



Meeting Agenda

Thursday—November 3, 2022 9:30 AM

W.V. Knott Building at the Capitol Complex, 4th Floor, Room 412

- 1. Discussion of petition for variance from or waiver of rule 61D-11.005(5)
 - 1.1. 2022-038844 South Marion Real Estate Holdings, LLC
- 2. Discussion of motion to reduce penalties
 - 2.1. 2022-001778 Brooks, Gerald
- 3. Discussion of petition for relocation of pari-mutuel permit
 - 3.1. 2022-037892 Fronton Holdings, LLC
- 4. Discussion of renewal application for slot machine license
 - 4.1. 2022-039952 Dania Entertainment Center, LLC
- 5. Discussion of amended application for cardroom license
 - 5.1. 2022-048727 Daytona Beach Kennel Club, Inc.
- Discussion of applications for transfer of permitholder tax credit/exemption
 - 6.1. 2022-048835 Pensacola Greyhound Racing, LLC
- 7. Discussion of default final orders
 - 7.1. 2022-024913 Mendoza Alvarez, Marcos
 - 7.2. 2022-033258 Charles, Shakera Hilary
 - 7.3. 2022-035114 TBD Entertainment, LLC
 - 7.4. 2022-036656 Smith, Clifton
 - 7.5. 2022-041504 Dobles, Samantha Rose
- 8. Discussion of consent orders
 - 8.1. 2022-027070 Dao, Huong
 - 8.2. 2022-038702 Gulfstream Park Racing Association, Inc.
 - 8.3. 2022-041729 St. Petersburg Kennel Club, Inc.
 - 8.4. 2022-042997 Hess, Robert Bruce

- 9. Discussion of license denials
 - 9.1. 2022-040492 Frazier, Steven R
 - 9.2. 2022-045263 Vasquez Feliz, Yohanni Mariana
 - 9.3. 2022-047255 Auguste, James
 - 9.4. 2022-047294 Jackson, Jarvis
 - 9.5. 2022-489811 Kenon, Adrian
 - 9.6. 2022-049319 Harvey, Terrance Antonio
- 10. Executive Director update
- 11. Public Comment

PERSONS WISHING TO ADDRESS
THE COMMISSION ON ANY OF THE AGENDA ITEMS
SHOULD EMAIL CONTACT@FGCC.FL.GOV



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MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: Petition for Variance From or Waiver of Rule 61D-11.005(5), F.A.C.,

South Marion Real Estate Holdings, LLC d/b/a Oxford Downs; Case

Number 2022-038844

Date: October 25, 2022

Executive Summary

South Marion Real Estate Holdings, LLC, d/b/a Oxford Down ("Petitioner"), is seeking a variance from or waiver of rule 61D-11.005(5), Florida Administrative Code. On August 5, 2022, Petitioner filed their Petition for Variance From or Waiver of Rule 61D-11.005(5), Florida Administrative Code ("Petition"), pursuant to section 120.542, Florida Statutes. The Division of Pari-Mutuel Wagering ("Division") requested additional informational from Petitioner on August 23, 2022, in order for further evaluate the Petition. On September 2, 2022, Petitioner provided all requested information to the Division.

Background

On August 5, 2022, Petitioner filed the Petition seeking waiver of rule 61D-11.005(5), Florida Administrative Code. Petitioner is seeking to set aside six cardroom tables for card games to be played by off-duty cardroom occupational licensees. Petitioner is seeking that the variance or waiver be for one year in order to establish that the games can be conducted fairly and without any concerns regarding the integrity of the games. See Pet. ¶ 5.

Petitioner alleges that a substantial hardship or a violation of principals of fairness justify the granting of the variance or waiver. See Pet. ¶ 7. Specifically, Petitioner alleges that the next closest cardrooms available to their occupational licensees are approximately 40 to 70 miles away.² See Pet. ¶ 7. Furthermore, Petitioner alleges that there is significantly less play at the other cardrooms, making Petitioner's

¹ Rule 61D-11.005(5), F.A.C., provides that "[c]ardroom occupational licensees are prohibited from participating in authorized cardroom games at the cardroom facility where they are employed."

² OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker is more than 40 miles away; West Volusia Racing, Inc. is approximately 60 miles away; and Daytona Beach Kennel Club, Inc. is approximately 70 miles away.

cardroom much more desirable.³ See Pet. ¶ 7. Petitioner asserts that there is a demonstrated economic hardship due to the loss of revenue it would otherwise receive if its cardroom occupational licensees were permitted to play at its cardroom. See Pet. \P 8.

Lastly, Petitioner alleges that the purpose of the underlying statute that the rule seeks to serve is ensuring public confidence in the integrity of authorized cardroom operations. Fee Pet. 10. Petitioner asserts that every cardroom occupational licensee is subject to a background screening to ensure their good moral character. See Pet. 11. Petitioner asserts that there is no such requirement or background screening for players who are not cardroom occupational licensees, therefore, allowing those who have been thoroughly screened ensures the integrity of authorized cardroom operations. See Pet. 14. Petitioner states that cardroom occupational licensees pose a low risk of engaging in behavior that would affect the integrity of the games. See Pet. 16.

Petitioner further asserts that the requested variance or waiver will ensure public confidence in the integrity of cardroom operations because cardroom occupational licensees will only play against other cardroom occupational licensees, thus eliminating any competitive edge or advantage the cardroom occupational licensee could have. See Pet. ¶ 16. Petitioner asserts that by providing signs and warnings to non-licensees ensures that any decision to play at such designated table is done with full knowledge that the other players at the tables may be cardroom occupational licensees. See Pet. ¶ 16.

Relevant Law

Section 120.542(5), Florida Statutes, provides that:

³ Ocala Gainesville Poker's 2021/2022 gross cardroom receipts are approximately 15 percent of Petitioner's 2021/2022 gross cardroom receipts. *See* Cardroom Gross Receipts for Fiscal Year 2021/2022 available at: http://www.myfloridalicnese.com/dbpr/pmw/documents/Cardroom2021-2022.pdf.

⁴ See § 849.086(1), Fla. Stat.

⁵ See §§ 849.086 and 550.105, Fla. Stat.

⁶ Petitioner cites the following as evidence for this conclusion: [s]ome of the largest gaming jurisdictions in the United States allow employees to play at the facilities where they are employed. See, e.g., Nevada Administrative Code §23.070 (prohibiting a dealer from wagering in games in which he or she is dealing but not in other games); Mississippi Administrative Code Rule 13-3-1.8 (authorizing owners, officers, directors, and employees of a licensed gaming facility to play poker at the facility); California Code of Regulations Title 4, Division 18, §§12388(a) & 12391(a)(2) (prohibiting a cardroom from extending credit to an employee to play as a "house prop player" or "public relations player" in a poker game and prohibiting a cardroom from taking adverse action against an employee for refusing to play in a poker game, both of which indicate that an employee can play poker at the facility where he or she is employed).

"[a] person who is subject to regulation by an agency rule may file a petition with that agency, with a copy to the committee, requesting a variance or waiver from the agency's rule. In addition to any requirements mandated by the uniform rules, each petition shall specify:

- (a) The rule from which a variance or waiver is requested.
- (b) The type of action requested.
- (c) The specific facts that would justify a waiver or variance for the petitioner.
- (d) The reason why the variance or the waiver requested would serve the purposes of the underlying statute."

Section 120.542(2), Florida Statutes, provides that:

"[v]ariances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, 'substantial hardship' means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, 'principles of fairness' are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule."

Agencies shall grant or deny a petition for variance or waiver within 90 days after receipt of the original petition, the last item of timely requested additional material, or the petitioner's written request to finish processing the petition. See § 120.542(8), Fla. Stat. The agency's decision to grant or deny the petition shall be supported by competent substantial evidence and is subject to ss. 120.569 and 120.57. *Id*.

Florida Gaming Control Commission
Office of the Agency Clerk

Clerk Donna Fleming
Date 8/5/2022

CASE NO.: 2022-038844

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

IN RE: PETITION FOR VARIANCE FROM OR WAIVER OF RULE 61D-11.005(5), F.A.C.

SOUTH MARION REAL ESTATE HOLDINGS, LLC d/b/a OXFORD DOWNS

PETITIONER.

<u>PETITION FOR VARIANCE FROM OR WAIVER OF RULE 61D-11.005(5)</u>, FLORIDA ADMINISTRATIVE CODE

Petitioner, South Marion Real Estate Holdings, LLC d/b/a Oxford Downs ("Petitioner") files this Petition for Variance from or Waiver of Rule 61D-11.005(5), Florida Administrative Code, pursuant to section 120.542, Florida Statutes (2022)¹ and Rule 28-104.002, Florida Administrative Code, to allow it to offer authorized cardroom games to cardroom occupational licensees. In support of this petition, Petitioner states as follows:

- 1. Petitioner is a Florida limited liability company that owns and operates a parimutuel facility and cardroom in Marion County, Florida. Petitioner holds a pari-mutuel permit and license under chapter 550, Florida Statutes, to conduct pari-mutuel wagering and a license under section 849.086, Florida Statutes, to conduct cardroom operations. For purposes of this proceeding, Petitioner's address is that of its undersigned counsel.
- 2. Petitioner is represented by John M. Lockwood, Thomas J. Morton, and Devon Nunneley of The Lockwood Law Firm, 1400 Village Square Blvd., #3-504, Tallahassee, Florida 32312. Counsels' telephone number is (850) 727-5009; facsimile number is (850) 270-2610; and

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¹ All references herein to "chapter" or "section" are to the applicable section of the 2022 version of the Florida Statutes.

email addresses are john@lockwoodlawfirm.com, tj@lockwoodlawfirm.com, and devon@lockwoodlawfirm.com.

Applicable Portion of the Rule

- 3. The applicable rule from which Petitioner seeks a variance from or waiver of is:
 - 61D-11.005 Prohibitions
 - (5) Cardroom occupational licensees are prohibited from participating in authorized cardroom games at the cardroom facility where they are employed.

("the Rule").

Statute Implemented by the Rule

4. The Rule implements section 849.086 Florida Statutes, ("the Underlying Statute").

Type of Action Requested

5. Petitioner is seeking a variance from or waiver of the Rule which prohibits a cardroom operator from offering authorized cardroom games to occupational licensees who are employed by the cardroom. Petitioner is currently licensed to operate 31 tables. Petitioner seeks to set aside six tables (less than 20% of the cardroom's tables) for card games to be played by off-duty cardroom occupational licensees. The tables will have conspicuous signage indicating that the tables are set aside for games by off-duty occupational licensees employed by Petitioner. However, non-licensee players will be allowed to play at the tables if they so choose. Initially, Petitioner seeks a variance or waiver for one year to establish that the games can be conducted fairly and without any concerns regarding the integrity of the games. Petitioner may request an extension or that the variance or waiver is made permanent after the expiration of the one-year period and may request approval of additional tables.

Standard for Granting a Variance or Waiver

6. Section 120.542(2), Florida Statutes, provides:

(2) Variances and waivers shall be granted when the person subject to the rule demonstrates that the purpose of the underlying statute will be or has been achieved by other means by the person and when application of a rule would create a substantial hardship or would violate principles of fairness. For purposes of this section, "substantial hardship" means a demonstrated economic, technological, legal, or other type of hardship to the person requesting the variance or waiver. For purposes of this section, "principles of fairness" are violated when the literal application of a rule affects a particular person in a manner significantly different from the way it affects other similarly situated persons who are subject to the rule.

The Specific Facts that Demonstrate a Substantial Hardship or a Violation of Principles of Fairness that Justify Granting the Variance or Waiver

- 7. The application of the Rule creates a substantial hardship to Petitioner. Petitioner employs 176 cardroom occupational licensees. As indicated by their chosen careers, these licensees have a strong interest in cardrooms and enjoy participating in authorized cardroom games. The closest cardroom to Petitioner's cardroom is OBS Real Estate Holdings, LLC d/b/a Ocala Gainesville Poker, which is more than 40 miles away. Additionally, there is significantly less play at Ocala Gainesville Poker's cardroom than there is at Petitioner's cardroom, making Petitioner's cardroom much more desirable. The next closest cardrooms are West Volusia Racing, Inc.'s cardroom, which is approximately 60 miles away, and Daytona Beach Kennel Club, Inc.'s cardroom which is approximately 70 miles away.
- 8. If Petitioner's cardroom occupational licensees were allowed to participate in authorized games at Petitioner's cardroom, they would likely choose to play at Petitioner's cardroom rather than incur the time and cost associated with traveling to Ocala Gainesville Poker or the other surrounding cardrooms. For these reasons, the application of the Rule creates a

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² Ocala Gainesville Poker's 2021/2022 gross cardroom receipts are approximately 15 percent of Petitioner's 2021/2022 gross cardroom receipts. *See* Cardroom Gross Receipts for Fiscal Year 2021/2022 available at: http://www.myfloridalicense.com/dbpr/pmw/documents/Cardroom2021-2022.pdf.

demonstrated economic hardship to Petitioner by causing Petitioner to lose out on revenue it would otherwise receive if its cardroom occupational licensees were permitted to play at its cardroom.

The Reason Why the Variance or Waiver will Serve the Purposes of the Underlying Statute

- 9. The Legislative Intent behind the Underlying Statute is explained as follows:
 - (1) LEGISLATIVE INTENT.—It is the intent of the Legislature to provide additional entertainment choices for the residents of and visitors to the state, promote tourism in the state, and provide additional state revenues through the authorization of the playing of certain games in the state at facilities known as cardrooms which are to be located at licensed pari-mutuel facilities. To ensure the public confidence in the integrity of authorized cardroom operations, this act is designed to strictly regulate the facilities, persons, and procedures related to cardroom operations. Furthermore, the Legislature finds that authorized games as herein defined are considered to be pari-mutuel style games and not casino gaming because the participants play against each other instead of against the house.

§849.086(1), Fla. Stat.

- 10. The purpose of the Underlying Statute that the Rule seeks to serve is ensuring public confidence in the integrity of authorized cardroom operations.
- 11. Before obtaining a cardroom occupational license, an applicant is subject to a background screening pursuant to sections 849.086 and 550.105, Florida Statutes, to ensure they have not:
 - a. Violated any provision of chapter 550 or the Florida Gaming Control Commission's (the "Commission's") rules. §550.105(5)(b), Fla. Stat.
 - b. Been convicted of a capital felony or a felony in this state or any other state. §550.105(5)(b), Fla. Stat.
 - c. Been convicted of an offense in any other state that would be a felony in Florida involving arson; delivery, sale or distribution of a controlled substance; or a crime

- involving a lack of good moral character. §550.105(5)(b), Fla. Stat.
- d. Been convicted of a felony or misdemeanor related to gambling, bookmaking or involving cruelty to animals. §550.105(5)(c), Fla. Stat.
- e. Been convicted 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. §849.086(6)(g), Fla. Stat.
- f. Had a license revoked, suspended, denied, or has unpaid fines in any other jurisdiction. §550.105(5)(a), Fla. Stat.
- 12. An applicant who fails the background screening can obtain an occupational license upon receipt of a waiver from the Commission. The applicant must demonstrate rehabilitation and proof of good moral character to receive the waiver. §550.105(5)(c), Fla. Stat. & Rule 61D-5.006, Fla. Admin. Code.
- 13. Thus, cardroom occupational licensees, including all cardroom occupational licensees employed by Petitioner, have either passed the background screening process or affirmatively demonstrated that they possess good moral character. Nevertheless, Petitioner's employees who are entrusted with ensuring Petitioner's cardroom operates lawfully and in strict compliance with the Underlying Statute, and who have passed background screenings or demonstrated good moral character as stated above, are prohibited by the Rule from participating in authorized cardroom games at Petitioner's cardroom.
- 14. Players who are not cardroom occupational licensees are not required to pass a similar background screening process or demonstrate that they possess good moral character in order to participate in authorized cardroom games. Indeed, a person who has been convicted of defrauding a gaming commission or committing theft at a casino could walk into Petitioner's

cardroom today and legally participate in the very same games that Petitioner's employees are prohibited from playing.

- 15. Presumably, the Rule seeks to prevent Petitioner's cardroom occupational licensees from playing at Petitioner's cardroom so that the licensees cannot leverage their relationships with other licensees or use inside information to gain a competitive advantage over non-cardroom occupational licensees.
- 16. The requested variance or waiver will ensure public confidence in the integrity of cardroom operations because cardroom occupational licensees will only play against other cardroom occupational licensees, thus eliminating any competitive advantage the cardroom occupational licensees could have. Any non-licensees who choose to play at the tables will be making a conscious decision with full knowledge that the other players at the tables may be cardroom occupational licensees. Further, because cardroom occupational licensees are background screened and entrusted with maintaining the integrity of cardroom operations, the public has confidence that cardroom occupational licensees pose a low risk of engaging in behavior that could affect the integrity of the games.³ For these reasons, the variance or waiver will serve the purpose of the Underlying Statute.

Whether the Requested Variance or Waiver is Permanent or Temporary

17. The requested variance or waiver is temporary as it will apply for one year from the date of approval. Petitioner may seek an extension or request that the variance or waiver is

³ Some of the largest gaming jurisdictions in the United States allow employees to play at the facilities where they are employed. *See, e.g.*, Nevada Administrative Code §23.070 (prohibiting a dealer from wagering in games in which he or she is dealing but not in other games); Mississippi Administrative Code Rule 13-3-1.8 (authorizing owners, officers, directors, and employees of a licensed gaming facility to play poker at the facility); California Code of Regulations Title 4, Division 18, §§12388(a) & 12391(a)(2) (prohibiting a cardroom from extending credit to an employee to play as a "house prop player" or "public relations player" in a poker game and prohibiting a cardroom from taking adverse action against an employee for refusing to play in a poker game, both of which indicate that an employee can play poker at the facility where he or she is employed).

made permanent after the expiration of the one-year period.

Wherefore, Petitioner requests that the Commission approve this petition, and grant

Petitioner a variance from or waiver of the Rule's prohibition on cardroom occupational

licensees participating in authorized games at the cardroom where they are employed for a period

of one year as set forth herein.

Respectfully submitted this 5th day of August 2022.

/s/ John M. Lockwood
John M. Lockwood
Florida Bar No. 28056
Thomas J. Morton
Florida Bar No. 13771
Devon Nunneley
Florida Bar No. 46234
The Lockwood Law Firm
1400 Village Square Blvd., #3-504
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john@lockwoodlawfirm.com
tj@lockwoodlawfirm.com
devon@lockwoodlawfirm.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of August 2022, I have served a true and correct copy of this document via electronic mail on the following:

Clerk of the Florida Gaming Control Commission Clerk@fgcc.fl.gov

Joint Administrative Procedures Committee japc@leg.state.fl.us

/s/ John M. Lockwood

FILED



Florida Gaming Control Commission Office of the Agency Clerk

Clerk Donna Fleming
Date 8/23/2022

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

August 23, 2022

South Marion Real Estate Holdings, LLC d/b/a Oxford Downs 106 East College Avenue, Suite 810 Tallahassee, Florida 32301

RE: FGCC Case No. 2022-038844

Petition for Variance from or Waiver of Rule 61D-11.005(5), Florida Administrative Code

Dear Oxford Downs,

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Commission"), has received your Petition for Variance from or Waiver of Rule 61D-11.005(5), Florida Administrative Code ("Petition"), on August 5, 2022. The Commission has reviewed your Petition and is seeking additional information in order to make a determination of your request pursuant to section 120.542(7), Florida Statutes.

The Commission is requesting that you submit the following additional information:

- The exact language to be used on the proposed signage;
- What the signage will look like;
 - o i.e. will it be a placard, will the sign be large or small, etc.
- Where will the signage be posted and in what manner;
- Will the tables be segregated or separated in any manner;
- Will your internal controls be updated regarding the designation of the proposed tables;
- Will there be any policy or prohibition regarding employees playing in tournaments;
 - o Will there be employee only tournaments, if not, do you have a proposal as to how you will notify patrons that employees are also playing in the tournament;

Please provide documents and answers to the above requests as soon as possible. You may send your responses via email to Clerk@fgcc.fl.gov or you can mail them to the following address:

Florida Gaming Control Commission Attention: Office of the General Counsel 2601 Blair Stone Road Tallahassee, Florida 32399

Thank you in advance for your cooperation and we look forward to your responses.

Sincerely,

Joe Dil more, Director

Division of Pari-Mutuel Wagering

CERTIFICATE OF SERVICE

I hereby certify this <u>23</u> day of August, 2022, that a true copy of the forgoing has been furnished via

U.S. mail and via electronic mail to:

South Marion Real Estate Holdings, LLC d/b/a Oxford Downs

c/o John M. Lockwood, Thomas J. Morton, and Devon Nunneley
The Lockwood Law Firm
1400 Village Square Blvd., #3-504
Tallahassee, Florida 32312
john@lockwoodlawfirm.com
tj@lockwoodlawfirm.com
devon@lockwoodlawfirm.com

CLERK OF THE COMMISSION

Florida Gaming Control Commission

Case No. 2022-038844



LOCKWOOD LAW FIRM

FILED FLORIDA GAMING CONTROL COMMISSION

Date: 9/02/2022 File Number: ____

> BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

September 2, 2022

Florida Gaming Control Commission Attention: Office of the General Counsel 2601 Blair Stone Road Tallahassee, Florida 32399

Via Electronic Mail (Clerk@fgcc.fl.gov)

Re: South Marion Real Estate Holdings, LLC d/b/a Oxford Downs Response to Request for Additional Information – FGCC Case No. 2022-038844

Dear Mr. Dillmore:

This correspondence is provided on behalf of South Marion Real Estate Holdings, LLC d/b/a Oxford Downs ("Oxford Downs") in response to the Florida Gaming Control Commission's August 23, 2022, request for additional information relating to Oxford Downs's Petition for Variance from or Waiver of Rule 61D-11.005(5), Florida Administrative Code.

Request #1

The exact language to be used on the proposed signage.

Response to Request #1

The proposed signage will state "EMPLOYEE PARTICIPATION TABLE".

Request #2

What the signage will look like, i.e. will it be a placard, will the sign be large or small, etc.?

Response to Request #2

For designated player games, the signage will be a placard firmly affixed to the game sign located directly below the placard indicating the minimum and maximum wager amounts. An image indicating the size and location of the placard is enclosed as Exhibit 1.

For all other games, the signage will be a placard firmly affixed to the table located directly above the rake slide. A picture indicating the size and location of the placard is enclosed as Exhibit 2.

Request #3

Where will the sign be placed and in what manner?

Response to Request #3

Please see the Response to Request #2.

Request #4

Will the tables be separated or segregated in any manner?

Response to Request #4

All employee participation tables will be located in the back of the cardroom.

Request #5

Will your internal controls be updated regarding the designation of the proposed tables?

Response to Request #5

Yes. The proposed updated internal controls are enclosed as Exhibit 3. The proposed changes have been redlined.

Request #6

Will there be any policy or prohibition regarding employees playing in tournaments? Will there be employee only tournaments, if not, do you have a proposal as to how you will notify patrons that employees are also playing in the tournament?

Response to Request #6

Yes. Employees will only be allowed to participate in "Employee Tournaments." Employees will not be allowed to participate in any other tournaments. Non-employee patrons will also be allowed to participate in "Employee Tournaments".

Each "Employee Tournament" will be listed as so on the tournament flyer. During an "Employee Tournament," Oxford Downs's cage personnel responsible for selling tournament tickets will notify each patron that employees will be participating in the tournament. The tournament's status as an "Employee Tournament" will also be posted on Oxford Downs's tournament clock as indicated on the enclosed Exhibit 4.

Thank you for your time and consideration and please let us know if you have any questions or need any additional information.

Sincerely,

T.J. Morton

EXHIBIT 1



EXHIBIT 2



EXHIBIT 4



MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: FGCC v. Gerald Brooks; Case No. 2022-001778 – Motion to Reduce

Penalties

Date: October 25, 2022

Executive Summary

Gerald Brooks ("Respondent") is seeking a reduction in the penalty imposed in the Final Order filed on March 15, 2022. The Final Order required that Respondent pay an administrative fine in the amount of \$1,000 and required both Respondent and owner to return the purse winnings to Gulf Stream Park Racing Association. Respondent filed a Motion to Reduce Penalties with the Division of Pari-Mutuel Wagering ("Division") on September 22, 2022, requesting that a \$100 fine be imposed only.

Pertinent Facts and Law

Respondent was the trainer of record for the racing horse "Regal Chant," which was owned by Gerald E. Brooks and Carl L. Hess, Jr. On November 19, 2021, Regal Chant participated in the 7th race of the performances held by Gulfstream Park. Regal Chant finished 2nd place in the 7th race. A blood sample was take from Regal Chant to test for any prohibited substances. The sample was sent to the University of Florida ("UF") Lab and subsequently tested. The UF lab detected xylazine in the serum. Xylazine was detected at a serum concentration of 13.4 +/- 1.6 pg/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(2)(w), Florida Administrative Code, provides that it is a violation if xylazine exists at a serum concentration greater than 0.01 ng/mL. The penalty for

this violation is a Drug Class 3¹ Penalty Class B² under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. ("ARCI Guidelines").

On January 18, 2022, the Division filed an administrative complaint against Respondent for violations of the above-referenced statutes and rules. Respondent was personally served on February 4, 2022. Respondent did not file a response within 21 days of being served.³ On March 15, 2022, the Division entered a final order against Respondent requiring him to pay an administrative fine of \$1,000 and to return the purse winnings to Gulfstream Park Racing Association, Inc.

Respondent appealed the Final Order to the First District Court of Appeals, in case number 1D-22-1129. During the pendency of the appeal, Respondent moved to relinquish jurisdiction from the 1st DCA and place the appeal in abeyance for 60 days in order to seek resolution with the Florida Gaming Control Commission ("Commission"). The 1st DCA granted the motion in part and has given the Commission concurrent jurisdiction for 60 days, pursuant to Florida Rule of Appellate Procedure 9.600(b), in order to hear and adjudicate the motion filed by Respondent.

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¹ A Drug Class 3 under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc., provides that class 3 drugs are drugs that may or may not have generally accepted medical use in the racing horse, but the pharmacology of which suggests less potential to affect performance than drugs in Class 2. Drugs in this class include bronchodilators, anabolic steroids and other drugs with primary effects on the autonomic nervous system, procaine, antihistamines with sedative properties and the high-ceiling diuretics.

² A Penalty Class B penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc., ranges from fines, suspensions, loss or purse, the subject horse passing a commission-approved examination, and being placed on the veterinarian's list. 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.")

FILED

FLORIDA GAMING CONTROL COMMISSION

9/22/2022

DBPR Case No. 2022-1778

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION. DIVISION OF PARI-MUTUEL WAGERING,

Petitioner, ٧. GERALD EDWARD BROOKS, Respondent.

MOTION TO REDUCE PENALTIES

Respondent Gerald Edward Brooks ("Brooks") moves this Commission to reduce the penalties imposed upon him by the Final Order of the Division of Pari-Mutuel Wagering ("Division") entered on March 15, 2022, and in support thereof states as follows:

- 1. On January 18, 2022, the Division filed an Administrative Complaint against Respondent Brooks, a Florida licensed horse trainer, based upon the fact that the thoroughbred racehorse known as "Regal Chant" tested positive for an "overage" of the permitted medication xylazine after a race held at Gulfstream Park on November 19, 2021.
- 2. As Respondent Brooks did not respond to the Administrative Complaint within 21 days of its service upon him, the Division entered a Final Order which assessed an administrative fine in the amount of \$1,000 and

required him to return the second-place purse to Gulfstream Park, the permitholder where the race was run.

- 3. In 2016, the Division adopted the Controlled Therapeutic Medication Schedule, Version 2.1, revised April 17, 2014, adopted by the Association of Racing Commissioners International, Inc. ("ARCI") in Rule 61D-6.008. In the 2014 version of the ARCI Controlled Therapeutic Medications Schedule, as adopted by rule, the permitted maximum amount of xylazine allowed in a post-race blood sample was 10 picograms per milliliter of blood serum. The post-race serum sample from Respondent Brooks' horse was 13.4 +/- 1.6 picograms per milliliter. A copy of Rule 61D-6.008 is attached hereto as Exhibit "A" to this motion.
- 4. Later versions of the ARCI Controlled Therapeutic Medications Schedule, starting with Version 4.0 issued by the ARCI on April 20, 2017, increased the maximum amount of xylazine allowed in a post-race sample to 200 picograms per milliliter of blood serum. Accordingly, under the ARCI controlled therapeutic medication schedule in effect at the time of Regal Chant's race, the finding of 13.4 picograms of xylazine in the post-race blood sample would not be a drug positive. A copy of the ARCI Controlled Therapeutic Medications Schedule Version 4.0 is attached hereto as Exhibit "B" to this motion.
- Under Florida law, the Division was unable to adopt the ARCI
 Controlled Therapeutic Medications Schedules as they changed from time

- to time. Accordingly, the Division was unable to amend Rule 61D-6.008 to reflect the increased threshold amount for declaring a xylazine positive.
- 6. The Stewards that adjudicate medication positive tests against trainers at the race track, recognizing that the threshold of xylazine has changed from 10 to 200, typically fine the trainer \$100 for a xylazine positive at the level found in the post-race blood sample of Regal Chant, trained by Respondent Brooks.
- 7. In fact, after the final order entered herein, Respondent Brooks had a second xylazine overage, under 200 picograms per milliliter in blood serum where the stewards fined him \$100. A copy of the stewards' order is attached hereto as Exhibit "C" to this motion.
- 8. Based on the concept of fundamental fairness, it is unfair for the Division to severely punish a trainer whose horse tests positive for xylazine at a level under 200 picograms per milliliter, as the Division has knowledge that the ARCI has changed the threshold.
- 9. The penalty imposed upon Respondent Brooks in the Division's Final Order dated March 14, 2022 is fundamentally unfair as it not only fines Respondent Brooks \$1,000, but it also orders to him to return the second place purse of the race, which could be thousands of dollars, with the threat that the failure to return the purse may result in administrative action being taken against the owner of Regal Chant.

WHEREFORE, Respondent requests that the commission reduce the penalty imposed against Respondent Brooks to \$100 for the reasons set forth above.

CERTIFICATE OF SERVICE

I CERTIFY that on this 22nd day of September, 2022, a copy of the foregoing was e-mailed to Marc D. Taupier, Esq., Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399, Marc.Taupier@fgcc.fl.gov.

BEILLY & STROHSAHL, P.A. 1144 S.E. 3rd Avenue Ft. Lauderdale, FL 33316 Telephone 954-763-7000 Facsimile 954-525-0404

/s/ Bradford J. Beilly

Bradford J. Beilly Fla. Bar No. 310328 brad@beillylaw.com John Strohsahl Fla. Bar No. 0609021 john@beillylaw.com

61D-6.008 Permitted Medications for Horses.

- (1) The prescription medications defined in this rule shall be permitted under the conditions set forth to conserve and protect the health of the horse which is entered to race. All such medications shall be procured and administered by a licensed veterinarian, except where a valid prescription or dispensing occurs in compliance with the requirements of Chapter 474, F.S.
- (2) The following permitted medications at concentrations less than or equal to the following schedule shall not be reported by the racing laboratory to the Division as a violation of Section 550.2415, F.S.:
- (a) The detection of acepromazine [2-(1-hydroxyethyl) promazine sulfoxide] at a urinary concentration of 10 nanograms per milliliter.
 - (b) The detection of albuterol at a urinary concentration of 1 nanogram per milliliter.
 - (c) The detection of betamethasone at a blood serum concentration of 10 picograms per milliliter.
- (d) The detection of butorphanol (total) at a urinary concentration of 300 nanograms per milliliter, or (free) at a blood serum concentration of 2 nanograms per milliliter.
- (e) The detection of clenbuterol at a urinary concentration of 140 picograms per milliliter, or a blood serum concentration at the lowest level of detection.
 - (f) The detection of dantrolene (5-hydroxydantrolene) at a blood serum concentration of 100 picograms per milliliter.
- (g) The detection of detomidine (carboxydetomidine) at a urinary concentration of 1 nanogram per milliliter, or a blood serum concentration at the lowest level of detection.
 - (h) The detection of dexamethasone at a blood serum concentration of 5 picograms per milliliter.
 - (i) The detection of diclofenac at a blood serum concentration of 5 nanograms per milliliter.
 - (j) The detection of dimethyl sulfoxide (DMSO) at a blood serum concentration of 10 micrograms per milliliter
 - (k) The detection of firocoxib at a blood serum concentration of 20 nanograms per milliliter.
- (l) The detection of furosemide at a blood serum concentration of 100 nanograms per milliliter and a urine specific gravity of less than 1.010.
 - (m) The detection of glycopyrrolate at a blood serum concentration of 3 picograms per milliliter.
 - (n) The detection of isoflupredone at a blood serum concentration of 100 picograms per milliliter.
 - (o) The detection of lidocaine at a blood serum concentration of 20 picograms per milliliter.
- (p) The detection of mepivacaine (hydroxymepivacaine) at a urinary concentration of 10 nanograms per milliliter, or a blood serum concentration at the lowest level of detection.
 - (q) The detection of methocarbamol at a blood serum concentration of 1 nanogram per milliliter.
 - (r) The detection of methylprednisolone at a blood serum concentration of 100 picograms per milliliter.
 - (s) The detection of omeprazole at a urinary concentration of 1 nanogram per milliliter.
 - (t) The detection of prednisolone at a blood serum concentration of 1 nanogram per milliliter.
 - (u) The detection of procaine penicillin at a blood serum concentration of 25 nanograms per milliliter.
 - (v) The detection of triamcinolone acetonide at a blood serum concentration of 100 picograms per milliliter.
 - (w) The detection of xylazine at a blood serum concentration of 0.01 nanogram per milliliter.
- (3) Samples collected may contain one of the three non-steroidal anti-inflammatory drugs (NSAIDs) listed below, up to the primary threshold. Samples may contain two of the NSAIDs at a concentration up to the secondary threshold. No more than two of the NSAIDs listed below may be present in any sample.
- (a) Flunixin at a primary blood serum concentration of 20 nanograms per milliliter, and a secondary blood serum concentration of 3 nanograms per milliliter.
- (b) Ketoprofen at a primary blood serum concentration of 2 nanograms per milliliter, and a secondary blood serum concentration of 1 nanogram per milliliter.
- (c) Phenylbutazone at a primary blood serum concentration of 2 micrograms per milliliter, and a secondary blood serum concentration of 0.3 micrograms per milliliter.
- (4)No Androgenic-Anabolic Steroids (AAS) shall be permitted in test samples collected from racing horses, except for the major metabolites of stanozolol, nandrolone, and the naturally occurring substances boldenone and testosterone at concentrations less than the following thresholds:
 - (a) Stanozolol or 16β -hydroxystanozolol 1 nanogram per milliliter in urine for all horses regardless of sex.

- (b) Boldenone -15 nanograms per milliliter in urine of male horses other than geldings. No boldenone shall be permitted in geldings or female horses.
- (c) Nandrolone -1 nanogram per milliliter in urine of geldings or females; or 45 nanograms per milliliter of metabolite, 5α -oestrane- 3β , 17α -diol in urine of male horses other than geldings.
- (d) Testosterone 20 nanograms per milliliter in urine of geldings, 55 nanograms per milliliter in urine of females. Samples collected from male horses other than geldings will not be tested for testosterone.
- (5) All prescription medications, regardless of method of administration, shall be safeguarded under lock and key when not being actively administered.

Rulemaking Authority 550.0251(3), 550.2415(12) FS. Law Implemented 550.0251(11), 550.2415(1), (7) FS. History–New 10-20-96, Amended 1-5-98, 6-6-00, 5-14-02, 6-6-04, 7-6-06, 8-12-07, 12-30-08, 12-29-11, 1-10-16.

ARCI Controlled Therapeutic Medication Schedule for Horses - Version 4.0

Revised – April 20, 2017

Controlled Therapeutic Medication	Threshold	Withdrawal Guideline	Dosing Specifications	Reference Notes	Note
Acepromazine	10 nanograms per milliliter as 2-(1- hydroxyethyl) promazine sulfoxide (HEPS) in urine	48 hours	Single intravenous dose of acepromazine at 0.05 milligrams per kilogram	University of California at Davis project	Applicable analyte is metabolite HEPS
Albuterol	1 nanogram per milliliter of urine	72 hours	720 micrograms total dose intra-nasal only ¹ . Based upon dosing up to 4 times per day	European Horseracing Scientific Liaison Committee Data	See Endnote
Betamethasone	10 picograms per milliliter of plasma or serum	7 days	Intra-articular administration of 9 milligrams of Betamethasone Sodium Phosphate and Betamethasone Acetate Injectable Suspension, USP (American Regent product #0517-0720-01) ²	RMTC study	Intra-articular dosing only - applicable analyte is betamethasone in plasma or serum
Butorphanol	300 nanograms per milliliter of total butorphanol in urine or 2 nanograms of free butorphanol per milliliter per milliliter of plasma or serum	48 hours	Single intravenous dose of butorphanol as Torbugesic [®] (butorphanol tartrate) at 0.1 milligrams per kilogram	Journal of Veterinary Pharmacology and Therapeutics doi: 10.1111/j.1365- 2885.2012.01385.x	Applicable analytes are total butorphanol (drug and conjugates) in urine and butorphanol in plasma (the drug itself, not any conjugate)

¹ Administration of albuterol by any means other than intra-nasally has a high likelihood in resulting in a positive finding. This specifically includes oral administration. Trainers and veterinarians are cautioned against using oral albuterol.

ARCI

Controlled Therapeutic Medications Schedule

Ver. 4.0, April 2017

² Intramuscular administration of betamethasone acetate will result in plasma or serum concentrations that will exceed the Regulatory Threshold for weeks or even months, making the horse ineligible to race for an extended period.

Controlled Therapeutic Medication	Threshold	Withdrawal Guideline	Dosing Specifications	Reference Notes	Note
Cetirizine	6 nanograms per milliliter of plasma or serum	48 hours	0.4 milligrams per kilogram twice daily for 5 doses	Kentucky Equine Drug Research Council/University of California at Davis study	Do not administer ivermectin within 48 hours of a race if the horse has been administered cetirizine.
Cimetidine	400 nanograms per milliliter of plasma or serum	24 hours	20 milligrams per kilogram twice daily for 7 doses	Kentucky Equine Drug Research Council/University of California at Davis study	
Clenbuterol	140 picograms per milliliter of urine or Level of Detection in plasma or serum ³	14 days ⁴	Oral administration of clenbuterol as Ventipulmin® syrup (Boehringer-Ingelheim Vetmedica Inc., NADA 140-973) at 0.8 mcg/kg twice a day	University of California at Davis; Boehringer-Ingelheim Vetmedica, Inc.	Applicable analyte is clenbuterol
Dantrolene	100 picograms per milliliter of 5-hydroxydantrolene in plasma or serum	48 hours	Oral administration of 500 milligrams of dantrolene as paste (compounding pharmacy) or capsule formulation (Proctor and Gamble)	Journal of Veterinary Pharmacology and Therapeutics 34, 238– 246	
Detomidine	2 nanograms per milliliter of carboxydetomidine in urine or 1 nanogram per milliter of detomidine in blood.	48 hours	5 mg IV (once)	KY EDRC, UC Davis/UF Study.	Dormosedan ™ used in study.

 ³ For Quarter Horses: Level of Detection in any permitted biological sample.
 ⁴ Clenbuterol is a prohibited substance in Quarter Horses and other breeds racing with Quarter Horses; there is no applicable withdrawal guideline for such horses.

Controlled Therapeutic Medication	Threshold	Withdrawal Guideline	Dosing Specifications	Reference Notes	Note
Dexamethasone	5 picograms per milliliter of plasma or serum	72 hours	Intramuscular and intravenous administration of dexamethasone sodium phosphate or oral administration of dexamethasone at 0.05milligrams per kilogram regardless of route	RMTC study	Applicable analyte is dexamethasone in plasma or serum
Diclofenac	5 nanograms per milliliter of plasma or serum	48 hours	Five inch ribbon topical application of 1% diclofenac liposomal cream formulation. (Surpass Topical Anti-Inflammatory Cream, IDEXX Pharmaceuticals)	Veterinary Therapeutics 6: 57-66 (2005)	Applicable analyte is diclofenac in plasma or serum
Dimethyl sulfoxide (DMSO)	10 micrograms per milliliter of plasma or serum	48 hours	Intravenous	ARCI model rule	Applicable analyte is DMSO in plasma or serum
Firocoxib	20 nanograms per milliliter of plasma or serum	14 days	Oral administration of firocoxib as EQUIOXX oral paste at a daily dose of 0.1 milligram per kilogram for four days	RMTC study	Applicable analyte is firocoxib in plasma or serum

Controlled Therapeutic Medication	Threshold	Withdrawal Guideline	Dosing Specifications	Reference Notes	Note
Furosemide	100 nanogram per milliliter of plasma or serum	4 hours	Single Intravenous dose of furosemide up to 500 milligram ⁵	ARCI model rule	Must also have urine specific gravity < 1.010 for a violation.
Glycopyrrolate	3 picograms per milliliter plasma or serum	48 hours	Single intravenous dose of 1 milligram of glycopyrrolate as Glycopyrrolate Injection, USP (American Regent product # 0517-4601-25)	RMTC study; Journal of Veterinary Pharmacology and Therapeutics doi: 10.1111/j.1365- 2885.2011.01272.x	Applicable analyte is glycopyrrolate in plasma or serum
Guaifenesin	12 nanograms per milliliter of plasma or serum	48 hours	2 grams twice daily for 5 doses	Kentucky Equine Drug Research Council/University of California at Davis study	
Isoflupredone	100 picograms per milliliter of plasma or serum	7 days	10 milligrams total dose subcutaneous or 20 milligrams total dose in one articular space	RMTC Study	
Lidocaine	20 picograms per milliliter of total 30H- lidocaine in plasma or serum	72 hours	200 milligrams of lidocaine as its hydrochloride salt administered subcutaneously	European Horseracing Scientific Liaison Committee data; Iowa State University study.	Applies to total major hydroxylated metabolite (i.e., includes conjugates)

⁵ ARCI-0110929(F)(2)(d) and ARCI-025-020(F)(2)(d) state that the dose of Furosemide "shall not exceed 500 milligrams nor be less than 150 milligrams."

Controlled Therapeutic Medication	Threshold	Withdrawal Guideline	Dosing Specifications	Reference Notes	Note
Mepivacaine	10 nanograms total hydroxymepivacaine per milliliter of urine or above Level of Detection of mepivacaine in plasma or serum	72 hours	Single 0.07 milligrams per kilogram subcutaneous dose of mepivacaine	European Horseracing Scientific Liaison Committee data	
Methocarbamol	1 nanogram per milliliter of plasma or serum	48 hours	Single intravenous dose of 15 milligrams per kilogram methocarbamol as Robaxin® or 5 grams orally	Journal of Veterinary Pharmacology and Therapeutics doi: 10.1111/jvp.12068	Applicable analyte is methocarbamol in plasma or serum
Methylprednisolone	100 picograms per milliliter of plasma or serum	See Dosing Specifications	Total dose of methylprednisolone acetate suspension in one articular space ⁶ . The recommended withdrawal for methylprednisolone acetate is a minimum of 21 days at a 100 milligram dose	Journal of Veterinary Pharmacology and Therapeutics volume 37, Issue 2, pages 125–132, April 2014	Applicable analyte is methylprednisolone
Omeprazole	omeprazole sulfide - 10 nanograms per milliliter of plasma or serum	24 hours	Orally (2.2 grams) once daily for 4 doses	Kentucky Equine Drug Research Council/University of California at Davis study	GastroGuard™ used in the study

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⁶ Intramuscular administration of methylprednisolone acetate will result in plasma or serum concentrations that will exceed the Regulatory Threshold for weeks or even months, making the horse ineligible to race for an extended period. Please see Dosing Specifications for recommended withdrawal time.

Controlled Therapeutic Medication	Threshold	Withdrawal Guideline	Dosing Specifications	Reference Notes	Note
Prednisolone	1 nanogram per milliliter of plasma or serum	48 hours	1 milligram per kilogram orally		Applicable analyte is prednisolone in plasma or serum
Procaine penicillin (administration must be reported to Commission)	25 nanograms per milliliter of plasma or serum	Following entry to race	Intramuscular	RMTC – reference notes online	Mandatory surveillance of horse at owner's expense 6 hours before racing
Ranitidine	40 nanograms per milliliter of plasma or serum	24 hours	8 milligrams per kilogram twice daily for 7 doses	Kentucky Equine Drug Research Council/University of California at Davis study	
Triamcinolone acetonide	100 picograms per milliliter of plasma or serum	7 days	Total dose of 9 milligram in one articular space ⁷	Equine Veterinary Journal, 10.1111/evj.12059 (2013)	Applicable analyte is triamcinolone acetonide in plasma or serum
Xylazine	200 picograms per milliliter of plasma or serum	48 hours	200 milligrams intravenously	University of California at Davis study	Applicable analyte is xylazine.

⁷ Intramuscular administration of triamcinolone acetonide will result in plasma or serum concentrations that will exceed the Regulatory Threshold for weeks or even months, making the horse ineligible to race for an extended period.

Non-Steroidal Anti-Inflammatory Drug (NSAID) Rules for Horses^{††}

Controlled Therapeutic Medication	Threshold (Primary)	Withdrawal Guideline	Dosing Specifications	Reference Notes	Threshold (Secondary)
Flunixin	20 nanogram per milliliter of plasma or serum	32 hours	Single intravenous dose of flunixin as Banamine® (flunixin meglumine) at 1.1 milligram per kilogram	University of California at Davis/RMTC study	Secondary anti- stacking threshold: 3.0 nanograms per milliliter of plasma or serum (Administration 48 hours prior)
Ketoprofen	2 nanograms per milliliter of plasma or serum	24 hours	Single intravenous dose of ketoprofen as Ketofen [®] at 2.2 milligrams per kilogram	HFL Sport Sciences/ Kentucky Equine Drug and Research Council/RMTC study	Secondary anti- stacking threshold: 1 nanogram per milliliter of plasma or serum (Administration 48 hours prior)
Phenylbutazone	2 micrograms per milliliter of plasma or serum	24 hours	Single intravenous dose of phenylbutazone at 4.0 milligrams per kilogram	ARCI model rule	Secondary anti- stacking threshold: 0.3 micrograms per milliliter of plasma or serum (Administration 48-hours prior)

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^{††} Samples collected may contain one of the NSAIDs in this chart at a concentration up to the Primary Threshold. Samples may also contain another of the NSAIDs in this chart up at a concentration up to the Secondary Threshold. No more than 2 of the NSAIDs in this chart may be present in any sample.

Recent Document Revisions

Date	Version	Revision	Revision Description
Apr-17	4.0	Clenbuterol	Added footnotes establishing Clenbuterol as a prohibited substance in Quarter Horses with no applicable withdrawal guideline for Quarter Horses or breeds racing with Quarter Horses.
Apr-17	4.0	Whole document	Re-numbered footnotes throughout document to make them continuous
Dec-16	3.2	Omeprazole	Clarified threshold for omeprazole sulfide.
Sep-16	3.1	Detomidine	Amended threshold and dosing specifications.
Mar-16	3	Omeprazole	Amended threshold and dosing specifications
Mar-16	3	Xylazine	Amended threshold and dosing specifications
Mar-16	3	Guaifenesin	Added as New Substance to Controlled Therapeutic Medication Schedule
Mar-16	3	Cetirizine	Added as New Substance to Controlled Therapeutic Medication Schedule
Mar-16	3	Ranitidine	Added as New Substance to Controlled Therapeutic Medication Schedule
Mar-16	3	Cimetidine	Added as New Substance to Controlled Therapeutic Medication Schedule
Apr-15	2.02	Methylprednisolone	Directed readers to use Dosing Specification column for recommended withdrawal guideline.
Apr-15	2.02	Furosemide	Added clarifying language to Furosemide reflecting ARCI-011- 020(F)(2)(d) and ARCI-025-020(F)(2)(d) minimum and maximum thresholds
Apr-15	2.02	Added "For Horses" to Title	Added the words "for Horses" to document title
Apr-14	2.01	Methocarbamol	Corrected dosage from 0.15 milligrams per kilogram to 15 milligrams per kilogram
Apr-14	2	Dimethyl sulfoxide (DMSO)	Removed "oral" from dosing specifications
Apr-14	2	Xylazine	Changed Note section from "Applies to xylazine and xylazine metabolite" to "Applies to analyte xylazine"

Apr-14	2	Xylazine	Corrected typographical error in Threshold from "0.01ng/mg of plasma or serum" to "0.01 nanogram per milliliter of plasma or serum"
Apr-14	2	Isoflupredone	Added Isoflupredone as New Substance to Controlled Therapeutic Medication Schedule
Apr-14	2	Albuterol	Added Albuterol as New Substance to Controlled Therapeutic Medication Schedule
Apr-14	2	Flunixin, Ketoprofen, Phenylbutazone	Added Secondary Anti-Stacking Threshold
Apr-14	2	Flunixin, Ketoprofen, Phenylbutazone	Created separate section for Non-Steroidal Anti-Inflammatory Drugs at end of Controlled Therapeutic Medication Schedule, Relocated Flunixin, Ketoprofen, and Phenylbutazone to new section
Apr-14	2	<all substances=""></all>	Changed Table Header from "No Pre-Race Treatment Within" to "Withdrawal Guideline"
Apr-13	1	<all substances=""></all>	Original Controlled Therapeutic Medication Schedule Adopted by ARCI Board of Directors



Division of Parl-Mutuel Wagering Louis Trombetta, Director Office of the Director 2601 Blair Stone Road Tallahassee, FL 32399-1035 Phone: 850.488.9130 • Fax: 850.488.0550

Melanle S. Griffin, Secretary

Ron DeSantis, Governor

RULING OF THE STEWARDS

Date: May 14, 2022 Division Case Number: 2022013922

Licensee Name: GERALD EDWARD BROOKS

License Number: 7810065

License Type: 1021

Incident Date: February 24, 2022

Incident Location: 321 - Gulfstream Park Racing Association

Rule(s) and/or Statute(s) Violated: 550.2415(1)(a)
Final Order
FINDINGS OF FACT

An administrative complaint was filed against GERALD EDWARD BROOKS on 3/29/2022. On 4/14/2022, GERALD EDWARD BROOKS requested a hearing before the Board of Stewards.

