated leave.

- 3) **Relative:** refers to an employee's spouse and the parents, grandparents, brothers, sisters, children, and grandchildren of either the employee or the spouse.
- 4) **Sick Leave Transfer Administrator:** refers to the Chief of Human Resources, or his/her designee.
- 5) **State Personnel System:** For the purposes of this policy, this includes Career Service (CS), Selected Exempt Service (SES), and Senior Management Service (SMS) employees in all agencies except those in the State University System, the Florida Lottery, the Florida Legislature, the Justice Administration Commission, and the State Courts System.

III. Policy

- 1) All FGCC CS, SES, and SMS employees may participate in the Sick Leave Transfer Plan.
- 2) The provisions of this policy provide for the donation and receipt of sick leave credits among employees of FGCC and between eligible employees within the State Personnel System that participate in an inter-agency sick leave transfer plan.
- 3) Sick leave donations cannot be used for the illness, accident or injury of a relative of an employee.
- 4) Participation in the sick leave transfer plan must always be voluntary on the part of the donating employee and the receiving employee. Employees who attempt to coerce or pressure another employee to donate sick leave will be subject to disciplinary action. The names of donors will not be published. The names of recipients will not be published unless the recipient agrees in writing to waive this provision.
- 5) Receiving or donating employees who solicit or offer transferred sick leave credits in return for compensation in any form will be subject to disciplinary action.
- 6) The Director of Administration, Sick Leave Transfer Administrator, or designee will investigate alleged abuse of the sick leave transfer plan. If abuse is found, the participating employee(s) will not be allowed to transfer or receive sick leave hours, and the employee(s) may be subject to disciplinary action.
- 7) Decisions regarding requests to use donated sick leave are final and cannot be grieved. There is no appeal process.
- 8) The information contained in this policy shall not be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act (FMLA).
- 9) The Commission may terminate the sick leave transfer plan at any time.

IV. Procedures

1) Criteria to donate leave to another employee:

- a. The donor must maintain a minimum of 80 hours of sick leave after a donation is processed.
- b. The minimum transfer amount for each donation shall be 8 hours; and
- c. Donors must complete the "Sick Leave Transfer - Request to Donate" form and submit it to the Sick Leave Transfer Administrator in the HRM via email at HR@flgaming.gov.

2) Criteria to receive donated sick leave credits:

To be eligible to receive sick leave credits, the receiving employee must:

- a. Have used all accrued sick and annual leave and all types of earned compensatory leave.
- b. Have suffered a documented personal illness, accident or injury (excluding workers' compensation injuries), which requires, as certified by the treating physician, absence from the workplace for a minimum of five (5) consecutive workdays.
- c. Serve the required 5-day waiting period before donations can be received. The employee's absence must be for 40 hours or more, with the employee using their own personal leave, or leave without pay, if necessary, before using sick leave transfer hours. The transfer of sick leave credits will be applied to cover absences associated with the documented medical condition beginning with the sixth (6th) missed workday or partial workday or on the first (1st) day the employee has exhausted all leave credits, whichever is later. If the employee provides notice of a subsequent need for sick leave donations due to a different medical condition, the 5-day waiting period will apply before donations can be received. The Commission reserves the right to waive the 5-day waiting period on a case-by-case basis by requesting a waiver that must be approved by the Executive Director.
- d. Submit a properly completed "Sick Leave Transfer - Request to Use" form to the Sick Leave Transfer Administrator in the HRM via email at HR@flgaming.gov. Requests to use donated sick leave credits will only be processed upon the receipt of sufficient medical certification. Employees will be advised promptly by the HRM if the medical certification provided is deemed insufficient.
- e. Not be eligible for disability leave (workers' compensation) under the provisions of section 60L-34.0061(1), F.A.C.
- f. Not have used more than 1040 hours of transferred sick leave credits in the preceding 12-month period. The preceding 12-month period begins the month sick leave credits

are initially used. When an employee has used 1040 hours of transferred sick leave within the preceding 12-month period, the employee is not eligible to receive additional sick leave credits until a new measurement period begins.