The licensee is documented as the trainer of record for Charlotte the Brit. A Blood sample collected from Charlotte the Brit at 321 - Gulfstream Park Racing Association on February 24, 2022 was tested by the University of Florida Racing Laboratory. The University of Florida Racing Laboratory determined that Xylazine was present in the sample at a concentration of 19.5 +/- 1.6 ng/mL.

The licensee has committed one, under appeal violation(s) in the past 365 days. The violation(s) committed include: xylazine.

Witnesses Testimony	
Name	N/A
Occupation/Background	N/A
Relevant Testimony	N/A
Name	N/A
Occupation/Background	N/A
Relevant Testimony	N/A

Documents Presented		
Document Title	N/A	

CONCLUSIONS OF LAW

The Division Stewards have jurisdiction to hear this case pursuant to Sections 120.80 and 550.1155, Florida Statues and Rule 61D-3.001, Florida Administrative Code. Section 550.2415(1)(a), Florida Statutes, states:

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

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	TY IMPOSED
Stewards'	Final Order (*)
Days of Suspension:	N/A
Suspension Dates:	N/A
Fine made payable to the Board of Relief: Gulfstream Park	
Board of Stewards Signatures:	5-15-7
Gerald E. Brooks Case Number:	Steighen Dijnauro (Assoc. Steward) Date
2022013922	ge 1 41/ An 5-15-2
	Chip Spencer (Assoc. Steward) Date
	100 Cly 5/15/
	Jeff C Dy (State Steward) Date

before or immediately after the racing of that animal.

The 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 according to Section 550.2415(1)(c), Florida Statutes.

Rule 61D-6.008, Florida Administrative Code, states Xylazine is only permitted to be detected in a race day sample at a concentration less than or equal to (number fig/ml). The University of Florida Racing Lab tested the race day sample from Charlotte the Brit and detected Xylazine at a concentration of 19.5 +/- 1.6 ng/mL, in violation of Division Rule.

Rule 61D-6.002, Florida Administrative Code, states "the trainer of record shall be responsible for and be the absolute insurer of the condition of the horses or racing greyhounds, he/she enters to race. GERALD EDWARD BROOKS is the trainer of record of Charlotte the Brit and therefore responsible for this violation pursuant to Rule 61D-6.002, Florida Administrative Code, and Section 550.2415(2), Florida Statutes.

The stewards hereby find, GERALD EDWARD BROOKS in violation of Section 550.2415(1)(a), Florida Statutes, and Rule 61D-6.011, Florida Administrative Code, by racing a horse found to have been administered Xylazine at a concentration of 19.5 +/- 1.6 ng/mL. The Association of Racing Commissioners International, ARCI, standards adopted in Rule 61D-6.011, Florida Administrative Code, classify this drug or substance as a Class 3 substance. The ARCI Penalty Class for this substance is Class B. Based on the facts established regarding the licensee's history of violations the ARCI Recommended Penalty is \$500.00 fine ,15 day suspension and loss of purse.

Having been sent a Notice of Violation and Hearing on May 8,2022 and failing to appear, Mr. Brooks under Rule 61D-3.001 Sec 14 (B) waives his right to a formal hearing. Mr. Brooks is hereby fined the sum of One Hundred Dollars (\$100.00) due and payable to the Board of Relief at Gulfstream Park within fifteen (15) days of the Agency filing date of this document.

Mitigatir	ng Facts
Type of Mitigation or Aggravation (Rule 61D-6.011, F.A.C.)	Factual Findings
(a) The impact of the offense to the integrity of the pari-mutuel industry.	The mitigating factors are the levels that were reported ,still fall under the 2014 guidelines . The Association of Racing Commissioners (ARCI) and the Racing Medication +Testing Consortium (RMTC) raised the levels from 0.01 nanograms per milliliter to the current level of 0.2 ng/mL.
(b) The danger to the public and/or racing animals.	
(c) The number and date of prior violations of any penalty class in Florida and any other jurisdiction.	
(d) The number of similar prior offenses.	
(e) The time period between offenses.	
(f) The number of complaints filed against the licensee, which have resulted in prior discipline.	
(g) The length of time the licensee has been licensed in Florida or any other jurisdiction.	

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RECEIVED, 06/14/2022 10:06:22 AM, Clerk, First District Court of Appeal

STATE OF FLORIDA IN THE DISTRICT COURT OF APPEAL FIRST DISTRICT

GERALD EDWARD BROOKS,

Appellant,

DCA Case No.: 1D22-1129 DBPR Case No.: 2022-001778

vs.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING,

Appellee.

RECORD ON APPEAL

STATE OF FLORIDA IN THE DISTRICT COURT OF APPEAL FIRST DISTRICT

GERALD EDWARD BROOKS,

Appellant, DCA Case No.: 1D22-1129
DBPR Case No.: 2022-001778

VS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING,

Appellee.	

INDEX TO RECORD

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Mar 15, 2022	Final Order, With Exhibit	15
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Deputy Agency Clerk

CLERK Evetle Lawson-Proctor

Date 1/18/2022

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,

DBPR Case No.: 2022-001778 V.

GERALD EDWARD BROOKS,

Respondent.

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Gerald Edward Brooks ("Respondent"), and alleges as follows:

- Petitioner is the state agency charged with regulating pari-mutuel wagering 1. pursuant to Chapter 550, Florida Statutes.
- At all times material hereto, Respondent held a Pari-Mutuel Wagering 2. Professional Individual Occupational License, 7810065-1021, issued by Petitioner.
- 3. Respondent has no prior violations of Section 550.2415, Florida Statutes, in the previous 365 days.
- 4. At all times material hereto, Respondent was the trainer of record for the racing horse "Regal Chant," with microchip number 985141001304951.
- 5. At all times material hereto, "Regal Chant" was owned by "Gerald E. Brooks, and Carl L. Hess, Jr.," who hold Pari-Mutuel Wagering Professional Individual Occupational License numbers, 7810065-1021, and 11061701-1021, issued by Petitioner.

- 6. On November 19, 2021, "Regal Chant" participated in the 7th race of the performances held by Gulfstream Park Racing Association, Inc. ("Gulfstream Park").
- 7. On November 19, 2021, "Regal Chant" finished in 2nd place in the 7th race of the performances held by Gulfstream Park.
- 8. Gulfstream Park is a facility operated by a permitholder authorized to conduct pari-mutuel wagering in this state under Chapter 550, Florida Statutes.
- 9. On November 19, 2021, blood sample number 308689 was collected from "Regal Chant."
- 10. Blood sample number 308689 was processed and forwarded to the University of Florida Racing Laboratory ("UF Lab"), for analysis.
- 11. The UF Lab tested the serum extracted from blood sample number 308689 and found that it contained xylazine.
- 12. In blood sample number 308689, **xylazine** was detected at a serum concentration of 13.4 +/- 1.6 pg/mL.
 - 13. 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.

14. According to Rule 61D-6.008(2)(w), Florida Administrative Code, it is a violation of Section 550.2415, Florida Statutes, if xylazine exists at a serum concentration greater than 0.01 ng/mL.

15. 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."

16. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of

record shall be responsible for and be the absolute insurer of the condition of the horses...he/she

enters to race."

17. Based on the foregoing, Respondent violated Section 550.2415(1)(a), Florida

Statutes, and Rule 61D-6.008(2)(w), Florida Administrative Code, by racing "Regal Chant" with

an impermissible concentration of a permitted substance in its body on November 19, 2021.

WHEREFORE, Petitioner respectfully requests the Division enter an Order imposing

against Respondent one or more of the penalties specified in Rule 61D-6.011, Florida

Administrative Code, Section 550.2415(3)(a), Florida Statutes, and/or any other relief that the

Division is authorized to impose pursuant to Chapter 550, Florida Statutes, and/or the rules

promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2022-001778 is signed this 14th

day of January, 2022.

/s/Eric Saccomanno

Eric Saccomanno

Assistant General Counsel

FBN: 1032559

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) 717-1786

Facsimile: (850) 921-1311

Primary: Eric.Saccomanno@MyFloridaLicense.com Secondary: Ebonie.Lanier@MyFloridaLicense.com

2022-001778

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NOTICE OF RIGHTS TO REQUEST A HEARING

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

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

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

NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to Rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each 'Report of Positive Result' from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use <u>Form DBPR PMW-3290</u>, <u>Notification to Stewards/Judge of Split Sample Request</u> (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.

2022-001778

EXHIBIT A

12-23-21;03:09PM;

5/ 5



College of Medicine
Department of Pathology, Immunology and Laboratory Medicine
Racing Laboratory

FO Box 100275 Gainesville, FL 32610-0275 352-392-2238 352-846-1052 Fax

December 23, 2021

Mr. Louis Trombetta, Director Division of Parl-Mutuel Wagering Department of Business and Professional Regulation 2601 Biair Stone Road Tallahassee, FL 32399-1037

RE:

Report of Positive Result

Sample 308689 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

xylazine found in serum

xylazine (a central nervous system depressant and Class 3 drug) - the concentration of xylazine is 13.4 */- 1.6 pg/mL

 D162112-FHB
 Horse Serum
 7.7 g
 INTACT

 Laboratory Number
 Specimen
 Final Weight
 Seal

 Guifstream Park
 11/19/2021
 11/23/2021

 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 01/01/2022, or upon commencement of administrative action, whichever

Dirk A Hunt Associate Director

DIOUNS NOISI

Chemist III

Page 1 of 1

University of Florida Recing Lab ISO/IEC 17025-2017 Certificate # AT-1842 22-18

The Foundation for The Gator Nation Ac Equal Opportunity Institution

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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

December 23, 2021

Mr. Louis Trombetta, Director
Division of Pari-Mutual Wagering
Department of Business and Professional Regulation
2601 Biair Stone Road
Tallahassee, FL 32399-1037

RE: Report of Positive Result

Sample 308689 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

xytazine found in serum

xylazine (a cantral nervous system depressant and Class 3 drug) - the concentration of xylazine is 13.4 -/- 1.6 pg/ml.

D162112-FHB	Horse Serum	7.7 g	INTACT
Laboratory Number	Specimen	Final Weight	Seal
Gulfstream Park	81	11/19/2021	11/23/2021
Collected From		Date Collected	Date Received

Pursuant to Chapter 550.2416 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 01/01/2022, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Brooks Nelson

Chemist III

Page 1 of 1

University of Florida Racing Lab ISO/IEC 17025-2017 Certificate # AT-1642 ANTAR

22-18

The Foundation for The Gator Nation
An Equal Opportunity Institution

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Department of Business and Professional Regulation

Senior Deputy Agency Clerk

CLERK Brandon Nichols
Date 3/15/2022
File # 2022-02178

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.: 2022-001778

GERALD EDWARD BROOKS,

Respondent.

FINAL ORDER

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), issues this Final Order against Gerald Edward Brooks, ("Respondent") as follows:

- 1. An Administrative Complaint was filed in this case on January 18, 2022, alleging that Respondent violated Section 550.2415(1)(a), Florida Statutes, and Rule 61D-6.008(2)(w), Florida Administrative Code. A copy of the Administrative Complaint is attached hereto as Exhibit "1" and incorporated by reference.
- 2. The Administrative Complaint, Election of Rights form, an Explanation of Rights, and a cover letter were served on Respondent via personal service on February 4, 2022. Proof of service is attached hereto as Exhibit "2" and incorporated by reference.
- 3. The Election of Rights form, Explanation of Rights, and cover letter informed Respondent that a written response to the Administrative Complaint, including the right to request a hearing, was due within 21 days of actual service of the Administrative Complaint. *See* Section 120.569(1), Florida Statutes, and Rule 28-106.111, Florida Administrative Code.

- 4. Petitioner informed Respondent that the failure to file a timely response to the Administrative Complaint shall be deemed a waiver of the right to a hearing.
- 5. Respondent has not filed a timely response to the Administrative Complaint.

 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 service of the Administrative Complaint with Election of Rights form, Explanation of Rights, and cover letter on Respondent 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 shall pay an administrative fine in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)**.
- 8. Payment of the fine is to be made by a certified check, cashier's check, or money order (NO PERSONAL CHECKS), made payable to the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering within 30 calendar days of the effective date of this Final Order. Please note DBPR Case Number 2022-001778 on the face of the payment and mail to: Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.
- 9. Additionally, Respondent is responsible for returning the portion of the purse distributed to them, to the Board of Relief Fund established at Gulfstream Park Racing

2

2022-001778

Association, Inc. within 30 days of the effective date of this Final Order. If Respondent fails to return the portion of the purse distributed to them, Respondent is subject to license suspension until their portion of the purse is returned.

- 10. The Owner shall return all money that was distributed to them from the purse, to the Board of Relief Fund established at Gulfstream Park Racing Association, Inc. within 30 days of the effective date of this final order. Failure to return all money distributed from the purse may result in administrative action being taken against the Owner.
- This Final Order is effective on the date it is filed with the Agency Clerk of the Department of Business and Professional Regulation, as indicated on the first page of this Order.

This Final Order in DBPR Case Number 2022-001778 is DONE and ORDERED this

day of March , 2022.

LOUIS TROMBETTA, DIRECTOR

Division of Pari-Mutuel Wagering

Department of Business and Professional Regulation

2601 Blair Stone Road

Tallahassee, Florida 32399-1035

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, Tallahassee, Florida 32399-2202 (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.

2022-001778

CERTIFICATE OF SERVICE

Gerald Edward Brooks

correct copy of this Final Order has been sent via U.S. Mail to:

965 Cherry Hill Boulevard Erie, Pennsylvania 16509

Carl L. Hess, Jr. 2770 Mountain Road Danielsville, Pennsylvania 18038

AGENCY CLERK'S OFFICE

Department of Business and Professional Regulation

CC: Ebonie Lanier



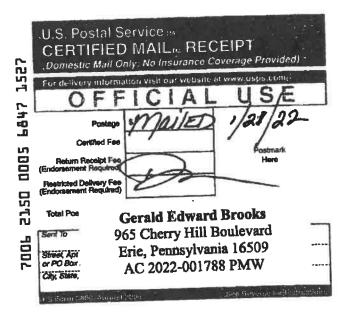


Office of the Seneral Coursel
Division of Part-Mutual Wagering
2501 Start Stone Road
Tatishessee, Florida 32399-2202
Phone: 850.488.0062 • Fac: 850.421.1311

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

		- 1
DEPARTMENT OF BUSINESS AT PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WA		
Petitioner,		
v.	DBPR Case No.: 2022-0	0177
GERALD E. BROOKS.,		
Respondent.		
	VIT OF SERVICE OR DILIGENT SEARCH	Ì
COMES NOW, the Affiant, Division of Pari-Mutuel Wagering, \$	an employee of the Department of Business and Professional Regulate of Florida, who first being duly sworn, deposes and states:	latio
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(PL	EASE CHECK APPLICABLE ANSWER)	
Affiant made personal service	on Respondent on (date), February & 2022	
at (location)	5 / RAILING CONTRACT	
shown in the D.B.P.R. investigation	vice after searching for Respondent at: (a) all addresses for Respondent the case; (b) all official addresses for Respondent shown in his/he ari-Mutuel Wagering; (c) any others:	ent r
-1 /	Signature of Affiant	`
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SENDER: COLUMETE THIS DECITION	COMPLETE THE SECTION OF DELIVERY					
Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse	A. Signeture X. Agent Addressee					
eo that we can return the card to you. W Attach this eard to the back of the matipleos, or on the front if space permits.	B. Received by (Printed April C. Date of Delivery					
1. Article Addressed to Gerald Edward Brooks 965 Cherry Hill Boulevard	D. to defluery adding attrustration (MH 17 17 18 18 18 18 18 18 18 18 18 18 18 18 18					
Erie, Pennsylvania 16509 AC 2022-001788 PMW	2. Service Type O Certified Melic Depend Meli Pagistered Pagistered Pagistered Depend Meli O.O.D.					
	4. Restricted Delivery? (Extra Fine) 1 Yes					
2. Article Numb (Transfer flor PS Form 381						

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

FILED

Department of Business and Professional Regulation Senior Deputy Agency Clerk

CLERK

Brandon Nichols 4/14/2022

File#

GERALD EDWARD BROOKS,

DBPR CASE NO. 2022-001778

Respondent / Appellant,

VS.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING,

Petitioner / Appellee.

NOTICE OF ADMINISTRATIVE APPEAL

NOTICE IS GIVEN that Respondent / Appellant, Gerald Edward Brooks, appeals to the First District Court of Appeal the *Final Order*, rendered by the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering on March 15, 2022. The nature of the order appealed is a final order and a conformed copy of the Final Order is attached hereto as Exhibit "A."

CERTIFICATE OF SERVICE

I CERTIFY that on this 14th day of April, 2022, a copy of the foregoing was e-mailed to Eric Saccomanno, Esq., Division of Pari-Mutuel Wagering, 2601 Blair Stone Rd., Tallahassee, FL 32399, Eric.Saccomanno@myfloridalicense.com.

BEILLY & STROHSAHL, P.A. 1144 S.E. 3rd Avenue Ft. Lauderdale, FL 33316 Telephone 954-763-7000 Facsimile 954-525-0404

Is/ Bradford J. Beilly
Bradford J. Beilly
Fla. Bar No. 310328
brad@beillylaw.com
John Strohsahl
Fla. Bar No. 0609021
john@beillylaw.com

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

CERTIFICATION

I, Ronda L. Bryan, Agency Clerk and Custodian of Records, HEREBY certify the following to be true and correct as on file with the Florida Department of Business and Professional Regulation.

Attached is a true and correct copy of the Record on Appeal, DBPR Case No. 2022-001778, as maintained by the Department of Business and Professional Regulation. The attached is a regularly received and retained record of the Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering, vs. Gerald Edward Brooks and is received and retained in the ordinary course of business of the Department of Business and Professional Regulation.

As the Agency Clerk and Custodian of Records, I am the keeper of the seal and certify that the seal affixed to this document is the true seal for the Florida Department of Business and Professional Regulation.

Certified this 14th day of June, 2022.

Ronda L. Bryan

Agency Clerk

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

IN RE: APPLICATION FOR RELOCATION OF FRONTON HOLDINGS, LLC d/b/a

CACRIC ET PIERCE

CASINO FT. PIERCE

FGCC Case No. 2022-037892 Permit No. 278

RECOMMENDED ORDER

Pursuant to notice, a hearing was conducted in this case pursuant to sections 120.569, 120.57(2), and 550.0555(2), Florida Statutes, before Marc D. Taupier, the duly appointed hearing officer, on October 27, 2022, at 337 North US Hwy #1, Fort Pierce, Florida.

APPEARANCES

For Petitioner:

Gary R. Rutledge Rutledge Ecenia, P.A. 119 South Monroe Street, Suite 202 Tallahassee, Florida 32301

For Florida Gaming Control Commission:

Elizabeth K. Stinson 2601 Blair Stone Road Tallahassee, Florida 32399

STATEMENT OF THE ISSUE

Whether Pari-Mutuel Wagering Permit Number 278 held by Fronton Holdings, LLC d/b/a Casino Ft. Pierce, along with its associated cardroom license, may be relocated to a new location in St. Lucie County, Florida, in accordance with section 550.0555(2), Florida Statutes.

PRELIMINARY STATEMENT

On August 4, 2022, Petitioner Fronton Holdings, LLC d/b/a Casino Ft. Pierce ("Casino Ft. Pierce") filed a Petition with the Florida Gaming Control Commission (the "Commission"), seeking approval to relocate its Jai Alai Pari-Mutuel Permit Number 278 and cardroom license to

a new location lying within a 30-mile radius of its current location, pursuant to section 550.0555(2), Florida Statutes. On October 12, 2022, the Commission appointed the undersigned to conduct a hearing pursuant to section 120.57(2), Florida Statutes. On October 13, 2022, the undersigned issued a Notice of Hearing setting the hearing for October 27, 2022, in St. Lucie County. Notice of the hearing was also published in the Florida Administrative Register on October 20, 2022.

The hearing was held on October 27, 2022, in St. Lucie County, Florida. The parties presented Joint Exhibits 1 - 7 and Petitioner offered the testimony of Andrew Jonas, Chief Operating Officer for Casino Ft. Pierce.

Petitioner timely filed a Proposed Recommended Order on October 28, 2022, which has been duly considered in preparing this Recommended Order.

FINDINGS OF FACT

A. THE PARTIES

- 1. Casino Ft. Pierce is a foreign limited liability company registered to do business in Florida. Casino Ft. Pierce holds Pari-Mutuel Permit No. 278 ("Permit") for the conduct of jai alai performances, including pari-mutuel intertrack and simulcast wagering, as well as an associated cardroom license for the operation of a cardroom at its permitted location at 1750 S. Kings Hwy, Fort Pierce, Florida.
- 2. The Commission oversees and regulates all pari-mutuel wagering permitholders and cardroom licensees in Florida pursuant to chapter 550 and section 849.086, Florida Statutes.

B. RELOCATION OF THE JAI ALAI PERMIT

3. Casino Ft. Pierce is the holder of a valid outstanding pari-mutuel wagering permit (Permit No. 278) authorizing pari-mutuel wagering on jai alai performances at 1750 S Kings Hwy,

Fort Pierce, Florida. Casino Ft. Pierce also holds a cardroom license for the operation of a cardroom at that facility as evidenced by Joint Exhibit 7.

- 4. Casino Ft. Pierce holds the only jai alai fronton pari-mutuel permit issued in St. Lucie County, Florida.
- 5. During the 2021 legislative session, section 550.01215(1)(b)1., Florida Statutes, was enacted allowing certain pari-mutuel permitholders, including jai alai permitholders such as Casino Ft. Pierce, to discontinue live pari-mutuel racing or performances but still conduct pari-mutuel activities such as simulcast and intertrack wagering as well as operate a cardroom. Casino Ft. Pierce has chosen to halt live jai alai performances and, instead, intends to continue to operate its licensed cardroom and conduct pari-mutuel intertrack and simulcast wagering at its facility.
- 6. Casino Ft. Pierce's pari-mutuel facility at its current permitted location was large and was in desperate need of extensive repairs. The facility has been demolished.
- 7. Andrew Jonas, Chief Operating Officer for Casino Ft. Pierce, testified that due to the age and condition of Casino Ft. Pierce's pari-mutuel facility at its current location, the facility required extensive repairs in order to meet the requirements of St. Lucie County for continued operation. As such, Casino Ft. Pierce determined it was best to demolish its pari-mutuel facility due to the extensive and costly nature of the required repairs.
- 8. Mr. Jonas testified that Casino Ft. Pierce was left with two options: (1) demolish and rebuild the facility at its current address; or (2) find a new location that would allow Casino Ft. Pierce to bring operations back up in a timely manner.
- 9. The cost of building materials, alongside the elongated backlog of distribution of materials, would cause Casino Ft. Pierce to stay shut down for a long period of time. This would

consequently lead to no financial gain to Casino Ft. Pierce, continue to displace employees who currently have no place to work, and deprive the state of Florida from tax revenue.

- 10. Casino Ft. Pierce has not operated its cardroom or conducted pari-mutuel wagering operations since it demolished its pari-mutuel facility that was located at its current location. Without the ability to relocate its Permit, Casino Ft. Pierce will not be able to conduct any pari-mutuel or cardroom operations pursuant to its Permit. Relocation of Casino Ft. Pierce's Permit is necessary to ensure Casino Ft. Pierce's revenue-producing capabilities.
- 11. On August 4, 2022, Casino Ft. Pierce filed its Petition with the Commission to relocate its Permit from its current location to 6666 South US 1, Units 2, 2A and 3, Port St. Lucie, Florida. The distance between Casino Ft. Pierce's current location and the proposed location is approximately 7.57 miles. See Jt. Ex. 3. Both locations are within St. Lucie County. See Jt. Exs. 1, 2, 3 and 4.
- 12. Casino Ft. Pierce has requested to relocate to a smaller facility to conduct its cardroom operations and conduct intertrack and simulcast wagering. Casino Ft. Pierce will lease the property located at the proposed new location. <u>See Jt. Ex. 4.</u>
- 13. At the proposed location, Casino Ft. Pierce intends to provide updated amenities that are better suited to its current cardroom and pari-mutuel wagering activities.
- 14. Since Casino Ft. Pierce has not been in operation for many months because its current facility was demolished, approval of the application for relocation will allow Casino Ft. Pierce to begin operating again at the proposed location, which will result in an increase in Casino Ft. Pierce's income from its cardroom operations and intertrack wagering and simulcast activities, as well as, food and beverage sales. Relocating and operating a newer smaller facility

will also reduce Casino Ft. Pierce's operating costs. Relocation will also allow for Casino Ft. Pierce to generate state tax revenue.

- 15. Mr. Jonas testified that its plan to relocate its pari-mutuel and cardroom operations to the proposed location is permitted under St. Lucie County's zoning regulations. St. Lucie County's zoning verification letter was submitted as Joint Exhibit 6.
- 16. The only pari-mutuel permittee within 50 miles is Palm Beach Kennel Club, Inc. ("PBKC"), which has represented to the Commission that Casino Ft. Pierce's proposed relocation would not deteriorate its revenue producing capabilities. PBKC submitted a letter to the Commission which confirms that the instant relocation will not deteriorate the revenue-producing capability of PBKC's facility and its non-objection to the relocation of Casino Ft. Pierce. See Jt. Ex. 5.
- 17. Mr. Jonas testified that development of its facility at the proposed location will potentially be completed by the end of calendar year 2022, and no later than Quarter 1 of calendar year 2023. Mr. Jonas testified that the new facility will be in compliance with all statutes and regulations regarding intertrack wagering, simulcasting and the operation of a cardroom.
- 18. Based on the foregoing, the relocation of Casino Ft. Pierce is necessary to ensure the revenue producing capabilities of Casino Ft. Pierce and its proposed relocation will not deteriorate the revenue producing capabilities of any other pari-mutuel permittee within 50 miles.

CONCLUSIONS OF LAW

- 19. The Commission has jurisdiction over the parties to and the subject matter of this proceeding pursuant to chapter 550, Florida Statutes.
- 20. As the holder of the only pari-mutuel permit for a jai alai fronton issued in St. Lucie County, Florida, Casino Ft. Pierce is authorized pursuant to section 550.0555, Florida Statutes, to

relocate its Permit to a new location within a 30-mile radius of its existing permitted location in St. Lucie County.

- 21. With respect to the relocation of a jai alai fronton, section 550.0555(2), Florida Statutes, provides, in pertinent part, that:
 - ... any holder of a valid outstanding permit for jai alai in a county where only one jai alai permit is issued, is authorized, without the necessity of an additional county referendum required under s. 550.0651, to move the location for which the permit has been issued to another location within a 30-mile radius of the location fixed in the permit issued in that county, provided the move does not cross the county boundary, that such relocation is approved under the zoning regulations of the county or municipality in which the permit is to be located as a planned development use, consistent with the comprehensive plan, and that such move is approved by the commission after it is determined at a proceeding pursuant to chapter 120 in the county affected that the move is necessary to ensure the revenue-producing capability of the permittee without deteriorating the revenue-producing capability of any other pari-mutuel permittee within 50 miles; the distance shall be measured on a straight line from the nearest property line of one . . . jai alai fronton to the nearest property line of the other.
 - 22. The record in this proceeding supports the following undisputed facts:
 - a. Casino Ft. Pierce is the holder of a valid outstanding permit for the conduct of jai alai performances in a county where only one jai alai permit is issued.
 - b. The proposed new location at 6666 South US 1, Port St. Lucie, Florida, is within a 30-mile radius of Casino Ft. Pierce's current location at 1750 S
 Kings Hwy, Fort Pierce, Florida, and the relocation does not cross the county boundary;
 - c. St. Lucie County has confirmed that operating a cardroom and conducting pari-mutuel intertrack and simulcast wagering activities at the proposed new location are allowed as permitted uses by right under the applicable county zoning;

d. A hearing was held pursuant to chapter 120, Florida Statutes, in St. Lucie

County;

The relocation is necessary to ensure the revenue producing capability of e.

Casino Ft. Pierce; and

f. The relocation would not deteriorate the revenue producing capability of

any pari-mutuel permittee within 50 miles.

23. Based on the undisputed facts established in the record, Casino Ft. Pierce's

application for relocation of its Permit complies with the requirements of section 550.0555(2),

Florida Statutes.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby

RECOMMENDED that the Florida Gaming Control Commission enter a Final Order approving

Fronton Holdings, LLC d/b/a Casino Ft. Pierce's application to relocate its Permit from its current

permitted location at 1750 S Kings Hwy, Fort Pierce, Florida, to the proposed location at 6666

South US 1, Units 2, 2A and 3, Port St. Lucie, Florida and authorizing the transfer of the Permit

and cardroom license to the new location.

DONE and ENTERED this 31st day of October, 2022, in Tallahassee, Leon County,

Florida.

Marc D/Taupier, Hearing Officer

Florida Gaming Control Commission

2601 Blair Stone Road

Tallahassee, Florida 32399-2202

Telephone: (850) 717-1499

Facsimile: (850) 921-1311

Marc.Taupier@fgcc.fl.gov

7

Filed with the Clerk of the Florida Gaming Control Commission this 31st day of October, 2022.

Florida Gaming Control Commission
Office of the Agency Clerk

Clerk Donna Fleming

Date 8/4/2022

FLORIDA GAMING CONTROL COMMISSION

IN RE:

APPLICATION FOR RELOCATION

OF FRONTON HOLDINGS, LLC

d/b/a CASINO FT. PIERCE

Permit No. 278

FGCC Case # 2022-037892

<u>PETITION FOR RELOCATION OF PARI-MUTUEL PERMIT</u> <u>PURSUANT TO SECTION 550.0555</u>, FLORIDA STATUTES

FRONTON HOLDINGS, LLC d/b/a CASINO FT. PIERCE ("Ft. Pierce") pursuant to Section 550.0555(2), Florida Statutes, files this Petition requesting the Florida Gaming Control Commission ("Commission") to approve Ft. Pierce's relocation of its jai alai pari-mutuel permit to another location within St. Lucie County and as grounds therefor states:

- 1. Ft. Pierce holds pari-mutuel permit number 278, for the conduct of parimutuel wagering on jai alai performances in St. Lucie County at its facility currently located at 1750 S Kings Hwy, Fort Pierce, Florida, as is more fully described in its pari-mutuel permit on file with the Commission (the "Permit"). The Permit is the only pari-mutuel permit in St. Lucie County.
- 2. Pursuant to Section 550.0555(2), Florida Statutes, Ft. Pierce requests approval from the Commission to relocate its Permit to another location in St. Lucie County that is within 30-miles of its current location.
 - 3. Section 550.0555(2), Florida Statutes, provides, in pertinent part, that:

Any holder of a valid outstanding permit for greyhound dogracing in a county in which there is only one dogracing permit issued, as well as any holder of a valid outstanding permit for jai alai in a county where only one jai alai permit is issued, is authorized, without the necessity of an additional county referendum required under s. 550.0651, to move the location for which the permit has been issued to another location within a 30-mile radius of the location fixed in the permit issued in that county, provided the move does not cross the county boundary, that such relocation is approved under the zoning regulations of the county or municipality in which the permit is to be located as a planned development use, consistent with the comprehensive plan, and that such move is approved by the department after it is determined at a proceeding pursuant to chapter 120 in the county affected that the move is necessary to ensure the revenueproducing capability of the permittee without deteriorating the revenueproducing capability of any other pari-mutuel permittee within 50 miles; ...

- 4. Due to the age of Ft. Pierce's current pari-mutuel facility, the facility required extensive demolition and repairs in order to meet the requirements of St. Lucie County for continued operation. Ft. Pierce determined it was best to demolish its old facility due to the extensive nature of the required repairs. At this time, Ft. Pierce's facility has been entirely demolished.
- 5. Additionally, during the 2021 legislative session, section 550.01215(1)(b)1., Florida Statutes, was enacted, allowing certain pari-mutuel permitholders, including jai alai permitholders such as Ft. Pierce, to discontinue live pari-mutuel racing or performances but still conduct pari-mutuel activities such as simulcast and intertrack wagering as well as operate a cardroom. Ft. Pierce has chosen to halt live jai alai performances and, instead, intends to continue to operate

its licensed cardroom and operate simulcasting and interstate pari-mutuel wagering at its facility in the future. In light of the fact its current facility has been demolished, Ft. Pierce has not operated its cardroom for some time. Without the ability to relocate its Permit, Ft. Pierce will not be able to conduct any pari-mutuel or cardroom operations pursuant to its Permit. Thus, relocation of Ft. Pierce's Permit is necessary to ensure Ft. Pierce's revenue-producing capabilities. Relocating and operating a newer smaller facility will likely reduce Ft. Pierce's operating costs as well.

- 6. The proposed new site is comprised of Units 2, 2A and 3 of a shopping plaza located at 6666 South US 1, Port St. Lucie, Florida. See Exhibit A, legal description from the St. Lucie County Property Appraiser's website for the shopping plaza.
- 7. The relocation will not deteriorate the revenue-producing capability of any other pari-mutuel permittee within 50 miles of Ft. Pierce. The only pari-mutuel permittee located within 50 miles of Ft. Pierce is Palm Beach Kennel Club, Inc. ("PBKC"), which has provided a letter to the Commission, a copy of which is attached hereto as Exhibit B. The referenced letter from PBKC confirms that the relocation will not deteriorate the revenue-producing capability of its facility and its non-objection to the relocation of Ft. Pierce's Permit.

8. Ft. Pierce requests that the Commission conduct a hearing in St. Lucie County as required by Section 550.0555, Florida Statutes, and approve the relocation of Ft. Pierce's Permit.

WHEREFORE, Ft. Pierce respectfully requests that at the conclusion of the requisite hearing in St. Lucie County, the Commission issue an Order approving the relocation of its Permit.

Respectfully submitted this 4th day of August, 2022.

/s/ Gary R. Rutledge
Gary R. Rutledge
Tana D. Storey
Rutledge Ecenia, P. A.
119 South Monroe Street, Suite 202
Tallahassee, FL 32301
Telephone: (850) 681-6788
gary@rutledge-ecenia.com
tana@rutledge-ecenia.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was filed/served this 4th day of August 2022, as denoted below:

Donna Fleming
Administrative Assistant III, Division Clerk
Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of the Director
2601 Blairstone Road
Tallahassee, FL 32399-1035
Donna.Fleming@fgcc.fl.gov

Louis Trombetta, Executive Director Florida Gaming Control Commission louis.trombetta@fgcc.fla.gov

/s/ Gary R. Rutledge
Gary R. Rutledge





Michelle Franklin

Certified Florida Appraiser

* Close Property Card

Basic Info

Buildings

Foatures/Yard Remi

Values

Salae

Pertrits

Tax Estimate/ nots

Property Card

Вотпинту

Property Identification

Site Address: 6666 S US HIGHWAY 1

Sec/fown/Range: 15/36S/40E Parcel ID: 3415-501-0065-000-4 Julisticion: Saint Lucie County

Ownership

St Lucie EMI LLC St Lucie MEP LLC St Lucie PPI LLC

PO Box 17-8938 Hislesh, FL 33017

Legal Description

MODEL LAND CO'S SZD IN SEC 15 36 40 BLK 4 THAT PART OF LOTS 7 AND 8 IN SE 1/4 MPDAF: FROM NW COR OF SE 1/4 RUN S 89 56 27 E 78 FT TO E RW OF US #1. TH S 00 00 27 EALGERM 15 FT TO N LI OF LOT 7, TH CONT SELY ALGERM 212 FT TO POB,TH N 89 59 33 E 145.50 FT TO CURVE CONC NW,R OF 10 FT,TH NELY ALG ARC 15.71 FT.TH N 00 00 27 W 156.85 FT TO CURVE CONC SW.R OF 25 FT,TK NWLY ALG ARC 39.24 FT TO S RAW LI OF KITTERMAN RD.TH S 89 56 27 E ALG S RAW LI 423.07 FT TO W RAW LEOF CANAL, THIS 00 03 03 W 1284.25 FT TO SILL OF LOTIB, THIN 89 55 49 W ALG S LI 282.35 FT,TH N 00 00 27 W 141.56 FT,TH N 64 56 37 W 73.07 FT,TH S 88 59 33 W 168.81 FT TO CURVE CONCISE,R OF 35 FT,TH SWLY ALGIARC 36,99 FT TO E R/W OF US #1,TH N 00 17 27 E 65.61 FT,TH S 89 42 33 W 12 FT.TH N 00 17 27 W 841.69 FT TO POB-LESS FOL DESC PROP: FROM NW COR OF SE 1/4 RUN S 89 56 27 E 78 FT TO E R/W OF US #1.TH S 00 00 27 E ALG E R/W 257 FT,TH N 89 59 33 E 30 FT TO POB.TH CONT N 89 59 33 E 125 FT,TH S 00 00 27 E 180 FT,TH S 89 59 33 W 125 FT,TH N 00 00 27 W 180 FT TO POB AND LESS FOLDESC PROP: FROM NW COR OF SE 1/4 RUN S 89 56 27 E 78 FT TO E R/W OF US #1,TH S 00 00 27 EALG E R/W 1319.15 FT TO S LI OF LOT 8,TH S 89 55 49 EALG S LI 551.79 FT TO SE COR OF LOT 8,TH N 00 03 03 EALG E LI OF LOT 8 178.67 FT,TH N 89 56 57 W 16.58 FT TO POB,TH N 01 11 43 E 225.40 FT,TH N 80 46 38 W 13.99 FT,TH S 22 14 46 W 114.10 FT.TH N 65 29 51 W 29.91 FT.TH S 25 31 01 W 69.17 FT,TH S 65 06 14 E 20.26 FT,TH S 24 27 64 W 66 FT,TH S 63 55 30 E 29 FT,TH N 84 11 27 E 92.70 FT TO POB (13.70 AC) (OR 2544-984, 989)

Uss Type: 1689
Account #: 41470
Map ID: 34/15S
Zoning: Comm Genra



Total Areas

Finished/Under Air (SF):	93,280
Gross Sketched Area (SF):	103.147
Land Size (acres);	13.7
Land Size (SF):	596 779

Building Design Wind Speed

Occupancy Category (II III & IV Speed 140 160 170

Sources/links:

PALM BEACH KENNEL CLUB

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May 13, 2022

Louis Trombetta, Director Division of Pari-Mutuel Wagering Department of Business and Professional Regulation 2601 Blair Stone Road Tallahassee, FL 32399-1035

Re: Relocation of Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278) ("Ft. Pierce")

Dear Director Trombetta:

It is the understanding of Palm Beach Kennel Club, Inc. that Ft. Pierce plans to relocate its jai alai permit and facility less than 30 miles from its current location in St. Lucie County, pursuant to Section 550.0555, Florida Statutes. The new location will be at 6666 South US One, Port St. Lucie, Florida 34952.

Please accept this correspondence as notification that Palm Beach Kennel Club, as a parimutuel permittee within 50 miles of Ft. Pierce's proposed new location, has no objection to the Division's grant of approval for such relocation inasmuch as such new location will not deteriorate the revenue-producing capability of Palm Beach Kennel Club.

Sincerely.

Patrick J. Rooney, Jr., Presidem Palm Beach Kennel Club, Inc

EXHIBIT B

FILED
FLORIDA GAMING CONTROL COMMISSION
Date: 9/13/2022
File Number: BY: MELBA L. APELLANIZ

CLERK OF THE COMMISSION

FLORIDA GAMING CONTROL COMMISSION

IN RE:	APPLICATION FOR RELOCATION	Permit No. 278
	OF FRONTON HOLDINGS, LLC	FGCC Case No.: 2022-037892
	d/b/a CASINO FT. PIERCE	

NOTICE OF FILING LEASE AND MAP IN RE: PETITION FOR RELOCATION OF PARI-MUTUEL PERMIT PURSUANT TO SECTION 550.0555, FLORIDA STATUTES

FRONTON HOLDINGS, LLC d/b/a CASINO FT. PIERCE ("Ft. Pierce") hereby gives notice of the filing of the executed Lease for the proposed new location and a map demonstrating the distance between the present permit location and the proposed new location.

Respectfully submitted this 13th day of September, 2022.

/s/ Tana D. Storey
Gary R. Rutledge
Tana D. Storey
Rutledge Ecenia, P. A.
119 South Monroe Street, Suite 202
Tallahassee, FL 32301
Telephone: (850) 681-6788
gary@rutledge-ecenia.com
tana@rutledge-ecenia.com

CERTIFICATE OF SERVICE

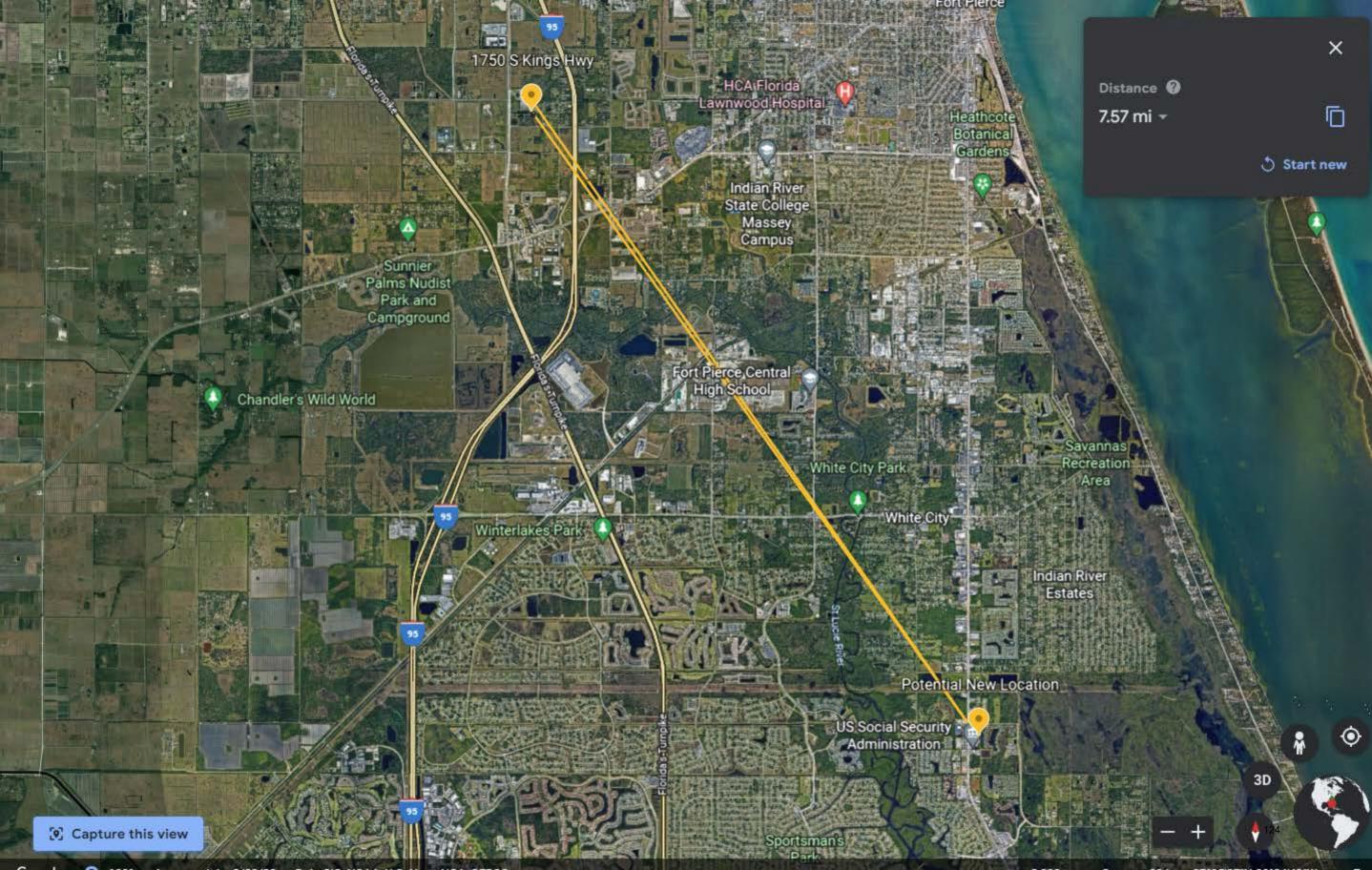
I HEREBY CERTIFY that a true and correct copy of the foregoing was filed/served this 13th day of September 2022, as denoted below:

Agency Clerk Florida Gaming Control Commission Clerk@fgcc.fl.gov

Louis Trombetta, Executive Director Florida Gaming Control Commission louis.trombetta@fgcc.fla.gov

Elizabeth Stinson Florida Gaming Control Commission <u>elizabeth.stinson@fgcc.fla.gov</u>

/s/ Tana D. Storey
Tana D. Storey



FLORIDA GAMING CONTROL COMMISSION

IN RE: APPLICATION FOR RELOCATION OF FRONTON HOLDINGS, LLC d/b/a CASINO FT. PIERCE Permit No. 278 FGCC Case No. 2022-037892

JOINT EXHIBIT AND WITNESS LIST

Fronton Holdings, LLC d/b/a Casino Ft. Pierce ("Casino Ft. Pierce") and the Florida Gaming Control Commission hereby file their Joint Exhibit and Witness List for the October 27, 2022, hearing. Joint Exhibits 1 through 5 are attached hereto. Joint Exhibit 6 will be filed once received from St. Lucie County.

Joint Exhibits

Jt. Ex. 1 – Legal Description for Current Facility

Jt. Ex. 2 – Legal Description for Proposed Location

Jt. Ex. 5 - Palm Beach County Kennel Club, Inc. - No Objection Letter

Jt. Ex. 6 – Zoning Verification Letter from St. Lucie County (late-filed exhibit)

Witnesses

Andrew Jonas, Chief Operating Officer Casino Ft. Pierce

Respectfully submitted this 20th day of October, 2022.

/s/ Gary R. Rutledge

Gary R. Rutledge
Tana D. Storey
Rutledge Ecenia, P. A.
119 South Monroe Street, Suite 202
Tallahassee, FL 32301
Telephone: (850) 681-6788
gary@rutledge-ecenia.com

tana@rutledge-ecenia.com

/s/ Elizabeth K. Stinson

Elizabeth K. Stinson Florida Gaming Control Commission 2601 Blair Stone Road Tallahassee, Florida 32399 Elizabeth.Stinson@fgcc.fl.gov

Michelle Franklin, CFA -- Saint Lucie County Property Appraiser -- All rights reserved.

Property Identification

Site Address: 1750 S KINGS HWY Sec/Town/Range: 13/35S/39E Parcel ID: 2313-233-0001-000-0

Jurisdiction: Fort Pierce

Use Type: 3400 Account #: 13725 Map ID: 23/13N Zoning: General Co

Ownership

Fronton Holdings LLC 1231 SW Sunset TRL Palm City, FL 34990

Legal Description

13 35 39 S 1/2 OF SW 1/4 OF NW 1/4- LESS S 243 FT OF W 358.40 FT AND LESS RD R/W- AND N 1/2 OF NW 1/4 OF SW 1/4-LESS W 272 FT OF N 300 FT AND LESS E 264 FT OF W 536 FT OF N 334.41 FT AND LESS RD R/W AND LESS ADDL RD R/W AS IN OR 3903-2803- (32.35 AC - 1,409,166 SF) (OR 3629-1869)

Current Values

Just/Market Value:\$3,179,700Assessed Value:\$3,179,700Exemptions:\$0Taxable Value:\$3,179,700

Property taxes are subject to change upon change of ownership.

• Past taxes are not a reliable projection of future taxes.

 The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Taxes for this parcel: SLC Tax Collector's Office Download TRIM for this parcel: Download PDF



Total Areas

 Finished/Under Air (SF):
 78,613

 Gross Sketched Area (SF):
 83,481

 Land Size (acres):
 32.35

 Land Size (SF):
 1,409,166

Building Design Wind Speed

Occupancy Category I II III

Speed Sources/links:

All information is believed to be correct at this time, but is subject to change and is provided without any warranty. © Copyright 2022 Saint Lucie County Property Appraiser. All rights reserved.



Michelle Franklin

Certified Florida Appraiser

Features/Yard Items

Property Card

Property Identification

Site Address: 6666 S US HIGHWAY 1

Sec/Town/Range: 15/36S/40E Parcel ID: 3415-501-0065-000-4 Jurisdiction: Saint Lucie County

Ownership

St Lucie EMI LLC St Lucie MEP LLC St Lucie PPI LLC

PO Box 17-0938 Hialeah, FL 33017

Legal Description

MODEL LAND CO'S S/D IN SEC 15 36 40 BLK 4 THAT PART OF LOTS 7 AND 8 IN SE 1/4 MPDAF: FROM NW COR OF SE 1/4 RUN S 89 56 27 E 78 FT TO E RW OF US #1,TH S 00 00 27 EALG E R/W 15 FT TO N LF OF LOT 7, TH CONT SELY ALG E R/W 212 FT TO POB,TH N 89 59 33 E 145.50 FT TO CURVE CONC NW,R OF 10 FT,TH NELY ALG ARC 15.71 FT,TH N 00 00 27 W 156.85 FT TO CURVE CONC SW,R OF 25 FT,TH NWLY ALG ARC 39.24 FT TO S RW LI OF KITTERMAN RD,TH S 89 56 27 E ALG S RW LI 423.07 FT TO W R/W LI OF CANAL,TH S 00 03 03 W 1284.25 FT TO S LI OF LOT 8 ,TH N 89 55 49 W ALG S LI 282.35 FT.TH N 00 00 27 W 141 56 FT,TH N 64 56 37 W 73.07 FT,TH S 89 59 33 W 168.81 FT TO CURVE CONC SE,R OF 35 FT,TH SWLY ALG ARC 36.99 FT TO E R/W OF US #1,TH N 00 17 27 E 65.61 FT,TH S 89 42 33 W 12 FT.TH N 00 17 27 W 841.69 FT TO POB-LESS FOLDESC PROP: FROM NW COR OF SE 1/4 RUN S 89 56 27 E 78 FT TO E R/W OF US #1,TH S 00 00 27 E ALG E R/W 257 FT,TH N 89 59 33 E 30 FT TO POB,TH CONT N 89 59 33 E 125 FT,TH S 00 00 27 E 180 FT,TH S 89 59 33 W 125 FT,TH N 00 00 27 W 180 FT TO POB AND LESS FOLDESC PROP: FROM NW COR OF SE 1/4 RUN S 89 56 27 E 78 FT TO E R/W OF US #1,TH S 00 00 27 EALG E R/W 1319.15 FT TO S LI OF LOT 8,TH S 89 55 49 E ALG S LI 551.79 FT TO SE COR OF LOT 8,TH N 00 03 03 E ALG E LI OF LOT 8 178.67 FT.TH N 89 56 57 W 15.58 FT TO POB,TH N 01 11 43 E 225.40 FT.TH N 80 46 38 W 13.99 FT,TH S 22 14 45 W 114.10 FT,TH N 65 29 51 W 29.91 FT,TH S 25 31 01 W 69.17 FT,TH S 65 06 14 E 20.26 FT,TH S 24 27 54 W 66 FT,TH S 63 55 30 E 29 FT,TH N 84 11 27 E 92.70 FT TO POB (13.70 AC) (OR 2544-984, 989)

Use Type: 1600 Account #: 41470 Map ID: 34/15S Zoning: Comm Genra



Total Areas

Finished/Under Air (SF): 93.280 Gross Sketched Area (SF): 103,147 Land Size (acres): 13.7 Land Size (SF): 596,772

Building Design Wind Speed

Occupancy Category 1 III & IV Speed 140 160 170

Sources/links

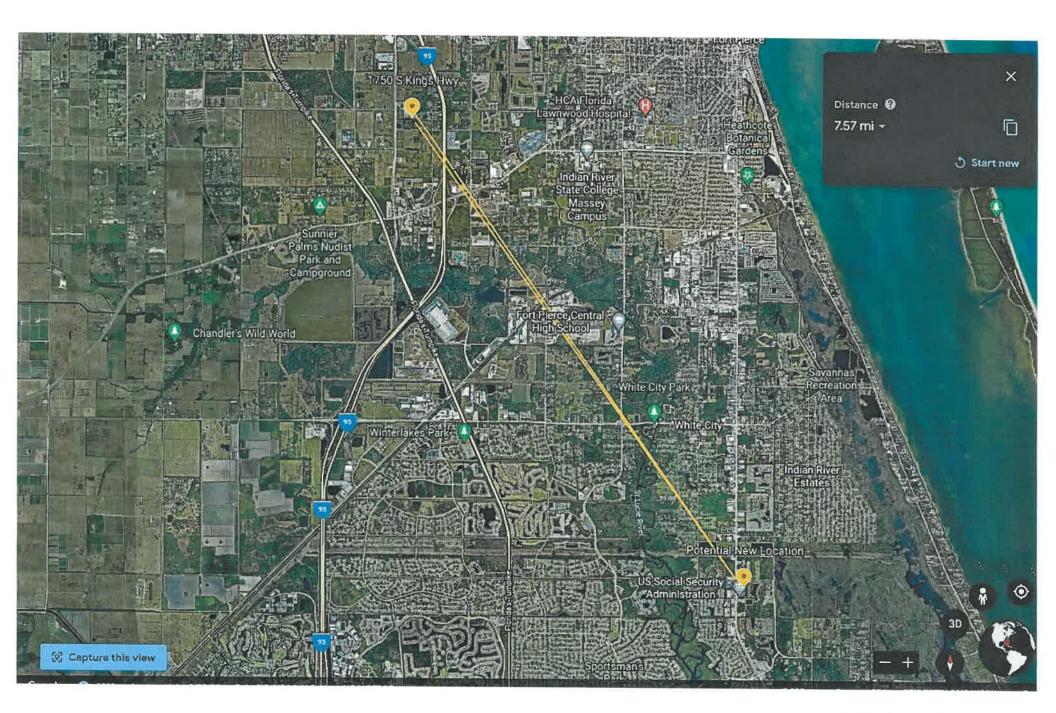


EXHIBIT 3₁₇₄

PALM BEACH KENNEL CLUB

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May 13, 2022

Louis Trombetta, Director Division of Pari-Mutuel Wagering Department of Business and Professional Regulation 2601 Blair Stone Road Tallahassee, FL 32399-1035

Re: Relocation of Fronton Holdings, LLC d/b/a Casino Ft. Pierce (Permit #278) ("Ft. Pierce")

Dear Director Trombetta:

It is the understanding of Palm Beach Kennel Club, Inc. that Ft. Pierce plans to relocate its jai alai permit and facility less than 30 miles from its current location in St. Lucie County, pursuant to Section 550.0555, Florida Statutes. The new location will be at 6666 South US One, Port St. Lucie, Florida 34952.

Please accept this correspondence as notification that Palm Beach Kennel Club, as a parimutuel permittee within 50 miles of Ft. Pierce's proposed new location, has no objection to the Division's grant of approval for such relocation inasmuch as such new location will not deteriorate the revenue-producing capability of Palm Beach Kennel Club.

Sincerely.

Patrick J. Rooney, Jr., President Palm Beach Kennel Club, Inc

EXHIBIT 5

FLORIDA GAMING CONTROL COMMISSION

IN RE: APPLICATION FOR RELOCATION OF FRONTON HOLDINGS, LLC d/b/a CASINO FT. PIERCE

Permit No. 278 FGCC Case No. 2022-037892

NOTICE OF FILING JOINT EXHIBIT NO. 6

NOTICE IS HEREBY GIVEN that on this 21st day of October, 2022, Fronton Holdings, LLC d/b/a Casino Ft. Pierce ("Casino Ft. Pierce") filed Joint Exhibit No. 6 which is the Zoning Verification Letter from St. Lucie County and that a true and correct copy of this Notice and Exhibit was served on the following parties.

Marc D. Taupier, Hearing Officer Florida Gaming Control Commission 2601 Blair Stone Road Tallahassee, Florida 32399-2202 Marc.Taupier@fgcc.fl.gov

Elizabeth K. Stinson
Florida Gaming Control Commission
2601 Blair Stone Road
Tallahassee, Florida 32399
Elizabeth.Stinson@fgcc.fl.gov

Respectfully submitted this 21st day of October, 2022.

/s/ Tana D. Storey
Gary R. Rutledge
Tana D. Storey
Rutledge Ecenia, P. A.
119 South Monroe Street, Suite 202
Tallahassee, FL 32301
Telephone: (850) 681-6788
gary@rutledge-ecenia.com
tana@rutledge-ecenia.com
Counsel for Casino Ft. Pierce



ST. LUCIE WORKS

Board of County Commissioners

> **Chris Dzadovsky** DISTRICT 1

Sean Mitchell **DISTRICT 2** Chair

Linda Bartz **DISTRICT 3**

Frannie Hutchinson **DISTRICT 4** Vice-Chair

Cathy Townsend

DISTRICT 5

Administration

Howard Tipton COUNTY ADMINISTRATOR

Dan McIntyre **COUNTY ATTORNEY** October 20, 2022

Andrew Jonas 1750 S Kings Hwy Fort Pierce, FL 34945

RE: Zoning Verification

Address.: 6666 South U.S. Highway, Fort Pierce, FL

Parcel ID No.: 3415-501-0065-000-4

Mr. Jonas:

In response to your request for Zoning Verification regarding the abovereferenced property, we have researched our files and present the following:

1. What is the current zoning designation is: CG (Commercial, General) Zoning District. The subject property is currently regulated by St. Lucie County Land Development Code (LDC) Section 3.01.03(S).

The future land use designation is: COM (Commercial) Future Land Use Designation.

Are there any overlay districts: None

2. Is the property permitted in the Use Designation? The Commercial General Zoning District permits Amusements and recreation services - except stadiums, arenas, race tracks, amusement parks, pursuant to Standard Industrial Code (SIC 79).

As outlined in the zoning verification request, Casino Ft. Pierce intends to relocate its existing cardroom and pari-mutuel intertrack and simulcast wagering activities, pursuant to Section 550.0555, F.S., to the subject property. St. Lucie County uses the Standard Industrial Classification ("SIC") Code to identify permitted uses within a zoning classification. A cardroom, as well as intertrack and simulcast wagering would fall within the Commercial General Zoning District under SIC Code 79-Amusements and Recreation services - except stadiums, arenas, race tracks, amusement parks. Based on SIC Code 79, the aforementioned uses would be allowed as permitted uses by right at the subject location.

Please note: The development must comply with the Florida Building Code and other St. Lucie County requirements for permitting. Additionally, other federal, state, and local ordinances, regulations, recorded documents or environmental conditions may affect the development or use of the property.

Thank you for your interest in St. Lucie County. I hope you find this information helpful, if you have any questions or concerns, please contact me at (772) 462-2515 or the St. Lucie County Planning Division at 772-462-2822.

Sincerely,

Tohir Cover Tahir Curry, Planner I

EXHIBIT 6



≃ Curryt@stlucieco.org

From: Stinson, Elizabeth
To: Humphries, Brandy
Subject: FW: Submit Notice in FAR

Date: Thursday, October 20, 2022 12:04:14 PM

Attachments: FAR Notice.doc

Hi Brandy,

Could you also include a copy of the notice of hearing (attached) to include in the folder?

Thanks,

Liz

Elizabeth K. Stinson Chief Attorney Florida Gaming Control Commission Office of General Counsel 850.717.1243 Office

-----Original Message-----From: Barber, Bryan

Sent: Wednesday, October 19, 2022 2:44 PM To: Stinson, Elizabeth; Parker-FGCC, Dixie Subject: FW: Submit Notice in FAR

Good Afternoon,

This document was uploaded to FAR, whole cloth, and is expected to publish tomorrow morning.

Thank you,

Bryan

----Original Message----

From: FL-Rules@dos.state.fl.us [mailto:FL-Rules@dos.state.fl.us]

Sent: Wednesday, October 19, 2022 2:42 PM

To: Barber, Bryan

Subject: Submit Notice in FAR

[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.

You have successfully submitted a notice for publication in the Florida Administrative Register on 10/19/2022 2:41:37 PM.

Department: Florida Gaming Control Commission

Organization: Departmental Notice type: Miscellaneous

Issue: 48/205

Once this notice is published you will be able to view it by clicking the following link: http://www.FLRules.org/gateway/View_Notice.asp?id=26452305

You may contact the Florida Administrative Register office at (850)245-6270 for additional information.

Miscellaneous

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering

Notice of Proceeding for Permit Relocation

NOTICE IS HEREBY GIVEN that the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, ("Division"), received a Petition for Relocation from Fronton Holdings, LLC, d/b/a Casino Ft. Pierce ("Ft. Pierce"). A proceeding pursuant to chapter 120 in St. Lucie County at 337 North US Hwy #1 Fort Pierce, FL 34950 will be held on October 27, 2022 at 10:30 am to determine whether the Commission will approve the request in the Petition for Relocation.

Any person wishing to attend this hearing should contact Bryan A. Barber, Florida Gaming Control Commission, bryan.barber@fgcc.fl.gov, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761.

If any person decides to appeal any decision made by the commission with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Bryan Barber at Bryan Barber@fgcc.fl.gov or (850) 717-1761.

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Re: Dania Entertainment Center, LLC (JLAI274)

2022-039952 Annual Slot Machine License

Date: October 25, 2022

Executive Summary

A slot machine licensee has submitted an application to renew its annual slot machine license. The Commission should approve this request.

Background

Slot machine gaming is authorized in Miami-Dade and Broward Counties at certain pari-mutuel facilities. One such facility is Dania Entertainment Center, LLC d/b/a Dania Jai-Alai and/or The Casino @ Dania Beach ("Dania"). Dania is located in Broward County and possesses a valid jai alai permit. Dania was issued a pari-mutuel operating license and cardroom license for the 2022-2023 Fiscal Year.

Commission staff received Dania's application to renew its slot machine license on August 5, 2022. The application was complete as of October 25, 2022.

Analysis

In addition to submitting a complete application, a slot machine licensee must satisfy numerous requirements to be entitled to a renewed slot machine license.² Dania has satisfied all of these requirements.

Recommendation: The Florida Gaming Control Commission should approve Dania Entertainment Center, LLC d/b/a Dania Jai-Alai and/or The Casino @ Dania Beach's application for renewal of its slot machine license effective November 9, 2022 through November 8, 2023.

¹ See generally Art. X, § 23, Fla. Const.; § 551.101, Fla. Stat.

² See, e.g., §§ 551.103(1)(f) (mandating \$2,000.000.00 surety bond for slot machine licensees); 551.106(1)(a) (requiring payment of annual nonrefundable \$2,000,000.00 license fee); 551.118 (requiring payment of annual nonrefundable regulatory fee of \$250,000.00 to fund compulsive or addictive gambling prevention program); see also Fla. Admin. Code R. 61D-14 ("Pari-Mutuel Wagering Facility Slot Machine Operations").



FLORIDA LICENSE FOR SLOT MACHINE OPERATIONS

WHEREAS Dania Entertainment Center, LLC, d/b/a Dania Jai-Alai and/or The Casino @ Dania Beach, is the holder of a valid, active pari-mutuel permit to conduct jai-alai games at its facility located in Broward County, granted pursuant to Chapter 550, Florida Statutes.

WHEREAS The Casino @ Dania Beach is authorized to conduct Pari-Mutuel Wagering activities at its facility pursuant to the Laws of Florida, on approved dates.

WHEREAS the majority of voters of Broward County, Florida authorized slot machines at pari-mutuel facilities within Broward County in a county-wide referendum conducted on March 8, 2005.

WHEREAS The Casino @ Dania Beach has made application for licensure to conduct Slot Machine Gaming from November 9, 2022, through November 8, 2023, pursuant to Florida Statutes and Administrative Rules adopted pursuant thereto. It has been found that The Casino @ Dania Beach has fulfilled all the statutorily required conditions for licensure and is therefore qualified to hold a license to conduct Slot Machine Gaming as authorized under the Laws of Florida.

WHEREAS The Casino @ Dania Beach has furnished and shall maintain in effect during the term of this license, the appropriate bond as required under Chapter 551, Florida Statutes.

NOW THEREFORE BE IT KNOWN that The Casino @ Dania Beach is granted a non-transferable license, number **SM274**, under which it may, exclusively at the slot machine facility located at **Dania Entertainment Center, LLC**, at 301 East Dania Beach Boulevard, Dania, Florida, 33004, receive, possess, operate and ship approved slot machine equipment, and conduct Slot Machine Gaming.

BY RECEIVING THIS LICENSE The Casino @ Dania Beach agrees to, at all times during the term of this license, conduct its Slot Machine Gaming operation and maintain its Slot Machine Gaming facility in accordance with applicable Florida Statutes and Administrative Rules adopted pursuant thereto.

LICENSURE GRANTED this	_ day of November 2022, in Tallahassee, Florida.
FOR THE STAT	E OF FLORIDA
	ta, Executive Director Control Commission



8/5/22

Greeting Jamie,

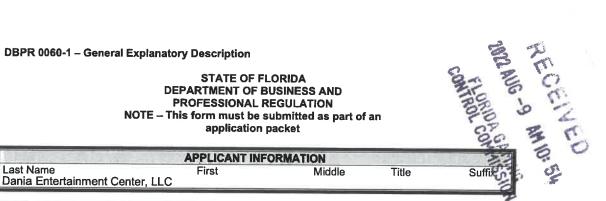
Please see the enclosed documents for our license renewal for # 274 slots

Thank you Eliso

DBPR 0060-1 – General Explanatory Description

STATE OF FLORIDA **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTE - This form must be submitted as part of an application packet



EXPLANATION

RE: PERMITHOLDER LICENSE RENEWAL-DBPR PMW-3405

Additional Requirements to be submitted to the DBPR, Division of Pari-Mutuel Wagering, Office of Operations, 1940 North Monroe Street, Tallahassee, Florida 322399-1037:

- 1) Ownership list enclosed on form 3190
- 2) Not applicable

Last Name

- 3) Enclosed is our current Surety Bond for \$2,000,000
- 4) Enclosed is our current Vendor List
- 5) None

Additional Requirements to be submitted to the DBPR, Division of Pari-Mutuel Wagering, Office of Operations, North Broward Regional Service Center, 1400 West Commercial Blvd., Suite 165, Ft. Lauderdale, Florida 33309:

- 1) Training Program for the Compulsive or Addictive Gambling Program was submitted to regional
- 2) EOE Policy was submitted to regional office.
- 3) Current Internal Controls were submitted to regional office.
- 4) Current Surveillance and Security plans were submitted to regional office.
- 5) Current version of Floor Plan was submitted to regional office.



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

PR PMW-3405 – Permitholder	Renewal Application for An	nual Slot Machine	License	2
DE CONTRACTOR OF THE STATE OF T	EPARTMENT OF BUSINES DIVISION OF F	TE OF FLORIDA SS AND PROFES PARI-MUTUEL W myfloridalicense.com	SSIONAL REGULATION AGERING	AECE MID 53
	INSTRUCTION			
This form is to be submitted in conform DBPR PMW-3190, Officent expiration of the current slot made	onjunction with Form DBPR PMV s and Directors. All three forms r chine license.	V-3460, Authorization must be submitted to	for Release of Information, and the division one month prior to the	
Federal Employer ID Number:	ORGANIZATION INF			
Permitholder's Legal Name: Da	nia Entertainment Ce	enter, LLC		
Doing Business As (D/B/A) Name	e:	,		-
Street Address or P.O. Box:	MAILING ADD	RESS		
	301 EAST DANIA E	BEACH BI VD		-
City: DANIA BEACH		State: FL	Zip Code: 33004	-
County: BROWARD	Cour	ntry: USA	00004	-
	CONTACT INFOR	MATION		m .
Contact Name: ARNALDO		Title: CEO		
Primary Phone Number	Primary E-	-Mail Addres		
Street Address: 301 EAST [PHYSICAL ADD DANIA BEACH BLVD	RESS		
City: DANIA BEACH		State:		
County: BROWARD		FL FL	Zip Code (+4 optional) 33004	
BROWARD	ADDITIONAL CONTACT			
Alternate Phone Numbe	ADDITIONAL CONTACT I	NFORMATION Numbe		
Alternate E-Mail Address				-
Short Description of Physical Loca	SLOT MACHINE AREA IN tion of Slot Machine Area(s):	NFORMATION		
APPROX. 35,000 SQUAR	E FEET OF GAMINING	WITHIN FXISTI	NG JALAI AI FACILITY	
What is the number of slot machine	es you intend to operate during the	no liconno noviado	760	
Name and license number of Slot I JAY PLOTKIN # 10306814	Machine Operations Manager or	Slot Machine Manage	ement Company:	
Name and address of the Custodia	ın of Records in Florida:	O VILLAMAYOR 301 E DANIA E	BEACH BLVD, DANIA BEACH FL 33004	

License

Lic Type 1055 - Siot/Cardroom/Pari-Mutuel Indiv Combo Fed Tax #

Expires On 06/30/2023

File # 3984

Name PLOTKIN, JAY LESLIE

Extended To

License # 10306814

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Entity # 10306814

Lic Status Current

Renewed On 05/13/2020

Address

Street # 309

Street SE 3RD PLACE

Line 2

Line 3

City DANIA BEACH

State FL

Zip 33004

Routing

Other

1st License Date 12/27/2017

Rank Date 05/13/2020 Status Date 12/27/2017

Certificate #

Method I-S-1020

Certificate Date

Fee Exempt No

Birth Date

Renewal Sent

F ⁱ			
List the dates and hours of slot machine operations:			
9am-3am Monday-Thursday; 24	hours Friday-	Sunc	lay
Does the applicant have any ownership interest in another Florida pern	nit? If yes, disclose the name	Yes 🔳	No 🗆
of the permit: Pari-Mutuel Permit #281			
Does the applicant have any ownership interest in a slot machine testing disclose the name of the testing laboratory:	g laboratory company? If yes,	Yes □	No 📓
Does the applicant have any ownership interest in a slot machine manuyes, disclose the name of the slot machine manufacturer/distributor:	facturer and/or distributor? If	Yes 🛚	No 🔳
Has any other jurisdiction taken action regarding the applicant's gaming name of the jurisdiction, the reason for the action, and the action taken:		Yes 🗖	No 🔳
Additional requirements to be submitted to the Department of Bu Division of Pari-Mutuel Wagering, Office of Operations, 1940 Nor			
 32399-1037: Submission of a list of all ownership interests of five percent or gundich incorporated and the names and addresses of the officers, percent or more equity or, if a business entity other than a corpor principals, partners, shareholders or any other person holding five 61D-14.002(1)(d), (e) and (f), Florida Administrative Code (F.A.C.) Submission of a copy of the binding written agreements between required by Section 551.104(10), Florida Statutes. Evidence of a current surety bond in the amount of \$2,000,000, pass specified in Section 551.103(1)(f), Florida Statutes. Submission of a list of slot machine business occupational licens service companies, etc.) with whom you intend to do business. Disclosure of any administrative, civil or criminal proceedings, an governmental agency or any other state or federal agency that we any affiliate of the applicant pursuant to Sections 550.054 and 55 Additional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements and the submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements to be submitted to the Department of Buditional requirements of the slot machine applicant's employee training plane prevention Program. A copy of the facility's written policy for creating opportuni	reater. If a corporation, the name directors, and shareholders hold ation, the names and addresses a percent or more equity as descr.), on Form DBPR PMW-3190. The facility and respective associated as the east of the Governor of the States (i.e., vendors, manufacturers, and/or any judgments initiated by arould affect the license status of the 0.1815, Florida Statutes. Isiness and Professional Regulations and Regional Service Center of the Compulsive or Addictive surchase from minority vendors in a, opportunities for construction.	of the sta ing five of the ibed in Ro ations as ate of Flori distribute by e applican ation, aryices	ule ida, ors, nt or
 3) A copy of the licensee's current internal controls. 4) A copy of the licensee's current Surveillance Plan and Security P 		0.5	M
5) A current version of the licensee's Floor Plan as described in Rule	e 61D-14.050, F.A.C.	£.	- Aller Marie
ATTEST STATEMEN	T		
Each application for a license or renewal of a license issued by the Departme signed under oath or affirmation by the applicant, or owner or chief executi unless otherwise required by law.			
I certify that I am empowered to execute this application as required by Sect signature on this application has the same legal effect as if made under or contained on this application is true and correct. I understand that falsification administrative action, including fines up to \$1,000, denial, suspension or revolal rules and regulations of the Division of Pari-Mutuel Wagering and the laws Florida Statutes.	ath. To the best of my knowledge, of any information on this application cation of the license. I agree to abid of the State of Florida, pursuant to Se	all informa n may resu e by and o	tion It in bey
Juffern -	08/04/2022		
Signature of Applicant or Applicant's Representative	Date		



PERSONAL INFORMATION Social Security Number/Federal Employer ID Number: IF INDIVIDUAL APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION First: Middle: Title: Suffix: Last Name: Birth Date: (MM/DD/YYYY) Name of Employer: IF BUSINESS APPLICANT, PLEASE COMPLETE THE FOLLOWING SECTION Representative's Name: Last: First: Middle: Title: Suffix: Bonesi German Business Entity Name: Dania Entertainment Center, LLC Official Capacity: CFO ALL APPLICANTS PLEASE READ AND SIGN BELOW , German Bonesi do hereby instruct all law enforcement or criminal justice agencies to (name of applicant/representative) 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. German Bonesi , do hereby instruct all law enforcement, gaming commissions, tribal (name of applicant/representative) gaming regulatory agencies and/or commissions, state agencies and/or commissions responsible for gaming regulation or criminal justice agencies 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 financial or public institution 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. 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. 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. (if individual applicant - legal name and any nickname or alias in parentheses) Date: 08/04/2022 Applicant/Representative Signature:

DBPR PMW-3190 - Officers and Directors



THE SHAPE OF THE O STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION **DIVISION OF PARI-MUTUEL WAGERING**

www.myfloridalicense.com

Please provide information on the partners, managers, officers, or directors for your business entity below.

ORGANIZATION NAME					
Name of Organization Dania Entertainment Center, LLC	Permit # 274				
D/B/A or Trade Name Dania Jai-Alai; The Casino @ Dania Beach					

LIMITED LIABILITY CORPORATION QUESTIONS If your corporation is a limited liability corporation (LLC), is the corporation member managed or manager managed? You can check your Articles of Incorporation for this information. Member Managed III Manager Managed II

Please list below all Officers, Directors, Managers, and/or Shareholders with 5 percent or more interest in the business: Attach additional sheets as necessary.

MANAGEMENT INFORMATION							
Last Name Ondiss Corp A Florida Company					Suffix		
Office Held	License # Percentage of Ownership 96%				nip		
RESIDENCE ADDRESS							
Street Address or P.O. Box 1110 Brickel Avenue Suite 800							
City State Zip Code (+4 Miami FL 33131				(+4 optional)			
County (if Florida address) Miami [Country L	ISA					

MANAGEMENT INFORMATION							
Last Name De Archeval	First Fedrerico		Middle Miguel		Title	Suffix	
Office Held Board Member	License # 10091020						
	RESIDENC	E ADDR	ESS				
Street Address or P.O. Box Ave	endia Del Libe	ertador	4101	, C142	6BWC		
City Buenos Aires			State		Zip Code	(+4 optional)	
County (if Florida address)			y Arg	entin	а		

License

Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo Fed Tax #

Expires On 06/30/2024

File # 3392

Name DE ACHAVAL, FEDERICO MIGUEL

Extended To

License # 10091020

Entity # 10091020

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 06/22/2021

Address

Street # 301

Street E DANIA BEACH BLVD

Line 2 Line 3

City DANIA BEACH

State FL

Zip 33004

Routing

Lic Status Current

Other

1st License Date 02/15/2013

Rank Date 06/22/2021

Certificate #

Method I-S-1017

Status Date 08/10/2015

Certificate Date Renewal Sent

Fee Exempt No

MANAGEMENT INFORMATION							
Last Name castellanos-bonillo	First JUAN	М	iddle	Title	Suffix		
Office Held SHAREHOLDER	License # 10091001	Percentage of Ownership 15%					
	RESIDEN	CE ADDRESS					
Street Address or P.O. Box 181 WASHINGTON AVE							
City MIAMI BRACH							
County (if Florida address) MIAMI DADE Country USA							
MANAGEMENT INFORMATION							

MANAGEMENT INFORMATION							
Last Name cruz	First HECTOR		Jos	iddle ^E	Title	Suffi	х
Office Held BOARD MEMBER	License # 10091023			Percentage 5%	of Owner		2
RESIDENCE ADDRESS							1:1
Street Address or P.O. Box JUNCAL 4693 1425RA					6	m	
							<
City BUENOS AIRES			State	•	Zip Code	4 omona	2
County (if Florida address)		Countr	y AF	RGENT	INA =	3,	

MANAGEMENT INFORMATION							
Last Name BENEDICTO	First RICARDO	IV osc	Suffix				
Office Held BOARD MEMBER	License # Percentage of Ownership 30%						
RESIDENCE ADDRESS							
Street Address or P.O. Box 3415 N OCEAN DRIVE UNIT 702							
City State Zip Code (+4 op				+4 optional)			
County (if Florida address) BROWA	ARD	Country US	SA				

		OATH	
		on is true and complete. I unders riminal penalties relating to perjur	tand that knowingly providing false ry or other offenses.
Name (Please Print)	Title (Please Print)	Signature	Date
State of Florida, County of Sworn to (or affirmed) and su	bscribed before me this	day of	_, 20,
	,	, who is personally known to me	or produced the following as identification:
Notary Public My Commission Expires:			

License

Lic Type 1055 - Slot/Cardroom/Parl-Mutuel Indiv Combo Fed Tax #

Expires On 06/30/2024

File # 3391

Name Castellanos Bonillo, Juan

Extended To

License # 10091001

Rank Combo

Renewed On 06/23/2021

Entity # 10091001

Lic Status Current

Address

Street # 181

Street WASHINGTON AVE

Line 2

Line 3

City MIAMI BEACH

State FL

Zip 33139

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Parl-Mutuel Indiv Combo

Expires On 06/30/2024

File # 3393

Name CRUZ, HECTOR JOSE

Extended To

License # 10091023

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 06/16/2021

Entity # 10091023

Lic Status Current

Address

Street # 301

Street E DANIA BEACH BLVD

Line 2

Line 3

City DANIA BEACH

State FL

Zip 33004

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

File # 3394

Extended To

License # 10091077

Name Benedicto, Ricardo Oscar Rank SCPL - Slot/Cardroom/Parl-Mutuel Indiv Combo

Renewed On 06/21/2021

Expires On 06/30/2024

Entity # 10091077

Lic Status Current

Address

Street # 3415

Street N OCEAN DRIVE UNIT 702

Line 2 Line 3

City HOLLYWOOD

State FL

Zip 33019

Routing

MANAGEMENT INFORMATION										
Last Name First Middle Title Suffix SUAREZ ARNALDO										
Office Held License # Percentage of Ownership 0 11593993 0										
	RESIDENCE ADDRESS									
Street Address or P.O. Box 12480 N PARKLAND BAY TRAIL										
City PARKLAND										
County (if Florida address) BROWARD Country USA										
MANAGEMENT INFORMATION										

	MANAGEMEN	T INFORMATIO	N		2 2				
Last Name BONESI	First GERMAN	M	iddle	Title	Suff				
Office Held OFFICER	License # 11765334		Percenta 0	age of Owners	sh a				
RESIDENCE ADDRESS									
Street Address or P.O. Box 4322 FOXTAIL LANE									
City WESTON		State)	Zip Code	(+4 optional)				
County (if Florida address) BF	ROWARD	Country US	SA						

MANAGEMENT INFORMATION									
Last Name	First		Middle	Title	Suffix				
Office Held	License # Percentage of Ownership								
	RESIDEN	ICE ADDR	ESS						
Street Address or P.O. E									
			***	The state of the s					
City State Zip Code (+4 opt									
County (if Florida address)		Countr	У						

(II Tionida address)
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 perfury or other offenses. CFO
State of Florida, BROWALD County of BROWALD Sworn to (or affirmed) and subscribed before me this day of AUG, 20_22
who is personally known to me or produced the following as identification: Notary Public State of Florida Elisa Festa My Commission ©G 365807 Expires: 08/14/2023

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Expires On 06/30/2023

File # 6411

Name SUAREZ, ARNALDO HIPOLITO

Extended To

License # 11593993

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 05/13/2020

Entity # 11593993

Lic Status Current

Address

Street # 12480

Street N PARKLAND BAY TRL

Line 2 Line 3

City PARKLAND

State FL

Zip 33076

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Expires On 06/30/2024

File # 6753

Name BONESI, GERMAN ERNESTO

Extended To

License # 11765334

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 04/30/2021

Entity # 11765334

Lic Status Current

Address

Street # 4322

Street FOXTAIL LN

Line 2

Line 3

City WESTON

State FL

Zip 33331

Routing

DBPR 0060-1 - General Explanatory Description

STATE OF FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION NOTE – This form must be submitted as part of an application packet

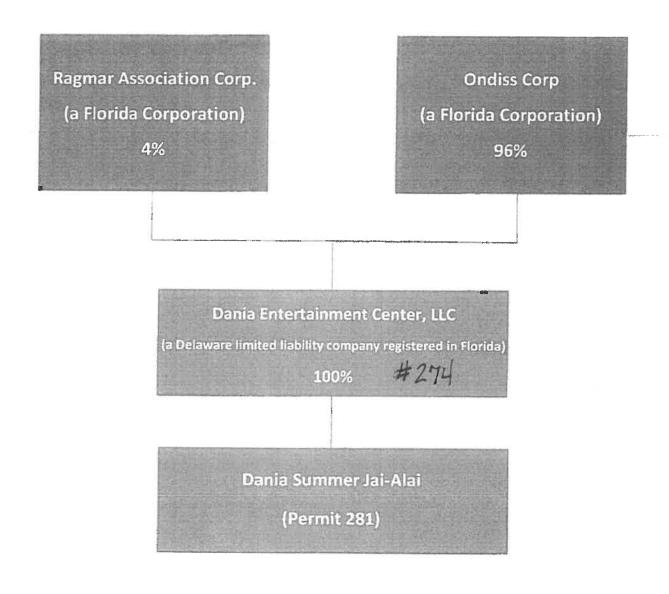
	APPLICANTIN	FORMATION	SUBSTANCE OF THE PARTY OF	
Last Name Dania Entertainment Center, LLC	First	Middle	Title	Suffix

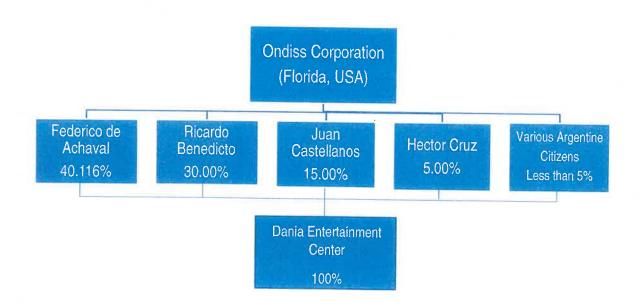
RE: PERMITHOLDER LICENSE RENEWAL DBPR PMW 3190 OFFICERS AND DIRECTORS 90.12% OF THE OWNERSHIP IS INCLUDED ON THE UPDATED 3190 THE REMAINING 9.88% OF THE OWNERSHIP IS MADE UP OF MULTIPLE PERSONS WITH LESS THAN 5% OWNERSHIP.	Experience and control of the contro
DBPR PMW 3190 OFFICERS AND DIRECTORS 90.12% OF THE OWNERSHIP IS INCLUDED ON THE UPDATED 3190 THE REMAINING 9.88% OF THE OWNERSHIP IS MADE UP OF MULTIPLE PERSONS	
90.12% OF THE OWNERSHIP IS INCLUDED ON THE UPDATED 3190 THE REMAINING 9.88% OF THE OWNERSHIP IS MADE UP OF MULTIPLE PERSONS	
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WITH LESS THAN 5% OWNERSHIP IS MADE UP OF MULTIPLE PERSONS WITH LESS THAN 5% OWNERSHIP.	
	WITH LESS THAN 5% OWNERSHIP.



DBPR PMW – 3060 – Permitholder Application for Annual License and Operating Dates

Dania Entertainment Center, LLC Applicant Ownership Structure





Dania Enterainment Center, LLC

Officer's Last Name % of Ownership

DeArcheval	40.12%
Castellanos-Bonillo	15.00%
Cruz	5.00%
Benedicto	30.00%
Others	9.88%
Total	100.00%

Ljelks 8/17/2022



PLORIDA GAMING

La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
2601 Blair Stone Road
Tallahassee, FL 32399

October 6, 2022

Greetings La'Kesha,

Enclosed please find the Bond Renewal Certificate as required for our Slot License #274.

Thank you,

Elisa Festa Tabasso Director of Compliance

CONTINUATION CERTIFICATE

The NGM Insurance Company (hereinafter called the Surety) hereby continues in force its Bond No. \$283863 in the sum of Two Million Dollars and 00/100 (\$2,000,000.00) Dollars, on behalf of DANIA ENTERTAINMENT CENTER, LLC d/b/a THE CASINO @ DANIA BEACH in favor of GOVERNOR OF THE STATE OF FLORIDA for SURETY BOND FOR FLORIDA SLOT MACHINE LICENSEE subject to all the conditions and terms thereof through 1st Day of November, 2023 at location of risk.

This Continuation is executed upon the express condition that the Surety's liability shall not be cumulative and shall be limited at all times by the amount of the penalty stated in the bond.

IN WITNESS WHEREOF, the Surety has caused this instrument to be signed by its duly authorized Attorney-in-Fact and its corporate seal to be hereto affixed this 21st Day of September, 2022.

NGM Insurance Company

Surety

3Y:

John W. Charlton, Attorney-in-Fact

2822 OCT -7 AM II: 5



RECEIVED

2022 OCT -7 AM II: 59

BOND RENEWAL NOTICE CONTROL COMMISSION

BOND NO.: **\$283863** DATE: 9/13/2022 TO: DANIA ENTERTAINMENT CENTER, LLC PRINCIPAL: DANIA ENTERTAINMENT CENTER, LLC TYPE OF BOND: SLOT MACHINE LICENSE BOND RENEWAL DATE: 11/2/2022 Enclosed please find a renewal invoice for the above captioned bond. Continuation Certificate is enclosed. Keep copy for your records before you forward original to the obligee. If bond is no longer needed, return original Certificate to our office for bond cancellation. Your Surety has requested the following information for this renewal: New Application (form enclosed) Year-End Corporate Financial Statement as of: _____ Current Personal Financial Statement (our form enclosed if needed) Your prompt response and payment of the renewal premium is greatly appreciated. If payment is not received promptly bond will be cancelled. Please note that bonds cancelled for nonpayment may not be reinstated. Bond has been approved. Please remit payment before bond renewal date listed above. If this bond is no longer needed, please indicate the reason for cancellation in the space provided below and return this form to us as soon as possible to the undersigned. Reason for Cancellation: Sincerely. Dely Munecas dely@mcsurety.com

CONTINUATION CERTIFICATE

The NGM Insurance Company (hereinafter called the Surety) hereby continues in force its Bond No. \$283863 in the sum of Two Million Dollars and 00/100 (\$2,000,000.00) Dollars, on behalf of DANIA ENTERTAINMENT CENTER, LLC in favor of GOVERNOR OF THE STATE OF FLORIDA for SURETY BOND FOR FLORIDA SLOT MACHINE LICENSEE subject to all the conditions and terms thereof through 1st Day of November, 2022 at location of risk.

This Continuation is executed upon the express condition that the Surety's liability shall not be cumulative and shall be limited at all times by the amount of the penalty stated in the bond.

IN WITNESS WHEREOF, the Surety has caused this instrument to be signed by its duly authorized Attorney-in-Fact and its corporate seal to be hereto affixed this 15th Day of October, 2021.

NGM Insurance Company

Surety

BY

John W. Charlton, Attorney-in-Fact





KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them. "

does hereby make, constitute and appoint D W Matson III, John W Charlton

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Ten Million Dollars (\$10,000,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 8th day of January, 2016.

NGM INSURANCE COMPANY By:

Bruce R Fox Vice President, General Counsel and Secretary

State of Florida. County of Duval.

On this January 8, 2016, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Bruce R Fox of NGM insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me fully sworn, deposed and said that he is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company, that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 8th day of January, Tasha Ann Philoca

Expires 10/3/2019 I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and

correct copy of a Power of Attorney executed by said Company which is still in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this day of Commercial 2011.

> WARNING: Any unauthorized reproduction or alteration of this document is prohibited. TO CONTIRM VALIDITY of the attached bond please call 1-800-225-5646 O SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NFI 03431 Atta. Bond Claims.

NOTARY PUBLIC STATE OF FLORIDA



RECEIVED 2022 AUG -9 AM 10: 54

FLORIDA GAMING CONTROL COMMISSION

BOND RENEWAL NOTICE

DATE:	10/13/2021	BOND NO.: \$283863
то: _	DANIA ENTERTAINMENT CENTER, LL	C dba THE CASINO @ DANIA BEACH
	CIPAL: DANIA ENTERTAINMENT CENTE	ER, LLC dba THE CASINO @ DANIA BEACH BOND RENEWAL DATE: 11/2/2021
Your Su	copy for your records and forward original office to close this obligation. Urety has requested the following informal New Application (form enclosed) Year-End Corporate Financial Statement (ou	as of: r form enclosed if needed)
our pro	Other: compt response and payment of the renerectived promptly bond will be cancelled into may not be reinstated.	wal premium is greatly appreciated. If paymented. Please note that bonds cancelled for non-
1	Bond has been approved. Please remit pe	ayment before bond renewal date listed above.
this b	oond is no longer needed, please indiced below and return this form to us as soon	cate the reason for cancellation in the space as possible to the undersigned.
rovide		



State of Florida

Department of Business and Professional Regulation Cash Listing Report

79 - Department of Business & Professional Regulation Client:

Origin: EFT

Fiscal Year:

2022

Batch #: 22009078 Total \$ Entered: \$ 2,250,000.00

Deposit #: AD0080

Deposit Date: 2022-10-25

Receipt: 2

Receipts Entered: 2

Total:

\$ 2.250,000,00

Statu

		- 1000.	TO EIICOIO	4. E		rotar.	\$ 2,250,000.00	Stati	us: Deposited	
Receipt #	DLN	Received Disp	Pmt	Note	Unassigned	Prof	Remitted By / Beneficiary	File#	License #	Assigned
220063617		\$ 250,000.00 DEP	EFT		\$ 250,000.00					
						1003	DANIA ENTERTAINMENT CENTER, LLC	4	274	\$ 0.00
220063618		\$2,000,000.00 DEP	EFT		\$ 2,000,000.00					
						1003	DANIA ENTERTAINMENT CENTER, LLC	4	274	\$ 0.00
Total:		\$ 2,2	50,000.00		\$ 2,250,000.00					\$ 0.00

POWER OF ATTORNEY



KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint D W Matson III, John W Charlton

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Ten Million Dollars (\$10,000,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimbuly K. Law
Kimberly K. Law

Vice President,

General Counsel and Secretary

State of Florida, County of Duval.

On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January,

2020.

Loak Penti

Lise K Penton

My Commission GG 928687
Expires 19/19/2023

I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this

21st day of September, 2022.

WARNING: Any unauthorized reproduction or alteration of this document is prohibited. TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.



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

Fed Tax# Name DANIA ENTERTAINMENT CENTER, LLC Lic Type 1003 - Permitholder App for Annual Slot Licens File # 4 Rank Permit holder Appl Annual Slot Mach Lic App # 125 Trans Class I - Initial License # 274 Lic Status Current Status Open

Entity # 274	Expires On 11/08/2)22	Trans Code 1020 - Slot Machine Lie	ense	Sec Class S - Standard
App Date March		Application For Rank Permit holder Appl Annual SI Lic Status Current	ot Mach Lic		Dpsit History History Deficiencies Regenerate
Total Fee \$	1 1	Modifiers			Notes
Paid \$ Released \$	2,250,000.00	Type Code ✓	Additional Info	Add	Notes History
Due \$	2,250,000.00	Type Modifier A No items found.	dditional Info	Actions	Cancel
Notes Set License Expiry					The state of the s
Checklist Release	Transfer Appr	we Exit			

Get Adobe Reader.

CASINO @ DANIA BEACH-CUSTODIAN OF RECORDS

Each Department Manager is responsible for retaining all of their respective Department records.

DEPARTMENT	CUSTODIAN	LICENSE# TITLE	E-MAIL
Compliance/Internal Audit	Elisa Festa Tabasso	11635646 Director of Compliance	
Surveillance	Karen Lopez	10245012 Director of Surveillance	
Security	Richard Lackey	11577918 Director of Security	
Slots	Juan Pablo Villamayor	10164913 Pirector of Operations	
Human Resources	Denise Masak	10450634 Director of Human Resources	
Marketing	James Crowder	11247550 Marketing Director	
Finance (Revenue Audit)	German Bonesi	11765334 Chief Financial Officer	
Cage/Count Operations	Oscar Pavicich	10164817 Director Cage/Cash Controls	
I.T. (IGT System)	Emiliano Real	10379503 Director of IT	

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Parl-Mutuel Indiv Combo

Expires On 06/30/2023

File # 6497

Name TABASSO, ELISA FESTA

Extended To

License # 11635646

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Entity # 11635646

Renewed On 05/13/2020

Address

Street # 2204

Street N 16TH AVE

Lic Status Current

Line 2

Line 3

City HOLLYWOOD

State FL

Zip 33020

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Expires On 06/30/2024

File # 3855

Name Lopez, Karen S

Extended To

License # 10245012

SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 04/29/2021

Entity # 10245012

Lic Status Current

Address

Street # 4115

Street NW 79TH AVE

Line 2

Line 3

City SUNRISE

State FL

Zip 33351

Routing

License

Fed Tax #

Lic Type Combo 1055 - Slot/Cardroom/Pari-Mutuel Indiv

Expires On 06/30/2025

File # 6391

Name Lackey, Richard Anthony Jr

Extended To

License # 11577918

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 05/02/2022

Entity # 11577918 Lic Status Current

Address

Street # 2997

Street MYRTLE OAK CIRCLE

Line 2 Line 3

City DAVIE

State FL

Zip 33328

Lic Type 1055.- Slot/Cardroom/Parl-Mutuel Indiv Combo Fed Tax#

Expires On 06/30/2025

File # 3622

Name VILLAMAYOR, JUAN PABLO

Extended To

License # 10164913

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 04/12/2022

Entity # 10164913

Lic Status Current

Address

Street # 1100 Street QUEEN PALM CT

Line 2 Line 3

City HOLLYWOOD

State FL

Zip 33019

Routing

License

Fed Tax # Lic Type 1056 - Slot Combo General Expires On 06/30/2023

File # 3831 License # 10450634 Name Masak, Denise

Extended To Rank SCCL - Slots-Cardroom Combo License Renewed On 05/20/2020

Entity # 10450634 Lic Status Closed

Address

Street # 6952

Street SW 39TH STREET C206

Line 2 Line 3

City DAVIE

State FL

Zip 33314

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Parl-Mutuel Indiv Combo

Expires On 06/30/2025

File # 5826

Name CROWDER, JAMES JOSHALIN

Extended To

License # 11247550

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 04/18/2022

Entity # 11247550

Lic Status Current

Address

Street # 12543

Street NW 10TH CT

Line 2 Line 3

City SUNRISE

State FL

Zip 33323

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Parl-Mutuel Indiv Combo

Expires On 06/30/2024

File # 6753

Name BONESI, GERMAN ERNESTO

License # 11765334

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv

Extended To

Renewed On 04/30/2021

Entity # 11765334

Lic Status Current

Address

Street # 4322

Street FOXTAIL LN

Line 2

Line 3

City WESTON

State FL

Zip 33331

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Pari-Mutuel Indiv Combo

Expires On 06/30/2025

File # 3618

Name PAVICICH, OSCAR EDUARDO

Extended To

License # 10164817

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 04/07/2022

Entity # 10164817 Lic Status Current

Address

Street # 4934

Street LEEWARD LANE

Line 2

Line 3

City FORT LAUDERDALE

State FL

Zip 33312

Routing

License

Fed Tax #

Lic Type 1055 - Slot/Cardroom/Parl-Mutuel Indiv Combo

Expires On 06/30/2025

File# 4182

Name REAL, EMILIANO

Extended To

License # 10379503

Rank SCPL - Slot/Cardroom/Pari-Mutuel Indiv Combo

Renewed On 04/08/2022

Entity # 10379503 Lic Status Current

Address

Street # 1611

Street WOAK KNOLL CIR

Line 2 Line 3

City DAVIE

State FL

Zip 33324

The Casino @ Dania Beach

VENDOR LIST

COMPANY NAME	ADDRESS	LICENSE #	LICENSE EXPIRE		STATUS
AGS, LLC	5475 South Decatur Blvd., Suite 100 Las Vegas, NV 89118	8281949	06.30/2023	Slot Business	Current
AINSWORTH GAME TECHNOLOGY, LTD	6600 N W 12th Avenue, Ste 201, Fort Lauderdale, FL 33309	7929049	06/30/2024	Slot Business	Current
ARISTOCRAT TECHNOLOGIES INC	7230 Amigo Street Las Vegas, NV 89119	7830421	06/30/2024	Slot Business	Current
ARUZE GAMING AMERICA, INC	955 Grier Drive, Suite A Las Vegas, NV 89119	8587586	06/30/2025	Slot Business	Current
BALLY (SCIENTIFIC ✓ GAMES)	6601 S. Bermuda Rd., Las Vegas, NV 89119-3605	7805891	06/30/2024	Slot Business	Current
BMM NORTH AMERICA INC	815 Pilot Road, Suite G Las Vegas, Nevada 89119	7869859	06/30/2023	Slot Business	Current
CUMMINS-ALLISON	852 Feehanville Drive, Mt. Prospect, IL 60056	7934408	06/30/2025	Slot Business	Current
HAYES INTERNATIONAL, INC	7550 sw 42nd Court Davie, FL 33314	11018137 Colin Hayes 1051-10759913	06/24/2024	Slot Business	Current
IGT (INC)	6355 S Buffalo Drive, Las Vegas, NV 89113-2133	7800936	06/30/2024	Slot Business	Current
INCREDIBLE TECHNOLOGIES CASINO GAMES INC	200 Corporate Woods Parkway Vernon Hills Illinois 60061	8801896	06/30/2024	Slot Business	Current
INTERBLOCK USA LC	1106 Palms Airport Drive Las Vegas, NV 89119-3730	8759471	06/30/2025	Slot Business	Current
INTERNATIONAL GAMING SOLUTIONS, INC.	7991 West 25th CT. Hialeah, FL 33016	10965598	06/30/2024	Slot Business	Current
	585 Konami Circle Las Vegas, NV 89119-3720	7883140	06/30/2024	STot Business	Current
	7250 S Tenaya Way Suite 100 Las Vegas, NV 89113	9943621	06/30/2024	Slot Business	Current
	217 N. Lindberg, Griffith, IN 46319	8605145	06/30/2025	Slot Business	Current

REEL GAMES, INC	7501 NE 13 Ave Ft Lauderdale, Fl 33304	7830710	06/30/2024	Slot Business	Current
SCA ENTERTAINMENT, LP DBA SCA GAMING	3030 LBJ Freeway, 3rd FL Dallas, TX 75234	12077540	06/30/2025	Slot Business	Current
SPIN INC	35 SW 12TH AVE, SUITE 107 DANIA BEACH FL 33004	8010467	06/30/2024	Slot Business	Current
TOTAL KEY CONTROL, INC	3270 Suntree Blvd. Melbourne, FL 32940	10764411	06/30/2025 pending	Slot Business	Current
VSR V	6190 Mt. Vista Street Henderson, NV 89014	1499535	06/30/2024	Slot Business	Current
nao ventures inc d/b/a MAVERICK INTERNATIONAL	6122 NW 72ND AVE, Miami FL 33166 305-887-4484 mcno1445@yahoo.com	11938935	06/30/2024	Slot Business	Current
ZUUM USA, LLC	150 Las Vegas, NV 89145	10535996	06/30/2023	Slot Business	Current

License

Fed Tax # Lic Type 1058 - Slot Combo Business Expires On 06/30/2023

File # 45 Name AGS, LLC Extended To

License # 8281949 Rank SCBL - Slot Combo Business License Renewed On 06/08/2020

Entity # 8281949 Lic Status Current

Address

Street # 5475 Street SOUTH DECATUR BLVD SUITE 100

Line 2 Line 3

> City LAS VEGAS State NV Zip 89118

> > Routing

License

Fed Tax # Lic Type 1050 - Slot Machine Business Expires On 06/30/2024

File # 57 Name AINSWORTH GAME TECHNOLOGY LTD Extended To

SBUS - Slot Machine Bus Occupational License # 7929049 Rank Renewed On 07/22/2021 License

Entity # 7929049 Lic Status Current

Address

Street # 10 Street HOLKER STREET

Line 2 Line 3

> City NENINGTON NSW State 99 Zip 2127

> > Routing

License

Fed Tax # Lic Type 1050 - Slot Machine Business Expires On 06/30/2024

File # 13 Name ARISTOCRAT TECHNOLOGIES INC Extended To

SBUS - Slot Machine Bus Occupational License # 7830421 Rank Renewed On 05/07/2021

License

Entity # 7830421 Lic Status Current

Address

Street # 10220 Street ARISTOCRAT WAY

Line 2 Line 3

> City LAS VEGAS State NV Zip 89135

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Name ARUZE GAMING AMERICA INC

Expires On 06/30/2025

Extended To

Rank License SBUS - Slot Machine Bus Occupational

Renewed On 07/15/2022

Entity # 8587586

File # 123

License # 8587586

Lic Status Current

Address

Street # 6900 Street S. DECATUR BLVD. SUITE 100

Line 2 Line 3

City LAS VEGAS

State NV

Zip 89118

Routing

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 9

Name SG GAMING INC

Extended To

License # 7805891

Rank License SBUS - Slot Machine Bus Occupational

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

DBA Name

DBA SCIENTIFIC GAMES

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2023

File # 28

Name BMM NORTH AMERICA INC

Extended To

License # 7869859

Rank License SBUS - Slot Machine Bus Occupational

Renewed On 07/17/2020

Entity # 7869859

Lic Status Current

Address

Street # 815

Street PILOT ROAD SUITE G

Line 2 Line 3

City LAS VEGAS

State NV

Zip 89119

License

Fed Tax # Lic Type 1050 - Slot Machine Business File # 58

Lic Status Current

Expires On 06/30/2025

Name CUMMINS-ALLISON CORP Extended To

Rank License SBUS - Slot Machine Bus Occupational License # 7934408

Renewed On 07/22/2022

Address

Street # 852 Street FEEHANVILLE DR

Line 2 Line 3

Entity # 7934408

City MT PROSPECT State IL Zip 60090

Routing

License

Fed Tax # Lic Type 1050 - Slot Machine Business Expires On 06/30/2024

File # 225 Name HAYES INTERNATIONAL INC Extended To

Rank License SBUS - Slot Machine Bus Occupational License # 11018137 Renewed On 07/12/2021

Entity # 11018137 Lic Status Current

Address

Street # 7550 Street SW 42ND COURT

Line 2 Line 3

> City DAVIE State FL Zip 33314

> > Routing

License

Fed Tax # Lic Type 1050 - Slot Machine Business Expires On 06/30/2024

File # 7 Name IGT INC Extended To

SBUS - Slot Machine Bus Occupational License # 7800936 Renewed On 06/02/2021

License

Entity # 7800936 Lic Status Current

Address

Street # 6355 Street S BUFFALO DRIVE

Line 2 Line 3

> City LAS VEGAS State NV Zip 89113

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 140

Name INCREDIBLE TECHNOLOGIES CASINO GAMES INC

Extended To

License # 8801896

Rank SBUS - Slot Machine Bus Occupational License

Entity # 8801896

Renewed On 06/30/2021

Address

Street # 200

Street CORPORATE WOODS PARKWAY

Line 2 Line 3

City VERNON HILLS

State IL

Zip 60061

Routing

Lic Status Current

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2025

File # 134

Name INTERBLOCK USA L. C.