V. Processing Guidelines

- 1) All requests to donate will be processed in the order received. All donations received from employees of FGCC will be processed before donations are received from employees of other state agencies, except for leave transferred by the receiving employee's relative.
- 2) The HRM will maintain a sick leave transfer log to record donated/used sick leave hours and the respective donors and recipients until the Department of State, designated retention period has been met.
- 3) For intra-agency requests to use or donate, the HRM will review the requests to ensure all eligibility criteria is met to donate or receive sick leave donations.
- 4) For inter-agency requests to donate, the HRM will review the "Request to Donate" form to ensure donor requirements are met. Inter-agency donations will be deducted from the donor's sick leave account and the request promptly forwarded to the recipient's human resource office. Unused credits will be returned to the donor's sick leave account upon receipt of the "Return of Unused Donated Sick Leave Hours" form from the recipient's human resource office.
- 5) An employee should ensure that a "Request to Use" form is received by the HRM at least 3-5 business days before the scheduled payroll deadline in the month in which the donations are needed to allow sufficient time for review, approval, and processing, or the employee could be placed on leave without pay until the request is approved and donations are received and processed.
 - i. Requests that are incomplete or for which medical certification is not sufficient will not be processed until such time that a complete and sufficient medical certification is received by the HRM.
- 6) Requests to Donate received after the payroll processing date will be applied to the next pay period, if needed. Otherwise, the donor will be notified via email that his/her request to donate is no longer needed and will not be processed.
- 7) Donated leave will not be credited retroactively to a prior pay period for which the payroll has been processed and submitted for payment.
- 8) An employee is not eligible to receive sick leave donations for any period of absence that is not certified by the treating physician.

- 9) If a "Request to Use" form is received for an FMLA-qualifying condition and the employee is not currently on FMLA and is eligible for FMLA, the HRM will immediately notice the employee of the Commission's intent to designate his/her illness as FMLA in accordance with the "Family and Medical Leave Act," Policy #03.07.01.
- 10) An employee must provide additional medical certification, completed by the treating physician, every thirty (30) days, if the certification does not indicate a definite period of absence. Failure to provide sufficient follow-up medical certification as required will disqualify the further use of donated sick leave credits.
- 11) All sick leave donated under this policy will be credited to the recipient on an as needed basis each pay period in the following order:
 - a. First – Donations from the recipient's relative;
 - b. Second – Donations from within FGCC;
 - c. Third – Donations from other state agencies in the State Personnel System.

Within each of the above groups, donations are processed in the order they are received and credited to the recipient on a first in, first out basis.
- 12) Once an employee's sick leave donation has been credited to another employee, it cannot be cancelled or withdrawn.
- 13) Donated leave will be deducted from the donor's sick leave balance before crediting donated hours to the recipient's sick leave balance.
- 14) An employee will only be credited with the amount of sick leave needed to bring the employee's total number of compensable hours up to the required number of hours for the pay period.
- 15) Donated leave can be used continuously or intermittently, as needed.
- 16) All sick leave credits that remain unused at the time of an employee's return to work from the qualifying illness, accident or injury, will be returned to those employees whose donated leave credits have not been drawn upon under the first-in, first-out method.
- 17) If a documented medical condition reoccurs within three (3) months from the date of a recipient's return to work, the employee does not have to observe another 5-day waiting period. However, it is the employee's responsibility to provide to the HRM sufficient medical certification that relates the current absence from work with the initial period of disability for which the 5-day waiting period was served.
- 18) Sick leave credits cannot be "pooled" or held for future transfer.
- 19) An employee may not use donated sick leave to repay a salary overpayment.

- 20) Transferred sick leave credits have no terminal value. An employee who separates employment with FGCC with unused donated sick leave hours shall not be paid for the unused hours. Unused hours will be credited back to the donor.
- 21) Requests to use/donate sick leave will be filed in the employee's confidential medical file.

Louis Trombetta
Executive Director

Date