Extended To

License # 8759471

Rank License SBUS - Slot Machine Bus Occupational

Renewed On 06/29/2022

Entity # 8759471 Lic Status Current

Address

Street # 1106

Street PALMS AIRPORT DRIVE

Line 2 Line 3

City LAS VEGAS

State NV

Zip 89119-3730

Routing

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 224

Name INTERNATIONAL GAMING SOLUTIONS

Extended To

License # 10965598

SBUS - Slot Machine Bus Occupational Rank License

Renewed On 07/28/2021

Entity # 10965598

Lic Status Current

Address

Street # 7991

Street WEST 25TH COURT

Line 2

Line 3

City HIALEAH

State FL

Zip 33016

License

Lic Type 1050 - Slot Machine Business Fed Tax # |

Expires On 06/30/2024 Extended To

File # 30 Name KONAMI GAMING INC

SBUS - Slot Machine Bus Occupational

License # 7883140 Entity # 7883140

License Lic Status Current

Address

Street # 585 Street KONAMI CIRCLE

Line 2

Line 3

City LAS VEGAS

State NV

Zip 89119

Renewed On 05/30/2018

Routing

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 174

Name EVERI GAMES, INC.

Extended To

License # 9943621

SBUS - Slot Machine Bus Occupational License

Renewed On 06/25/2021

Entity # 9943621

Lic Status Current

Address

Street # 7250

Street S TENAYA WAY, SUITE 100

Line 2

Line 3

City LAS VEGAS

State NV

Zip 89113

Routing

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2025

File # 124

PATRIOT GAMING & ELECTRONICS, Name

Extended To

License # 8605145

SBUS - Slot Machine Bus Occupational Rank License

Entity # 8605145

Lic Status Current

Renewed On 07/18/2022

Address

Street # 217

Street N. LINDBERG

Line 2 Line 3

City GRIFFITH

State IN

Zip 46319

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Lic Status Current

Expires On 06/30/2024

File # 14

Name REEL GAMES INC

Extended To

License # 7830710

SBUS - Slot Machine Bus Occupational

Entity # 7830710

License

Renewed On 06/15/2021

Address

Street # 1501

Street NE 13TH AVENUE

Line 2

Line 3

City FORT LAUDERDALE

State FL

Zip 33304

Routing

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2025

File # 249

Name SCA ENTERTAINMENT, LP

Extended To

License # 12077540

Rank SBUS - Slot Machine Bus Occupational License

Renewed On

Entity # 12077540

Lic Status Current

Address

Street # 3030

Street LBJ FREEWAY, 3RD FLOOR

Line 2 Line 3

City DALLAS

State TX

Zip 75234

Routing

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 76

Name SPIN INC

Extended To

License # 8010467

Rank SBUS - Slot Machine Bus Occupational License

Renewed On 05/25/2021

Entity # 8010467

Lic Status Current

Address

Street # 35

Street SW 12TH AVE SUITE 107

Line 2 Line 3

City DANIA BEACH

State FL

Zip 33004

Fed Tax # Lic

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2025

File # 218 Name TOTAL KEY CONTROL, INC.

Extended To

License # 10764411

nk SBUS - Slot Machine Bus Occupational License

Renewed On 09/01/2022

Entity # 10764411

Lic Status Current

Address

Street # 7777

Street NORTH WICKHAM ROAD

Line 2 SUITE 12-603

Line 3

City MELBOURNE

State FL

Zip 32940

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Expires On 06/30/2022

Renewed On 06/06/2016

File # 218

Name TOTAL KEY CONTROL, INC.

Extended To

License # 10764411

Rank License

Entity # 10764411

Lic Status Lic Expired

Address

Street # 7777

Street NORTH WICKHAM ROAD

Line 2 SUITE 12-603

Line 3

City MELBOURNE

State FL

Zip 32940

Routing

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 29

Name VSR INDUSTRIES INC

Extended To

License # 1499535

Rank License

Renewed On 06/15/2021

Entity # 1499535 L

Lic Status Current

Address

Street # 6190

Street MT VISTA STREET

Line 2

Line 3

City HENDERSON

State NV

Zip 89014

Routing

License

Fed Tax #

Lic Type 1050 - Slot Machine Business

Expires On 06/30/2024

File # 244

Name NAO VENTURES INC

Extended To

License # 11938935

Rank License Sout Machine Bus Occupational

Renewed On 06/18/2021

Entity # 11938935

Lic Status Current

Address

Street # 6155

Street NW 72 AVE

Line 2

Line 3

City MIAMI

State FL.

Zip 33166

Fed Tax # Lic Type 1050 - Slot Machine Business

File # 218 Name TOTAL KEY CONTROL, INC. Expires On 06/30/2025

Extended To

License # 10764411

Rank SBUS - Slot Machine Bus Occupational License

Entity # 10764411

Lic Status Current

Renewed On 09/01/2022

Address

Street # 7777

Street NORTH WICKHAM ROAD

Line 2 SUITE 12-603

Line 3

City MELBOURNE

State FL

Zip 32940

Routing

Other

1st License Date 08/29/2019

Rank Date 09/01/2022

Certificate #

Method I-S-1020

Status Date 09/01/2022

Certificate Date

Fee Exempt No

Birth Date

Renewal Sent

License

Fed Tax # Lic Type 1050 - Slot Machine Business

Expires On 06/30/2023

File # 210

Name ZUUM USA LLC

Extended To

License # 10535996

SBUS - Slot Machine Bus Occupational

License

Renewed On 06/15/2020

Entity # 10535996

Lic Status Current

Address

Street # 10161

Street PARK RUN DRIVE SUITE 150

Line 2

Line 3

City LAS VEGAS

State NV

Zip 89145

Jelks, La'Kesha

From: Jelks, La'Kesha

Sent: Wednesday, August 17, 2022 11:25 AM

To: 'Elisa Festa'

Subject: RE: Dania Slot License Renewal

Categories: Slots License

Greetings,

The Slots Renewal Application submitted for <u>Dania Entertainment Center, LLC (SM274)</u> was received, however, the application remains incomplete for:

- Payment of the non-refundable \$2 million application fee and payment of the non-refundable \$250k regulatory fee for the Compulsive or Addictive Gambling Prevention Program as required by Section 551.118, FS (submit before October 15, 2022)
- Submit updated surety bond to reflect Nov. 1, 2023 before application is presented before the Commission

The item listed require submission and/or correction to complete the renewal application. If you have any questions regarding the deficiencies, please contact me at your earliest convenience.

Best,

La'Kesha Jelks



La'Kesha Jelks Operations Review Specialist Florida Gaming Control Commission Pari-Mutuel Wagering Phone: (850) 717-1095

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From: Elisa Festa [mailto:elisa.festa@daniacasino.com]

Sent: Friday, August 5, 2022 11:36 AM **To:** Jelks, La'Kesha; Pouncey, Jamie **Subject:** Dania Slot License Renewal

[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.

1

269

Good Morning,

Please see attached for our license renewal application. The originals will be mailed to you. Please confirm receipt of information.

Let me know if you have any questions. Thank you and have a Fantastic Friday.

Elisa Festa Tabasso, Ph.D | Director of Compliance



301 East Dania Beach Blvd Dania Beach, Florida 33004 P: (954) 342-1278

Toll Free: 844.7.WIN.BIG | CasinoDaniaBeach.com

2 270

Jelks, La'Kesha

From:

Pouncey, Jamie

Sent:

Tuesday, October 11, 2022 9:38 AM

To:

Jelks, La'Kesha

Subject:

FW: IC Review Memo - The Casino @ Dania Beach

Attachments:

Dania License Renewal Memo-10-11-2022-2023.pdf

FYI

Jamie Pouncey Program Administrator

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
850.717.1073 Office 850.488.0550 FAX 850.556.7301 Cell
Important: Confidentiality & Public Records Statement

From: Crafts, Bill

Sent: Tuesday, October 11, 2022 9:04 AM

To: Pouncey, Jamie

Cc: Jones, Marva; England, Donald

Subject: IC Review Memo - The Casino @ Dania Beach

Good morning Jamie,

We have completed the audit for Dania Entertainment Center, LLC d/b/a The Casino @ Dania Beach License Renewal.

Please see attached.

Have a great day.



Bill Crafts Chief of Slot Operations

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Slot Operations
954.202.6783 Office 954.202.3370 Fax



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

MEMORANDUM

TO:

Jamie Pouncey, Program Administrator

FROM:

Bill Crafts, Chief of Slot Operations

SUBJECT: Dania Entertainment Center, LLC·d/b/a The Casino @ Dania Beach - Annual Internal Controls Review

DATE:

October 11, 2022

The office of Slot Operations has completed our annual review of the Internal Controls of Dania Entertainment Center, LLC d/b/a The Casino @ Dania Beach. At this time, our assessment has shown full compliance with 551, Fla. Stat. (2005) and Fla. Admin. Code R. 61D-14. We strive to continuously review all our licensed facilities systems of control, and work closely with the property's management and compliance officers to ensure rigorous adherence to Florida Statute and Administrative Code. Our annual review involves a more comprehensive and robust examination of all Internal Controls as adopted by the facility.

This review was conducted by the Tax & Audit Group of the Office of Slot Operations, with their report SOIC-2023-274 being issued on October 11, 2022.

As always, should you have any questions or concerns pertaining to this matter, please do not hesitate to Contact me.

Bill Crafts

Chief of Slot Operations



State of Florida

Department of Business and Professional Regulation Chronology Report

Case #:

2022039952

Incident date: 08/05/2022

Status: 10 - Initial Review

Lic Type:

1003

Disposition:

Case Type:

Complaint

Responsible: ljelks - JELKS, LA'KESHA

Complainant:

DANIA ENTERTAINMENT CENTER, LLC

301 EAST DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004

Respondent:

FGCC, PARI-MUTUEL WAGERING

2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

Summary:

PERMITHOLDER APPLICATION FOR ANNUAL SLOT MACHINE LICENSE

Permitholder Name: Dania Entertainment Center, LLC d/b/a The Casino @ Dania Beach

Date Received: August 5, 2022

Chronology:

Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
08/17/2022	R		ljelks	JELKS, LA'KESHA	ljelks	
08/17/2022	S	1003	10	Initial Review	lielks	

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Re: Daytona Beach Kennel Club, Inc.'s Request to add Card Tables

Date: October 10, 2022

Executive Summary

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

Background

Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel Club & Poker Room ("Daytona") possesses a greyhound permit. Daytona has been issued a pari-mutuel operating license and a cardroom license for the 2022-2023 Fiscal Year. Daytona is currently licensed to operate 46 card tables and is requesting permission to add 12 more to its cardroom. Daytona has paid the \$12,000 license fees associated with the additional tables.²

Analysis

Aside from the \$1,000-per-card-table license fee, there is no other applicable restriction³ to the number of card tables that Daytona can add to its cardroom. Since Daytona has paid the additional \$12,000 license fee, Daytona should be authorized to add additional card tables to its cardroom.

Recommendation: The Florida Gaming Control Commission should approve Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel Club & Poker Room's request to add additional card tables to its cardroom.

¹ See generally § 849.086, Fla. Stat.

² The annual cardroom license fee costs \$1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

³ There is no indication that PPI 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: Daytona Beach Kennel Club, Inc. FISCAL YEAR: 2022/2023

DATE RECEIVED: October 10, 2022 **CASE NUMBER: 2022-048727**

DATE PROCESSED: October 10, 2022

REVIEWER"S NAME: La'Kesha Jelks

CHANGE REQUESTED: Adding 12 tables for a total of 58.

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

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

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

REVENUE SECTION PERMIT ADMIN OPERATIONS REVIEW SP

REVIEWED REVIEWED REVIEWED INITIALS: INITIALS: **INITIALS:**

DATE:

DATE:

CARDROOM LICENSE

DISTRIBUTION OF PMW AND CARDROOM (If applicable) LICENSE(S):

PARI-MUTUEL LICENSE

General Manager (Original) Office of Auditing **Licensing Administrator** (with all paperwork) Regional Manager Director's MRS

Office of Investigations Office of Revenue & Financial Analysis Chief Inspector U of FL Laboratory Florida Greyhound Association (Greyhound Tracks Only)

General Manager (Original) Office of Auditing

Licensing Administrator (with all paperwork) Chief Inspector

Office of Investigations Office of Revenue & Financial Analysis Regional Manager Director's MRS



October 7, 2022

Florida Gaming Control Commission Division of Pari-Mutuel Wagering Attn: Jamie Pouncey 2601 Blair Stone Rd Tallahassee, Florida 32399-1035



To Whom It May Concern:

We are requesting the addition of 12 poker table licenses to our permit at Daytona Beach Racing and Card Club (960 S Williamson Blvd, Daytona Beach, FL 32114) for the permit year 2022-2023. Enclosed you will find an updated DBPR PMW-3160 and a check for \$12,000 for the license fees.

Thank you

Best regards,

Todd Schryver Director of Finance

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



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

1940 North Monroe Street Tallahassee, Florida 32399-1037 www.myfloridalicense.com/dbpr

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.

ORGANIZATIO	N INFO	RMATION	The state of the s		
Federal Employer ID Number					
Permitholder's Legal Name: Daytona Beach Ke	nnel C	lub, Inc.			
Doing Business As (D/D/A) Name:		acing and Card	d Club		
MAILING	ADDRI	ESS	(m. 1946 1955 - 1954)		
Street Address or P.O. Box: 960 S. Willamsor	n Blvd				
^{City:} Daytona Beach		State:FL	Zip Code (+4 optional): 32114		
County (if Florida address): Volusia	Countr	^{y:} USA			
CONTACT I	VFORM	ATION	Prince Committee		
Contact Name: Todd Schryver					
Primary Phone Number: Primary E-Mail Ad	ddress:				
PHYSICAL	ADDR	ESS	A P. SON AND THE P. IN.		
Street Address: 960 S Williamson Blvd					
^{City:} Daytona Beach		State: FL	Zip Code (+4 optional): 32114		
County: Volusia					

ADDITIONAL CONTACT INFORMATION (OPTIONAL)					
Alternate Phone Number: Fax Number: (386) 252-4808					
Alternate E-Mail Address:					

CARDROOM INFORMATION	
Physical Location of Cardroom: First floor - central part of building	
What is the maximum number of card tables you intend to operate during the license period?	58
A check or money order made payable to DBPR for the table fees (\$1,000 per table) must be this application.	submitted with
Name of cardroom manager or cardroom management company: Joseph La Rosa	
Cardroom manager or cardroom management company license number: 10152488	
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



Fed Tax #

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

Entity # 10152488

Lic Status Current

Renewed On 06/13/2022

Address

Street # 1955

Street LANCASTER LANE

Line 2

Line 3

City THE VILLAGES

State FL

Zip **32162**

DAYTONA BEACH KENNEL CLUB 960 SOUTH WILLIAMSON BLVD DAYTONA,FL 32114

DETACH BEFORE DEPOSITING

Invoice Date

	VENDOR NO.		DATE	CHECK NO
	0000	217311	09/27/22	01007254
Gross Amount		Discount Taken		Paid Amount
			0.00	12,000.

09/23/22	92322LICFEE3	F 101 Set 1-
USIEG		

TOTALS:

Invoice Number

\$12,000.00

\$12,000. \$0.00

REMOVE DOCUMENT ALONG THIS PERFORATION

ARTIFICIAL WATERMARK ON REVERSE SIDE - DO NOT ACCEPT WITHOUT NOTING WATERMARK - HOLD AT ANGLE TO VIEW

DAYTONA BEACH KENNEL CLUB 960 SOUTH WILLIAMSON BLVD DAYTONA , FL 32114

50-937

DATE CHECK NO. 01007254 09/27/22 **** \$12,000.00

JP MORGAN CHASE BANK, N.A. Syracuse, NY

VOID IF NOT CASHED WITHIN 90 DAYS

** Twelve thousand and xx/100Dollar **

PAY: FLORIDA GAMING CONTROL COMMISSION
TO 5
THE 0

ORDER OF:

VEN:0000217311

AUTHORIZED SIGNATURE

Œ

State of Florida



Department of Business and Professional Regulation Cash Listing Report

Client: 100 - Division of Pari-Mutuel Wagering

Origin:

TLH Centra

Fiscal Year: 2022

Batch #: 22008164 Total \$ Entered: \$ 12,000.00

Deposit #: 110133

Deposit Date: 2022-10-11

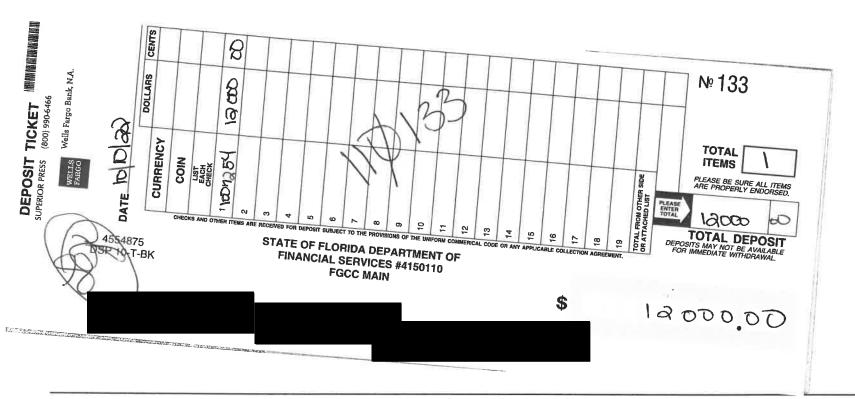
#Receipt: 1

Receipts Entered: 1

Total:

\$ 12,000.00 Status: Deposited

Receipt #	DLN	Received Disp Pn	it Note	Unassigned F	Prof	Remitted By / Beneficiary	File #	License #	Assigned
220058058		\$ 12,000.00 DEP CH	K	\$ 12,000.00	1002	DAYTONA BEACH KENNEL CLUB, INC.	30	143	\$ 0.00
Total:		\$ 12,000	.00	\$ 12,000.00					\$ 0.00



Jelks, La'Kesha

From:

Todd Schryver <TSCHRYVE@delawarenorth.com>

Sent:

Thursday, October 13, 2022 9:53 AM

To:

Jelks, La'Kesha

Subject:

RE: Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or

Daytona Beach Kennel Club & Poker Room Amendment B

Categories:

Amendment

[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.

Will not change from the current 14 tables. We are expanding our tournament area.

From: Jelks, La'Kesha <La'Kesha.Jelks@fgcc.fl.gov>

Sent: Thursday, October 13, 2022 9:44 AM

To: Todd Schryver <TSCHRYVE@delawarenorth.com>

Subject: RE: Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel

Club & Poker Room Amendment B

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

After the additional tables are added, how many DP tables will you have?

Best,

La'Kesha Jelks



La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering

Phone: (850) 717-1095

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From: Todd Schryver [mailto:TSCHRYVE@delawarenorth.com]

Sent: Tuesday, October 11, 2022 11:17 AM

To: Jelks, La'Kesha

Subject: RE: Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel

Club & Poker Room Amendment B

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Safe to assume this change request will be on the November commission agenda?

From: Jelks, La'Kesha < La'Kesha.Jelks@fgcc.fl.gov>

Sent: Monday, October 10, 2022 4:21 PM

To: Todd Schryver < TSCHRYVE@delawarenorth.com>

Subject: RE: Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel

Club & Poker Room Amendment B

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It will not hold up the process of getting the license approved.

From: Todd Schryver [mailto:TSCHRYVE@delawarenorth.com]

Sent: Monday, October 10, 2022 3:11 PM

To: Jelks, La'Kesha

Subject: RE: Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel

Club & Poker Room Amendment B

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Hi La'Kesha

We don't have a finalized drawing yet. Will that be required prior to the application change being considered by the gaming commission or can the drawing come later, prior to scheduling the inspection?

We don't have a timeline yet on making the changes. Just wanted to get the license updated ahead of time.

Thank you

From: Jelks, La'Kesha < La'Kesha.Jelks@fgcc.fl.gov>

Sent: Monday, October 10, 2022 2:50 PM

To: Todd Schryver <TSCHRYVE@delawarenorth.com>

Subject: Daytona Beach Kennel Club, Inc. d/b/a Daytona Beach Racing and Card Club and/or Daytona Beach Kennel Club & Poker Room Amendment B

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Greetings,

Please send the floor plan that shows placement of the 12 additiona tables.

Best,

La'Kesha Jelks



La'Kesha Jelks Operations Review Specialist Florida Gaming Control Commission Pari-Mutuel Wagering Phone: (850) 717-1095

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State of Florida



Department of Business and Professional Regulation Chronology Report

Case #:

2022048727

Incident date:

Status: 10 - Initial Review

Lic Type:

1002

Disposition:

Case Type:

Complaint

Responsible: Ijelks - JELKS, LA'KESHA

Complainant:

DAYTONA BEACH KENNEL CLUB, INC.

960 S. WILLIAMSON BOULEVARD, DAYTONA BEACH, FL 32114

Respondent:

FGCC, PARI-MUTUEL WAGERING

2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

Summary:

PERMITHOLDER: Daytona Beach Kennel Club, Inc.

FISCAL YEAR: 2022/2023

DATE RECEIVED: October 10, 2022

CHANGE REQUESTED: Adding 12 tables for a total of 58.

Chronology:

Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
10/10/2022	R		ljelks	JELKS, LA'KESHA	ljelks	
10/10/2022	S	1002	10	Initial Review	ljelks	

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering Re: Request to Transfer Tax Credit

Date: October 11, 2022

Executive Summary

A greyhound permitholder request approval to transfer \$340,000.00 in tax credits to another greyhound permitholder. The Commission should approve this request.

Background

Pensacola Greyhound Racing, LLP. ("Pensacola") possesses a greyhound permit.¹ Pensacola has been issued a pari-mutuel operating license for the 2022-2023 Fiscal Year.² Daytona Beach Kennel Club, d/b/a Daytona Beach Racing and Card Club ("Daytona") also possesses a greyhound permit. Daytona has also been issued a pari-mutuel operating license for the 2022-2023 Fiscal Year.

Pensacola request to transfer \$340,000.00 of their tax credits to Daytona. For purposes of intertrack wagering,³ Daytona acts as a host track⁴ for Pensacola. Pensacola has \$340,000.00 of tax credits available for transfer. Additionally, Pensacola has not previously elected to transfer these tax credits. Neither Pensacola nor Daytona owe any unpaid taxes.

¹ Permitting is a perquisite 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 and Pensacola meet these requirements. First, Daytona acts as a host track for Pensacola. Second, Pensacola has not elected to transfer its available tax credits this state fiscal year. Third, Pensacola has \$340,000.00 in available tax credits that they seek to transfer to Daytona. Lastly, neither Pensacola nor Daytona owe any unpaid taxes. Therefore, Pensacola should be permitted to transfer \$340,000.00 of their tax credits to Daytona.

<u>Recommendation</u>: The Florida Gaming Control Commission should approve Pensacola Greyhound Racing, LLP. request to transfer \$340,000.00 in tax credits to Daytona Beach Kennel Club, d/b/a Daytona Beach Racing and Card Club.

⁵ See § 550.0951(1)(b), Fla. Stat. (outlining requirements for such a transfer).

⁶ *Id*.

 $^{^{7}}$ Id.

⁸ *Id*.

⁹ *Id*.

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MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney

Re: Case Number 2022-024913; Default Final Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Marcos A. Mendoza Alvarez ("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 December 18, 2021, Respondent was a patron of Casino Miami, LLC.¹ Respondent was seen via surveillance footage manipulating a slot machine in order to gain \$1,700 in winnings. Respondent was permanently excluded from Casino Miami, LLC², on December 22, 2021.

Based on his exclusion from Casino Miami, LLC, 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 September 19, 2022 which means the Respondent had until October 10, 2022 to respond. He has never responded.

¹ Casino Miami, LLC 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." Casino Miami, LLC 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

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a final order permanently excluding Marcos A. Mendoza Alvarez 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. MARCOS A. MENDOZA ALVAREZ,	FGCC Case No.: 2022-024913
Respondent.	

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Marcos A. Mendoza Alvarez ("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 3363 Northwest 19th Street Miami, Florida 33125.
- 3. At all times material hereto, Casino Miami, LLC 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 December 18, 2021, Respondent was a patron of Casino Miami, LLC.
- 5. On or about December 22, 2021, Respondent returned to Casino Miami, LLC and was ejected and permanently excluded.
 - 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 parimutuel 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 parimutuel 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 Casino Miami, LLC on or about December 22, 2021.

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 2022-024913 is signed this 6th day of September, 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

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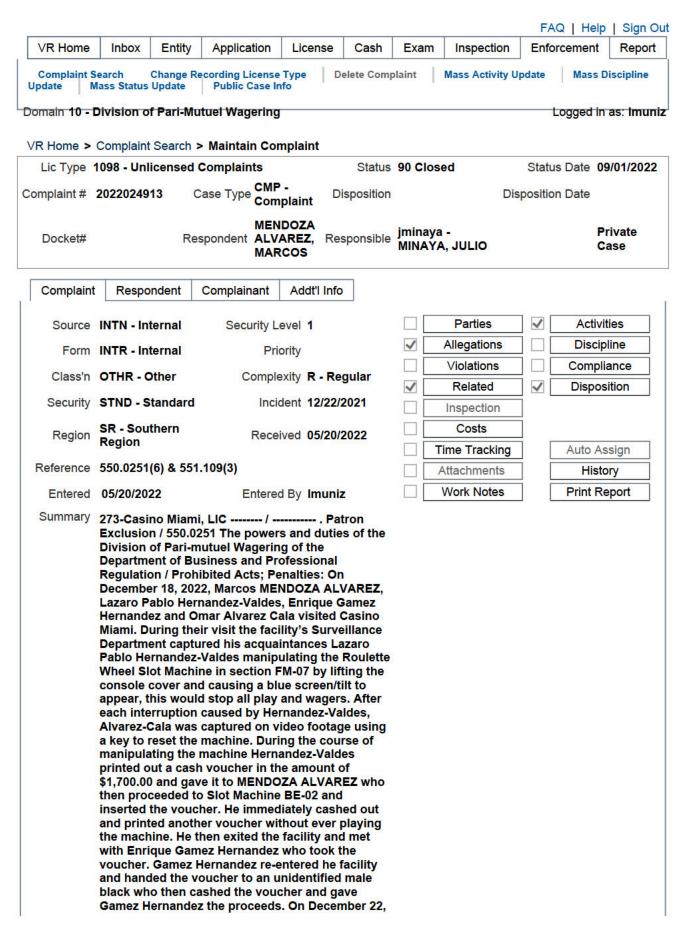
NOTICE OF RIGHTS TO REQUEST A HEARING

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.

2022-024913 Page 4 of 4



2022, MENDOZA ALVAREZ was detained by security after returning to the facility and was identified as having participated in the above described incident. He was escorted to the Casino Miami Security Operations Center (SOC) where he was permanently excluded.

Updated 09/01/2022 11:31:02 By Imuniz

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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint May 20, 2022	:	Case Number: 2022 02 4913
Respondent:			Complainant:	
MENDOZA ALVAREZ, MARCOS		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: August 8, 2022
Period of Investigation		PAIRON	Type of Report:	
May 25, 2022 through		ties of the Division	of Pari-mutual Wagarin	Final ag of the Department of Business and
Professional Regulation		ues of the Division	or Fari-inutuer wagerii	ig of the Department of Business and
(6) In addition to the pow	er to exclude certain persons fr	om any pari-mutuel fac	ility in this state, the divisi	on may exclude any person from any and all
pari-mutuel facilities in th	is state for conduct that would	constitute, if the person	were a licensee, a violation	on of this chapter or the rules of the division.
The division may exclude	e from any pari-mutuel facility	within this state any pe	rson who has been eject	ed from a pari-mutuel facility in this state or
who has been excluded	from any pari-mutuel facility in	another state by the go	overnmental department,	agency, commission, or authority exercising
regulatory jurisdiction over	er pari-mutuel facilities in such	other state. The division	n may authorize any pers	son who has been ejected or excluded from
pari-mutuel facilities in th	is state or another state to atte	end the pari-mutuel facil	ities in this state upon a f	inding that the attendance of such person at
pari-mutuel facilities wou	lld not be adverse to the publi	ic interest or to the inte	egrity of the sport or indu	ustry; however, this subsection shall not be
construed to abrogate the	e common-law right of a pari-m	utuel permit holder to ex	clude absolutely a patron	in this state.
F.S.S. 551.109 Prohibite	ed Acts; Penalties -			
(3) Any person who kno	wingly excludes or takes any	action in an attempt to	exclude, anything of value	ue from the deposit, counting, collection, or
computation of revenues	from slot machine activity, or a	ny person who by trick,	sleight of hand performar	nce , a fraud or fraudulent scheme, or device
wins or attempts to win,	for himself or herself or for and	other, money or propert	y or a combination there	of or reduces or attempts to reduce a losing
	slot machine gaming commits			
Synopsis: On December 18, 2021, Marcos MENDOZA ALVAREZ, Lazaro Pablo Hernandez-Valdes, Enrique Gamez Hernandez and Omar Alvarez Cala visited Casino Miami. During their visit the Surveillance Department captured Lazaro Pablo Hernandez-Valdes manipulating the Roulette Wheel Slot Machine in section FM-07 by lifting the console cover and causing a blue screen/tilt to appear, this would stop all play and wagers. After each interruption caused by Hernandez-Valdes, Alvarez-Cala was captured on video footage using a key to reset the machine. During the course of manipulating the machine Hernandez-Valdes printed out a cash voucher in the amount of \$1,700.00 and gave it to MENDOZA ALVAREZ, who then proceeded to Slot Machine BE-02 and inserted the same cash voucher into Machine BE-02. He immediately cashed out and printed a new voucher without ever playing the machine. He then exited the facility and met Enrique Gamez Hernandez who took the voucher. Gamez Hernandez re-entered the facility and handed the voucher to an unidentified male black who then cashed the voucher and gave Gamez Hernandez the proceeds.				
participated in the abopermanently excluded	ove described incident. He from the facility.	e was escorted to th		he facility and was identified as having rity Operations Center (SOC) and was
Investigator / Date	22 02 4908, 2022 02 4925,		nvestigator Supervis	or / Date
mvestigator / Date		Ph	investigator Supervis	oi / Date
Raul Suau / Augus	st 8, 2022		Julio Minaya / Aug	ust 30, 2022
Chief of Investigation			, ,	
Steven E. Kogan / September 1, 2022				

CONTINUATION

CASE NUMBER: 2022 02 4913

On December 23, 2021, I received an e-mail with an attachment from Casino Miami Director of Security Eugene Tellez. The attachment contained Security Report CMJ-000004896, and it detailed an incident involving a patron by the name of Marcos **MENDOZA ALVAREZ**, who was permanently excluded by the facility on December 22, 2021, for participating with others in the manipulation of the Roulette Wheel Slot Machine on December 18, 2022, which was documented under Surveillance Report CMJ-000010083. **(Exhibits #1, 2)**

According to Surveillance Report CMJ-000010083 the following suspects were listed as participating or accompanying those involved in the December 18, 2022 incident. Those suspects are identified as;

Suspect #1 - Lazaro Pablo Hernandez-Valdes.

Suspect #2 - Omar Alvarez Cala.

Suspect #3 - Enrique Gamez Hernandez.

Suspect #4 – Marcos Mendoza Alvarez.

Suspect #7 – Unknown Male with dreadlocks & BK T-shirt pending identification.

The above Surveillance Report documented **MENDOZA ALVAREZ** as being one of four individuals at Roulette Wheel Slot Machine FM-07. Two of these individuals, Enrique Gamez Hernandez and Lazaro Pablo Hernandez-Valdes were observed by surveillance playing on the machine. They were also observed lifting the console cover on several occasions, causing a blue screen/tilt message of "call attendant" to appear. The fourth member of the group, Omar Alvarez Cala had a reset key which he immediately used to reset the machine each time so that no monies wagered would be lost. This allowed the player to continue to play. **(Exhibits #3, 4)**

On December 18, 2021, at 1:02:58 A.M., Hernandez-Valdes was observed by Surveillance winning a jackpot on Roulette Wheel Slot Machine FM-07. After winning the jackpot Hernandez-Valdes was seen lifting the console cover of the slot machine causing a blue screen and a "call attendant" message to appear. However, because Alvarez Cala immediately, reset the machine as the blue screen appeared no wagered monies was lost nor was the jackpot cashed out. Hernandez-Valdes continued to play and manipulate the machine until 1:31:44 A.M., when he printed out a cash voucher in the amount of \$1,700.00.

At 1:31:44 A.M., Hernandez-Valdes printed a cash voucher from Slot Machine FM-07 in the amount of \$1,700.00, representing his winnings at that machine. Once the voucher was printed, he gave it to Marcos **MENDOZA ALVAREZ**, who then went to Slot Machine BE-02 and inserted the \$1,700.00 cash voucher into the machine. **MENDOZA ALVAREZ** immediately cashed out, never playing the machine and received a new cash voucher in the amount of \$1,700.00. After printing out the new cash voucher, he exited the facility and walked to the East Parking lot where he met Enrique Gamez Hernandez. At this point both men appear to shake hands and Gamez Hernandez proceeded to walk back to the casino. **(Exhibit #4, Pages 5, 6, 8, 10)**

At 1:41:27 A.M., Gamez Hernandez re-entered the casino and is observed meeting an unidentified male black identified in Surveillance Report CMJ-00010083 as suspect #7. Gamez Hernandez is captured on video footage giving suspect #7 a piece of paper. Suspect #7 then goes to the main cage and hands the cashier the same piece of paper that he received from Gamez Hernandez, now visible as a voucher in the amount of \$1,700.00 to be cashed. After cashing the voucher suspect #7 meets Gamez Hernandez in Slot Machine Bank CK and gives him the money. Gamez Hernandez then exits the facility and walks to the main parking lot and meets with **MENDOZA ALVAREZ.** (Exhibit #3 & Exhibit #4, Pages 11, 12, 13, 14 & 15)

The above incident was corroborated when details of the incident documented in Surveillance Report CMJ-000010083 were viewed on surveillance footage by this Investigator.

On December 22, 2021, at approximately 6:10 P.M., **MENDOZA ALVAREZ** re-visited Casino Miami and was stopped by Security Director Eugene Tellez and escorted to the Security Operations Center (SOC) and was permanently excluded from the facility. This incident was documented in Security Report CMJ-000004896. **(Exhibit # 2)**

¹ This investigator cannot identify what transpired between **MENDOZA ALVAREZ** and Gamez Hernandez.

CONTINUATION

CASE NUMBER: 2022 02 4913

Cases against Omar Alvarez Cala 2022-02-4885, Marcos Mendoza Alvarez 2022-02-4921 and Enrique Gamez Hernandez 2022-02-4925 have been opened.

Case closed by Investigation and forwarded to Legal for review and possible statewide exclusion from all PMW facilities.

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2022 02 4913

CONTINUATION

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Suau, Raul

From: Gene Tellez < gtellez@playcasinomiami.com> Sent: Thursday, December 23, 2021 5:29 PM

To: Suau, Raul

Beatriz Perez; Daniel Licciardi Cc

CMJ 4896 Mr. Marcos Alvarez Mendoza Subject:

Attachments: 0354_211223125202_001.pdf

[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.

Mr. Saua, attached is another guest that is part of the group that is attempting to manipulate the electronic Roulette slot machine.

From: Canon1050C@playcasinomiami.com < Canon1050C@playcasinomiami.com >

Sent: Thursday, December 23, 2021 12:52 PM To: Gene Tellez <gtellez@playcasinomiami.com>

Subject: Attached Image

Gene Tellez

Director of Security E: gtellez@playcasinomiami.com

P: (305) 633-6400 ext. 2060



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Casino Miami Jai-Alai - 3500 NW 37th Ave, Miami, FL 33142 (305) 633-6400 - casinomiamijaialai.com

CMJ-000004896 - Incident - Suspicious Activity - Reported 12/22/2021 18:30

Author: Gene Tellez 396678

Report Number: CMJ-000004896

Start Time: 12/22/2021 18:30

End Time: 12/23/2021 11:25

Report Group: Security Reports

Report Type: Incident - Suspicious Activity

Note: Marcos Mentoza Alvarez, was permanently trespass excluded for suspicious activity at the Roulette table with other quest that were tampering and manipulating the slot machine operation "payoff.

Location / Origin: Slot Machine Bank FL

Linked Reports: CMJ-000004896, CMJ-000002160, CMJ-000002163

Name: Marcos A. Alvarez Mendoza Alias: Keywords: Permanent Exclusion

Narrative

On 12-22-2021, at approximately 6:10 PM, this writer (S-1 G. Tellez) was requested by surveillance to the electronic Roulette tables "FM" Bank, reference a guest that may have been involved with the previous suspicious activity incident on 12-18-202. This writer and (S-5 S. Torres) approached Mr. Mendoza who was now on the way out through entrance/exit C-!. While outside he was stopped and asked to come to SOC, that we need to speak with him. while at SOC, Mr. Mendoza denied being involved with anyone that was tampering and manipulating the electronic roulette slot machine and he only, at the request of his friend he cashed a \$2900.00, voucher at the cage, but the video will show that he gave the money from the voucher to the friend. When questioned about the friends name he would not say but I believe it Omar Alvarez-cala (CMJ 2160). Surveillance was asked if there was any video of the \$2900.00 transaction, and I was informed by Surveillance that they had no video of any other transaction that the \$1502.00 of 12-18-2021 and that there was no information with reference to the \$2900.00 transaction. Mr. Mendoza, was permanently trespassed and given a trespass after warning by MPS Officer E. Parrelas #8484.

Signature A	Date	Signature B	Date



EXCLUSION STATEMENT

DATE: 12/22/21	Λ
Issued to: Marcos A Mendoza Alvarez Incident REPORT#	
Address	
CITY, STATE, ZIP CODE:	
DU/10 # N/A	
I.represent the owner of Casino Mlaml, LLC located at 3500 N.W. 37 Avenue Mlaml, Florida 33142. I am informing you that you are barred from these premises for the time period of (check one): For a Period of 1 Year For a Period of 5 Years	
For a Period of 2 YearsPERMANENTLY	
If you refuse to leave or leave and ever return during the period of exclusion, you will be ARRESTED FOR TRESPASSING in accordance with FLORIDA STATUE 810.08. Before returning to the premises and/or upon expiration of self-exclusion, you must first contact the Security Department or Director of State Compliance reinstatement through a written or verbal request in person. Reinstatement request will be sent to Tallaha prior to the reinstatement approval, Casino Miami will inform you of it. If you return to the premabides and you will be ARRESTED FOR TRESPASSING. Casino Miami reserves the right to deny reinstatement.	e for
Owner Representative: Steven Telles Signature:	
Patron Name: Refused to Sign Signature:	

EXHIBIT, #2 PAGE #32





Casino Miami Jai-Alai - 3500 NW 37th Ave. Miami, FL 33142 (305) 633-6400 - casinomiamijaialai.com

CMJ-000010083 - Surv-Permanent Casino Exclusion Report - Reported 12/18/2021 02:15

Author: William Hutcheson 7874265

Report Number: CMJ-000010083

Start Time: 12/18/2021 01:03

End Time: 12/22/2021 02:11

Report Group: Surveillance Reports

Report Type: Surv-Permanent Casino Exclusion

Report

Note: Perm-Exclusion Patron, Lazaro Pablo Hernandez -Valdez and Patron, Omar Alvarez-Cala were escorted out by MPD Officers, Willy Laster and Carol Blanc in reference to "Tampering", Mr. Hernandez -Valdez was observed "Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant " and Mr. Alvarez-Cala using a Slot key to " reset " slot machine FM-07, clearing the screen back to normal. A further video review revealed that Patron, Enrique Gamez Hernandez was also observed "Lifting up on Slot machine FM-07 causing the machine to go in a blue screen -call attendant ". Patron, Lazaro Pablo Hernandez -Valdez gave a voucher to Patron, Marcosa Mendoza Alvarez who inserted it into slot machine BE-02 and then cashed it out. A Patron, (Unknown Male) has his hair in dreadlocks and wearing a black T-shirt cashes out the voucher for \$1,700.00 at the cashier cage and gives the money to Patron, Enrique Gamez Hernandez.

Location / Origin: Incident-Fraudulent activity

Narrative

On 12/18/2021 at 01:11 hours, Slot Attendant, Janet Perez notified Surveillance via radio of a slot machine FM-07-1688 for the amount of \$1,350.00.



SUSPECT # 01, Patron, Lazaro Pablo Hernandez -Valdez -wearing a red baseball cap with an "R" on it enters casino through C-2.

SUSPECT # 02, Patron, Omar Alvarez-Cala-wearing a red baseball cap with "USA" on it enters casino through C-2.

SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve and SUBJECT # 05, Patron, (Unknown Female) has her hair in a Ponytail and wearing blue shirt enters casino through C-2.

SUSPECT # 04, Patron, Marcosa Mendoza Alvarez wearing a log sleeve light colored shirt and black and white baseball cap enters casino through C-2.

A further video review revealed the following SUSPECTS activities:

to normal.

Security Supervisor, Stehson Covington and MPD Officers, Willy Laster and Carol Blanc escorted SUSPECT # 01, Patron , Lazaro Pablo Hernandez -Valdez and SUSPECT # 02, Patron, Omar Alvarez-Cala to SOC. SUSPECTS #04, #05 and #03 at Patron Parking Lot together. Also present is a SUBJECT #1A, Patron (Unknown Male) wearing black baseball cap that has the word " ICON" on it. SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve enters casino through C-1. SUSPECT # 03, Patron, (Unknown Male) wearing a florescent green long sleeve gives the \$1,700.00 voucher to SUSPECT, # 06, Patron, (Unknown Male) short hair and wearing a black long sleeve sweatshirt. This report was written and approved by Surveillance Director, William Hutcheson # 7874265.

Perm-Exclusion Patron, Tiago Silveira Aguiar was escorted out and placed in nanocurs by MPD Officer, Willy Laster in reference to "Tampering", Mr. Aguiar was observed "Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant " and using a Slot key to " reset " slot machine FL-07, clearing the screen back to normal on 01-01-2022.

Perm-Exclusion Patron, Enrique Gamez Hernandez was observed "Lifting up on Slot machine FL-07 (It did not go into a blue screen). Patron, Ricardo Rodriguez was also observed "Lifting up on Slot machine FL-07 causing the machine to go in a blue screen -call attendant "and Mr. Rodriguez was using a Slot key to "reset "slot machine FL-07, clearing the screen back to normal. Both patrons were escorted out by MPD Officer, David Flanders in reference to "Tampering". NOTE: Perm-Exclusion Patron, Lazaro Pablo Hernandez Valdez came in the same vehicle as Enrique Gamez Hernandez and was waiting in the Patron Parking Lot on 12-27-2021.

Surveillance Report # 10114, Patron, Ricardo Rodriguez wearing a black T-shirt was observed "Lifting Up on Slot Machine FM-03 and the monitor did not go into a blue screen. A further video review revealed Patron, Tiago Silveira Aguiar wearing all blue, also "Lifted Up" on slot machine and the monitor did not go into a blue screen. UPDATE: Also present was Patron, Enrique Gamez Hernandez on 12-25-2021.

Surveillance Report # 9906, Perm-Exclusion Patron, Julio Cesar Baro Torres was arrested by MPD Officer Chijioke Anyanwu for "Tampering" by inserting a Slot Key into Slot Machine FL-07. UPDATE: Patron Julio Cesar Baro Torres was also observed talking Patrons, Marcosa Mendoza Alvarez and Omar Alvarez Cala on 10-25-2021.

Surveillance Report # 9901, Security Supervisor, Steven Torres request video review of slot machine in reference to a Patron (Unknown Male) causing the slot machine to have a "Blue Screen" on 10-23-2021. Patron was later identified as Branyi G Santos Moran who was lifting up on the machine. Also, a Patron (Unknown Male) was observed using a slot key to reset-put back in service after Slot Machine went into a "Blue Screen" out of service mode. The patron with the slot key was later identified on 10-25-2021 as Julio Cesar Baro Torres. UPDATE: Also, in the area was Patrons, Lazaro Pablo Hernandez Valdez, Ricardo Rodriguez, Tiago Silveira Aguiar and Omar Alvarez Cala on 10-23-2021.

Surveillance Report # 9398, Slot Attendant, Jose Rivas reported a Patron (Unknown Male) wearing a black shirt and jeans who was betting \$500.00 at Roulette Slot Machine was causing the machine screen to go blue and displaying "machine disabled call attendant". Patron was later identified as Branyi G Santos Moran on 05-08-2021.

Surveillance Report # 8205, Patron, Santos Patricio Bustillo Melendez -was identified in the casino. Mr. Bustillo Melendez won a \$3,067.00 voucher on 06-11-2017 after Patron, Silvio Alfredo Sanchez Veliz was observed altering the results of the electronic roulette game by tilting the roulette slot machine wheel at Bank GK to win in their favor on 09-24-2019.

Surveillance Report # 8192, Patron, Waarith Haadee Abdullah -claiming a slot machine jackpot at GB-01-2487 for \$1,380.00 that did not belong to him and also inserting his (2) VIP Black player club cards into slot machines that another patron was inserting his own money and playing on 09-19-2019.

Surveillance Report # 8342, Patron, Santos Patricio Bustillo Melendez -was escorted out by MPD Officer, Giordao Acosta for manipulated slot machine GJ-05-3114 – by sticking his hand between the cushion and screen and before the ball dropped causing the slot machine to reset on 11-14-2019.

This report was updated and approved by Surveillance Director, William Hutcheson # 7874265.

Signature A	Date	Signature B	Date

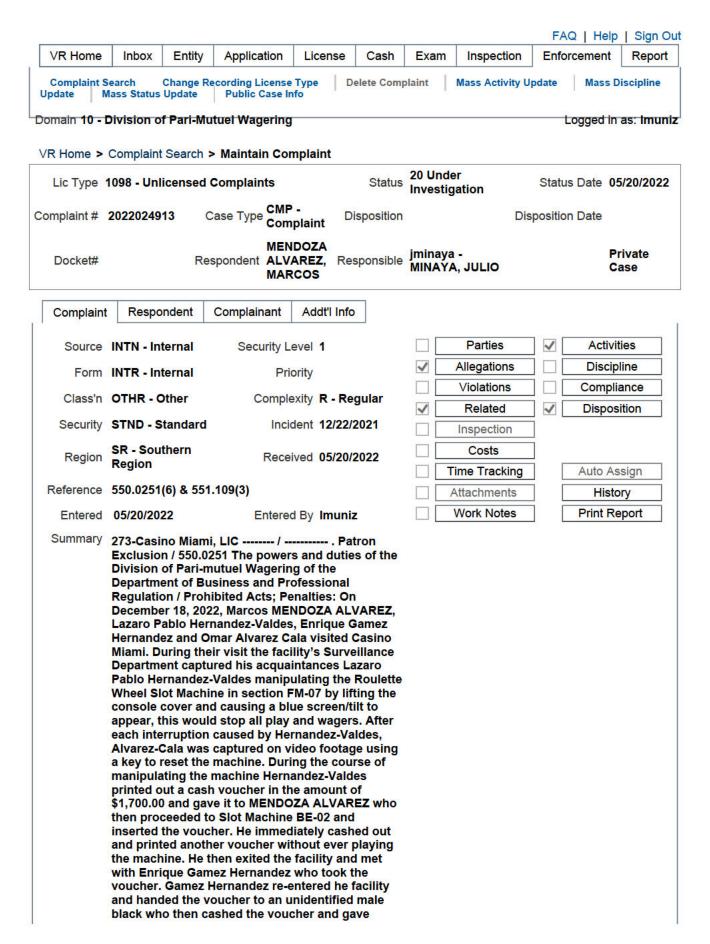


State of Florida Department of Business and Professional Regulation Division of Pari-Mutuel Wagering Investigations Section

PROPERTY RECEIPT

		THOI ENTI NEOLIFT
Complaint #_	2022 02 4913	Date 1//4/27 Lab#
Item No.	Quantity	Description
1	1	CMI 0000/0083
Z	/	CMI 0000/0083 CMI 0000/017/
		4
	vledge that the above all property taken fro and that I have of this receipt.	
	OPERTY RECEIPT	me, by the Division of Pari-Mutuel Wagering, the above listed
•••••		Signature Date
Received by:		Date: Date:
Copies for: File,	Transmittal, Laborato	ory, Property Receipt

Form DBPR 11-75 (Revised 01/04)



Gamez Hernandez the proceeds. On December 22, 2022, MENDOZA ALVAREZ was detained by security after returning to the facility and was identified as having participated in the above described incident. He was escorted to the Casino Miami Security Operations Center (SOC) where he was permanently excluded.

Updated 08/18/2022 14:12:07 By Imuniz

Change Save OK Cancel Back

Get Adobe Reader.



PMW 518 (Effective 4/19)

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

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

INC	IDENT DATE:	December 22, 2	2021				
	☐ PMW	☐ Cardroom	⊠ Slo	t	☐ Violation		☐ Complaint
FA	CILITY NAME:	Casino Miami, LI	LC			LI	C #: 273
				RESP	ONDENT		
NA	ME: Marcos M	Iendoza Alvarez					
	Address:						Tel #:
	C #: N/A	LIC TYPE	: 1098		OCCUPATION:	PATRON	
				COMPL	AINANT		
NA	ME: N/A						Tel #: N/A
	Address: N/A						
LI	C #: N/A	LIC TYPE: N/A	1	OCCUP.	ATION: N/A		
	LATION(S) / TIT ness and Profession		ne powers a	and dutie	s of the Division of F	Pari-mutuel Wag	ering of the Department of
(6) In	addition to the pov	wer to exclude certain	persons fror	n any pari	-mutuel facility in this	state, the division	may exclude any person from
any a	and all pari-mutuel	facilities in this state f	or conduct t	that would	constitute, if the perso	on were a licensee	, a violation of this chapter or
		•		• -	•	• •	who has been ejected from a
-				-	=	-	he governmental department
							te. The division may authorize
							d the pari-mutuel facilities in
			_	_			o the public interest or to the
_	-			shall not b	be construed to abrogat	e the common-law	right of a pari-mutuel permi
		tely a patron in this stated Acts; Penalties –	ate				
			takes any a	ction in a	n attempt to exclude.	anything of value	e from the deposit, counting
							and performance, a fraud or
		-					y or a combination thereof or
reduc	ces or attempts to re	educe a losing wager in	n connection	with slot	machine gaming comm	nits a felony of the	third degree.
DE	SCDIDTION. O.	- Dh19, 2022, M-	MEND	074 4137	ADEZ I D-b1- H		C II 1 1 O
							que Gamez Hernandez and Oma Lazaro Pablo Hernandez-Valdes
							tilt to appear, this would stop all
							ising a key to reset the machine
	-			_			0.00 and gave it to MENDOZA another voucher without ever
	-					-	Hernandez re-entered he facility
							oceeds. On December 22, 2022
					cility and was identified as here he was permanently e		l in the above described incident
		, ,	rations cente.	i (SOC) wi	tere he was permanently e	Actuded.	
CAS	SE DETAILS F	TLED BY:					
	Chief Ins	pector Uudge	Steward	⊠ Inv	restigator		
				0		(Title o	of State Employee)
	RAII	L SUAU		K	and fr	1	May 20, 2022
	Mi	250110			/	1	14, 20, 2022
	(Pri	nt Name)			(Signature)		(Date)

Muniz, Luz

From: Minaya, Julio

Sent: Friday, May 20, 2022 11:31 AM

To: Muniz, Luz
Cc: Suau, Raul
Subject: OCR

Attachments: OCR OMAR ALVAREZ CALA MANIPULATING SLOT ROULETTE WHEEL.DOCX; OCR

LAZARO PABLO HERNANDEZ-VALDES.docx; OCR MARCOS MENDOZA ALVAREZ.docx;

OPEN CASE REQUEST FORM - RICARDO RODRIGUEZ LUQUE.DOCX; OPEN CASE

REQUEST FORM ENRIQUE GAMEZ HERNANDEZ.DOCX

Luz,

Please open and assign to Raul.

Thank you



Julio F Minaya Investigative Supervisor Division of Pari-Mutuel Wagering, Office of Investigations 1400 W. Commercial Blvd., Suite 165 FT. Lauderdale, FL 33309

Office: 954-202-6844 Fax: 954-202-3930

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	City, State	
	DO 5	300, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

FAQs >

Remove X

Tracking Number:

70202450000050944116

Copy Add to Informed Delivery (https://informeddelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 3:05 pm on September 19, 2022 in MIAMI, FL 33125.

Delivered

Delivered, Left with Individual

MIAMI, FL 33125 September 19, 2022, 3:05 pm

See All Tracking History

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See Less ^

Track Another Package

Enter tracking or barcode numbers

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney

Re: Case Number 2022-033258; Default Final Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Shakera Hilary Charles ("Respondent") from all pari-mutuel and slot facilities in the state of Florida and revocation of her Slot Machine/Cardroom/Pari-Mutuel Combination License. By failing to respond to the properly served administrative complaint, Respondent waived her 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 her Slot Machine/Cardroom/Pari-Mutuel Combination License.

Background

Between June, 17, 2022 and June 28, 2022, Respondent was a Food and Beverage Waitress at PPI, Inc..¹ On or about July 2, 2022, it was discovered via surveillance footage that Respondent was removing items off of customers checks at the bar register and keeping the payment for the items for herself. This scheme was discovered by PPI, Inc. Respondent was permanently excluded and terminated from PPI, Inc.² on or about July 5, 2022.

Based on this incident at PPI, Inc., the Division served Respondent with a two-count administrative complaint seeking exclusion from all pari-mutuel and slot facilities in the state of Florida and revocation of her Slot Machine/Cardroom/Pari-Mutuel Combination 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 September 6, 2022 which means the Respondent had until September 27, 2022 to respond. She has never responded.

-

¹ PPI, Inc. 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." PPI, Inc. 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)(a), Florida Administrative Code, provides "[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." The Commission has the authority to revoke any license, for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.⁴ Accordingly, because Respondent employed a device, scheme, or artifice to defraud the cardroom operator, she is subject to revocation of her license.

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 and revoke her license, she waived her 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 and revoking her Slot Machine/Cardroom/Pari-Mutuel Combination License.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a final order permanently excluding Shakera Hilary Charles from all pari-mutuel and slot machine facilities in this state and revoking her Slot Machine/Cardroom/Pari-Mutuel Combination License.

_

⁴ § 849.086(14)(a), Fla. Stat.

ILED

Florida Gaming Control Commission Office of the Agency Clerk

Clerk Donna Fleming
Date 8/23/2022

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.: 2022-033258

SHAKERA HILARY CHARLES,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Shakera Hilary Charles ("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, PPI, Inc. was a facility operated by a permitholder authorized to conduct pari-mutuel wagering, slot machines, and cardroom operations in the State of Florida.
- 3. At all times material hereto, Respondent held a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License, number 11486095-1055, issued by Petitioner.
- 4. Between June 17, 2022 and June 28, 2022, Respondent was employed as a Food and Beverage Waitress at PPI, Inc.

- 5. On or about July 2, 2022, it was discovered that during the course of her employment, Respondent was seen removing items off of customer checks at the bar register and keeping the payment for such items for herself.
- 6. Following the discovery of the various incidents, Respondent was suspended from PPI, Inc.
 - 7. On or about July 5, 2022, Respondent was permanently excluded from PPI, Inc.
 - 8. Respondent was permanently excluded for the reasons alleged in Exhibit 1.

COUNT I

- 9. Petitioner realleges and incorporates the allegations contained within paragraphs one through seven as though fully set forth herein.
- 10. 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."
- 11. 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.

COUNT II

- 12. Petitioner realleges and incorporates the allegations contained within paragraphs one through seven as though fully set forth herein.
 - 13. Section 550.0251(6), Florida Statutes, provides in relevant part:

In addition to the power to exclude certain persons from any parimutuel 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.

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.

15. Based on the foregoing, Respondent is subject to exclusion from all licensed parimutuel 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 violation of Rule 61D-11.005(4), Florida Administrative Code, and her permanent exclusion from PPI, Inc.

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, and any other remedy provided by Chapters 550, 551, and 849, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for DBPR Case Number 2022-033258 is signed this 18th 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

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2022-033258 Page 4 of 5

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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Entered	07/11/2022	Entered	d By icampi	bell		Inspection		
	430 - PPI, inc P was employed by Beverage Waitre utilized a scheme	y Pompano Pari ss. In the cours e entering and v	k (PPI) as a e of her wo oiding pure	Food & rk she chase	-	Costs		
Summary	transactions that belonging to PPI employment and	. PPI has termir	ated her		Ti	me Tracking	Auto A	ssign
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Louis Trombetta, Executive Director

Chief of Investigations / Date

August 8, 2022

Bradford D. Jones for Steven E. Kogan /

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTH		Complaint: ' 11, 2022	Case Number: 2022 03 3258		
Respondent:		VIII OO	Complainant:			
CHARLES, SHAP	ERA HILARY	OFFICE 1400 W	DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FORT LAUDERDALE, FLORIDA 33309			
	# and Type:	Pro	fession:	Report Date:		
	095 / 1055 Period of Investigation		BEVERAGE	JULY 11, 2022 Type of Report:		
	Y 5, 2022 – JULY 11,		**************************************	FINAL		
Alleged Violation: F.S.S. 550.0251 (6) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. — In addition to the power to exclude certain persons from any pari-mutuel facility in this state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in 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.						
Synopsis: Shakera CHARLES was an employee of Pompano Park (PPI) as a Food & Beverage Waitress. In the course of her work she utilized a scheme entering and voiding purchase transactions facilitating the theft of PPI funds. Pompano Park has terminated her employment and have given her a lifetime exclusion from the property. Given the nature of her actions she should be considered for exclusion from all pari-mutual facilities in Florida and/or the revocation of her PMW occupational license.						
Related Case:						
Investigator / Date William Smith /			Investigator Super	visor / Date		
	• •		Bradford D. Jones	/ August 8, 2022		

CASE NUMBER: 2022 03 3258

CONTINUATION

CHARLES was an employee of Pompano Park (PPI) as a Food & Beverage Waitress. In the course of her work she utilized a scheme entering and voiding purchase transactions facilitating the theft of PPI funds. Pompano Park has terminated her employment and have given her a lifetime exclusion from the property (EXHIBITS #1 & #2). CHARLES was issued a 1055 Slot/Cardroom Combo License (#11486095) on May 26, 2021; this license will expire on June 30, 2024 (EXHIBIT #4).

This Investigator has repeatedly encouraged the management of my assigned facilities to monitor the tips employees receive as part their oversight process. When tips are inexplicably high, it is prudent to audit an employee's actions to validate the legitimacy of the tips received. Oftentimes the audit will produce evidence of theft as was in this case.

In her capacity as a Waitress, **CHARLES**' primary duty was to take orders for and deliver drinks. At PPI food and beverages can be paid for using a Players Card, a credit card, cash, or PPI chips. The inquiry into Ms. **CHARLES**' activity was triggered by the large volume of chips she was converting to cash as tips at the close of her shift.

The audit revealed that on multiple occasions between June 17, and June 28, 2022 Ms. **CHARLES** delivered drinks and kept the proceeds for herself which were owed to PPI. This was accomplished through several methods. For example in some cases she would enter in the point of sale computer a two-draft beer order. Draft Beers is poured from a tap behind the bar oftentimes by a Waitress rather than prepared by a Bartender. In either case, **CHARLES** would then cancel the order but still pour, deliver and collect the money for the two beers.

In other cases she would enter an order in the computer for two drinks which the Bartender would prepare. She would call out the order to the Bartender as well noting whether or not he would look at the computer monitor. If not, **CHARLES** would then cancel one drink, deliver and receive money for two drinks thus completing a theft for the sum of one drink.

At the end of her shift a "master" check was created by merging all checks onto a single report. The total of the master check was the monies of which Ms. **CHARLES** turned over to PPI as payment for drinks ordered; the balance in her "bank" would be her tips. Chips collected through her schemes would be converted to cash.

A surveillance video review was initiated and I was able to identify and validate theft. All the incidences of cancellations / theft noted in the PPI Surveillance Report were viewed and were accuratly documented (EXHIBIT #3).

Conclusion: Given the nature of her actions **CHARLES** should be considered for exclusion from all pari-mutual facilities in Florida and/or the revocation of her PMW occupational license.

Status: Closed by Investigations and forwarded to Legal for review.

CASE NUMBER: 2022 03 3258

CONTINUATION

TABLE OF CONTENTS

l .	INVESTIGATIVE REPORT COVERSHEET	
11.	INVESTIGATIVE REPORT	
III.	EXHIBITS	
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	2. Exclusion	1-1
	3. DVD	1-1
	4. CHARLES licensing	.1-2

Team Member Incident Report Security Incident: po-SEC-28852

Incident Date/Time: Jul 02, 2022 12:53 Report Date/time: Jul 02, 2022 12:53

Incident: Team Member Misconduct

Location of incident: Security Office Exact Location: Security Office

Subject(s)

Name: Gregg Krupin

Dossier ID: 18052

Mailing Address:

Phone Number:

SSN:

Driver License:

Driver License Expiration:

Driver License Type:

Name: Johnny Tucker

Dossier ID: 153510

Mailing Address:

Phone Number:

SSN:

Driver License:

Driver License Expiration:

Driver License Type:

Name: Shakira Charles

Dossier ID: 180405

Mailing Address:

Phone Number:

SSN:

Driver License:

Driver License Expiration:

Driver License Type:

Role: Other

Date of birth:

Race:

Gender: Male

Height:

Weight:

Hair Color:

Employee: No

Role: Incident Witness

Date of birth: Unknown

Race: Hispanic

Gender: Male

Height:

Weight:

Hair Color: Black

Employee: No

Role: Incident Subject



Incident Summary

Beverage Server placed on suspension for misconduct

Was subject(s) ejected: No

Was subject(s) trespassed: No

Was subject(s) witnesses: Yes

Number of voluntaries: 0

Video tape number: Security & Interviews-12

Was subject(s) arrested: No

Number of witnesses: 1

· Agencies Contacted

Fire Dept: No

Surveillance: Yes

Other notifications:

Police Dept: No

State Police: No

Gaming: No

Casino Shift Mgr: No

Security Mgr: No

EXHIBIT # PAGE#

Narrative

Team Member Incident Report Security Incident: po-SEC-28852

On Saturday July 2, 2022 at 1253 hours, Food and Beverage Director Gregg Krupin (85478) and Beverage Manager Johnny Tucker (123954) came to the Security Office for a team member suspension. Senior Security Officer Patrick Vassor (108473) responded, Surveillance was notified and audio was activated.

While in the Security Office, Vassor witnessed Krupin explain to Beverage Server Shakira Charles that she was observed by Surveillance clearing items off checks at the fling bar's register and not collecting any payments. This was one of few incidents dating back June 28, 2022 to June 21, 2022. Charles was told she was being placed on suspension, pending further investigation and will be notified by Human Resource Department by Tuesday, July 5, 2022. Charles also surrendered her Employee Badge to Krupin. Vassor escorted Charles out to the Employee Parking lot where she departed property out Gate #1 at 1313 with no further incidents. No

further information at this time.

Reporting Officer: Patrick Vassor (Gaming ID:)	November of action and action and action and action and action ac	Supervisor: Patrick Vassor (Ga	
Entered on: Jul 02, 2022 15:35			
For the purpose of this report, all times are Entered by: Patrick Vassor	app. omne.		

Employee - General Investigation Surveillance Incident: po-SUR-32935

Log ID: po-SUR-32935 Report Type: Employee Incident Date/Time: Jun 21, 2022 22:10

Location: Casino

masimii, mastiin

Exact Location: Fling Bar and Sports Bar
Brief Description: Team Member pocketing drinks sold.

Loss Gain Type:

Entering Agent: Michael Larroy Garcia

Reported Date/Time: Jun 22, 2022 15:00

House (Loss)/Gain: 39.00

Regarding: General Investigation

Description

For the purpose of this report, all times are approximate.

On Tuesday June 21, 2022 this department conducted an audit of Beverage Server Shakera Charles. With utilizing the E-Connect system Charles transactions were audited and numerous transactions were observed to be voided along with multiple checks merged together failing to follow proper F&B cash handling procedures. After obtaining POS records and cross referencing with E-connect the evidence was presented to Director of Surveillance Miguel Gonzalez in which he authorized an E-Watch on Charles. With the assistance of Chef D'culsine Johnny Tucker, Charles schedule of 06-17 to 6-28 was submitted to this department. E-Watch #73 was created On Cocktail Waitress Shakera Charles. The following transactions were observed and found to be suspicious.

Transaction #374991 06-21-2022 at 22:10, an unknown W/F patron approached Charles while at the Fling Bar Servers station. Charles then access the POS and placed an order for two Stella draft beers that totaled \$12.00. The beers were poured and served to Chalres by Bartender Byas Brown. Charles then voided one of the beers, merge the check to check and served the patron both beers.

Transaction #374993 06-21-2022 at 22:17 hours, Fling Bar Charles entered a wine glass of GL Canyon Cab sale into the POS which totaled \$5.00. Charles then canceled the transaction. Bartender Byas Brown served Charles the glass of wine. At 22:19 hours, Charles served the wine to a patron at 1E04-01 and collected payment from the patron.

Transaction #84641 06-26-2022 at 21:02 hours, Sports Bar Charles entered two Knob Creek servings into the POS totaled at \$15.00 then voids the items and canceled the transaction. Charles was then observed behind the bar pouring the drinks and collected payment from the patron before serving.

Transaction #375547 06-27-2022 at 22:03 hours, Filing Bar Charles entered a Funky Buddha Draft Beer into the POS totaled at \$7.00. Charles then voided the beer and canceled the

transaction. Bartender Cristina Ibach then poured the draft beer served it to Charles. Charles then sold the beer to a patron gaming at 1E01-02.

Transaction #107560 06-28-2022 at 00:42 hours, Sports Bar Charles entered a Guinness Draft Beer into the POS totaled at \$6.00. Charles then voided the beer and canceled the transaction. Charles then poured the beer herself from behind the bar and sold the beer to a patron at table #9, seat #7 of the Poker Room.

After completing the reviews of the above mentioned transactions it was found that the transactions voided/canceled totaled \$39.00.

Footage was dubbed, saved, and titled PO#

Entered by: Michael Larroy Garcia Entered on: Jul 02, 2022 11:11

Video Composite Entries

Name Added On
Miscellaneous-0 Jul 02 2022, 11;11

Subject(s) Arrested: No Subject(s) Ejected: No

Subject(s) Trespassed: No Length of Ejection:

Subject(s)

EXHIBIT # PAGE # _ 3

Page 1/3

Report Ran: Jul 05, 2022 11:06

Employee - General Investigation Surveillance Incident: po-SUR-32935

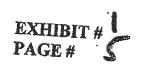
Dossier ID Team M	ember #	Name	Role
174081	139960 Shakera Charles		Team Member
Surveillance Representative		Date:	4



Employee - General Investigation Surveillance Incident: po-SUR-32935

Incident Subject

SSN;	isleOne:
Last Name: Charles	
First Name: Shakera	
Middle Name:	
Suffix:	
T.	eam Member Information
Team Member #: 139960	Location:
Date of Hire:	Date of Terminaltion:
Department:	Position:
	Contact Information
Mailing Address:	Phone Number:
	Physical information
Gender: Female	Race:
Height:	Weight:
Hair color:	Hair length:
Complexion:	
Mustache: Unknown	Goatee: Unknown
Beard: Unknown	Clean Shaven: Unknow
Birthdate: Unknown	Approx Age: Unknown
Description: Identifying Features:	
Driv	ers License Information
State:	Drivers License Number;
Туре:	Expiration:



Michael N. Larroy Garcia

From:

Michael N. Larroy Garcia

Sent:

Wednesday, June 29, 2022 9:43 AM

To:

Miguel Gonzalez

Subject:

RE: Charles updated Transactions

Transaction #374991 06-21-2022 22:10 hours, Fling Bar Charles entered two bottled beers into the POS. Charles sold both beers but voided one from the transaction pocketing \$6.00.

Transaction #374993 06-21-2022 22:17 hours, Fling Bar Charles entered a wine glass of GL Canyon Cab sale into the POS then canceled the transaction and sold it to a patron pocketing \$5.00.

Transaction #84641 06-26-2022 21:02 hours, Sports Bar Charles entered two Knob Creek shots into the POS then canceled the transaction and sold the drinks to a patron pocketing \$15.00.

Transaction #375547 06-27-2022 22:03 hours, Fling Bar Charles entered a Funky Buddha Draft Beer into the POS canceled the transaction and sold the beer to a patron pocketing \$7.00.

Transaction #107560 06-28-2022 00:42 hours, Sports Bar Charles entered a Guinness Draft Beer into the POS then canceled the transaction and sold the beer to a patron pocketing \$6.00.

From: Michael N. Larroy Garcia Sent: Tuesday, June 28, 2022 2:10 PM

To: Miguel Gonzalez < Miguel.Gonzalez@islepompanopark.com>

Subject: Shakera Charles Results

For the purpose of this report, all times are approximate.

On Tuesday June 21, 2022 this department conducted an audit of Beverage Server Shakera Charles. With utilizing the E-Connect system Charles transactions were audited and numerous transactions were observed to be voided along with multiple checks merged together. An E-Watch was conducted on Charles following her schedule of 06-25 to 6-28.

After further investigation conducted it was found that five transactions were voided/canceled and Charles kept the profits totaling \$39.00.

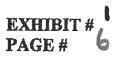
Transaction #1 06-21-2022 22:10 hours, Fling Bar Charles entered two bottled beers into the POS. Charles sold both beers but voided one from the transaction pocketing \$6.00.

Transaction #2 06-21-2022 22:17 hours, Fling Bar Charles entered a wine glass of Canyon Chard sale into the POS then canceled the transaction and sold it to a patron pocketing \$5.00.

Transaction #3 06-26-2022 21:02 hours, Sports Bar Charles entered two Knob Creek shots into the POS then canceled the transaction and sold the drinks to a patron pocketing \$15.00.

Transaction #4 06-27-2022 22:03 hours, Fling Bar Charles entered a Funky Buddha Draft Beer into the POS canceled the transaction and sold the beer to a patron pocketing \$7.00.

Transaction #5 06-28-2022 00:42 hours, Sports Bar Charles entered a Guinness Draft Beer into the POS then canceled the transaction and sold the beer to a patron pocketing \$6.00.

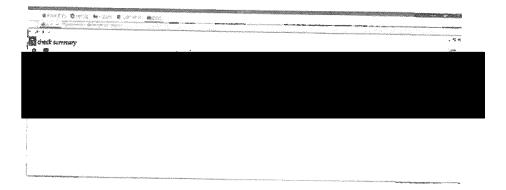


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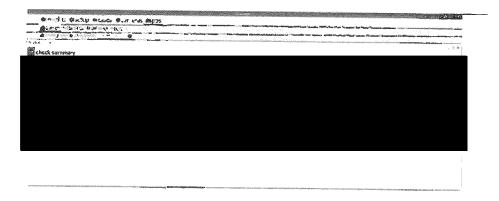
EXHIBIT # 1
PAGE # 8



PAGE# 9



EXHIBIT # 10
PAGE # 10



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EXHIBIT

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PERFORMANCE DOCUMENT						7/2/2022
TEAMMEMBER"	139960	Cast name :	DATEOFHIRE	ATJENDANCE	LAST'12 MONTHS	
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Smith, William

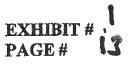
John J. Keenan < John. Keenan@islepompanopark.com> From: Sent: Tuesday, July 05, 2022 8:42 AM To: Crafts, Bill; Smith, William; Leiva-Ubidia, Maria Subject: FW: Charles, Shakera Attachments: doc04982120220702163447.pdf [NOTICE] This message comes from a system outside of DBPR. Please exercise caution when clicking on links and/or providing sensitive information. If you have concerns, please contact your Knowledge Champion or the DBPR Helpdesk. FYI X John J. Keenan | DIRECTOR COMPLIANCE & SAFETY O 954-633-6610 777 Isle of Capri Circle | Pompano Beach, FL 33069 www.caesars.com From: Troy Buswell Sent: Tuesday, July 5, 2022 8:24 AM To: Daren Nenortas < Daren. Nenortas@islepompanopark.com>; John J. Keenan < John. Keenan@islepompanopark.com> Subject: Re: Charles, Shakera Sent from my iPhone



Troy Buswell | Senior Vice President & General Manager O 954-633-6500 | M 304-479-1066 1800 SW 3rd St. | Pompano Beach, Florida 33069 Caesars | Isle www.caesars.com

On Jul 5, 2022, at 08:16, Daren Nenortas Daren Nenortas @islepompanopark.com wrote:

Morning,



Beverage Server Shakera Charles was interviewed on Saturday and suspended. There are four days in review that have her voiding drinks and keeping the sale. I reviewed all the videos last week with Miguel and verified the transactions. Let me know if you're good with a term.



Daren Nenortas | HUMAN RESOURCES/DIRECTOR
O 954-633-6533 | M 954-826-0382
777 Isle of Capri Cir. | Pompano Beach, FL 33069
Isle Casino Racing Pompano Park
www.caesars.com

From: Gregg Krupin

Sent: Saturday, July 2, 2022 4:31 PM

To: Daren Nenortas < Daren. Nenortas @islepompanopark.com >; John J. Keenan

<John.Keenan@islepompanopark.com>

Subject: Charles, Shakera

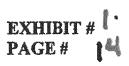
Please see attached suspension PD. When questioned as of why she would be clearing items from checks prior to process, she responded "there was just a lot going on at the time" I brought the various dates in question, she had no words.

-Gregg

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Gregg Krupin | *DIRECTOR/FOOD & BEVERAGE* O 954-633-6572 | M 954-729-8057 777 Isle of Capri Cir. | Pompano Beach, FL 33069

www.caesars.com





т _{о:} Shakira	Charlés		Date of Birt	ii:	
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State of Florida Florida Gaming Control Commission Division of Pari-Mutuel Wagering Office of Investigations

PROPERTY RECEIPT

Complaint # 2011033158	Date 97/11 22	Lab#
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Domain 10 - Division of Pari-Mutuel Wagering

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VR Home > License Search > License Home > View License Event Log

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

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

IN	CIDENT DAT	E: JULY 2, 2022				
	☐ PMW	☐ Cardroom	☐ Slot	⊠ Violation	☐ Incident	☐ Complaint
FA	CILITY NAM	IE: POMPANO PA	RK		LI	C #: 430
			RJ	ESPONDENT		
		ES, SHAKERA HIL <i>A</i>				
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CA	SE DETAILS	FILED BY:		200 - 200 -		
	Chief I	nspector 🔲 Judge	e/Steward 🛚	Investigator [] (Other:	
				Ma	(Title	of State Employee)
	Willian	n Smith		Me 35	~ (07-05-22
	(F	Print Name)		(Signature)	-	(Date)

Campbell, lan

From: Jones, Bradford

Sent: Monday, July 11, 2022 11:01 AM

To: Muniz, Luz

Cc: Campbell, Ian; Mahalingam, Rajani; Smith, William; Kogan, Steven

Subject: OPEN CASE REQUEST

Attachments: OPEN CASE REQUEST- CHARLES SHAKERA THEFT.docx

Categories: To Be Completed

Hello Luz,

This is approved. Please open a case and assign to Bill Smith.

Thank you.



Bradford D. Jones

Investigations Supervisor
Division of Pari-Mutual Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale. Florida 33309

Phone: 954.202.3900 • Fax: 954.202.3930

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Fed Tax #	Lic Type	Slot/Cardroom Mutuel Indiv C		Expires On 06/30/202	4 Notes
File#	8644 Name	CHARLES, SH HILARY	AKERA E	stended To	Notes Histo
License #	11486095 Rank	SCPL - Slot/Cardroom Mutuel Indiv C		newed On	Davi
Entity #	11486095 Lic Status	Current			
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Line 2					
Line 3					90 00 00 00 00 00 00 00 00 00 00 00 00 0
City	SUNRISE	State FL		Zip 33351	
	Routing				
Other					
1st License	Date 05/26/2021	Rank Date 05		Certificate #	
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Tracking Number: 70202450000050943423

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Your item was delivered to an individual at the address at 7:40 pm on September 6, 2022 in FORT LAUDERDALE, FL 33351.

USPS Tracking Plus[®] Available ✓

⊘ Delivered, Left with Individual

September 6, 2022 at 7:40 pm FORT LAUDERDALE, FL 33351

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USPS Tracking Plus®	~
Product Information	~

See Less ^

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney

Re: Case Number 2022-035114; Default Final Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel seeks an administrative fine of \$250 due to TBD Entertainment, LLC ("Respondent") violation of rule 61D-11.016(6), Florida Administrative Code. Section 849.086(14)(c), Florida Statutes, grants the Commission the power to impose an administrative fine not to exceed \$1,000 for each violation of any provisions of this section or any rules adopted pursuant thereto. Therefore, the Florida Gaming Control Commission should enter a final order imposing a fine of \$250 for the violation.

Background

On or about July 20, 2022, it was discovered that Respondent had fifteen cardroom tables in operation. Upon review of Respondent's cardroom operating license for the 2022-2023 fiscal year, Respondent was authorized to operate fourteen cardroom tables. Respondent has no prior violations of rule 61D-11.016(6), Florida Administrative Code.

The Division served Respondent with an administrative complaint and election of rights form. 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 September 1, 2022, which means the Respondent had until September 22, 2022 to respond. Respondent has never responded.

_

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.")

Analysis

The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.²

Rule 61D-11.016(6), Florida Administrative Code, provides that "[a]t no time may a cardroom contain more tables than that for which the cardroom operator has been licensed."

Because Respondent had fifteen cardroom tables in operation, it is subject to an administrative fine of up to \$1000.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a final order imposing an administrative fine of \$250.

-

² § 849.086(14)(c), Fla. Stat.

FILED

Florida Gaming Control Commission Office of the Agency Clerk

Clerk Donna Fleming
Date 8/22/2022

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

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

v.

FGCC Case No.: 2022-035114

TBD ENTERTAINMENT, LLC,

Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against TBD Entertainment, LLC ("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 140-1002, issued by Petitioner.
- 3. On or about July 20, 2022, it was discovered that Respondent had fifteen cardroom tables in operation.
- 4. Upon review of Respondent's cardroom operating license for the 2022-2023 fiscal year, Respondent was authorized to operate fourteen cardroom tables.
- 5. Rule 61D-11.016(6), Florida Administrative Code, provides that "[a]t no time may a cardroom contain more tables than that for which the cardroom operator has been licensed."

6. Based on the foregoing, Respondent violated Rule 61D-11.016(6), Florida Administrative Code, by operating more cardroom tables than Respondent had been licensed to operate.

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 2022-035114 is signed this 17th 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.

VR Home	Inbox	Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report	
Complaint Mass Statu		Change Re Public Ca	cordina License l ase Info	Гуре Del	ete Comp	laint I	Mass Activity Upo	date Mass Dis	cipline Upda	te
Domain 10 -	Division o	f Pari-Mu	tuel Wagering					Lo	ogged in as	: icampbell
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: CENTRAL	Date of Co JULY 20	•			
Respondent:		C	Complainant:			
TBD ENTERTAI P.O. BOX 8096 TAMPA, FL. 336	•	1	DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165 FT. LAUDERDALE, FLORIDA 33309			
License # and Type:		Profess		Report Date:		
140 / 1002 PERM			T HOLDER AUGUST 5, 2022			
Period of Investigation:			Type of Report:			
JULY 20, 2022 – AUGUST 5, 2022			FINAL			

Alleged Violation:

61D-11.007 Cardroom Operator License.

(3) No license application, amendment to an application, or amendment to request additional cardroom tables shall be effective until the division has received payment of cardroom table fees, inspected and approved the surveillance requirements for compliance with Rule 61D-11.025, F.A.C., and the division has issued a license or amended license to operate a cardroom.

61D-11.016 Card and Domino Tables:

(6) At no time may a cardroom contain more tables than that for which the cardroom operator has been licensed.

Synopsis: On July 20, 2022, during a scheduled floor plan inspection at **TAMPA GREYHOUND TRACK**, I discovered that the facility had fifteen (15) tables in operation. A check of their Cardroom License for the 22/23 fiscal year showed Tampa Greyhound Track licensed to operate fourteen (14) tables

Investigator / Date

Investigator Supervisor / Date

Chief of Investigations / Date

Steven E. Kogan / August 11, 2022

CONTINUATION

On July 20, 2022, during a scheduled floor plan inspection at Tampa Greyhound Track, I discovered that the facility had fifteen (15) tables in operation. A check of their Cardroom License for the 22/23 fiscal year showed Tampa Greyhound Track licensed to operate fourteen (14) tables. (EXHIBIT #2)

The violation was brought to Poker Room Manager Jacob Darrell **MAST** (PMW LIC #7050031). **MAST** stated it was an honest mistake, and he thought when he amended his 21/22 license, which included 15 tables, that all the tables would roll over into the 22/23 license.

On July 5, 2022, the Division received the amended application, and payment for three additional tables was received on July 20, 2022. **(EXHIBIT #3)**

On July 27, 2022, **TAMPA GREYHOUND TRACK's** cardroom license was amended, allowing the facility to operate 17 tables. **(EXHIBIT #3)**

TBD ENTERTAINMENT, LLC. (TAMPA GREYHOUND TRACK) is in violation of F.A.C. Rule 61D-11.007 (3) and 61D-11.016 (6) because they contain more tables than that for which the cardroom operator had been licensed.

A review of the Versa Regulation Enforcement database showed no previous violations against **TBD ENTERTAINMENT**, **LLC.** (**TAMPA GREYHOUND TRACK**) for these specific F.A.C. Rule 61D-11.007 (3) and 61D-11.016 (6).

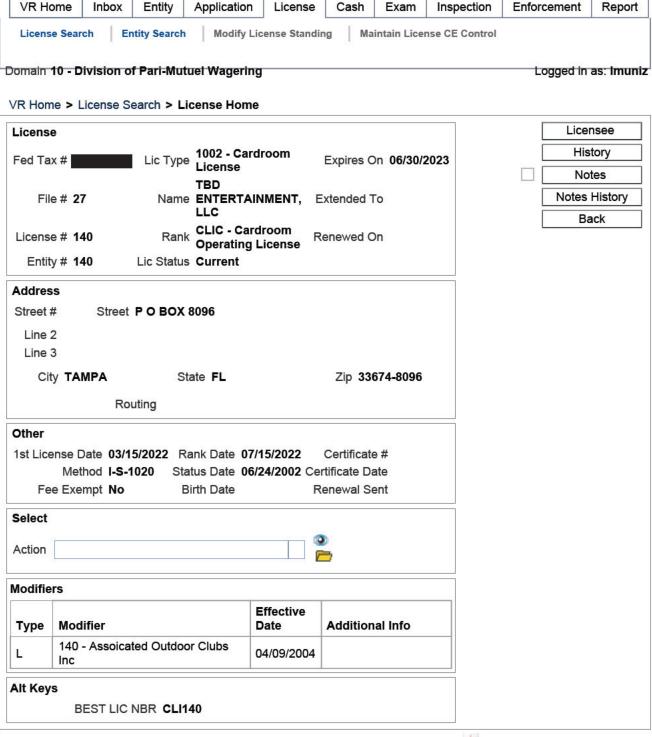
Case Status: Investigation case closed and case referred to Legal for review

CONTINUATION

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET	1-1
II.	INVESTIGATIVE REPORT	1-3
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	1. LICENSE	1-1
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	3. AMENDED APPLICATION AND RECEIVED PAYMENT	1-1

(al12) License Home Page 1 of 1



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EXHIBIT #1 PAGE 1/1

FAQ | Help | Sign Out

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

License Number: CR140
Permit Type: GHND
Permit County: Hillsborough

LICENSE TO OPERATE A CARDROOM

For:

TBD Entertainment, LLC

D/B/A TGT Poker & Racebook and/or Lucky's Card Room

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

755 East Waters Avenue Tampa, FL 33604 Hillsborough County

Valid From: July 1, 2022 Expires On: June 30, 2023 Licensed to Operate: 14 Tables

Issued and dated, this 15 day of March, 2022.

Louis Trombetta, Director Division of Pari-Mutuel Wagering

CONTRIBUTION OF THE STATE OF TH

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

EXHIBIT #2 PHOTO 1/1 STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION DIVISION OF PARI-MUTUEL WAGERING

Permit Type: GHND
Permit County: Philisborough

Amendment:

EXHIBIT PAGE 1/

LICENSE TO OPERATE A CARDROOM

For:

TBD Entertainment, LLC

D/B/A TGT Poker & Racebook and/or Lucky's Card Room

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

755 East Waters Avenue Tampa, FL 33604 Hillsborough County

Valid From: July 1, 2022 Expires On: June 30, 2023 Licensed to Operate: 17 Tables

Issued and dated, this 27th day of July, 2022.

Ву

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

IN RE: TBD ENTERTAINMENT, LLC AMENDED APPLICATION FOR A CARDROOM LICENSE

FGCC CASE No. 2022-035298

FINAL ORDER APPROVING AMENDMENT TO CARDROOM LICENSE

Pursuant to the provisions of section 849.086, Florida Statutes, and the rules promulgated thereunder, the Florida Gaming Control Commission ("Commission"), is responsible for the investigation and prior approval of applications and amendments to applications for cardrooms; and

TBD Entertainment, LLC d/b/a TGT Poker & Racebook and/or Lucky's Card Room ("TBD") possesses a greyhound permit. TBD has been issued two licenses for the 2022-2023 Fiscal Year: 1) a pari-mutuel operating license; and 2) a cardroom license. TBD is currently licensed to operate 14 card tables and is requesting to amend its license to add 3 more to its cardroom. TBD has paid the \$3,000 license fee associated with the additional tables.

The Commission has received and reviewed the pertinent records and supporting documentation concerning TBD's amended application for a cardroom license and after proper consideration thereof,

NOW, THEREFORE, be it known that:

Pursuant to the requirements of section 849.086, Florida Statutes, the Commission hereby approves this amendment to TBD Entertainment, LLC's cardroom license.

It is so ordered.

MACIVER, Chair, YAWORSKI, Vice-Chair, and BROWN, DRAGO, and D'AQUILA, Commissioners, concur.

I HEREBY CERTIFY that this document was filed and a copy served on each party on July, 27th, 2022.

AGENCY CLERK'S OFFICE Florida Gaming Control Commission

EXHIBIT #3 PAGE 2/17

State of Florida



Department of Business and Professional Regulation Chronology Report

Case #:

2022035298

Incident date: 07/05/2022

Status: 10 - Initial Review

Lic Type:

1002

Disposition:

Case Type:

Complaint

Responsible: Ijelks - JELKS, LA'KESHA

Complainant:

TBD ENTERTAINMENT, LLC

P O BOX 8096, TAMPA, FL 33674-8096

Respondent:

FGCC, PARI-MUTUEL WAGERING

2601 BLAIR STONE ROAD, TALLAHASSEE, FL 32399

Summary:

PERMITHOLDER: TBD Entertainment, LLC (#140)

FISCAL YEAR: 2022/2023

DATE RECEIVED: July 5, 2022 DATE PROCESSED: July 14, 2022 REVIEWER"S NAME: La'Kesha Jelks

CHANGE REQUESTED: Adding three (3) tables for a total of seventeen (17).

Chronology:

Effective Date	Туре	Lic Type		Description	Responsible Party	Respondent
07/21/2022	R		ljelks	JELKS, LA'KESHA	jpouncey	
07/21/2022	S	1002	10	Initial Review	jpouncey	





State of Florida

Department of Business and Professional Regulation Chronology Report



MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Re: Operator's Request to add Card Tables

Date: July 20, 2022

Executive Summary

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

Background

TBD Entertainment, LLC d/b/a TGT Poker & Racebook and/or Lucky's Card Room ("TBD") possesses a greyhound permit. TBD has been issued two licenses for the 2022-2023 Fiscal Year: 1) a pari-mutuel operating license; and 2) a cardroom license. TBD is currently licensed to operate 14 card tables and is requesting permission to add 3 more to its cardroom. TBD has paid the \$3,000 license fee associated with the additional tables.

Analysis

Aside from the \$1,000-per-card-table license fee, there is no other applicable restriction³ to the number of card tables that TBD can add to its cardroom. Since TBD has paid the additional \$3,000 license fee, TBD should be authorized to add additional card tables to its cardroom.

<u>Recommendation</u>: The Florida Gaming Control Commission should approve TBD Entertainment, LLC d/b/a TGT Poker & Racebook and/or Lucky's Card Room's request to add additional card tables to its cardroom.

EXHIBIT #3 PAGE 5/17

¹ See generally § 849.086, Fla. Stat.

² The annual cardroom license fee costs \$1,000 for each table in the cardroom. § 849.086(5)(e), Fla. Stat.

³ There is no indication that TBD 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: TBD Entertainment, LLC (#140) FISCAL YEAR: 2022/2023

DATE RECEIVED: July 5, 2022

DATE PROCESSED: July 14, 2022

REVIEWER"S NAME: La'Kesha Jelks

CHANGE REQUESTED: Adding three (3) tables for a total of seventeen (17).

Requirement	Met? Y/N	Deficiency Sent	Resolved
Original application form DBPR PMW 3160.	Y		
Payment for additional tables	Y	7/15/2022	7/20/2022
Floor Plan	Y	7/15/2022	7/15/2022

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

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

REVENUE SECTION		REVIEWED	INITIALS:	DATE:
PERMIT ADMIN	P	REVIEWED	INITIALS:	DATE: _7-20-27
OPERATIONS REVIEW SP		REVIEWED	INITIALS:	DATE:

DISTRIBUTION OF PMW AND CARDROOM (If applicable) LICENSE(S):

PARI-MUTUEL LICENSE

General Manager (Original)
Office of Auditing
Licensing Administrator
(with all paperwork)
Regional Manager
Director's MRS

Office of Investigations
Office of Revenue &
Financial Analysis
Chief Inspector
U of FL Laboratory
Florida Greyhound
Association (Greyhound
Tracks Only)

CARDROOM LICENSE

General Manager (Original) Office of Auditing Licensing Administrator (with all paperwork) Chief Inspector Office of Investigations Office of Revenue & Financial Analysis Regional Manager Director's MRS

> EXHIBIT #3 PAGE 6/17

Jelks, La'Kesha

From:

Jelks, La'Kesha

Sent:

Friday, July 15, 2022 11:33 AM

To:

'poker@luckyscards.com'

Subject:

RE: TGT poker

Categories:

Amendment

Greetings,

Just checking in to see if you have submitted the tables fees and updated floor plan. If you would like to be on the agenda for the July 27th meeting, I will need the fee no later than July 20th.

Once the Committee approves the request and I have the floor plan, Randa can come out to complete the inspection.

Let me know what decide.

Best,

La'Kesha Gelks



La'Kesha Jelks
Operations Review Specialist
Florida Gaming Control Commission
Pari-Mutuel Wagering
Phone: (850) 717-1095

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: Pouncey, Jamie

Sent: Tuesday, July 5, 2022 8:53 AM

To: Jelks, La'Kesha Subject: FW: TGT poker

Jamie Pouncey 850.717.1073

Florida Gaming Control Commission
Important: Confidentiality & Public Records Statement

From: poker@luckyscards.com [mailto:poker@luckyscards.com]

Sent: Monday, July 4, 2022 12:52 PM

To: Pouncey, Jamie **Subject:** FW: TGT poker

EXHIBIT #3 PAGE 7/17 [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.

From: poker@luckyscards.com <poker@luckyscards.com>

Sent: Monday, July 04, 2022 12:49 PM

To: 'Jelks, La'Kesha' <La'Kesha.Jelks@myfloridalicense.com>

Subject: TGT poker

Im looking to add an additional table. I will be submitting floorplan and payment soon. Thanks

Jacob Mast

EXHIBIT #3 PAGE 8/17

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.

ORGANIZATIO	ON INFORMATION	and the same and the same and
Federal Employer ID Number		
Permitholder's Legal Name: TBD Entertainme	ent LLC	
Doing Business As (D/B/A) Name: TGT Poker	& Racebook	
	G ADDRESS	
Street Address or P.O. Box: PO BOX 2007		
^{City} Oldsmar	State:FI	Zip Code (+4 optional): 34677
County (if Florida address): Hillsborough	Country:USA	
CONTACT	INFORMATION	
Contact Name: Greg Gelyon		
Primary Phone Number: Primary E-Mail A	\ddress:	
PHYSICA	L ADDRESS	
Street Address: 755 E Waters Ave		
City: Tampa	State: FL	Zip Code (+4 optional): 33604
County:Hillsborough		

ADDITIONA	L CONTACT INFORMATION (OPTIONAL)
Alternate Phone Number:	Fax Number:
Alternate E-Mail Address:	EXHIBIT #3
	PAGE 9/17

Additional documentation requirements:

- 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.
- 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 7-17-77

EXHIBIT #3 PAGE 10/17

TBD Entertainment, LLC Verification Form 3160

License

Fed Tax #

Lic Type Occupational

File # 1863

Name MAST, JACOB DARRELL

Extended To

License # 7050031 Entity # 7050031 Rank CEMP - Cardroom Employee Occupational

Renewed On 06/17/2020

Expires On 06/30/2023

Address

Street # 23907

Street SAN GIOVANNI DR.

Lic Status Current

Line 2

Line 3

City LAND O' LAKES

State FL

Zip 34639

Routing

EXHIBIT #3 PAGE 11/17



Get Adobe Reader.

Jelks, La'Kesha

From:

poker@luckyscards.com

Sent:

Friday, July 15, 2022 1:20 PM

To:

Jelks, La'Kesha

Subject:

FW: TBD Entertainment - PMW3160 Application TGT

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

Yes it was added in March 22. Our job is to increase revenue for the state through additional tables and rake. When we send amendment to 15 tables this should be going forward that we are continuing to operate 15 tables unless we send an amendment after that to reduce to 14 tables. Unfortunately paperwork is required way in advance and we added the table after the renewal was due. This in no way should keep us from operating the amount of tables that our last application is for.

From: poker@luckyscards.com <poker@luckyscards.com>

Sent: Friday, July 15, 2022 1:05 PM

To: 'Jelks, La'Kesha' <La'Kesha.Jelks@fgcc.fl.gov>

Subject: RE: TBD Entertainment - PMW3160 Application TGT

Yes correct we added it for March 21 and going forward

From: Jelks, La'Kesha < La'Kesha.Jelks@fgcc.fl.gov>

Sent: Friday, July 15, 2022 1:04 PM

To: jdmast@tgtpoker.com; poker@luckyscards.com

Cc: jamie.pouncey@fgcc.fl.gov`

Subject: FW: TBD Entertainment - PMW3160 Application TGT

Hey Jacob,

I found my email asking you to specify which fiscal year you'd like the table to be added; your response is below.

From: Jelks, La'Kesha

Sent: Monday, February 28, 2022 4:08 PM

To: JD Mast

Subject: RE: TBD Entertainment - PMW3160 Application TGT

OK. I'll give it to the Director.

From: JD Mast [mailto:JDMast@tgtpoker.com]
Sent: Monday, February 28, 2022 4:06 PM

EXHIBIT #3 PAGE 15/17 To: Jelks, La'Kesha

Subject: Re: TBD Entertainment - PMW3160 Application TGT

[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.

21/22

From: Jelks, La'Kesha < La'Kesha.Jelks@myfloridalicense.com>

Sent: Monday, February 28, 2022 3:52 PM **To:** JD Mast < JDMast@tgtpoker.com>

Subject: RE: TBD Entertainment - PMW3160 Application TGT

Greetings,

Before I process this request, is it for the 21/22 (June 30th) fiscal year or the 22/23 fiscal year (July 1, 2022 – June 30, 2023)?

Best,

La'Kesha Jelks



La'Kesha Jelks
Cardroom Coordinator
Operations Review Specialist
Division of Pari-Mutuel Wagering
2601 Blair Stone Road Tallahassee, FL 32399-1035

Phone: (850) 717-1095 Fax: (850) 488-0550

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: JD Mast [mailto:JDMast@tgtpoker.com]
Sent: Wednesday, February 23, 2022 1:10 PM

To: Jelks, La'Kesha

Subject: Fw: TBD Entertainment - PMW3160 Application TGT

EXHIBIT #3 PAGE 16/17

[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.

Application for adding an additional table. Check for \$1,000 was mailed out today. I will be sending new floor plan for approval in the next few days. Can you please confirm when check is received

Thanks Jacob Mast

From: Bekki Furlong < bfurlong@tbdgllc.com>
Sent: Wednesday, February 23, 2022 11:27 AM

To: JD Mast < JDMast@tgtpoker.com>

Subject: TBD Entertainment - PMW3160 Application

JD-Here is the scanned PMW3160 Application...

Rebekah J. Furlong
TBD Entertainment, LLC. Dba TGT Poker & Racebook
Human Resources/Accounts Payable
Monday – Friday 9:30am-4:00pm
755 E. Waters Avenue
Tampa, FL 33604
PH: 813-932-4313 X 4
Fax: 813-932-5048

With enough coffee anything is possible...

Monday - Friday 9:30am-4:00pm

EXHIBIT #3 PAGE 17/17

									FAG	I Help	Sign Ou
VR Home	Inbo	x Entity	/ Appl	ication	License	Cash	Exam	Inspection	Enford	cement	Report
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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.)

IN	CIDENT DAT	E: <u>JULY 1-20, 2</u>	022				
	⊠ PMW	☐ Cardroom	☐ Slot	☐ Violation			
FA	CILITY NAM	E: TBD Enterta	ainment, LLC		LI	C #:_ 140	
			RF	ESPONDENT			
		ntertainment, LLC					
		E Waters Ave, Tan			N D '4 TT 1	Tel:	
LI	C #: 140	LIC TYPE		OCCUPATIO	N: Permit Hole	der	
			CO	MPLAINANT			
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	Address:		1				
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CA	SE DETAILS	FILED BY:					
	Chief In	nspector	e/Steward 🔀	Investigator	Other:(Title	of State Employee)	
		anda Samson Print Name)	6	(Signature)	<u> </u>	July 20, 2022 (Date)	

Muniz, Luz

From: Washington, Derek

Sent: Wednesday, July 20, 2022 1:31 PM

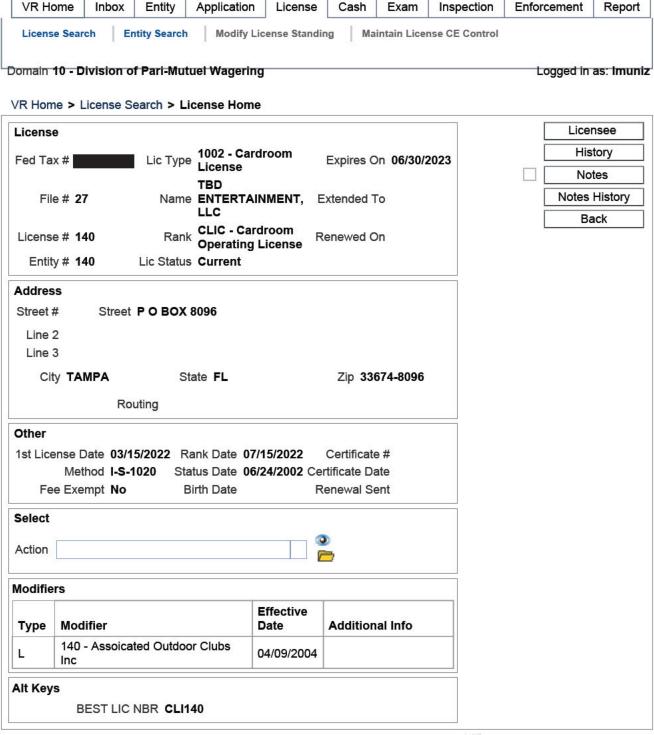
To: Muniz, Luz
Cc: Samson, Randa

Subject:OCR TBD ENTERTAINMENT 7.20.2022Attachments:OCR TBD ENTERTAINMENT 7.20.2022.docx

Hello Luz,

Attached is an OCR for a cardroom violation, please assign to Randa.

Thanks Derek (al12) License Home Page 1 of 1



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63	U.S. Postal Service [™] CERTIFIED MAIL® RECEI Domestic Mail Only	
E	For delivery information, visit our website at v	ww.usps.com®.
100	OFFICIAL	USE
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USPS Tracking®

Track Another Package +

Tracking Number: 70202450000050943263

Remove X

Your item was picked up at the post office at 4:16 pm on September 1, 2022 in TAMPA, FL 33604.

USPS Tracking Plus[®] Available ✓

⊘ Delivered, Individual Picked Up at Post Office

September 1, 2022 at 4:16 pm TAMPA, FL 33604

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Text & Email Updates	~
Tracking History	~
USPS Tracking Plus®	~
Product Information	~

See Less ∧

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney

Re: Case Number 2022-036656; Default Final Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks the permanent exclusion of Clifton Smith ("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 June 20, 2022, Respondent was a patron of Calder Casino.¹ Respondent was seen via surveillance footage capping his bet. Capping, a form of cheating, means adding money to a winning bet after the outcome is known. Respondent was permanently excluded from Calder Casino², on June 30, 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 September 6, 2022 which means the Respondent had until September 27, 2022 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

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a final order permanently excluding Clifton Smith from all pari-mutuel and slot machine facilities in this state.

FILED

Florida Gaming Control Commission Office of the Agency Clerk

Clerk Donna Fleming
Date 8/26/2022

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

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

W

Petitioner,		
v.		FGCC Case No.: 2022-036656
CLIFTON SMITH,		FGCC Case No.: 2022-050030
Respondent.	1	
	General Advantage of Assembly (CASA)	

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Clifton Smith ("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 20115 Northeast 9th Avenue, Miami, Florida 33169.
- 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 or about June 20, 2022, Respondent was a patron of Calder Casino.
- 5. On or about June 30, 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 parimutuel facility in the state, the division may exclude any person from any and all pari-mutuel facilities in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state or who has been excluded from any pari-mutuel facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over pari-mutuel facilities in such other state.

(Emphasis supplied).

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

(Emphasis supplied).

9. Based on the foregoing, Respondent is subject to exclusion from all licensed parimutuel 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 June 30, 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 2022-036656 is signed this 25th 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

Telephone: (850) 717-1783 Facsimile: (850) 921-1311

Primary: Emily.Alvarado@fgcc.fl.gov Secondary: Ebonie.Lanier@fgcc.fl.gov

408

2022-036656 Page 3 of 4

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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dealer was changing shifts Smith was seen of video surveillance looking at his cards and realizing that he had a winning hand. He there added an extra chip to his current bet (Cappinsure a bigger winning payout. The Designa Player sitting at the table observed Smith ad Summary Summary Summary Meshaan of the incident. Meshaan along with room Supervisor Scott Burnett, and Security Supervisor Jason Milam confronted Smith al his actions. Smith then voluntarily returned to money that he won without further incident. was then advised by Security Supervisor Mil that he is excluded from the facility indefinite pending a review. After Management reviewed incident Smith was permanently excluded. A of the incident report was provided by Calde Casino Director of Compliance Iliana Velazque	ately . The M., the nith ne on n ping) to ated iding Ralph th Card y bout the He lam rely ed the a copy er				
and video of the incident was provided by Surveillance Manager Leo Martinez. Updated 08/18/2022 15:48:06 By Imuniz					



≟Get Adobe Reader.



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region: SOUTHERN	Date of Complai July 29, 2022	nt:	Case Number: 2022 03 6656
Respondent: SMITH, CLIFTON			OFFICE OF INVI	ARI-MUTUEL WAGERING ESTIGATIONS ERCIAL BLVD. SUITE 165 LE, FLORIDA 33309
License # and Typ N/A - 1098		Profession: Patron		Report Date: August 9, 2022
Period of Investiga July 29, 2022 thro	ation: ough August 9, 2022		Type of Repor	t: Final
(4) No person shate(a) Employ or attention(b) Engage in any participant in a gar	r. y act, practice, or cou me or the cardroom op y act, practice, or cou	rectly: vice, scheme, or urse of operation perator.	that would consti	any participant in a game or the tute a fraud or deceit upon any cheating any participant or the
Synopsis: On Jur surveillance review approximately 5:29 #4. As the dealer seen adding an exitting at the table the incident. Mes Milam made containe won without fur trespassed from the incident SMITH was A copy of the incident survey.	ne 20, 2022, at approximate 20, 2022, at appro	live Poker game. It was identified as by another dealer his current bet to ing the chip and it room Supervise mitted to cheating as then advised lending a review led.	Video footage is Clifton SMITH was observed insure a bigger notified Card room for Scott Burnett, ig. SMITH then volved by Security Supervey Management.	tioned Patron was observed via of the incident revealed that at as sitting at Poker Table #6, seat erved looking at his cards and is payout. The Designated Player in Supervisor Ralph Meschaan of and Security Supervisor Jason funtarily returned the money that ervisor Milam that he was being After Management reviewed the
Related Case(s):	nt was provided by Sui	rveillance Manage	er Leo Martinez. (I	EXHIBIT #2)
	ate: August 9, 2022	1	nvestigator Super	visor / Date
Jul DSS	2)		lulio Minaya / A	Jun 19 2027
Tyrell Smith /			- Tallo Millaya > 7	agast 10, rott
Chief of Investigati	ions / Date / August 18, 2022			

CONTINUATION

CASE NUMBER: 2022 03 6656

On June 25, 2022, this Investigator received a phone call from Calder Casino Director of Regulatory and Compliance Susan Flores informing me that on June 20, 2022, a patron, Clifton **SMITH**, had been issued an indefinite trespass warning for cheating during a live Poker game. Flores also informed me that the facility was conducting its own internal investigation and asked that I hold off on opening my investigation since they were still looking into the matter and had not made the decision to permanently exclude **SMITH**.

On June 27, 2022, I obtained a USB flash drive containing surveillance footage of the incident. **(EXHIBIT #4)**

On July 27, 2022, this Investigator received an e-mail from the newly appointed Director of Regulatory and Compliance Iliana Velazquez informing me that after further review of the incident Management decided to permanently exclude **SMITH** from the facility for cheating. **(EXHIBIT #3)**

After receiving Velazquez's e-mail an Open Case Request was submitted to FGCC Investigations Supervisor Julio Minaya for review and approval.

Further investigation into this matter and review of surveillance footage shows that on June 20, 2022, at approximately 5:29 P.M., **SMITH** was seated at Poker Table #6, in seat #4. He was observed placing his bets on the table. After placing his bet down the dealers were observed switching due to a shift change. Just prior to the new dealer taking over the table, **SMITH** is seen cuffing a chip in the palm of his left hand, and covering his left hand with his right hand to conceal the chip.

At approximately 5:30 P.M., the new dealer deals the cards on the table and **SMITH** picks his cards up from the table and looks at them. He then takes his cards with his right hand and places them underneath his stack of chips that he had previously placed his bet on. As he puts the cards underneath the stack of chips and incorporates the chip that he still has cuffed in his left hand on top of the stack of chips.¹ At the end of the hand **SMITH** won and was paid \$100.00.

According to Calder Incident Report #SURV-2022-06-00043 **SMITH's** action was observed by the Designated Player Banker, who alerted Poker Supervisor Ralph Meschaan.

Meschaan had Poker Supervisor Scott Burnett conduct a surveillance review which confirmed SMITH had cheated.

At approximately 6:35 P.M., Poker Supervisors Ralph Meschaan, Scott Burnett and Security Supervisor Jason Milam made contact with **SMITH** and escorted him from the table. After a conversation with **SMITH**, he admitted to the incident and volunteered to return \$50.00 which was the value of the additional chip that he placed on his stack of chips.

At 6:47 P.M., **SMITH** was advised by Security Supervisor Milam that he was being trespassed indefinitely for cheating and was allowed to leave the property without further incident. On June 30, 2022, **SMITH's** status was changed from being trespassed indefinitely to being permanently excluded. **(EXHIBIT #2 & 3)**

Case closed by Investigations and forwarded to Legal for further review.

2

¹SMITH's action is called "capping the bet" which allows a larger payment to the winner.

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2022 03 6656

CONTINUATION

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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 DA	TE: <u>June 20, 2022</u>				
☐ PMW	⊠ Cardroom	☐ Slot	☐ Violation		
FACILITY NA	ME: Calder Race Co	ourse Inc. (Cal	der Casino)	LI	C #: _285
		F	RESPONDENT		
NAME: Clifton	Smith	**************************************	***		
Address:					Tel
LIC#: N/A	LIC TYPE	C: 1098	OCCUPATION	V: Patron	d the second sec
7770 TOTAL T		C	OMPLAINANT		
NAME:	Web and the second seco		- Park Land Committee Comm		Tel #:
Address:		***************************************		NAME OF THE OWNER OWNER OF THE OWNER OWNE	
LIC#:	LIC TYPE:	OC	CUPATION:		
(b) Engage in any cardroom operator. (c) Engage in any DESCRIPTION cheating. The video Table # 6, seat #4. winning hand. He to sitting at the table of Cardroom Supervisive returned the money facility indefinitely permanently exclude A copy of the incide provided by Surveil	act, practice, or course of act, practice, and act	se of operation that se of operation approximately 6: mately 5:29 P.M. g shifts Smith w to his current b chip and notifie urity Supervisor her incident. He er the review b	with the intent of chea OI P.M, the above mention A., the patron who was late as seen on video surveillar et (Capping) to insure a d Cardroom Supervisor Ra Jason Milam then confront was then advised by Secur by the Casino Manageme	or deceit upon any ting any participant and Patron was observed incellooking at his cabinger winning payalph Meshaan of the led Smith about his a rity Supervisor Milant Staff, it was de liana Velazquez a	participant in a game or the tor the cardroom operator. rved via a surveillance review on Smith was sitting at Poker rds and realizing that he had a rout. The Designated Player incident. Meshaan along with retions. Smith then voluntarily m that he is excluded rom the termined that Smith will be and video of the incident was
CASE DETAIL	S FILED BY: Inspector Judge	:/Steward 🛭	Investigator 🔲 C	Other: ·	of State Employee)
Туг	ell D. Smith		hace 55 FE		

Smith, Tyrell

From:

Muniz, Luz

Sent:

Friday, July 29, 2022 10:08 AM

To:

Smith, Tyrell

Cc:

Minaya, Julio; Futrell, Michelle; Campbell, Ian

Subject:

2022 03 6656 - Smith, Clifton - CARD

Hi Tyrell,

The above mentioned case was opened and assigned to you.

Respectfully,



Lux E. Muñix

Operations Analyst II

Florida Gaming Control Commission

Phone: (954) 202-6773

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 dissemination, distribution, or duplication of this communication is strictly prohibited. If you are not the intended recipient, please contact me by replying to this e-mail

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.

EXHIBIT #-/
PAGE # - 2

Calder Casino & Race Course

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

Incident Report

Incident Number: SURV-2022-06-00043

Class/Category: Criminal/Cheating

Occurred From Date/Time: 6/20/2022 5:30 PM

Status: Open

CALDER CASINO & RACE COURSE

EXHIBIT # -2 PAGE # ~1

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Station to the



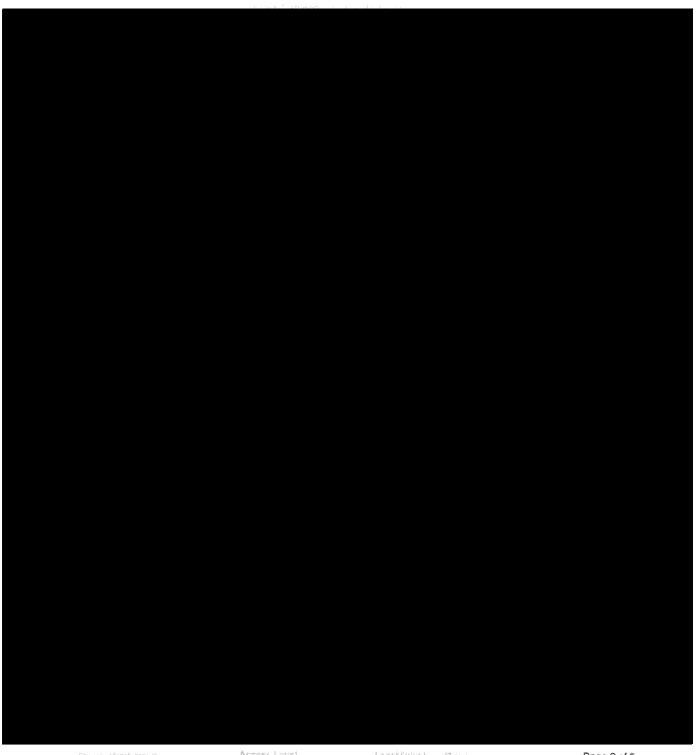
George Workgroup

Access Level:

Local Print Leadings

Page 1 of 5

EXHIBIT #-2 PAGE # - 2



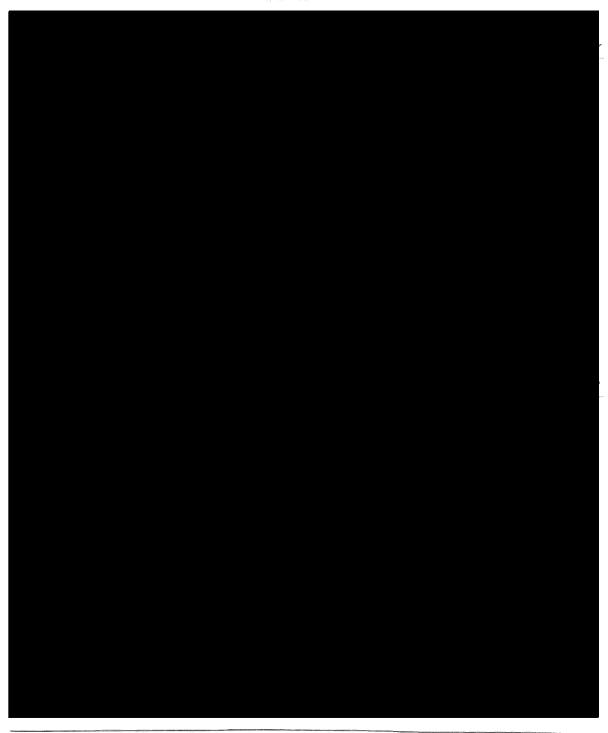
Ovener Yvrakgroup Successorie Access Level

Local Print - Plans

Page 2 of 5

EXHIBIT #-2 PAGE # -3

yas Common Commo



Owner Workgroup:

Access Level

a ocal Print Date/Time: 6/20/20/20/20/20/20 Page 3 of 5

EXHIBIT # -2 PAGE # -4

Same of the



Owner Workgroup:

Access Level:

Local Print Date/Time: 6/20/20/27 8/20/20/27

Page 4 of 5

EXHIBIT #_2 PAGE # _5

on the displaying of the effective of th



Owner Whitephilip

Access Level

Trestal Print Devictions (1999)

Page 5 of 5



Smith, Tyrell

From:

Iliana Velazquez «Iliana.Velazquez@caldercasino.com»

Sent:

Wednesday, July 27, 2022 10:31 AM

To:

Smith, Tyrell

Cc: Subject: Richard Sukhu; Susan Flores; JC Lara; Calder_Surveillance Lifetime Ban Request for State Exclusion List- Clifton Smith

Attachments:

Security - Cheating Report.pdf; SURV-2022-06-00043.pdf

[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.

Hi Tyrell,

Calder Casino is recommending to have cardroom ex-patron Clifton Smith be added to the State Lifetime Ban List. This Patron was caught cheating "stacking chips/capping the bet" while gaming at our facility, attached you'll find supporting documentation from our security and surveillance team outlining his actions. Mr. Smith has been banned from Calder on 6/30/22, footage is on file for your review.

			T		¥		-	1
6:30/2022	Calder	Smith	Clifton		Miami	FŁ	33169	

Thank you,

Iliana

EXHIBIT #-3 PAGE #-/



ILIANA VELAZQUEZ

Director of Compliance

21001 NW 27th Avenue I Miami Gardens, FL 33056

Office:

ext: 1175 or 1513

Iliana.Velazquez@CalderCasino.com

This Churchill Downs Incorporated communication (including any attachments) is for the use of the intended recipient(s) only and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.



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

PROPERTY RECEIPT

Complaint # _	2002-03-665	6 Date	e 6-27-22 Lab#	4344444 4744444444444444444444444444444
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Signature	lettert		Signature – Impounding	- The second sec
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Received by:		D	ate:	
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Form	INTR - Interi	nal	Pric	ority		Ø.	Allegations		Discipline
	V-C - Cardro						Violations		Compliance
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							Costs		
Region	SR - Southe Region	7 61	Recei	ved 07/29/	2022		Time Tracking] [Auto Assign
Reference	61D-11.005(4)(a-c)) 				Attachments		History
Entered	07/29/2022		Entered	l By imuni :	Z	L	Work Notes		Print Report
Summary	Prohibitions 6:01 P.M, the observed vivideo reveal patron who was sitting a dealer was ovideo survei realizing that added an exinsure a big Player sittin the chip and Meshaan of room Supervisor was then ad that he is expending a reincident Sm of the incide Casino Direct and video of	e: On Je above a a sure led that was lated that was lated the heart he heart the incomment of the incomment of the incomment led to the incomment of the incomment of the incomment reporter of the incomment in the	course, Inc. — June 20, 2022, Jule 2	at approximately 5:29 First Clifton Seat #4. As the was seen and. He the cards and and. He the Designed Smith a Supervison and Securiated Smith lity returned by cards and securiated Smith a securiated Smith a securiated Smith along was a secure and securiated Smith along the securiated	mately g. The P.M., the Smith the n on i len nping) to nated adding r Ralph ith Card ity about d the t. He fillam itely wed the A copy der				

Updated 07/29/2022 10:02:46	By imuniz			
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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 DAT	E: June 20, 2022				
☐ PMW	⊠ Cardroom	☐ Slot	☐ Violation		⊠ Complaint
FACILITY NAME: Calder Race Course Inc. (Calder			r Casino) LIC #: _285		
		RI	ESPONDENT		
NAME: Clifton Address:	Smith				Tel
LIC #: N/A	LIC TYPE	E: 1098	OCCUPATION	N: Patron	1 TV
		COM	/IPLAINANT		
NAME:					Tel #:
Address:	•				
LIC#:	LIC TYPE:	OCC	CUPATION:		
DESCRIPTION: cheating. The video recommendating. The video recommendation Table # 6, seat #4. As winning hand. He then the table observed Smroom Supervisor Scotthe money that he wo indefinitely pending a	On June 20, 2022, at apevealed that at approxime the dealer was changing a added an extra chip to hith adding the chip and t Burnett, and Security Son without further incider review. After Managem	pproximately 6:01 nately 5:29 P.M., g shifts Smith was his current bet (Ca notified Card roo Supervisor Jason N nt. He was then ac tent reviewed the i	P.M., the above mentioned the patron who was later seen on video surveillance apping) to insure a bigger was Supervisor Ralph Mes Milam confronted Smith all dvised by Security Supervincident Smith was permanaged.	d Patron was observed identified as Clifton the looking at his cards winning payout. The chaan of the incident, bout his actions. Smith visor Milam that he is nently excluded.	ed via a surveillance review Smith was sitting at Poke and realizing that he had a Designated Player sitting at Meshaan along with Care the then voluntarily returned a excluded from the facility
	nce Manager Leo Martin	ez.			
CASE DETAILS Chief In	_	/Steward 🛚	Investigator	her:(Title of S	State Employee)

Muniz, Luz

From: Minaya, Julio

Sent: Thursday, July 28, 2022 2:03 PM

To: Muniz, Luz

Cc: Smith, Tyrell; Kogan, Steven

Subject: OCR

Attachments: CALDER OCR (EUSTACHE) 06-18-2022.docx; CALDER OCR (SMITH) 06-20-2022.docx

Luz,

Please open and assign to Tyrell.

Than you



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

	U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only
0 000 5094 33°	For delivery information, visit our website at www.usps.com ² . Certified Mail Fee \$ Extra Services & Fees (check box, add fee as appropriate) Return Receipt (hardcopy) \$ Return Receipt (electronic) \$ Certified Mail Restricted Delivery \$ Adult Signature Required \$ Adult Signature Restricted Delivery \$ Postage
	Clifton Smith Sent To 20115 Northeast 9th Avenue Miami, Florida 33169 City, State, Zi AC — 2022036656 — PMW PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions 430

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USPS Tracking®

Track Another Package +

Tracking Number: 70202450000050943393

Remove X

Your item was delivered to an individual at the address at 1:45 pm on September 6, 2022 in MIAMI, FL 33169.

USPS Tracking Plus[®] Available ✓

⊘ Delivered, Left with Individual

September 6, 2022 at 1:45 pm MIAMI, FL 33169

Feedback

Get Updates ✓

Text & Email Updates	~
Tracking History	~
USPS Tracking Plus®	~
Product Information	~

See Less ^

Feedback

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney

Re: Case Number 2022-041504; Default Final Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel seeks the issuance of a written warning to Samantha Rose Dobles ("Respondent") based on her violation of section 550.2415(1)(a), Florida Statutes, and rule 61D-6.008(3)(c), Florida Administrative Code. Section 550.2451(7)(c), Florida Statutes, requires the Commission to incorporate the classification system for drugs and substances and the corresponding penalty schedule from the Uniform Classification Guidelines for Foreign Substances, Version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. ("Guidelines"). The penalty for this violation is a minimum of a written warning to a maximum of \$500 under the Guidelines. Therefore, the Florida Gaming Control Commission should enter a final order issuing a written warning to Respondent.

Background

Respondent was the trainer of record for the racing horse Hardly Social, which was owned by Joseph Raymond Canosa. On August 7, 2022, Hardly Social finished 1st place in the 5th race of the performances held by Gulfstream Park Racing Association. A blood sample was take from Hardly Social 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 phenylbutazone¹ in the urine. Phenylbutazone was detected at a urine concentration of 2.43 +/- 0.19 µg/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 has been determined to have a prohibited substance present in its system. This is Respondent's first violation of section 550.2415(1)(a), Florida Statues.

-

¹ Phenylbutazone 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.

Rule 61D-6.008(3)(c), Florida Administrative Code, provides that it is a violation if phenylbutazone exists at a primary blood serum concentration greater than $2 \mu g/mL$.

The penalty for this violation is a minimum of a written warning to maximum of \$500 under the Guidelines.²

The Division served Respondent with an administrative complaint, settlement agreement, and election of rights form. The election of rights accompanying the administrative complaint made it clear that the Respondent had 21 days³ to file a written response to the administrative complaint. The Respondent was served on September 20, 2022, which means the Respondent had until October 11, 2022 to respond. She has never responded.

Analysis

The Commission is required to incorporate the classification system for drugs and substances and the corresponding penalty schedule from the Guidelines.⁴ Absent aggravating circumstances, it is advised that a written warning be issued to a trainer when phenylbutazone is detected at an amount between 2 to 5 μ g/mL. Because Respondent has no prior discipline in the last 365 days and Hardly Social's blood sample from August 7, 2022 contained phenylbutazone over the primary blood serum concentration amount permissible in rule 61D-6.008(3)(c), Florida Administrative Code, but under 5 μ g/mL, she is subject to issuance of a written warning or an administrative fine up to \$500.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a final order issuing a written warning.

² The Guidelines provide that "[i]f the trainer has not had more than one violation within the previous two years, the Stewards/Judges are encouraged to issue a warning in lieu of a fine provided the reported level is below 3.0 mcg/ml absent of aggravating factors"

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.")

⁴ See Section 550.2451(7)(c), Fla. Stat.

FILED

Florida Gaming Control Commission Office of the Agency Clerk

Clerk Donna Fleming
Date 8/31/2022

FGCC Case No.: 2022-041504

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

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

Petitioner.

v.
SAMANTHA ROSE DOBLES,
Respondent.

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Samantha Rose Dobles ("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, 8181308-1021, issued by Petitioner.
- 3. At all times material hereto, Respondent was the trainer of record for the racing horse "Hardly Social," with microchip number 981020029198921.
- 4. At all times material hereto, "Hardly Social" was owned by Joseph Raymond Canosa, who holds a Pari-Mutuel Wagering Professional Individual Occupational License, number 12779361-1021, issued by Petitioner.
- 5. On August 7, 2022, "Hardly Social" participated in the 5th race of the performances held by Gulfstream Park Racing Association, Inc. ("Gulfstream Park").

- 6. On August 7, 2022, "Hardly Social" finished in 1st place in the 5th race of the performances held by Gulfstream Park.
- 7. Gulfstream Park is a facility operated by a permitholder authorized to conduct parimutuel wagering in this state under Chapter 550, Florida Statutes.
- 8. On August 7, 2022, blood sample number 312587 was collected from "Hardly Social."
- 9. Blood sample number 312587 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 312587 and found that it contained **phenylbutazone**.
- 11. In blood sample number 312587, **phenylbutazone** was detected at a serum concentration of $2.43 +/- 0.19 \,\mu\text{g/mL}$.
 - 12. Pursuant to Section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

- 13. According to Rule 61D-6.008(3)(c), Florida Administrative Code, it is a violation of Section 550.2415, Florida Statutes, if **phenylbutazone** exists at a primary blood serum concentration greater than 2 μ g/mL.
- 14. Section 550.2415(1)(c), Florida Statutes, states, "[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race."

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of

record shall be responsible for and be the absolute insurer of the condition of the horses...he/she

enters to race."

16. Based on the foregoing, Respondent violated Section 550.2415(1)(a), Florida

Statutes, and Rule 61D-6.008(3)(c), Florida Administrative Code, by racing "Hardly Social" with

an impermissible concentration of a permitted substance in its body on August 7, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission

enter an Order imposing against Respondent one or more of the penalties specified in Rule 61D-

6.011, Florida Administrative Code, Section 550.2415(3)(a), Florida Statutes, and/or any other

relief that the Commission is authorized to impose pursuant to Chapter 550, Florida Statutes,

and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-041504 is signed this 30th

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 TO REQUEST A HEARING

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

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

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

NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to Rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use <u>Form DBPR PMW-3290</u>, <u>Notification to Stewards/Judge</u> 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



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 Pax

41 4

August 24, 2022

Mr. Joe Dillmore, Director Florida Gaming Cohmo Commission 2801: Blair Stone Road Tallahissase, FL 32399-1037

RE: Report of Positive Result

Sample 312587 has been enalyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

Phenylbutazone (primary) found in serum
Phenylbutazone (an anti-inflammatory anti Class 4 drug) - the concentration of Phenylbutazone (primary) is 2,43
+/- 0.19 µg/mL.

E000840-FHE Horse Serum 8 g INTACT

Laboratory Number Specimen Final Weight Seat

Guilfabream Park 08/07/2022 08/09/2022

Collected From Date Collected Date Received

Pursuant to Chapter 560,2416 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 09/02/2022, or upon commencement of administrative action, whichever

Dirk A Hunt Associate Director

Moden Murdin

Chemist III

Page 1 of 1

University of Florida Recing Lab ISO/IEC 17025-2017 Certificate # AT-1542

The Foundation for The Gator Nation

An Water I Commonwise Development

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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

August 24, 2022

Mr.Joe Dillmore, Director Florida Gaming Control Commission 2891 Blair Stone Road Tallahassee, FL 32399-1037

RE:

Report of Positive Result

Sample 312587 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

Phenylbutazone (primary) found in serum

Phenylbutazone (an anti-inflammatory and Class 4 drug) - the concentration of Phenylbutazone (primary) is 2.43 +/- 0.19 µg/ml...

E000840-FHB Horse Serum	8 g	INTACT
Laboratory Number Specimen	Final Weight	Seal
Gulfstream Park	08/07/2022	08/09/2022
Collected From	Date Collected	Date Received

Pursuant to Chapter 660,2415 (1), F.S., the public disclosure of the Information contained in this Report of Positive Result is authorized on or after 09/02/2022, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Model Music

Chemist III

Page 1 of 1

University of Florida Racing Leb ISO/IEC 17025-2017 Certificate # AT-1642 ANAB

The Foundation for The Gator Nation

An Raus Canadanity Institution

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	annuist c cp 4 4 91K 4891 1-1444 1:4758 31 [F] C m BUUUTW 2/L		

08/07/2022 Race 5

Gulfstream Park Sunday, August 7, 2022

Owner Index For Today's Races

,	Mastic Beach Racing (Francisco Soria)
Alarcon, Jose E	Man C
Aliarcon, José E	OGNA Investments (Gustavo J. Delgado), LLC and Gelfenstein Farm (Ivan Rodrig
Amendola, Robert J. 9 Anne-33, LLC (Anne Marie Lutchman) 7 A	Ohana Racing, LLC (Eli Soued).
	Physic Parker (Charles Vittle)
Liam Baston II C (Blokned Austill)	Laurie Plesa, David E. Melin, Leon Ellman and Glassman Racing LLC (Karl Glassm
	m m · O. Ll. 110 (Jana D) Annala)
No	Profitacing Stables, Lt.C. (Donald Crepeau) and The Four Horsemen Racing Stable
	Outstance Maria
n_ C 0h t1 C (Mauni Cillo)	Quintessential Racing Florida LLC (Tina Casse).
Nilson Charater A	B. T. B., L., Chelle Barres Tolloll
	R. 1. Racing Stables, Inc. (Cesar Sosa) and Infinity Racing Stable (Alejandro Es
w on BALLY-A (Dance Tallianos)	Kenneth L. Ramsey Est Sarah K. Ramsey (Kenneth L. Ramsey)
Gruce Talisman 2014 Trust (pruce Talisman). 5 Aurgess, Richard. 5	R and T Stable (Richard Dias).
	R and T Stable (Richard Dias). Road Trip Racing, Inc. (Gary Greenburg).
n + t- vn- LLC (Charles Zassout) LC Paring LLC (Glenn Rennett) and John Parini.	Road Imp Racing, Inc. loary diseasonly).
ASTI IS KING LLC (Class S Zaclasy), to recent gets (class Recing LLC (Robert Lipita).	Rodriguez, Elvis.
	Robert C. Roffey Jr.
Chambless, Ivette Perez. Champion Equine, LLC (Michael Sucher).	Robert C. Rottey Jr. Rore Champion Racing LLC (Shimuel Yeakov Bonnardel).
re of direct and Cambrada Conditor	Rousso, David
Phil Combest and Stephanie Sandler. 4 David Favilias Racing, Inc. (David Favilias). 4	Sangreal Investments LLC (Jeffrey Yingling)
David Favnes Kacing, Inc. (Javid Favnes). Richard Kingston George and Robert G. Smith.	Schuster, Edward R.
Rockard Kingston George and Kobert G. Switt	Schuster, Edward K Shadytrook Farm, Inc. (Oddiael Yates).
	Smith Robert G.
Haritak, Caniel C	Smith Rench Stables (Lynn Elln Smith)
Ironhorse Racing Stable, LLC (narran marker).	Call Carble II C (Alfonco Sound) and Dhana Racing III. (El) 20080)
Lorento Recally Calone. LCC Visit Annual Calone. 22 Jackson, Ronald. 88 Gerald James and Hall Performance LLC (Christine Hall). A	Carrella Canbles (I surence 6200)
Gerald James and Hall Performance LLC (Unitstine Hall).	Stefania Farms, LLC (Edwin Milson)
Gerald James and Hall Performance LLC (Christine Nati). 4 Juker Racing LLC (Fedi Hahvani). 5	Canadander (I C Marther Comphell)
Lambert, Jeffrey.	Shuil Cormon Criettina 11 C (Jose Antonio Carrillo)
Lerman, Michael	The Court Book Stable (Louve Kommover)
	Drhon Voldes and Team Mork Horseman Group Liuan Koorguez).
Los Samanes LLC (Carlos Silva Alcala), Quarterback Racing Stable (Karlael Rouriguez/ aliut Falicisco D'Angola	Yanez Stable LLC (Reynaldo Yanez).
Moveball Mark and Stonbon Derany	1000 compo eso Anti-
Manhers in corenthesis denote the number of entries the horsemen has in that race.	

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1 EXCORPOSES

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CLAIMING \$8,000

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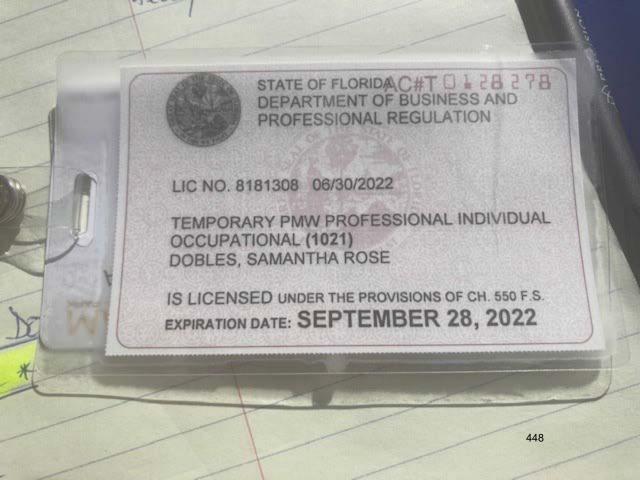
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Ş.	Porkout(s): 20 Jul 22 GP 3F ft :3			D 4F ft :49,25b 1/2	~ 0	~	, 1	7 J	7 3"	Leparoux JR	122 0	J.3U	Bold Article® Artie's Rose® Kentucky Pride® ▶bothered st; insupper 6
ŧ.	08/07/2022 Race 5 hinted on 8/5/2022 at 11:44:12 AM			2									RACE 5 CONTINUED ON NEXT PAGE

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Exp: 2022-09-28

GULFSTRE A

DOBLES, SAMANTHA

TRAINER 8181308-T PLM

OUTSIDE

This card is property of Gulfstream Par

Lanier-FGCC, Ebonie

From: Melendez, Kelly

Sent: Tuesday, September 20, 2022 4:11 PM

To: Lanier-FGCC, Ebonie

Cc: Jones, Bradford; Minaya, Julio; Kogan, Steven; Roca, Miriam **Subject:** Affidavit of Service-2022-041504-Samantha R. Dobles

Attachments: 2022 04 1504- Samantha Rose Dobles-Affidavit of Service.pdf; PMTC-Samantha

Dobles.jpg; PMW License-Samantha Dobles.jpg

Good Afternoon,

Respondent Samantha R. Dobles 2022- 041504 AC packet was served on September 20, 2022 at Palm Meadows Training Center, barn #21.

Thank You!



Kelly M. Melendez

Investigation Specialist II Division of Pari-Mutuel Wagering Office of Investigations Fort Lauderdale, Florida Office#: 954-202-6799



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

FLORIDA CONTROL GAMING COMMISSION,
Petitioner,
V. DBPR Case No.: 2022-041504
SAMANTHA ROSE DOBLES,
Respondent.
AFFIDAVIT OF SERVICE OR DILIGENT SEARCH
COMES NOW, the Affiant, an employee of the Florida Control Gaming Commission, Division of Pari- Mutuel Wagering, State of Florida, who first being duly sworn, deposes and states:
On (date) September 20, 2022, Affiant made a diligent effort to locate Respondent, to serve: X 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), September 20, 2022, at (location) Palm Meadows Tealning Center, Barn #21.
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 Kell Melendez; 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 O day of September 20 22
Notary Public State of Florida Eileen R. Ross My Commission GG 945954 Expires 01/25/2024
Type or Print Name

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney Re: Case No. 2022-027070: Consent Order

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Huong Dao ("Respondent") to resolve Case No. 2022-027070. Pursuant to the terms of the proposed order, Respondent would be permanently excluded from all pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida.

Background

On May 27, 2022, Respondent was ejected and excluded from PPI, Inc.¹ Respondent was seen moving chips that were placed on a losing bet to a winning position. This act happened two times prior to the incident on May 27, 2022. Respondent was excluded from PPI, Inc. for one year.

The Division served Respondent with an administrative complaint. Respondent requested an informal hearing that was set for October 19, 2022. Prior to the hearing, Respondent's attorney reached out to the Commission seeking to settle this matter. The Commission sent Respondent a settlement agreement seeking permanent exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida. Respondent has agreed to the terms of the proposed order.

¹PPI, Inc. is operated by a pari-mutuel wagering permitholder that also possesses a pari-mutuel, slot machine, and cardroom license.

Analysis

The Commission may resolve matters informally through a negotiated settlement.² Section 550.0251(6), Florida Statutes, provides, in relevant part, that "[t]he division may exclude from any pari-mutuel facility within this state any person who has been ejected from a pari-mutuel facility in this state." Likewise, section 551.112, Florida Statutes, provides, in relevant part "[t]he division may exclude from any facility of a slot machine licensee any person who has been ejected from a facility of a slot machine licensee in this state." PPI, Inc. 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 was excluded from a facility holding a pari-mutuel and slot machine license, he is subject to exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2022-027070.

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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.: 2022-027070
HUONG DAO,		
Respondent.	,	

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Division"), and Huong Dao ("Respondent"), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order ("Consent Order"):

1. This Consent Order is to be entered in resolution of the two-count Administrative Complaint filed in FGCC Case Number 2022-027070, alleging that Respondent was in violation of Rule 61D-11.005(4), Florida Administrative Code, and was excluded from PPI, Inc. for one year. The Administrative Complaint further alleged that Respondent is subject to exclusion from all pari-mutuel facilities and all facilities of a slot machine licensee in the state of Florida pursuant to Sections 550.0251(6) and 551.112, Florida Statutes.

STIPULATION

WHEREAS the Division and Respondent ("Parties"), desire to resolve this matter, the following terms are stipulated:

2. The Division has jurisdiction over this matter and the Parties.

- 3. The Division is authorized by Section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
- 4. Each of the Parties has entered into the terms of this Consent Order voluntarily. Respondent is aware that she 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.
- 5. 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.
- The Parties acknowledge and agree to waive any further administrative and judicial review.
- 7. 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.
- 8. 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.
- 9. Respondent agrees that upon adoption of this consent order, Respondent shall be PERMANENTLY EXCLUDED from all pari-mutuel facilities and all facilities of a slot machine licensee within the State of Florida.

2022-027070 2

- 10. Respondent must <u>mail this Consent Order to</u>: Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 2601 Blair Stone Road, Tallahassee, Florida 32399-1035, Attention: Donna Fleming.
- 11. 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.
- 12. 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.
- 13. 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.
- 14. This Consent Order may be signed in counterparts, and copies shall be treated as original.
- 15. The Parties agree that this serves as notice that the signed Consent Order will be placed on the agenda of the next available Commission meeting.

456

2022-027070 3

16. Respondent is not required to attend the Commission meeting. If Respondent would like to attend, she is responsible for checking the Florida Gaming Control Commission website at www.fgcc.fl.gov, for the meeting materials, agenda, and contact information.

17. Respondent authorizes the Division to correct any typographical errors or make any non-material changes to this Consent Order after it is signed.

[Signature pages to follow]

WHEREFORE, Respondent, **HUONG DAO**, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 14 day of oct	, 2022.
	HIMM
	HUONG DAO Respondent

state of Florida country of Broward

The foregoing instrument was acknowledged before me, by means of physical presence or online notarization, this 14 day of OCTUDEY, 2022, by HUONG DAO, who is personally known to me or who produced the following as identification:

Notary Public

My commission expires: 7/19/2020

LEONIE DASTINOT Notary Public State of Florida Commit HH289554 APPROVED this 24 day of October, 2022.

EMILY ALVARADO

DEPUTY CHIEF ATTORNEY

Division of Pari-Mutuel Wagering Florida Gaming Control Commission

FILED
Department of Business and Professional Regulation
Deputy Agency Clerk

CLERK: Evette Lawson-Proctor

Date: 6/14/2022

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION, DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,		DBPR Case No.: 2022-027070
v.		DBPR Case No.: 2022-02/0/0
HUONG DAO,		
Respondent.		
	/	

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Huong Dao ("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.
- At all times material hereto, Respondent's address was reported as 5260
 Northwest 11th Street Lauderhill, Florida 33313.
- At all times material hereto, PPI, Inc. 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 May 27, 2022, Respondent was a patron of PPI, Inc.
- 5. On or about May 27, 2022, Respondent was ejected and excluded from PPI, Inc. for a period of one year for engaging in an act that would constitute cheating at a cardroom table.

COUNTI

- Petitioner realleges and incorporates the allegations contained within paragraphs
 one through five as though fully set forth herein.
- 7. 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."
- 8. 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.

COUNT II

- Petitioner realleges and incorporates the allegations contained within paragraphs one through five as though fully set forth herein.
 - 10. Section 550.0251(6), Florida Statutes, provides in relevant part:

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

11. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any facility of a slot machine licensee

any person who has been ejected from a facility of a slot machine licensee in this state or who has been excluded from any facility of a slot machine licensee or gaming facility in another state by the governmental department, agency, commission, or authority exercising regulatory jurisdiction over the gaming in such other state. This section does not abrogate the common law right of a slot machine licensee to exclude a patron absolutely in this state.'

Based on the foregoing, Respondent violated Rule 61D-11.005(4), Florida 12. Administrative Code and is subject to exclusion under Sections 550.0251(6), and 551.112, Florida Statute, from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida.

WHEREFORE, Petitioner respectfully requests the Division Director 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 DBPR Case Number 2022-027070 is signed this 13th day of June, 2022.

/s/ Emily A. Alvarado

Emily A. Alvarado

Deputy Chief Attorney

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.

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Reference										
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	May 27, 202	/ 2 DAO move ir) to the "Tr	d a \$25 lo	sing wag	er		Costs]		
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Get Adobe Reader.



Melanie S. Griffin, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTH		Date of Cor JUNE 2,	[편기] [14.0 중에 (14.1 전 14.2) -	Case Number: 2022 02 7070	
Respondent: DAO, HUONG TEL # UNKNOWN			Complainant: DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 WEST COMMERCIAL BOULEVARD, SUITE 165 FORT LAUDERDALE, FLORIDA 33309			
	# and Type: N/A	Profession: PATRON		Report Date: JUNE 3, 2022		
Period of Investigation: MAY 27, 2022 TO, JUNE 3, 2022			2	Type of Report: FINAL		

Alleged Violation: 61D-11.005(4) No person shall, either directly or indirectly:

- (a) Employ or attempt to employ any device, scheme, or artifice to defraud any participant in a game or the cardroom operator.
- (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.
- (c) Engage in any act, practice, or course of operation with the intent of cheating any participant or the cardroom operator. &

F.S.S. 550.0251 (6) The powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation. –

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

Synopsis: On May 27, 2022 **DAO** moved a \$25 losing wager (Ultimate Pair) to the "Trips Wager" position while playing Ultimate Texas Hold'em in the Pompano Park (PPI) card room. **DAO** had been warned by PPI staff several times previously related to other nefarious moves while gaming. **DAO** engaged in an act of deceit upon the Designated Player. Pompano Park has issued a one (1) year Exclusion.

Related Case:	
Investigator / Date	Investigator Supervisor / Date
William Smith / June 3, 2022	Bradford D. Jones / June 8, 2022
Chief of Investigations / Date	
Conte	

Bradford D. Jones for

Steven E. Kogan / June 8, 2022

CONTINUATION

CASE NUMBER: 2022 02 7070

On May 27, 2022 while in consultation with PPI Poker Director, Vinny Gatto, the subject of patron DAO, HUONG cheating while playing Ultimate Texas Hold'em was brought to this Investigator's attention. Subsequent investigation of this matter confirmed a violation of 61D-11.005(4). Review of surveillance video noted **DAO** moving a losing \$25 "Ultimate Pair" wager to a winning position "Trips" wager. As a result, DAO was excluded from PPI for one year.

The Investigation determined **DAO** came to the attention of PPI card room supervisory staff after attempting to make bets on other players hands. **DAO**, who is Vietnamese and claims to not speak English, was counseled by a PPI Dealer who happened to be fluent in the Vietnamese language. DAO was informed the act(s) she committed were not permitted. This occurred twice prior to the subject exclusion. The first time, DAO was met with a warning, the second time she received a 24 hour ejection. The 24 hour ejection fulfilled, on May 27, 2022 DAO returned. Now known for suspicious activity a watchful eye was in place. Dealers were alerted and as anticipated, **DAO** once again engaged in cheating. In this instance **DAO** moved a losing \$25 "Ultimate Pair" bet on the table layout¹ to the winning "Trips" position (**EXHIBIT #1**). PPI issued **DAO** a one (1) year exclusion from the facility (EXHIBIT #3). This Investigator reviewed the related surveillance recording affirming the cheating activity (EXHIBIT #2).

Conclusion: As a result of her actions DAO has been excluded for one year by Pompano Park. This investigation has determined **DAO** violated 61D-11.005(4) by committing an act of cheating. Having been excluded by a gaming facility licensed by this Division, DAO should be considered for statewide exclusion from all Florida Pari-Mutual facilities under F.S.S. 550.0251(6).

Status: Case file closed by Investigations and forwarded to Legal for review.

¹ The layout for clarity of understanding is provided as EXHIBIT #4.

CASE NUMBER: 2022 02 7070

TABLE OF CONTENTS

I.	INVESTIGATIVE REPORT COVERSHEET	
II.	INVESTIGATIVE REPORT	
III.	EXHIBITS	
1.	Surveillance / Security Report	1- 6
2.	DVD	1-2
3.	One Year Exclusion	1-1
4	Ultimate Hold'em Lavout	1-1

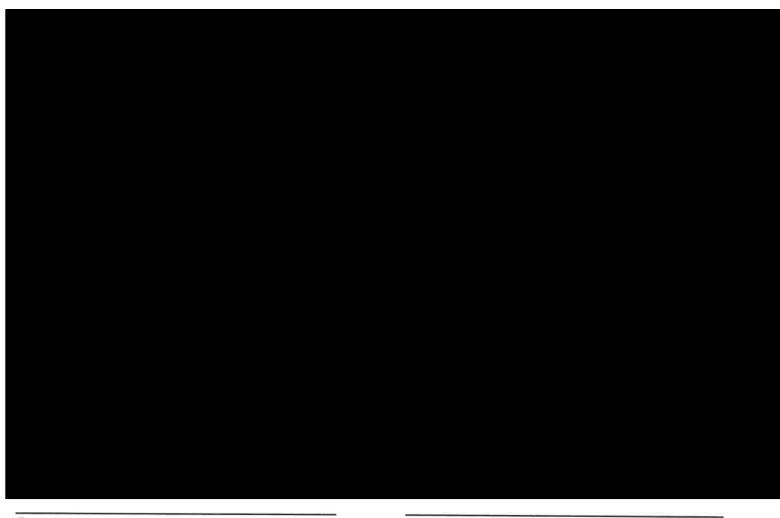
Isle Casino - Pompano

Guest Incident Report Security Incident: po-SEC-28739



Isle Casino - Pompano

Guest Incident Report
Security Incident: po-SEC-28739

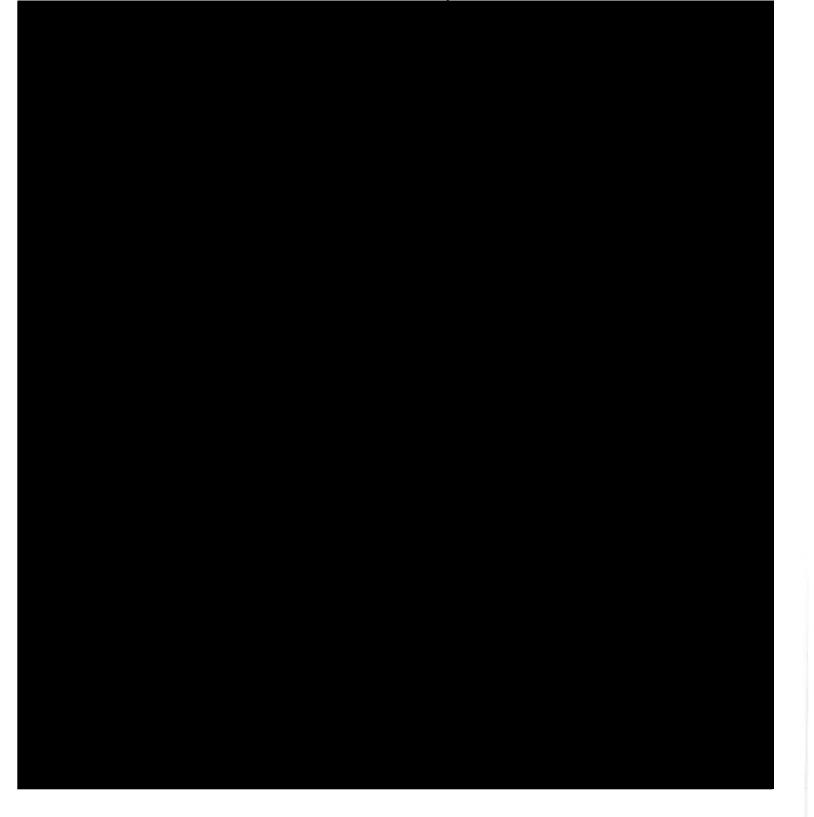


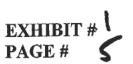
Reporting Officer: Jackson Charles (Gaming ID: 8975098) Supervisor: Juan Colchado (Gaming ID: 8326273)

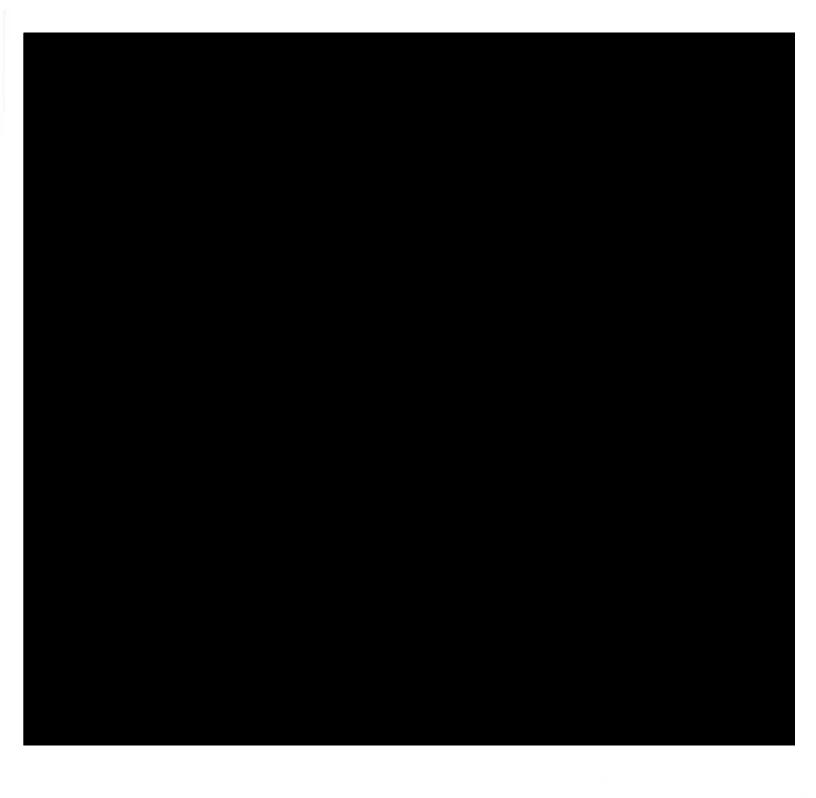
Isle Casino - Pompano Guest Incident Report Security Incident: po-SEC-28724

EXHIBIT # PAGE # 471

Guest - Ejection Surveillance Incident: po-SUR-32714











State of Florida Department of Business and Professional Regulation Division of Pari-Mutuel Wagering Investigations Section

PROPERTY RECEIPT

Complaint #	1022027	70 Date 6 3 22 Lab#
Item No.	Quantity	(Description
\	1	POUD DAO EXECT
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rm DBPR 11-75 (Rev		EXHIBIT #

PAGE#

Video Release and Chain of Custody Receipt: po-1080

Video Released Opened: Jun 01, 2022 09:47

Team Member #

Dossier ID

179955

Authorized By: MMiguel Gonzalez

Video(s) Released: ID: po-SUR-32714 (Guest:

Ejection)

Huong Dao

Video Release Closed: Not closed

Name

Dup/Orig: Duplicate

Subjects

Surveillan	ce Report(s): ID: po-SUR-32714 (Guest: Ejection)	
Coverage	Description: Patron ejection for cheating.	
_	age Location:	
Cove	rage Started: May 26, 2022 23:56	Coverage Ended: May 27, 2022 01:10
Rep	orting Agent: Napoleon Tascon	
oresented is in or video is an accura	this Release and Chain of Custody Receipt, is priginal and unedited format and may not be duplicate representation of when the events took place. In the representation of when the proceedings.	oprietary to the Isle of Capri Casinos. The video ated in any manner. The date and time stamp on the All video must be returned to the Isle of Capri Casinos
Released By:	Miguel Gonzalez	Date:
	Miguel Gonzalez	
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Re-Released By:		Date:
Re-Released To:		Date:
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le-Returned By:		Date:
Re-Returned To:		Date:
		EXHIBIT # Z PAGE # **Z



NOTICE OF EXCLUSION

To: Huong Da		Date of Birth:				
SSN:	DL#:					
On this Aday of MAP Park. You are further advise	a specific period of time per the Manage Y, 2022, you are hereby ored that you are not to enter or remain at a Manager in order to be allowed back onto	dered to leave the property of Isle	Casino Racing Pompano			
Your removal and denial of origin.	access complies with state applicable law	ws and is not founded on race, cree	ed, color or national			
You are further advised that if in the future you knowingly enter or retain in or upon the grounds or facilities of Isle Casino Racing Pompano Park, you will be considered a trespasser and may be subject to arrest.						
Reason for Exclusion:	CAPPING) ₎			
Length of Exclusion:						
30 Days	90 Days 1 Year	3 Years	Permanent			
Other:						
Acknowledged by:	(Customer Signature)					
Issued by:	1/1	85410				
Witness:			EXHIBIT # 3 PAGE #			

476



											FAC) Help	Sign Out
	VR Home	Inbo	ox Entit	у Арр	lication	Licens	se	Cash	Exam	Inspection	Enfor	cement	Report
Į	Complaint Search Change Recording License Type Delete Complaint Mass Activity Update Mass Discipline Update Mass Status Update Public Case Info												
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moves while gaming. DAO engaged in an act of deceit upon the Designated Player. Pompano Park has issued a one (1) year Exclusion. DAO is also under investigation for similar activity at Calder Casino.						Histor	у						
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▲Get Adobe Reader.



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

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

IN	CIDENT DAT	TE: MAY 27, 2022	2				
	☐ PMW	⊠ Cardroom	☐ Slot	⊠ Violation	☐ Incident	☐ Complaint	
FA	CILITY NAM	IE: <u>PPI, INC.</u>			LI	C #:_430	
			RF	ESPONDENT			
NA	ME: HOUNG	DAO					
	Address:					Tel	
LI	C #: N/A	LIC TYP	E: 1098	OCCUPATIO	N: N/A		
			CO	MPLAINANT			
NA	ME:					Tel #:	
	Address:						
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ne Po	farious move	s while gaming. has issued a one	DAO engag	ged in an act of	deceit upon th	times before related ne Designated Playe ation for similar activ	er.
CA	ASE DETAILS	S FILED BY:					
	Chief I	Inspector	e/Steward 🔀	Investigator (Other:		
				M	(Title	of State Employee)	
	Willian	n Smith		11/1 3/-	and the second	05-31-22	
		Print Name)		(Signature)		(Date)	

Muniz, Luz

From: Jones, Bradford

Sent: Wednesday, June 1, 2022 9:26 AM

To: Muniz, Luz

Cc: Smith, William; Kogan, Steven

Subject: OPEN CASE REQUEST

Attachments: OPEN CASE REQUEST- DAO - CHEAT.docx

Follow Up Flag: Follow up Flag Status: Completed

Good Morning Luz,

This is approved; please open a case and assign to Bill Smith.

Thank you

Bradford D. Jones



Investigations Supervisor Florida Department of Business and Professional Regulation Division of Pari-Mutual Wagering, Office of Investigations 1400 West Commercial Boulevard, Suite 165

Ft. Lauderdale, Florida 33309

Phone: 954.202.3900 • Fax: 954.202.3930

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The State of Florida has a very broad public records law pursuant to Chapter 119, Florida Statutes. Most written communications to and from state officials regarding state business are public records, available to the public and media upon request. Therefore, your e-mail communications may be subject to public disclosure. LARGER VIEWhttp://www.myfloridalicense.com/dbpr/pmw/documents/LinkDocuments/Confidential-PR-Statement.htm

FILED

Deputy Agency Clerk

CLERK: Evette Lawson-Proctor

Date: 6/14/2022

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,		DBPR Case No.: 2022-027070
v.		DBI R Case No.: 2022-027070
HUONG DAO,		
Respondent.	/	
	'	

ADMINISTRATIVE COMPLAINT

The Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Huong Dao ("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.
- At all times material hereto, Respondent's address was reported as 5260
 Northwest 11th Street Lauderhill, Florida 33313.
- 3. At all times material hereto, PPI, Inc. 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 May 27, 2022, Respondent was a patron of PPI, Inc.
- 5. On or about May 27, 2022, Respondent was ejected and excluded from PPI, Inc. for a period of one year for engaging in an act that would constitute cheating at a cardroom table.

COUNTI

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- 8. 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.

COUNT II

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

11. Section 551.112, Florida Statutes, provides:

In addition to the power to exclude certain persons from any facility of a slot machine licensee in this state, the division may exclude any person from any facility of a slot machine licensee in this state for conduct that would constitute, if the person were a licensee, a violation of this chapter or the rules of the division. The division may exclude from any facility of a slot machine licensee

2022-027070 Page 2 of 4

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.'

12. Based on the foregoing, Respondent violated Rule 61D-11.005(4), Florida Administrative Code and is subject to exclusion under Sections 550.0251(6), and 551.112, Florida Statute, from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the State of Florida.

WHEREFORE, Petitioner respectfully requests the Division Director 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 DBPR Case Number 2022-027070 is signed this 13th day of June, 2022.

/s/Emily A. Alvarado

Emily A. Alvarado

Deputy Chief Attorney

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.

STATE OF FLORIDA FLORIDA GAMING CONTROL COMMISSION

RECEIVED By: E.Lanier September 15, 2022 FGCC General Counsel

ELECTION OF RIGHTS

FCCC v. HOUNG DAO

CASE NO.: 2022-027070

PLEASE CHECK ONLY	ONE OF THE THREE OPTIONS.					
Option (1) 1 do not dispute the allegations of material fact in the Administrative Complaint. I wish to submit oral and written evidence in mitigation at a hearing pursuant to Section 120.57(2), Plorida Statutes ("informal hearing") and that this oral and written evidence be considered before any penalty and fixes are imposed.						
THE PERSON NAMED AND ADDRESS OF THE PERSON NAMED AND ADDRESS O	n the Administrative Complaint. This is a petition for a hearing involving 120.57(1). Florida Statutes, ("formal hearing") before an Administrative pecifically dispute the following paragraphs in the Administrative					
DE BROKENS DE BROKENS DE BROKENS DE SENERE DE	nt wish to enter into settlement accordations, check the box below:					
Section 129.369(2)(a), Florida Statutes, require Hearings (DOAH) for a formal hearing within 15 day case and waive the 15-day requirement in order to entit	is the Department to send this case to the Division of Administrative is after receiving your Election of Rights. I am interested in settling this are into settlement negotiations with the Department.					
Option (3) I do not dispute the allegations of material fill hearing. I request that a Final Order imposing a penalty and fines	act in the Administrative Complaint and waive my right to any form of sibe entered in this case.					
THIS IS A LEGALLY BINDING DOCUMENT. SEEK UNDERSTAND THE TERMS.	LEGAL ADVICE BEFORE SIGNING IF YOU DO NOT FULLY					
DAO HOUNG	ANTHONY OWIGENBUSA ATTORNEY OR QUALIFIED REPRESENTATIVE					
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THE ELECTION OF RIGHTS FORM AND ANY ATTACHMENTS SHOULD BE RECEIVED BY THE COMMISSION WITHIN 21 DAYS AND SENT TO:

Office of the General Counsel
Florida Gaming Control Commission
2601 Blair Stone Road, Tallahassee, FL 32399-2202
Attention: Ebonic N. Lanier. Administrative Assistant III
Telephone: (\$50) 717-1663 Fax: (\$50) 921-1311
Email: Ebonic Lanier@fgcc.fl.gov

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MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney Re: Case No. 2022-038702; Consent Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Gulfstream Park Racing Association, Inc. ("Respondent") to resolve Case No. 2022-038702. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$1000 for violating rule 61D-2.023(1)(h), Florida Administrative Code.

Background

On or about June 15, 2022, July 8, 2022, and August 2, 2022, Respondent allowed four individuals to have access to the backside of Palm Meadows Training Center without an occupational license. Respondent has no prior violations of this rule in Florida.

The Division served Respondent with a one count administrative complaint and included a proposed settlement and consent order seeking a \$1000 administrative fine. Respondent has agreed to the terms of the settlement and consent order and has already mailed in a check.

Analysis

The Commission may resolve matters informally through a negotiated settlement.¹ The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.²

Rule 61D-2.023(1)(h), Florida Administrative Code, provides that "[a] permitholder shall ensure that: [a]ccess to the backside where racing animals are kept is restricted to occupational licensees or other persons authorized pursuant to Rule 61D-5.005, F.A.C."

Because Respondent allowed four individuals to have access to the backside of Palm Meadows Training Center without an occupational license, it is subject to an administrative fine not to exceed \$1000.00.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2022-038702.

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¹ 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.")

² § 849.086(14)(c), Fla. Stat.

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Entered	08/09	/2022		Entered	d By Imun	niz			Inspection			
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Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office:	Region:	Date of C	omplaint:	Case Number:		
PMW	SOUTHERN	August	9, 2022	2022 03 8702		
Respondent:			Complainant:			
	ARK RACING ASSO	,	DIVISION OF PARI-MUTUEL WAGERING			
901 S FEDERAL	HIGHWAY		OFFICE OF INVESTIGATIONS			
			1400 W. COMMERCIAL BLVD. SUITE 165			
			FT. LAUDERDALE, FLORIDA 33309			
			TEL 954-202-3900			
License	# and Type:	Profes	ssion:	Report Date:		
321/1001 Pern			Holder	August 12, 2022		
Period of Investigation:			Type of Report:			
Augus	st 9, 2022 to August	12, 2022	FINAL			

Alleged Violation: 61D-5.002 Possession of a License.

- (1) Unless exempted in subsection (2) of this rule, when on the grounds of a permitholder, licensees shall conspicuously wear their current Pari-Mutuel Wagering Occupational License issued by the division.
- (2) When performing their pari-mutuel occupations, the following persons shall retain on the permitholder's premises their current license:
 - (a) Jockeys;
 - (b) Jai alai players;
 - (c) Jai alai judges;
 - (d) Harness drivers; and
 - (e) Exercise persons; and
 - (f) Leadouts..

Synopsis: On June 15, 2022, July 8, 2022, and August 2, 2022 this investigator while conducting barn inspections at Palm Meadows Training Center (PMTC), found a total of four individuals present and or working in the backside area unlicensed. During each instance security was notified and made aware of the situation. In each instance GSP/PMTC Security provided assurances that preventive measures would be taken however unlicensed workers continue to be discovered in restricted areas.

Related Case(s): 2022 03 0646, 2022 03 8572	
Investigator / Date	Investigator Supervisor / Date
K. llelange	(Jonn L
Kelly Melendez/ August 12, 2022	Bradford D. Jones / August 17, 2022
Chief of Investigations / Date	

Chief of investigations / Date

Bradford D. Jones for

Steven E. Kogan / August 17, 2022

CONTINUATION

CASE NUMBER: 2022-03-8702

On June 15, 2022, this investigator was conducting a routine facility/barn inspection of barn #31 at the Palm Meadows Training Center (PMTC), case reference #2022 03 0646. Trainer Priscilla Nichols was found to have two unlicensed staff working directly with her horses, including one individual who was under the waiver process (**EXHIBIT #1**).

On July 8, 2022, this investigator was conducting a routine facility/barn inspection of barn #8. Trainer Walter Woodard's license had expired on June 30, 2022. Trainer Woodard was present in the backside area unlicensed and was verbally warned that he should not be in the backside and would have to leave the backside area. Several hours later after the visit he obtained a current PMW license.

On August 2, 2022, this investigator was conducting a routine facility/barn inspection of barn #30, case reference #2022 03 8572. During this visit Equine Dentist/Vet Assistant Chad M. Breuer was observed conducting a dental service procedure on a thoroughbred race horse, while knowingly unlicensed (EXHIBIT #2).

During each of the three above instances, PMTC security was notified that front gate security must be more diligent in checking for PMW state issued licenses and not merely accept the possession of Gulfstream Park photo identifications or vehicle "hangdowns".

As a result of these inspections and failing to address an area of concern, **GULFSTREAM PARK ASSOCIATION INC.** is found to be in violation of 61D-5.002 Possession of a License. **GULFSTREAM PARK ASSOCIATION INC.** / **PALM MEADOWS TRAINING CENTER** has allowed in the above three (3) instances, unlicensed individuals onto the backside of a state regulated facility with direct access to thoroughbred racehorses without a current valid PMW license.

Case Status: Closed by Investigations and forwarded to Legal for further review.

CASE NUMBER: 2022-03-8702

CONTINUATION

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Division of Pari-Mutuel Wagering Office of Investigations 1400 West Commercial Boulevard, Suite 165 Ft. Lauderdale, Florida 33309 Phone: 954.202.3900 • Fax: 954.202.3930

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS INVESTIGATIVE REPORT

Office: PMW	Region: Southern	Date of Complaint: June 23, 2022				
Respondent: NICHOLS, PRI			INVESTIGATI 1400 W. COM	PARI-MUTUEL WAGERING OFFICE OF		
License # and Type: 253130/1021		Profession: Thoroughbred Trainer		Report Date: June 23, 2022		
	Period of Investiga June 23, 2022 to June		Type of Report: FINAL			
Alleged Violati	on: 61D 2 005 E A C Via	lations				

lation: 61D-2.005 F.A.C Violations.

"No person shall conspire with, solicit, aid, abet, counsel, hire, or procure any other person or persons to engage in a violation of Chapter 550, Florida Statutes, or the rules promulgated thereunder, nor shall he/she commit any such act on his/her own."

FS 550.105(4): "It is unlawful to take part in or officiate in any way at any pari-mutuel facility without first hving secured a license and paid the occupational license fee."

61D-5.002 Possession of a License.

- (1) Unless exempted in subsection (2) of this rule, when on the grounds of a permitholder, licensees shall conspicuously wear their current Pari-Mutuel Wagering Occupational License issued by the division.
- (2) When performing their pari-mutuel occupations, the following persons shall retain on the permitholder's premises their current license:
 - (a) Jockeys:
 - (b) Jai alai players;
 - (c) Jai alai judges;
 - (d) Harness drivers; and
 - (e) Exercise persons; and
 - (f) Leadouts.

61D-5.006 (3) F.A.C

(3) "No applicant for a waiver shall be allowed to work in any capacity as an occupational licensee until a license is issued based upon a waiver, granted by the director."

Synopsis: On June 15, 2022, while conducting a facility/barn inspection of barn 31 at The Palm Meadows Training Center (PMTC), Trainer Priscilla Nichols was found having (2) unlicensed staff: "Groom" Freddie Hughes, who was under the waiver process at the time of the visit and "Hot Walker" Roberto Martinez.

Related Case(s): 2016 02 7516, 2020 00 0716, 2022 02 4632

Investigation Specialist II / Date

Investigator Supervisor / Date

Kelly Melendez / June 23, 2022

Chief of Investigations / Date

Bradford D. Jones for Steven E. Kogan /

CASE NUMBER: 2022 03 0646

CONTINUATION

On June 15, 2022, this investigator, along with Investigator Miriam Roca was conducting a routine facility/barn inspection of barn #31 at the Palm Meadows Training Center (PMTC). Barn #31 is assigned to four trainers; one of them being Trainer Priscilla NICHOLS. I observed "Groom" Freddie Hughes, who was under the waiver process during this visit working in one of the stalls. Trainer NICHOLS, on the day prior submitted a letter of recommendation for Mr. Hughes proving she knowingly had an unlicensed employee working for her on the grounds of a state regulated facility in violation of Florida Rules and Statutes (EXHIBIT #1).

As the barn inspection continued, Trainer **NICHOLS** was found to have "Hot Walker" Roberto Martinez, working unlicensed as well. Martinez's license expired March 15, 2022. Trainer **NICHOLS** stated that she thought PMTC was "just a farm". Based on **NICHOLS** letter of recommendation (for Mr. Hughes), she gives a synopsis of her 40 plus years in the racing industry demonstrating she is fully aware of racing requirements. In 2020, **NICHOLS** also had another unlicensed employee working for her at Tampa Bay Downs, under DBPR case #2020 00 0716. In 2017, a Reprimand enforcement alert was placed on her license, which expired on 6/30/2021 (**EXHIBIT #3**).

On said date, PMTC Lead Security Supervisor Brian Augustyn was notified of the unlicensed employees under **NICHOLS** in barn #31. The following day I inquired about her Badge List indicating staff employed under her on June 15th. Security Supervisor Augustyn indicated it was blank and the following day she only had an Exercise Rider listed. Gulfstream Park Director of Security Jorge Rodriguez was informed by PMTC of the incident. Director of Security Rodriguez indicated she was given 48 hours to vacate the premises with her horses.

As a result of this inspection, **NICHOLS** is found to be in violation of F.A.C. 61D-2.005 Violations and FS 550.105(4) for knowingly allowing unlicensed employees to work in a secure State regulated facility without obtaining the proper license.

Status: Case closed by Investigations and forwarded to Legal for further review.

EXHIBIT # | PAGE # 2

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DBPR INVESTIGATIVE REPORT

CASE NUMBER: 2022 03 0646

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Division of Pari-Mutuel Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309
Phone: 954,202,3900 • Fax: 954,202,3930

Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

Office: PMW	Region: SOUTHERN	Date of Complaint: Case Number: August 9, 2022 203 8572			
Respondent: BREUER, CHAD) M.	OFFICE OF 1400 W. CO	OF PARI-MUTUEL WAGERING FINVESTIGATIONS OMMERCIAL BLVD. SUITE 165 RDALE, FLORIDA 33309		
License # and Type: 10403543/1022		Profession: Vet Assistant	Report Date: August 10, 2022		
	Period of Investigation: st 9, 2022 to August 10,		Type of Report:		

Alleged Violation: 61D-5.002 Possession of a License.

- (1) Unless exempted in subsection (2) of this rule, when on the grounds of a permitholder, licensees shall conspicuously wear their current Pari-Mutuel Wagering Occupational License issued by the division.
- (2) When performing their pari-mutuel occupations, the following persons shall retain on the permitholder's premises their current license:
 - (a) Jockeys;
 - (b) Jai alai players;
 - (c) Jai alai judges:
 - (d) Harness drivers; and
 - (e) Exercise persons; and
 - (f) Leadouts.

Synopsis: On August 2, 2022, this investigator was conducting a barn inspection at barn #30, Palm Meadows Training Center (PMTC). This Investigator inquired into license's for all staff at that barn under Trainer Eoin Harty. Equine Dentist Chad M. BREUER was present and stated he had a total of 5 dental appointments at PMTC that day. BREUER'S PMW license number was checked in VERSA and his license had been expired as of June 30, 2022.

Related Case(s):
Investigator / Date

Investigator Supervisor / Date

Kelly Melendez/ August 10, 2022

Bradford D. Jones / August 11, 2022

Chief of Investigations / Date

Bradford D. Jones for

Steven E. Kogan / August 11, 2022

CONTINUATION

CASE NUMBER: 2022-03-8572

On August 2, 2022, this investigator, was conducting a routine facility/barn inspection of barn #30 at the Palm Meadows Training Center (PMTC). Barn #30 is assigned to Trainer Eoin Harty; Harty was not present during the visit. I requested the licenses of all individuals present including "Equine Dentist / Vet Assistant" Chad M. BREUER. BREUER initially indicated his license/credentials were in his vehicle and this was his first dental service appointment out of five that he had at PMTC that day. The other four appointments he had were for Trainers: Michael Lerman, Blake Kelly, Javier Gonzalez, and Carlos David. BREUER stated the service he provides takes approximately 15 minutes to complete.

BREUER was already prepped for his appointment to work and was observed with a large bucket with several long metal instruments. I told BREUER I would observe him complete the service and asked him to produce his license upon completion of the procedure. I also asked BREUER how he handles a horse that is unruly or aggressive. BREUER indicated that in such cases, sedation medication would be used. At no point did I observe BREUER in possession of medication, nor did he administer any medications in my presence. BREUER then proceeded to place a metal bite piece in the horses mouth to prevent him from biting during the service. He began using a manual metal instrument to aggressively file the horses teeth in a back and forth motion as he explained that human teeth are enamel and a horses teeth are similar to cement which is more difficult for filing. After using the metal instrument for several minutes BREUER then switched to another one. He mentioned he was also cleaning the horses palate with the instrument. More than halfway through the service, he stated "what if I don't have a license"? I then checked his name in the VERSA mobile app, which confirmed his license expired on June 30, 2022. He then explained that he just flew in that weekend, had injured his pinky, and was unable to obtain a current license. I then stated he could have gone online to obtain his license. BREUER then provided a Gulfstream Park (GSP) photo identification card identifying him as an Equine Dentist, a dentistry certification card from the International Association of Equine Dentistry1 (IAED), and a GSP vehicle "hangdown" (EXHIBIT #1).

This Investigator then directed BREUER to the State Office to obtain a current license. The PMTC Security Office is in the same building and was informed of the situation. The State Office issued BREUER a "temporary" license that day and currently his PMW license status in VERSA indicates "closed upgrade"2. BREUER stated he works as a "floater" by that menaing he is an independent contractor not affiliated with any individual employer. He also indicated even though his Gulfstream Park photo identification designates him as an "Equine Dentist" he does not perform any dental extractions. This Investigator also determined via a search of the Florida Department of Business Regulation (DBPR) website, that BREUER is also not licensed in any way by the Board of Veterinary Medicine.

As a result of this inspection, BREUER was found to be in violation of 61D-5.002 Possession of a License. BREUER knowingly provided equine dental services on the grounds of a state regulated facility without a current valid PMW license.

Case Status: Closed by Investigations and forwarded to Legal for further review.

According to the IAED website https://www.iaedonline.com/laed-mission-statement the organization is a group of Equine Dental Technicians and Veterinarians whose mission is to work together to improve equal 2. A search of the public DBPR website shows he has been issued a 3 year license expring on June 30, 2025

EXHIBIT # 7

CONTINUATION

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	3. Barn Inspection



DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS

	BARN I	NSPEC	TION				
FACILITY: PMTC	FACILITY#	: 326	INSPECTIO	ON DATE: 6/1	5/22	TIME: 10:30A	И
INVESTIGATOR: Kelly Melendez							
STABLE NAME: SEE BELOW	BARN	l #: 31		BARN LICE	NSE #	: N/A	
INSPECTION TYPE: ROUTINE	RE-INSPI	ECTION	☐ INVESTI	GATION	CASE		
TRAINER NAME: Four (4) Trainers		LICENSE	#:	EXPIRATIO	N DATI	E:	
OTHERS PRESENT AT BARNS NAME:		LICENSE	#-	POSITION:			
NAME:		LICENSE					
				POSITION:			
TOTAL NUMBER OF HORSES IN BARN: 19		TOTAL N	JMBER OF ST	TALLS:			
NUMBER OF HORSES UNDER CONTRACT TARE CURRENTLY OTHER:	ГНАТ	TRAINING	3: 				
TOTAL NUMBER OF HORSES INJURED: TYPE OF INJURIES:		NUMBER:					
TYPE OF INJURIES:		NUMBER:	S.				
PERMITHOLDER SHALL ENSURE THAT:	Terra Synth			AUTHORITY	YES	NO	N/A
All barns have been inspected by the local fire m compliance with local fire safety code.	arshal at least eve	ery 24 months	for	61D-2.023(1)(a)			
All barns are equipped with smoke and/or temper	rature alarms.			61D-2.023(1)(b)			
There is at least one Fire Extinguisher that has a the date of last inspection.	a current annual in	spection tag t	hat bears	61D-2.023(1)(b)			
4. The lighting in the barns is kept in working order	at all times.			61D-2.023(1)(c)			
The cleaning supplies and pesticide supplies are bedding intended for racing animals.	stored in areas se	parate from fo	ood and	61D-2.023(1)(d)			
6. All occupied barns are free from insects and rode	ents.			61D-2.023(1)(f)			
7. The barns have a maintenance program for preven	ention of insects ar	nd rodents.		61D-2.023(1)(f)			
 All hazards that could harm a racing animal are re prior to use of the track. 	emoved from the tr	rack surface a	nd rails	61D-2.023(1)(g)			
Access to the backside where racing animals are Licensees or other persons authorized pursuant to	kept is restricted to Rule 61D-5.005,	o occupationa	il 6	S1D-2.023(1)(h)			
A weekly documented walk-through of each occur			6	31D-2.023(1)(i)	\boxtimes		
HORSERACING TRAINER SHALL ENSURE T				AUTHORITY	YES	NO	N/A
 Feed intended for racing animals (other than hay protected from contamination, spoilage, or infests) is stored in such	a manner tha	t it is	61D-2.023(7)(a)			
 All horses entered to race be on time for a pre-rac veterinarian to ensure racing soundness. 	ce veterinary inspe	ection by the t	rack 6	51D-2.023(7)(b)			
					E) P/	(HIBIT	#3

HORSERACING TRAINER SHALL ENSURE THAT: (CONTINUED)	AUTHORITY	YES	NO	N/A
13. The division is notified within 18 hours of the death of any race horse that occurred on the grounds of a horse track or training facility. The notification shall contain at least the following information:	61D-2.023(7)(c)			
Track/facility where death occurred: Incident date/time:				
Horse registered name:				
Tattoo number: Reporting person's name and telephone number:				
Stable name, address, and telephone number:		1	1	
7. Trainer's name and telephone number: 8. Location of deceased animals:				
No part of a horse's leg may be desensitized on the day the horse is scheduled to race. Note: This rule does not prohibit the routine use of ice packs prior to pre-race veterinarian inspection.	61D-2.023(8)			
VETERINARIAN:	AUTHORITY	YES	NO	N/A
15. The track veterinarian shall report to the stewards the date, time, condition, rider, and name of any outrider horse which the track veterinarian reasonably suspects has been overworked or abused?	61D-2.023(9)			
16. A racing animal that has been declared medically unsound to race by another racing jurisdiction should not be eligible or entered to race until it has been examined and declared sound for racing by the track veterinarian who shall consult with the veterinarian that originally declared the racing animal to be medically unsound, unless the original veterinarian is unavailable, then a good faith effort to contact must be documented.	61D-2.023(10)			
17. Has every racing animal entered to race been given a pre-race examination by track veterinarian?	61D-6.009(2)(a)			
PERMITTED MEDICATION QUESTIONS:	AUTHORITY	YES	NO	N/A
18. Are legend drugs, proprietary drugs, or medicinal compounds (natural or synthetic) of any nature kept in a securely locked cabinet, locker, or room when not actively being administered?	61D-6.003(1)			
19. Are all legend drugs validly prescribed by a duly licensed veterinarian?	61D-6.003(2)			
20. Is the label securely affixed to the original packing container or bag?	61D-6.003(3)			
21. Are legend drugs dispensed without a valid prescription?	61D-6.004(2)(a)1			
22. Are there any hypodermic needles?	61D-6.004(2)(a)2			
23. Are there any injectable vials?			M	П
	61D-6.004(2)(a)2	 		H
24. Are there any syringes capable of accepting a hypodermic needle? RACING ANIMAL INDENTIFICATION:	61D-6.004(2)(a)2 AUTHORITY	VEC		11/4
	AUTHORITY	YES	NO	N/A
25. Is the Paddock judge/horse identifier in the horse racing and harness racing, confirming the identity of each racing animal by reading the tattoo and verifying the markings on the animal?	61D-2.012			
26. Is the Paddock judge/horse identifier ensuring the racing animal is property blanketed and placed in the appropriate starting gate or starting box?	61D-2.012			
COMMENTS: During this visit I was accompanied by Inv. Miriam Roca. Ge	rald James #810	7714 ex	o. 6/30/2	2024,
Priscilla Nichols #253130 exp. 6/30/2024, Herold Simms #8133834 exp. 6/30/2024, Herold Simms #8133834 exp. 6/30/2023. All the above trainers were present at barn #31,	0/2024, and Santi	ago Med	lina	
Patricia Kaminsky LLC Patrivital (supplement supplier) #8611768, Irma Tai	rax #12450463. Ju	uan Gard	cia	
#13225060, and Brayan Waldemar #13223909. Trainer Nichols was found i Statutes by knowingly employing two unlicensed staff. A case will be ope	n violation of Flo	rida Rul	les and	
EMPLOYEE Kallanda	1 <u>00</u> 3338 <u>—1340</u> — 01	120		
EMPLOYEE: Kelly Melendez	DATE: 6/1	5/2022		



DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS

BARN INSPECTION								
FACILITY: PMTC	FACILITY#	: 326	INSPECTION	ON DATE: 7-8-	-2022	TIME: 10:15AN	A	
INVESTIGATOR: Kelly Melendez								
STABLE NAME: N/A	BARN	l#: 8		BARN LICE	NSE #:	: N/A		
INSPECTION TYPE: ROUTINE	RE-INSPI	ECTION	☐ INVEST	IGATION [CASE	#		
TRAINER(S) NAME: John Shaw Walter Woodard		LICENSE	#:15043 820016	EXPIRATIO	ON DATE	E: 6/30/20 6/30/20		
OTHERS PRESENT AT BARNS NAME: Martin Marquez		LICENSE	#: 1061588	POSITION:	Groom			
NAME: Victor Herrera		LICENSE	#: 4949907	POSITION:	Groom			
TOTAL NUMBER OF HORSES IN BARN: 23		TOTAL N	JMBER OF S	TALLS:				
NUMBER OF HORSES UNDER CONTRACT T ARE CURRENTLY OTHER:	HAT	TRAINING):					
TOTAL NUMBER OF HORSES INJURED: TYPE OF INJURIES:		NUMBER:						
TYPE OF INJURIES:		NUMBER:						
PERMITHOLDER SHALL ENSURE THAT:	LIBRE N.		ETT(15 1	AUTHORITY	YES	NO	N/A	
All barns have been inspected by the local fire ma compliance with local fire safety code.	ırshal at least eve	ery 24 months	for	61D-2.023(1)(a)				
2. All barns are equipped with smoke and/or temperature	ature alarms.			61D-2.023(1)(b)				
There is at least one Fire Extinguisher that has a the date of last inspection.	current annual in	spection tag t	hat bears	61D-2.023(1)(b)				
4. The lighting in the barns is kept in working order a	t all times.			61D-2.023(1)(c)				
 The cleaning supplies and pesticide supplies are seeding intended for racing animals. 	stored in areas se	parate from fo	ood and	61D-2.023(1)(d)				
6. All occupied barns are free from insects and roder	ıts.			61D-2.023(1)(f)				
7. The barns have a maintenance program for preve	ntion of insects ar	nd rodents.		61D-2.023(1)(f)				
 All hazards that could harm a racing animal are re prior to use of the track. 	moved from the tr	rack surface a	nd rails	61D-2.023(1)(g)				
Access to the backside where racing animals are l Licensees or other persons authorized pursuant to			al	61D-2.023(1)(h)				
10. A weekly documented walk-through of each occup	ied barn is being	conducted.		61D-2.023(1)(i)				
HORSERACING TRAINER SHALL ENSURE TH	IAT:			AUTHORITY	YES	NO	N/A	
Feed intended for racing animals (other than hay) protected from contamination, spoilage, or infesta	is stored in such tion.	a manner tha	t it is	61D-2.023(7)(a)				
All horses entered to race be on time for a pre-rac veterinarian to ensure racing soundness.	e veterinary inspe	ection by the t	rack	61D-2.023(7)(b)	EX	HIBIT	#2	

HORSERACII	NG TRAINER SHALL ENSURE THAT:	(CONTIUNED)	AUTHORITY	YES	NO	N/A
13. The divisio grounds of following in	n is notified within 18 hours of the death of any r a horse track or training facility. The notification formation:	ace horse that occurred on the shall contain at least the	61D-2.023(7)(c)			
Track/faci Incident d	lity where death occurred: ate/time:					
Horse reg	istered name:					
Tattoo nui Reporting	mber: person's name and telephone number:					
Stable nar	me, address, and telephone number:					
	name and telephone number: of deceased animals:					
Note: This	a horse's leg may be desensitized on the day the rule does not prohibit the routine use of ice in inspection.	horse is scheduled to race. packs prior to pre-race	61D-2.023(8)			
VETERINARIA	AN:		AUTHORITY	YES	NO	N/A
of any outri	eterinarian shall report to the stewards the date, der horse which the track veterinarian reasonabl or abused?	time, condition, rider, and name y suspects has been	61D-2.023(9)			
jurisdiction s sound for ra originally de	imal that has been declared medically unsound to should not be eligible or entered to race until it had acing by the track veterinarian who shall consult eclared the racing animal to be medically unsount is unavailable, then a good faith effort to contact	as been examined and declared with the veterinarian that d, unless the original	61D-2.023(10)			
17. Has every reveterinarian	acing animal entered to race been given a pre-ra?	ace examination by track	61D-6.009(2)(a)			
PERMITTED M	MEDICATION QUESTIONS:		AUTHORITY	YES	NO	N/A
18. Are legend of nature kept administered	drugs, proprietary drugs, or medicinal compound in a securely locked cabinet, locker, or room who d?	ls (natural or synthetic) of any en not actively being	61D-6.003(1)			
19. Are all leger	nd drugs validly prescribed by a duly licensed ver	terinarian?	61D-6.003(2)			
20. Is the label	securely affixed to the original packing contained	r or bag?	61D-6.003(3)	\boxtimes		
21. Are legend of	drugs dispensed without a valid prescription?		61D-6.004(2)(a)1			
SERVERY KAREN SERVER			01D-0.004(2)(a)1			
22. Are there an	y hypodermic needles?		61D-6.004(2)(a)2	+=		╁∺
23. Are there an	y injectable vials?		61D-6.004(2)(a)2		\boxtimes	
24. Are there an	y syringes capable of accepting a hypodermic no	eedle?	61D-6.004(2)(a)2		\boxtimes	
	AL INDENTIFICATION:		AUTHORITY	YES	NO	N/A
25. Is the Paddo identity of ea	ock judge/horse identifier in the horse racing and och racing animal by reading the tattoo and verify	harness racing, confirming the ving the markings on the	61D-2.012			
26. Is the Paddo placed in the	ck judge/horse identifier ensuring the racing anir appropriate starting gate or starting box?	mal is property blanketed and	61D-2.012			
Hernandez #1 Christopher N	During this visit I was accompanied 13192552-Hot Walker, Aida Perez #64 McKenzie #2002574-Exercise Rider. several hours after the visit he was	181665-Hot Walker, Dale I Trainer Woodard was wa	Fergus #1265958	-Groom.	and	
EMPLOYEE:	Kelly Melendez		DATE:	7-8-2022	2	



DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS

BARN INSPECTION							
FACILITY: PMTC	FACILITY #	: 326	INSPECTIO	N DATE: 8/2	/22	TIME: 10:30AM	
INVESTIGATOR: Kelly Melendez							
STABLE NAME: SEE BELOW	BARN	N#: 30		BARN LICE	NSF #	N/A	
INSPECTION TYPE: ROUTINE	RE-INSP	ECTION	INVESTIG		CASE		
TRAINER NAME: Eoin Harty		LICENSE	#: 2003957	EXPIRATIO	N DATE	: 6/30/202	3
OTHERS PRESENT AT BARNS NAME: Lizetta Cedano		LICENSE	#: 627877	POSITION:	Forema	n	
NAME:		LICENSE		POSITION:	rorema		
TOTAL NUMBER OF HORSES IN BARN: 20		TOTAL N	JMBER OF STA	ALLS:			
NUMBER OF HORSES UNDER CONTRACT T ARE CURRENTLY OTHER:	HAT	TRAINING	3 :				
TOTAL NUMBER OF HORSES INJURED: TYPE OF INJURIES:		NUMBER:					
TYPE OF INJURIES:		NUMBER:					
PERMITHOLDER SHALL ENSURE THAT:			A LUMBUS	AUTHORITY	YES	NO	N/A
All barns have been inspected by the local fire ma compliance with local fire safety code.	rshal at least eve	ery 24 months	for 6	1D-2.023(1)(a)			
2. All barns are equipped with smoke and/or tempera	ature alarms.		6	1D-2.023(1)(b)			
There is at least one Fire Extinguisher that has a the date of last inspection.	current annual in	spection tag t	hat bears 6	1D-2.023(1)(b)			
4. The lighting in the barns is kept in working order a	t all times.		6	1D-2.023(1)(c)			
The cleaning supplies and pesticide supplies are s bedding intended for racing animals.	stored in areas se	eparate from fo	ood and 6	1D-2.023(1)(d)			
All occupied barns are free from insects and roder	its.		6	1D-2.023(1)(f)			
7. The barns have a maintenance program for preven	ntion of insects a	nd rodents.	6	1D-2.023(1)(f)			
 All hazards that could harm a racing animal are re- prior to use of the track. 	moved from the t	rack surface a	and rails 6	1D-2.023(1)(g)			
Access to the backside where racing animals are kept is restricted to occupational Licensees or other persons authorized pursuant to Rule 61D-5.005, F.A.C 61D-2.023(1)(h)							
10. A weekly documented walk-through of each occup	ied barn is being	conducted.	61	D-2.023(1)(i)			
HORSERACING TRAINER SHALL ENSURE TH	IAT:		LITTLE STATE OF THE PARTY	AUTHORITY	YES	NO	N/A
 Feed intended for racing animals (other than hay) protected from contamination, spoilage, or infestal 	is stored in such	a manner tha	t it is 61	D-2.023(7)(a)			
 All horses entered to race be on time for a pre-rac veterinarian to ensure racing soundness. 	e veterinary insp	ection by the t	track 61	D-2.023(7)(b)			

Н	ORSERACING TRAINER SHALL ENSURE THAT: (CONTINUED)	AUTHORITY	YES	NO	N/A
13	. The division is notified within 18 hours of the death of any race horse that occurred on the grounds of a horse track or training facility. The notification shall contain at least the following information:	61D-2.023(7)(c)			
	Track/facility where death occurred:				
	Incident date/time: Horse registered name:				
	4. Tattoo number:				
	5. Reporting person's name and telephone number:6. Stable name, address, and telephone number:				
	7. Trainer's name and telephone number:				
	8. Location of deceased animals:		-	-	-
14	No part of a horse's leg may be desensitized on the day the horse is scheduled to race. Note: This rule does not prohibit the routine use of ice packs prior to pre-race veterinarian inspection.	61D-2.023(8)			
VE	TERINARIAN:	AUTHORITY	YES	NO	N/A
15.	The track veterinarian shall report to the stewards the date, time, condition, rider, and name of any outrider horse which the track veterinarian reasonably suspects has been overworked or abused?	61D-2.023(9)			
16.	A racing animal that has been declared medically unsound to race by another racing jurisdiction should not be eligible or entered to race until it has been examined and declared sound for racing by the track veterinarian who shall consult with the veterinarian that originally declared the racing animal to be medically unsound, unless the original veterinarian is unavailable, then a good faith effort to contact must be documented.	61D-2.023(10)			
17.	Has every racing animal entered to race been given a pre-race examination by track veterinarian?	61D-6.009(2)(a)			
PE	RMITTED MEDICATION QUESTIONS:	AUTHORITY	YES	NO	N/A
18.	Are legend drugs, proprietary drugs, or medicinal compounds (natural or synthetic) of any nature kept in a securely locked cabinet, locker, or room when not actively being administered?	61D-6.003(1)			
19.	Are all legend drugs validly prescribed by a duly licensed veterinarian?	61D-6.003(2)			
20.	Is the label securely affixed to the original packing container or bag?	61D-6.003(3)	\boxtimes		
21.	Are legend drugs dispensed without a valid prescription?	61D-6.004(2)(a)1			
		01D-0.004(2)(a)1			
22.	Are there any hypodermic needles?	61D-6.004(2)(a)2	15		12
23.	Are there any injectable vials?	61D-6.004(2)(a)2		\boxtimes	
24.	Are there any syringes capable of accepting a hypodermic needle?	61D-6.004(2)(a)2		\boxtimes	
RA	CING ANIMAL INDENTIFICATION:	AUTHORITY	YES	NO	N/A
25.	Is the Paddock judge/horse identifier in the horse racing and harness racing, confirming the identity of each racing animal by reading the tattoo and verifying the markings on the animal?	61D-2.012			
26.	Is the Paddock judge/horse identifier ensuring the racing animal is property blanketed and placed in the appropriate starting gate or starting box?	61D-2.012			\boxtimes
CO	MMENTS: During this visit, present also in barn #30 was Equine Dentis	t Chad M Breuer	#104035	43, who	was
cor	ducting a manual dental teeth filing for one of the horses in this barn.	This investigator	r observ	ed the	
app filir	proximately 10-15 filing process. Breuer stated he had 4 other appointing, and this was his first appointment of the day. This investigator requ	ents that same d	ay at PN	TC for	teeth
con	opleted the filing at his first appointment. Nearing the end of the filing	process, he men	tioned "	what if	mv
lice	nse is expired", at which time he explained that he just flew in that weelble to get his license.	kend and injured	his pin	ky so h	e was
EM	PLOYEE: Kelly Melendez	DATE: 00	12022		
		DATE: 8/2	12022		

EXHIBIT # 3
PAGE #

									F	AQ Help	Sign Out
VR Home	Inbo	x Entity	App	lication	License	Cash	Exan	Inspection	n Enf	orcement	Report
Complaint S Update M		Change Fatus Update		g License lic Case In		Delete Cor	mplaint	Mass Activit	ty Update	Mass D	iscipline
Domain 10 - I	Divisio	n of Pari-M	utuel W	agering						Logged in	as: Imuniz
VR Home >	Compl	aint Search	> Main	tain Cor	nplaint						
		Permithold I License ar		rating Da	ay	Statu	20 Un Invest	der tigation	Stat	us Date 08	8/09/2022
Complaint #	20220	38702	Case Ty	ype CMP Com	- plaint	Dispositio	n		Disposition	on Date	
Docket# Respondent PARK RACING ASSOCIATION Responsible					e MELE	kmelendez - Private MELENDEZ, Case					
Complaint	Re	spondent	Comp	lainant	Addt'l In	fo					1
Source	INTN	- Internal	S	ecurity L	evel 1						
Form	INET	- Internet		Pri	ority			Parties	✓	Activit	ies
Class'n	Class'n Entry/Unlicensed Complexity R - Regular Personnel					✓	Allegations		Discipl	line	
Security	STND	- Standard		Incid	dent 06/15	5/2022		Violations		Complia	ance
Region	SR - S Regio	Southern on		Recei	ived 08/0 9	9/2022		Related		Dispos	ition
Reference	61D-5	5.002(1)&(2)	(a-f)				Trelated Disposition				idon
Entered	08/09	/2022		Entered	d By Imur	niz		Inspection			
		Gulfstream									
		:/ - ine 15, 2022						Costs			
	this in	nvestigator	while c	onducti	ng barn						
		ctions at Pa C), found a						n — Bussietz — austus a sa z			
Summary	and o	r working in	the ba	ackside	area unlic	ensed.		Time Trackir	ng	Auto As	sign
		g each inst aware of th									
		PMTC Secu						Attachments	5	Histo	ry
		ntive meas									
		cted areas.						Work Notes		Print Re	port
Updated	08/09/	/2022 16:10	57		By Imun	iz					
and the second state		e mandrates a lateral section (198	***************************************		- Section of the Section Secti	1000 eV					
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▲ 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.)

INC	IDENT DAT	E: June 15, 2022					
	⊠ PMW	☐ Cardroom	☐ Slot		☐ Incident	☐ Complaint	
FA	CILITY NAN	ME: Gulfstream Pa	rk Racing Assoc	iation, Inc. / PMTC	LIC	C#:_321	
			RF	ESPONDENT			
NA		tream Park Racing As					
		1 South Federal Highy	•			Tel #:	
LI	C #: 321	LIC TYPI		OCCUPATION	: Permit Holder		
			COM	IPLAINANT			
	ME:					Tel #:	
	Address:	I IC TYPE	0.00	IID A TELONI			
LI	C #:	LIC TYPE:	Jucc	UPATION:			
(f) L DEStinsp the linsta	ections at Palm backside area unce GSP/PM7	yers; ges; evers; and ersons; and On June 15, 2022, n Meadows Training unlicensed. During	g Center (PMT) each instance so ed assurances the	and August 2, 2022 (C), found a total of for ecurity was notified an at preventive measure	ur individuals pre nd made aware o	esent and or working the situation. In a	ig in each
CAS	SE DETAILS Chief In		_	Investigator Oth	ner:(Title of S	State Employee)	
		f elendez			8/	9/2022	
	(Print Na	me)	()	Signature)		(Date)	

Muniz, Luz

From: Jones, Bradford

Sent: Tuesday, August 9, 2022 1:05 PM

To: Muniz, Luz

Cc: Campbell, Ian; Melendez, Kelly; Kogan, Steven

Subject: OPEN CASE REQUEST

Attachments: OCR-FGCC-Gulfstream Park Racing Association-PMTC.DOCX

Hi Luz,

This is approved. Please open a case and assign to Kelly Melendez.

Thank you!



Bradford D. Jones

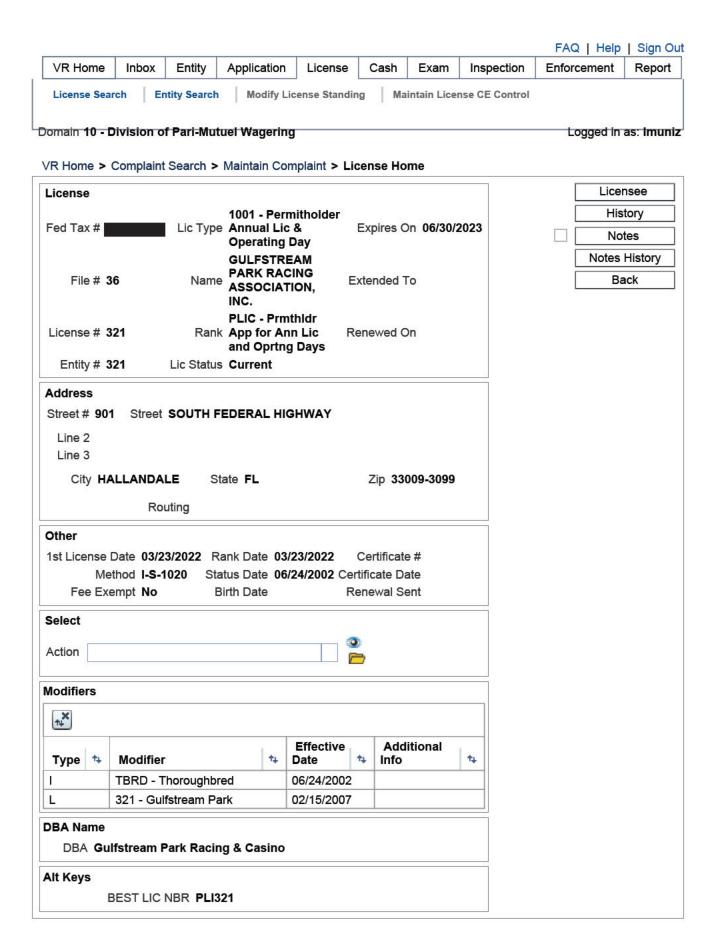
Investigations Supervisor
Division of Pari-Mutual Wagering
Office of Investigations
1400 West Commercial Boulevard, Suite 165
Ft. Lauderdale, Florida 33309

Phone: 954.202.3900 • Fax: 954.202.3930

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(al12) License Home Page 1 of 2



(al12) License Home Page 2 of 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.: 2022-038702
GULFSTREAM PARK RACING ASSOCIATION, INC.,	FGCC Case No.: 2022-038/02
Respondent.	
/	

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Gulfstream Park Racing Association, Inc. ("Respondent"), and alleges as follows:

- 1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
- Palm Meadows Training Center is a facility operated by Respondent authorized to conduct pari-mutuel wagering in this state under Chapter 550, Florida Statutes.
- On or about June 15, 2022, July 8, 2022 and August 2, 2022, Respondent allowed a total of four individuals to have access to the backside of Palm Meadows Training Center without an occupational license.
- 4. Rule 61D-2.023(1)(h), Florida Administrative Code, provides that "[a] permitholder shall ensure that: [a]ccess to the backside where racing animals are kept is restricted to occupational licensees or other persons authorized pursuant to Rule 61D-5.005, F.A.C."

Based on the foregoing, Respondent is in violation of Rule 61D-2.023(1)(h),
 Florida Administrative Code, by allowing four individuals to have access to the backside of Palm
 Meadows Training Center without an occupational license.

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 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-038702 is signed this 12th day of September, 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

Telephone: (850) 717-1783 Facsimile: (850) 921-1311

Primary: Emily.Alvarado@fgcc.fl.gov Secondary: Ebonie.Lanier@fgcc.fl.gov

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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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7	For delivery i	nformation, visit our website	at www.usps.com®.
5094	Certified Mail Fee	FICIAL	USE
ru	Services & F	ees (check box, add fee as appropriate)	9-14-2022
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.5.3	City, State, Z	AC - 202203870	02 – PMW
	PS Form 3800, A	April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

USPS Tracking[®]

FAQs >

Tracking Number:

Remove X

70202450000050944062

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Your item was delivered to the front desk, reception area, or mail room at 10:46 am on September 19, 2022 in HALLANDALE, FL 33009.

Delivered

Delivered, Front Desk/Reception/Mail Room

HALLANDALE, FL 33009 September 19, 2022, 10:46 am

Enter tracking or barcode numbers

See All Tracking History

Text & Email Updates	~
USPS Tracking Plus®	~
Product Information	~
See Less ^	
Track Another Package	

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FAQs

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

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

Petitioner,

Š.

v. FGCC Case No.: 2022-038702

GULFSTREAM PARK RACING ASSOCIATION, INC.,

Respondent.		

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Division"), and Gulfstream Park Racing Association, Inc. ("Respondent"), stipulate and agree to the following terms and issuance of this Stipulation and Consent Order ("Consent Order"):

- At all times material hereto, Respondent held a Pari-Mutuel Wagering permit and license, number 321-1001, 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 2022-038702, alleging that on or about June 15, 2022, July 8, 2022, and August 2, 2022, Respondent was in violation of Rule 61D-2.023(1)(h), Florida Administrative Code, by allowing four individuals to have access to the backside of Palm Meadows Training Center without an occupational license.

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.
- 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 ONE THOUSAND DOLLARS (\$1,000.00), at the time Respondent submits an executed copy of this Consent Order. The payment must be in the form of a certified check, cashier's check, or money order, made payable to the Florida Gaming Control Commission, Division of Pari-

2022-038702

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: Melba Apellaniz. Please note FGCC Case Number 2022-038702 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.

2022-038702

- 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, GULFSTREAM PARK RACING ASSOCIATION, INC., requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 30 h day of Sorrows , 2022
GULFSTREAM PARK RACING ASSOCIATION, INC., Respondent
Signed on behalf of Gulfstream Park Racing
Association, Inc. by: Today Printed Name Title
COUNTY OF BOWARD
The foregoing instrument was acknowledged before me, by means of physical presence
or online notarization, this 30th day of Sorroms, 2022, by Joshua Anans, who is personally known to me or who produced the
following as identification:
RICHARD B. PATTERSON, JR. Commission # GG 974772 Expires July 31, 2024 Bonded Thru Troy Fain Insurance 800-385-7019 My commission expires: 7/31/2024

EMILY ALVARADO

DEPUTY CHIEF ATTORNEY

Division of Pari-Mutuel Wagering Florida Gaming Control Commission

FILED

FLORIDA GAMING CONTROL COMMISSION

Date: 9/12/2022

File Number:

BY: MELBA L. APELLANIZ CLERK OF THE COMMISSION

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

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

Petitioner,

v. GULFSTREAM PARK RACING ASSOCIATION, INC.,	FGCC Case No.: 2022-038702
Respondent.	

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Gulfstream Park Racing Association, Inc. ("Respondent"), and alleges as follows:

- 1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
- Palm Meadows Training Center is a facility operated by Respondent authorized to conduct pari-mutuel wagering in this state under Chapter 550, Florida Statutes.
- On or about June 15, 2022, July 8, 2022 and August 2, 2022, Respondent allowed a total of four individuals to have access to the backside of Palm Meadows Training Center without an occupational license.
- 4. Rule 61D-2.023(1)(h), Florida Administrative Code, provides that "[a] permitholder shall ensure that: [a]ccess to the backside where racing animals are kept is restricted to occupational licensees or other persons authorized pursuant to Rule 61D-5.005, F.A.C."

Based on the foregoing, Respondent is in violation of Rule 61D-2.023(1)(h),
 Florida Administrative Code, by allowing four individuals to have access to the backside of Palm
 Meadows Training Center without an occupational license.

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 550, Florida Statutes, and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-038702 is signed this 12th day of September, 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.

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering

Through: Emily Alvarado, Deputy Chief Attorney Re: Case No. 2022-041729; Consent Order

Date: October 24, 2022

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. 2022-041729. Pursuant to the terms of the proposed order, Respondent would pay an administrative fine of \$500 for violating rules 61D-11.014(4)(c), and 61D-11.020(1)(b), Florida Administrative Code.

Background

On or about August 11, 2022, Respondent failed to permanently alter a damaged card to ensure it was not put back into play. Respondent has two prior violation of this rule. On August 25, 2022, Respondent failed to have a drop box secured with a lock to the poker table. Respondent has three prior violations of this rule.

The Division served Respondent with an administrative complaint and included a proposed settlement and consent order seeking a \$500 administrative fine. Respondent has agreed to the terms of the settlement and consent order and has already mailed in a cashier's check.

⁻

¹ Case No. 2018-017900 was a one count complaint which resulted in a fine of \$150. Case No. 2020-0039998, consisted of 5 violations of rule 61D-11.014(4)(c), which resulted in a \$500 fine. If the settlement is adopted, a \$200 fine would be issued for this count.

² Case No. 2020-002174 was a three count complaint alleging violations of multiple rules, one of which was 61D-11.020(1)(b). This case resulted in \$750 total for all three counts (\$250 per count). Case No. 2018-025869 was a one count complaint which resulted in a \$350 fine. Case No. 2017-050180 was a one count complaint which resulted in a \$500 fine. If the settlement is adopted, a \$300 fine would be issued for this count.

Analysis

The Commission may resolve matters informally through a negotiated settlement.³ The Commission has the authority to impose an administrative fine of \$1,000.00 for each violation of section 849.086, Florida Statutes, or any rules adopted pursuant to that section.⁴

Rule 61D-11.014(4)(c), Florida Administrative Code, provides that "[c]ards which have been removed from play shall be permanently altered so that the cards cannot be put back into play." Rule 61D-11.020(1)(b), Florida Administrative Code, provides that "[t]he drop box shall be: affixed with a lock to the table."

Because Respondent failed to permanently alter a card removed from play and failed to affix a drop box with a lock to the table, it is subject to an administrative fine not to exceed \$1000.00 per count.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2022-041729.

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³ 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.")

⁴ § 849.086(14)(c), Fla. Stat.

							FAQ	Help	Sign Out
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Complaint S Update N	Search Change I Nass Status Update	Recording License Public Case In		elete Comp	olaint	Mass Activity Up	odate	Mass Di	scipline
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poker tables enabling the rake to be inserted directly into the drop box were inoperable; 3). The drop box at table E17 was not secured in its sleeve to the table						Attachments		Histor	
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Louis Trombetta, Executive Director

Chief of Investigations / Date

August 31, 2022

Steven Kogan

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

INVESTIGATIVE REPORT

	Office: PMW	1			Case Number: 2022 04 1729			
	Respondent:	CENTRAL	Addid	Complainant:	2022 04 1123			
		RG KENNEL CLUB	, INC.		ARI-MUTUEL WAGERING			
	10490 Gandy Bl St. Petersburg,			OFFICE OF INVESTIGATIONS 1400 W. COMMERCIAL BLVD. SUITE 165				
	St. Petersburg,	FL 33/02		FT. LAUDERDALE, FLORIDA 33309				
	License # and Typ		Profession:		Report Date:			
		/ 1002	PERMIT	HOLDER	AUGUST 26 , 2022			
	Period of Investiga		. 26 . 2022	Type of Repor	t: FINAL			
AUGUST 25, 2022 – AUGUST 26, 2022 FINAL Alleged Violation: 61D-11.014 Cards.								
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	put back into play.			oo pomianonay aa				
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			` ,	-	designated rake circles, impreat			
	trays, tip boxes, ar	nd drop box slots. In lie	eu of a rake circle	on a table, a drop	box slide may be used.			
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		n a lock to the table.						
					NE, the following violations were			
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		•	•	•	d in its sleeve to the table.			
	Related Case:	moporable, e). The ar	op sox at tasio E	Tr Was her sesare	a in ite diceve to the table.			
		2020 03 9998 - 2017	05 0180 - 2018	02 5869 - 2019 (05 8829 & 2020 00 2174			
	Investigator / Date	Э		Investigator Supervisor / Date				
	Vandos	Janson		C. Deul Warten				
	/s/			Isl /				
	Randa Samson /	August 26, 2022		(: I)erek Washing	iton / August 30 2022			

CONTINUATION

CASE NUMBER: 2022 04 1729

On August 25, 2022, Supervisor Derek **WASHINGTON**, Investigator Specialist Charles **TAYLOR**, Investigator LeeAnn **ROUNDS**, and I conducted an Annual Cardroom inspection at **ST. PETERSBURG KENNEL CLUB (DERBY LANE)**. During our inspection of the cardroom and cardroom procedures, the following violations were found:

- A damaged card removed from play on August 11, 2022, by Poker Room Floor Supervisor **DENNIS MONAHAN** (PMW LIC# 332389) had not been permanently altered so that the card is not put back into play **(EXHIBIT #2).**
- Multiple rake slides on several poker tables enabling the rake to be inserted directly into the drop box were inoperable (EXHIBIT#2).
- The drop box at table E17 was not secured in its sleeve to the table, and I was able to pull the box from its sleeve (**EXHIBIT #2**).

Upon completing our inspection, I informed Compliance Officer ADAM J **HLAS** (PMW LIC# 7980316) of the violations.

A check of Versa Regulation Enforcement database showed two prior violations of Rule 61D-11.014 (Case #'s 2018 01 7900, 2020 03 9998), no prior violations of Rule 61D-11.016 and four prior violations of Rule 61D-11.020 (Case #'s 2017 05 0180, 2018 02 5869, 2019 05 8829, and 2020 00 2174).

Status: Investigation case closed and case referred to Legal for review.

FGCC INVESTIGATIVE REPORT

CASE NUMBER: 2022 04 1729

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(al12) License Home Page 1 of 1

Cash

Exam

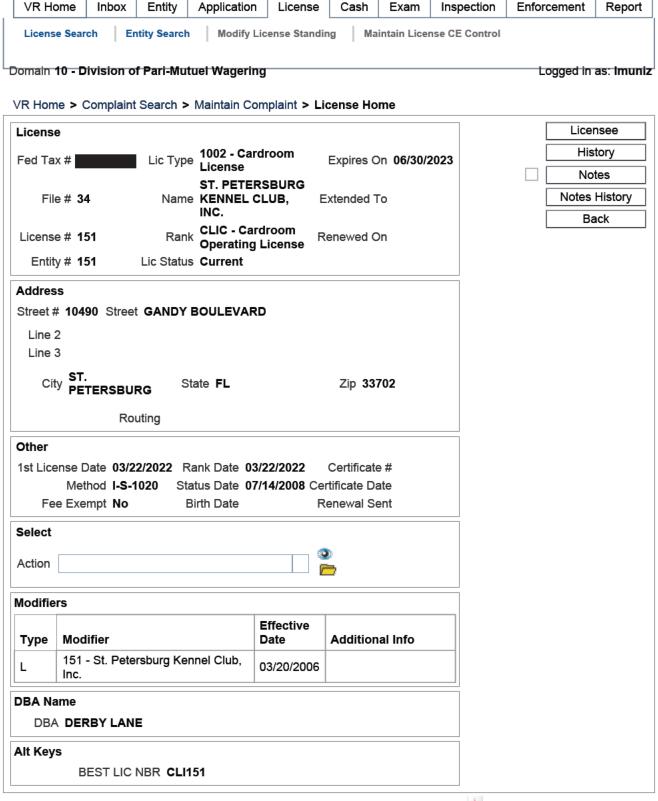
Inspection

License

VR Home

Inbox

Entity



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Report

Enforcement

DATE: 8-11-22
TIME: 1:148m
TABLE#: M-4
DEALER: CAGRYL MONROE



EXHIBIT #2 PHOTO 1/9

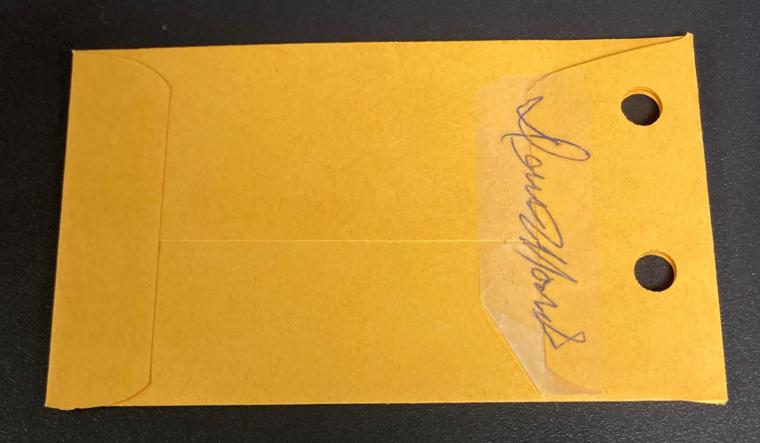
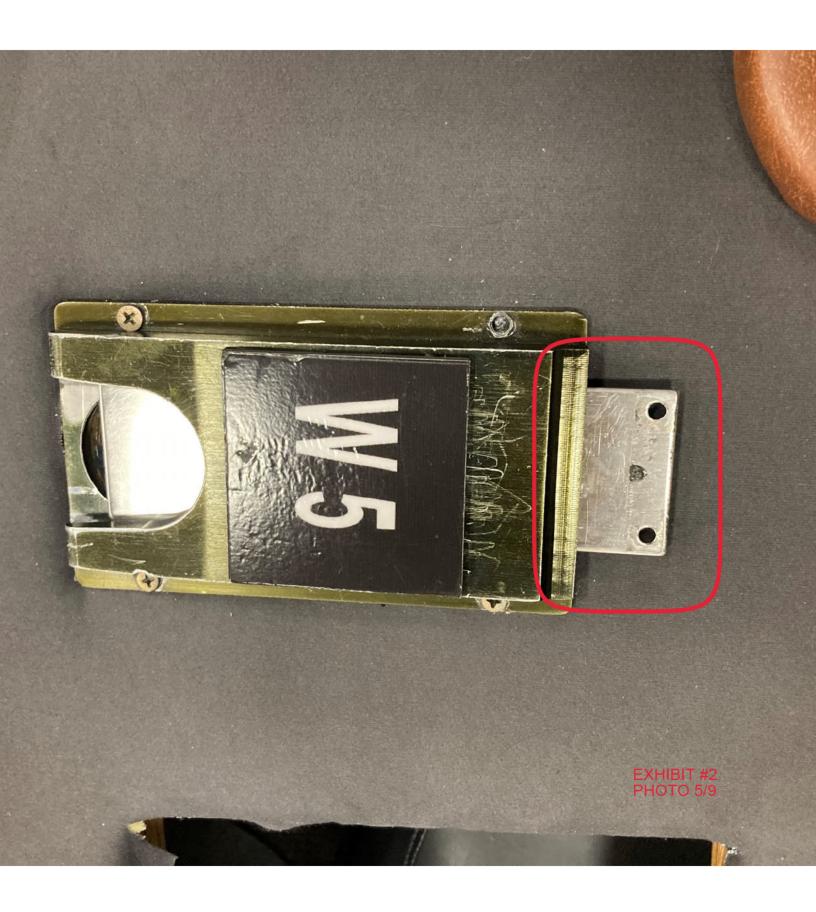


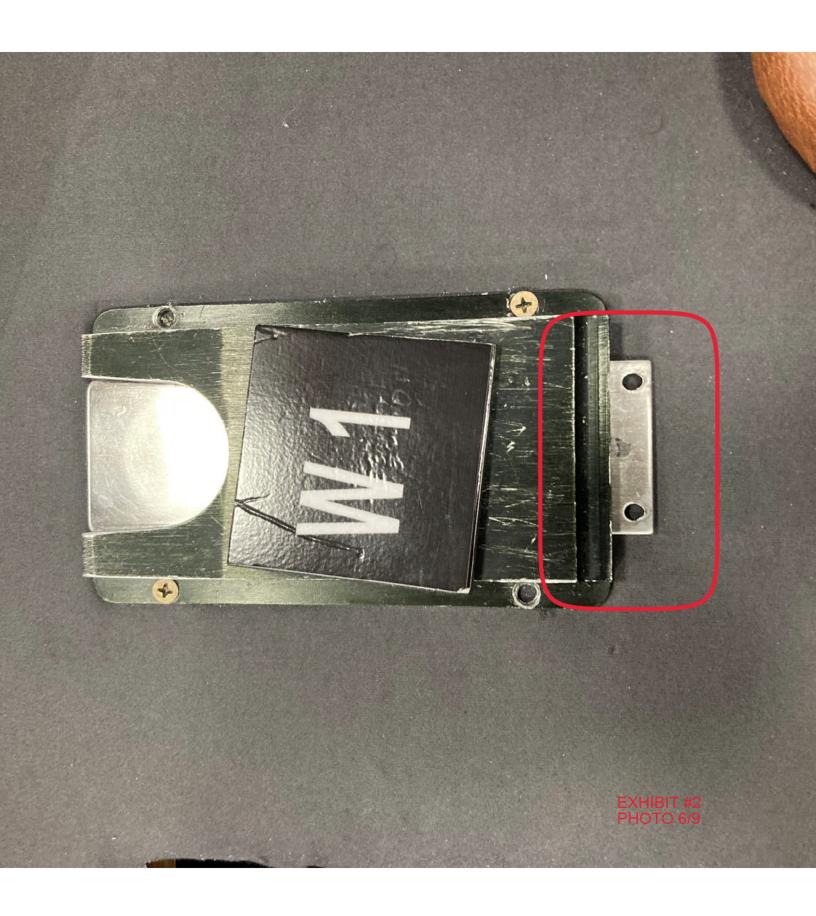


EXHIBIT #2 PHOTO 2/9











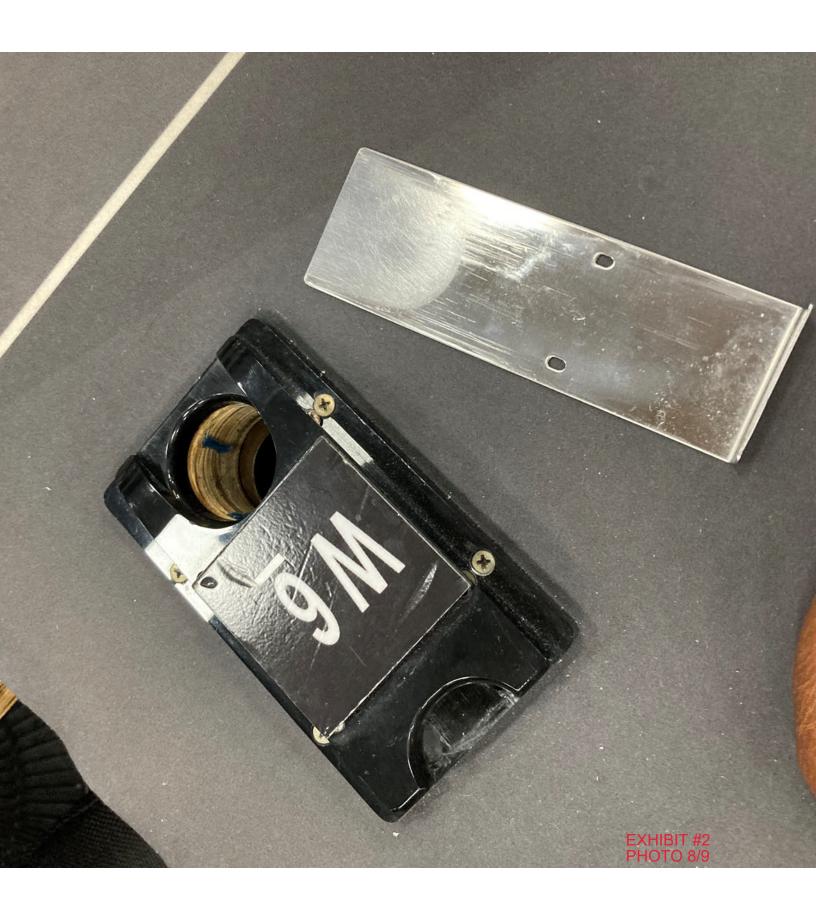
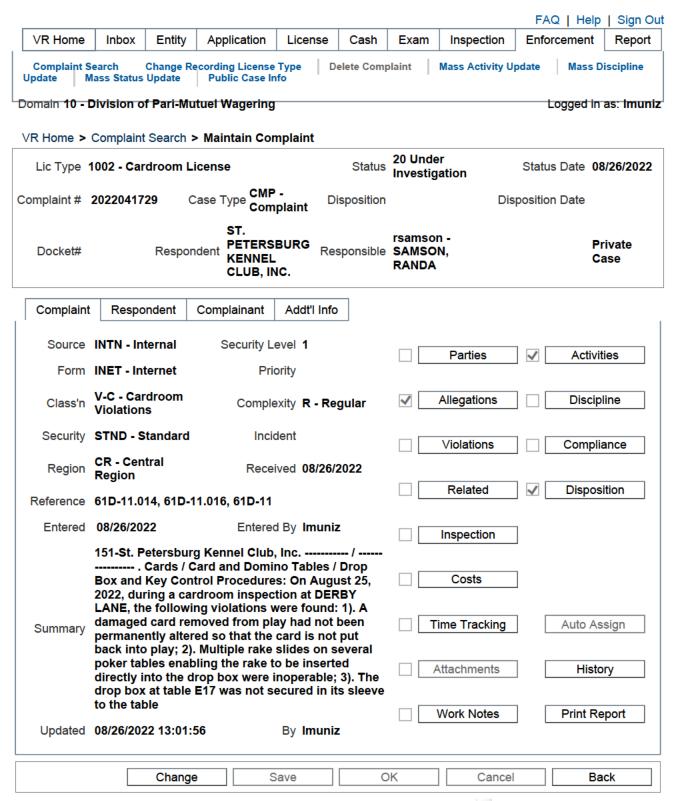


EXHIBIT #2 PHOTO 9/9



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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.)

INC	IDENT DATE	: 8/11/2022 & 8/2	25/2022				
	☐ PMW	⊠ Cardroom	☐ Slot		☐ Incident	⊠ Complaint	
FA	CILITY NAM	E: ST PETERSB	URG KENNA	AL CLUB, INC.	LIC	£#:_151	
			I	RESPONDENT			
NA	ME: St. Pete	ersburg Kennel Clu	b, Inc.				
FACILITY NAME: ST PETERSBURG KENNAL CLUB, INC. RESPONDENT NAME: St, Petersburg Kennel Club, Inc. Address: 10490 Gandy Boulevard, St. Petersburg, FL 33702 LIC #: 151 LIC TYPE: 1002 OCCUPATION: Permit Holder COMPLAINANT NAME: LIC TYPE: OCCUPATION: VIOLATION(S) / TITLE(S): 61D-11.014 Cards (5)(c) Cards which have been removed from play shall be permanently altered so that the cards cannot be put back into play. 61D-11.016 Card and Domino Tables (1) Card tables shall clearly designated rake circles, impreat trays, tip boxes, and drop box slots. In lieu of a rake circle on a table, a drop box slide may be used. 61D-11.020 Drop Box and Key Control Procedures (1) Each table shall have a drop box that is configured to permit the dealer to insert the rake directly into the drop box. The drop box shall be: (b) Affixed with a lock to the table. DESCRIPTION: On August 25, 2022, during a cardroom inspection at DERBY LANE, the following violations were found: 1). A damaged card removed from play had not been permanently altered so that the card is not put back into play; 2) Multiple rake slides on several poker tables enabling the rake to be inserted directly into the drop box were inoperable; 3). The drop box at table E17 was not secured in its sleeve to the table.							
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drop () () () () () () () ()	1) Card tables shabox slide may be u 61D-11.020 Drop 1) Each table shall be: b) Affixed with a l	Il clearly designated rased. Box and Key Control have a drop box that it ock to the table.	Procedures is configured to	permit the dealer to insert	the rake directly into	the drop box. The drop	box
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CAS	E DETAILS F	<u> </u>	∕Steward ⊠] Investigator 🗌 O	ther:(Title of	State Employee)	
	<u>Randa Sa</u> (Pri	amson nt Name)		(Signature)		/ <u>25/2022</u> (Date)	

Muniz, Luz

From: Washington, Derek

Sent: Friday, August 26, 2022 11:14 AM

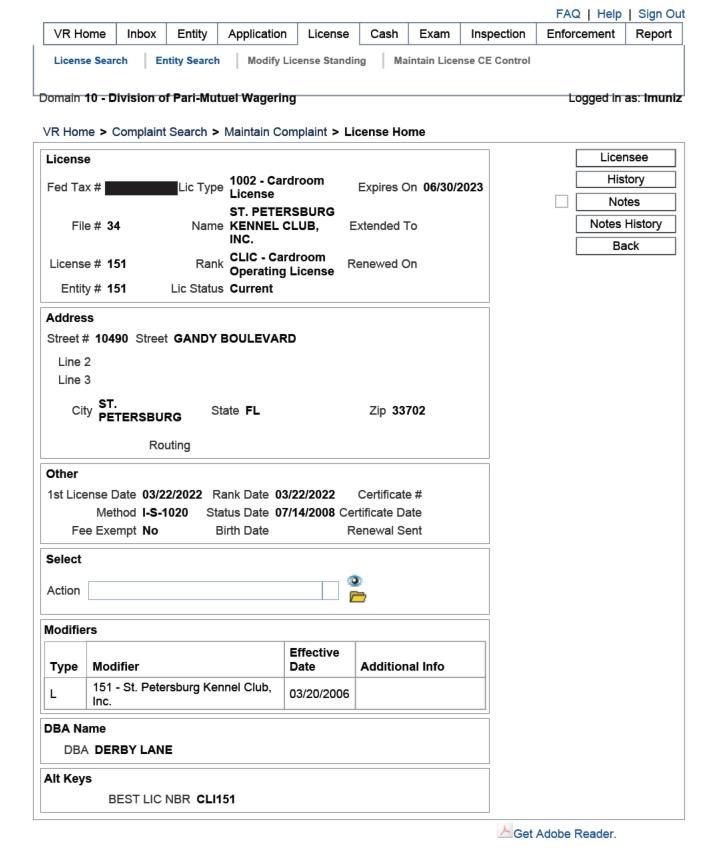
To: Muniz, Luz
Cc: Samson, Randa

Subject:OCR ST PETERSBURG KENNEL CLUB INC (DERBY LANE) 8 25 2022Attachments:OCR ST PETERSBURG KENNEL CLUB INC (DERBY LANE) 8 25 2022.docx

Hello Luz,

Attached is OCR for a cardroom violation, please assign to Randa.

Thanks Derek (al12) License Home Page 1 of 1



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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.: 2022-041729
ST. PETERSBURG KENNEL CLUB, INC.,	FOCC Case No.: 2022-041729
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:

- Petitioner is the state agency charged with regulating pari-mutuel wagering and cardroom operations pursuant to Chapters 550 and 849, Florida Statutes.
- At all times material hereto, Respondent held a Pari-Mutuel Wagering and 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 August 11, 2022, Respondent failed to permanently alter a damaged card to ensure it was not put back into play.

- 5. Rule 61D-11.014(4)(c), Florida Administrative Code, provides that "[c]ards which have been removed from play shall be permanently altered so that the cards cannot be put back into play."
- 6. Based on the foregoing, Respondent violated 61D-11.014(4)(c), Florida Administrative Code, by failing to permanently alter a damaged card to ensure it was not put back into play.

COUNT II

- 7. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.
- 8. On or about August 25, 2022, Respondent failed to have the drop box on table E17 secured to the table with a lock.
- 9. Rule 61D-11.020(1)(b), Florida Administrative Code, provides that "[t]he drop box shall be: affixed with a lock to the table."
- 10. Based on the foregoing, Respondent violated Rule 61D-11.020(1)(b), Florida Administrative Code, by failing to have a drop box secured with a lock to the poker table.

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 2022-041729 is signed this 8th day of September, 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

Telephone: (850) 717-1783 Facsimile: (850) 921-1311

Primary: Emily.Alvarado@fgcc.fl.gov Secondary: Ebonie.Lanier@fgcc.fl.gov

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2022-041729 Page 3 of 4

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.

0000 5094 40127	U.S. Postal Service™ CERTIFIED MAIL® REC Domestic Mail Only For delivery information, visit our website Certified Mail Fee \$ Extra Sérvices & Fees (check box, add fee as appropriate) Return Receipt (nardcopy) \$ Return Receipt (electronic) \$ Certified Mail Restricted Delivery \$ Adult Signature Required Adult Signature Restricted Delivery \$ Adult Signature Restricted Delivery \$	
7020 2450	St. Petersburg Kenner	ge, Esq. enia 1 302-0551 –PMW
	PS Form 3800, April 2015 PSN 7530-02-000-9047	See Reverse for Instructions

FAQs >

Remove X

Tracking Number:

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Latest Update

Your item was picked up at the post office at 11:03 am on September 16, 2022 in TALLAHASSEE, FL 32301.

Delivered

Delivered, Individual Picked Up at Post Office

TALLAHASSEE, FL 32301 September 16, 2022, 11:03 am

See All Tracking History

Text & Email Updates	~
Text & Linaii Opdates	
USPS Tracking Plus®	~
Product Information	~
See Less ^	

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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.: 2022-041729
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 three-count Administrative Complaint filed in FGCC Case Number 2022-041729, alleging that:
 - a. On August 11, 2022, Respondent was in violation of Rule 61D-11.014(4)(c), Florida Administrative Code, by failing to permanently alter a damaged card to ensure it was not put back into play.
 - b. On August 25, 2022, Respondent was in violation of Rule 61D-11.020(1)(b), Florida Administrative Code, by failing to have a drop box secured with a lock to the poker table.

3. <u>Aggravation</u>: This Consent Order was entered into in consideration of Respondent's disciplinary history including two prior violations of Rule 61D-11.014(4)(c), Florida Administrative Code, in DBPR Case Numbers 2018-017900 and 2020-039998 and three prior violations of Rule 61D-11.020(1)(b), Florida Administrative Code, in DBPR Case Numbers 2017-050180, 2018-025869, and 2020-002174.

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.
- 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.
- 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: Melba Apellaniz. Please note FGCC Case Number 2022-041729 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

2022-041729 3

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 4th day of Septemb	er, 2022.
ST. Resp	PETERSBURG KENNEL CLUB, INC., ondent
~	d on behalf of St. Petersburg Kennel Club, Inc.
by:	Idam Hlas
Printe	Adam Hlas d Name Levetary
Title	
STATE OF Florida COUNTY OF FINE LLAS	
The foregoing instrument was acknowled	ged before me, by means of physical presence
or online notarization, this 1946	day of September, 2022, by
ADAM HLAS, who is p	ersonally known to me or who produced the
following as identification:	
Linda L. Frontel	
Notary Public LINDAL FR	
My commission expires: EXPIRES: Man Bonded Thru Notary P	th 31, 2024
0000 041700	enter autoritation (Control of Control of Co

APPROVED this 24 day of october, 2022.

EMILY ALVARADO

DEPUTY CHIEF ATTORNEY

Division of Pari-Mutuel Wagering

Florida Gaming Control Commission

FILED

FLORIDA GAMING CONTROL COMMISSION

Date: 9/12/2022 File Number:

> BY: MELBA L. APELLANIZ CLERK OF THE 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.: 2022-041729
ST. PETERSBURG KENNEL CLUB, INC.,	1 000 000 110 2022-041727
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.

COUNT I

- 3. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.
- 4. On or about August 11, 2022, Respondent failed to permanently alter a damaged card to ensure it was not put back into play.

- 5. Rule 61D-11.014(4)(c), Florida Administrative Code, provides that "[c]ards which have been removed from play shall be permanently altered so that the cards cannot be put back into play."
- 6. Based on the foregoing, Respondent violated 61D-11.014(4)(c), Florida Administrative Code, by failing to permanently alter a damaged card to ensure it was not put back into play.

COUNT II

- 7. Petitioner realleges and adopts paragraphs numbered one and two as if set forth fully herein.
- 8. On or about August 25, 2022, Respondent failed to have the drop box on table E17 secured to the table with a lock.
- 9. Rule 61D-11.020(1)(b), Florida Administrative Code, provides that "[t]he drop box shall be: affixed with a lock to the table."
- 10. Based on the foregoing, Respondent violated Rule 61D-11.020(1)(b), Florida Administrative Code, by failing to have a drop box secured with a lock to the poker table.

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 2022-041729 is signed this 8th day of September, 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

2022-041729

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: Case No. 2022-042997; Consent Order

Date: October 24, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks the adoption of the proposed settlement and consent order signed by Robert Bruce Hess ("Respondent") to resolve Case No. 2022-042997. 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(2)(s), Florida Administrative Code.

Background

Respondent was the trainer of record for the racing horse Showgirl Lynne B, which was owned by Westlake Racing Stable. On August 20, 2022, Showgirl Lynne B finished 1st place in the 4th race of the performances held by Gulfstream Park Racing Association. A urine sample was take from Showgirl Lynne B 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 omeprazole sulfide¹ in the urine. Omeprazole sulfide was detected at a urine concentration of 1.37 +/- 0.09 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(2)(s), Florida Administrative Code, provides that it is a violation if omeprazole sulfide exists at a urinary concentration greater than 1 ng/mL.

¹ Omeprazole sulfide is a gastric acid secretory depressant and Class 5 drug. *See* Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. Omeprazole sulfide is used to treat certain stomach and esophagus problems.

The penalty for this violation is a Class D penalty under the Uniform Classification Guidelines for Foreign Substances, version 8.0, revised December 2014, by the Association of Racing Commissioners International, Inc. ("Guidelines").

Analysis

Respondent has no prior violations of section 550.2415(1)(a), Florida Statutes, in the last 365 days. Therefore, Respondent should be issued a written warning under rule 61D-6.011(3), Florida Administrative Code.

<u>Staff Recommendation</u>: The Florida Gaming Control Commission should enter a Final Order adopting and incorporating the proposed settlement and consent order in Case No. 2022-042997.



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

September 01, 2022

Mr.Joe Dillmore, Director Florida Gaming Control Commission 2601 Blair Stone Road Tallahassee, FL 32399-1037

RE:

Report of Positive Result

Sample 312677 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

Omeprazole sulfide found in urine

Omeprazole sulfide is a metabolite of Omeprazole (a gastric acid secretory depressant and Class 5 drug) - the concentration of Omeprazole sulfide is 1,37 +/- 0.09 ng/mL,

E001060-FHU	Horse Urine	68.2 g	INTACT
Laboratory Number	Specimen	Final Weight	Seal
Gulfstream Park	<u> </u>	08/20/2022	08/23/2022
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 09/10/2022, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Moriah Murrin

Chemist III

23-12

Page 1 of 1

University of Florida Racing Lab ISO/IEC 17025-2017 Certificate # AT-1842



The Foundation for The Gator Nation

An Equal Opportunity Institution

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By Istallings

3221 Gulfstream Park Horse SHOWGIRL LYNNE B Drug Omeprazole Sulfide Sample # 312677 Lab # E001060-FHU

Change

Updated 09/02/2022 14:47:45

* Get Adobe Reader.

Cancel

Attachments

Work Notes

History

Print Report

VR Home Inbo	ox Entity	Application	License	Cash	Exam	Inspection	Enforcement	Report	
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Domain 10 - Division of Pari-Mutuel Wagering

Alt Keys

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Logged in as: Istallings

VR Home > License Search > License Home Licensee License History Lic Type 1021 - PMW Professional Individual Occupational Expires On 06/30/2025 Fed Tax # | Notes Name HESS, ROBERT BRUCE Extended To File # 24627 Notes History PIND - Professional Individual Occupational Renewed On License # 1353180 Back Entity # 1353180 Lic Status Current Address Street # 3579 Street E FOOTHILL BLVD 739 Line 2 Line 3 Zip 91107 State CA City PASADENA Routing Other 1st License Date .07/05/2022 Rank Date 07/05/2022 Certificate # Certificate Date 06/01/2001 Method I-S-1024 Status Date 07/05/2022 Renewal Sent Birth Date Fee Exempt No Select Action **Modifiers Effective** Type 🌣 Additional Info Modifier Date 01/06/2019 TRNR - Trainer TBRD - Thoroughbred 321 - Gulfstream Park 03/03/2021 3YR - 3 Year License

∴ Get Adobe Reader.

2022 Race 4 on 8/18/2022 at 1:34:25 PM









STAKES

FILLIES, TWO YEARS OLD. Free nomination by Sunday, August 7. \$650 to enter. A \$100 supplemental nomination may be made prior to closing time of entries. After payment of 1% to all owners of horses finishing sixth through last, 60% of the remaining purse shall be paid to the owner of the winner, 20% to second, 12% to third, 5% to fourth and 3% to fifth. Weight: 122 lbs. Non-winners of a race other than maiden or claiming allowed 2 lbs; a race other than claiming, 4 lbs. Starters to be named by usual time of closing. All fees shall be paid prior to the race. Five And One Half Furlongs (Tapeta)

equibase.com/QR i

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PROBABLE FAVORITES 3-6-4-5

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

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

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rennoner,	
v.	ECCC C N 2022 0 42007
ROBERT BRUCE HESS,	FGCC Case No.: 2022-042997
Respondent.	

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Robert Bruce Hess ("Respondent"), and alleges as follows:

- 1. Petitioner is the state agency charged with regulating pari-mutuel wagering pursuant to Chapter 550, Florida Statutes.
- At all times material hereto, Respondent held a Pari-Mutuel Wagering Professional Individual Occupational License, 1353180-1021, issued by Petitioner.
- 3. At all times material hereto, Respondent was the trainer of record for the racing horse "Showgirl Lynne B," with microchip number 981020035772589.
- 4. At all times material hereto, "Showgirl Lynne B" was owned by Westlake Racing Stable, who holds a Pari-Mutuel Wagering Business Occupational License, 13007513-1020, issued by Petitioner.
- 5. On August 20, 2022, "Showgirl Lynne B" participated in the 4th race of the performances held by Gulfstream Park Racing Association, Inc. ("Gulfstream Park").

- 6. On August 20, 2022, "Showgirl Lynne B" finished in 1st place in the 4th race of the performances held by Gulfstream Park.
- 7. Gulfstream Park is a facility operated by a permitholder authorized to conduct parimutuel wagering in this state under Chapter 550, Florida Statutes.
- 8. On August 20, 2022, urine sample number 312677 was collected from "Showgirl Lynne B."
- Urine sample number 312677 was processed and forwarded to the University of Florida Racing Laboratory ("UF Lab"), for analysis.
- 10. The UF Lab tested urine sample number 312677 and found that it contained omeprazole sulfide (a metabolite of omeprazole).
- 11. In urine sample number 312677, **omeprazole sulfide** was detected at a urinary concentration of 1.37 +/- 0.09 ng/mL.
 - 12. Pursuant to Section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

- 13. According to Rule 61D-6.008(2)(s), Florida Administrative Code, it is a violation of Section 550.2415, Florida Statutes, if **omeprazole** exists at a urinary concentration greater than 1 ng/mL.
- 14. Section 550.2415(1)(c), Florida Statutes, states, "[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race."

15. Rule 61D-6.002(1), Florida Administrative Code, provides that, "[t]he trainer of

record shall be responsible for and be the absolute insurer of the condition of the horses...he/she

enters to race."

16. Based on the foregoing, Respondent violated Section 550.2415(1)(a), Florida

Statutes, and Rule 61D-6.008(2)(s), Florida Administrative Code, by racing "Showgirl Lynne B"

with an impermissible concentration of a permitted substance in its body on August 20, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission

enter an Order imposing against Respondent one or more of the penalties specified in Rule 61D-

6.011, Florida Administrative Code, Section 550.2415(3)(a), Florida Statutes, and/or any other

relief that the Commission is authorized to impose pursuant to Chapter 550, Florida Statutes,

and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-042997 is signed this 8th

day of September, 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

2022-042997 Page 3 of 6

571

NOTICE OF RIGHTS TO REQUEST A HEARING

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

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

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

NOTICE OF RIGHT TO REQUEST A SPLIT SAMPLE

Pursuant to Rule 61D-6.006, Florida Administrative Code, you have the right to request a split sample with respect to each "Report of Positive Result" from the UF Lab. (Copy attached as Exhibit A). To request a split sample, use <u>Form DBPR PMW-3290</u>, <u>Notification to Stewards/Judge of Split Sample Request</u> (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

09-01-22:02:41PM;University of Florida

;352

2/ 2



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

September 01, 2022

Mr. Joe Dillmore, Director Florida Gaming Control Commission 2601 Blair Stone Road Tallahassee, FL 32399-1037

RE: Report of Positive Result

Sample 312677 has been analyzed by liquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

Omeprazole sulfide found in urine
Omeprazole sulfide is a metabolite of Omeprazole (a gastric acid secretory depressant and Class 5 drug) - the
concentration of Omeprazole sulfide is 1,37 +/- 0,09 ng/mt...

E001060-FHU	Horse Urine	68.2 g	INTACT
Laboratory Number	Specimen	Final Weight	Seal
Gulfstream Park		08/20/2022	08/23/2022
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 09/10/2022, or upon commencement of administrative action, whichever occurs first.

Dirk A Hunt

Associate Director

Page 1 of 1

University of Florida Racing Lab ISO/IEC 17025-2017 Certificate # AT-1642

23-12

The Foundation for The Gator Nation

An Equal Opportunity Institution

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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.: 2022-042997
ROBERT BRUCE HESS,		
Respondent.	1	
	/	

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Division") and Robert Bruce Hess ("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, 1353180-1021, 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 2022-042997, alleging that Respondent was in violation of Section 550.2415, Florida Statutes, and Rule 61D-6.008(2)(s), Florida Administrative Code, by racing "Showgirl Lynne B" with an impermissible amount of **omeprazole sulfide (a metabolite of omeprazole)** in its body during the performances held at Gulfstream Park Racing Association, Inc. ("Gulfstream Park") on August 20, 2022.
- 3. On August 20, 2022, Showgirl Lynne B participated in the 4th race of the performances held at Gulfstream Park. Showgirl Lynne B finished in 1st in the 4th race of the performances held at Gulfstream Park.

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.

2022-042997 2

- 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 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: Melba Apellaniz.
- 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.

578

2022-042997 3

- 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]

2022-042997

WHEREFORE, Respondent, ROBERT BRUCE HESS, requests that the Commission enter a Final Order approving and incorporating this Consent Order in resolution of this matter.

SIGNED this 2 Bday of Septem B, 2022.

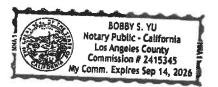
ROBERT BRUCE/HESS
Respondent

COUNTY OF LA PUGGIOT

The foregoing instrument was acknowledged before me, by means of ☑ physical presence or ☐ online notarization, this ② day of Stop Hours to Local Drives, 2022, by ROBERT BRUCE HESS, who is personally known to me or who produced the following as identification:

Notary Public

My commission expires: 09/14/2026



APPROVED this 24 day of october, 2022.

EMILY ALVARADO

DEPUTY CHIEF ATTORNEY

Division of Pari-Mutuel Wagering Florida Gaming Control Commission

FILED

FLORIDA GAMING CONTROL COMMISSION

Date: 9/12/2022

Date:

File Number: ______BY: MELBA L. APELLANIZ

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

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

Petitioner,

v.	FGCC Case No.; 2022-042997
ROBERT BRUCE HESS,	1 OCC Case 10., 2022-042337
Respondent.	

ADMINISTRATIVE COMPLAINT

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering ("Petitioner"), files this Administrative Complaint against Robert Bruce Hess ("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, 1353180-1021, issued by Petitioner.
- 3. At all times material hereto, Respondent was the trainer of record for the racing horse "Showgirl Lynne B," with microchip number 981020035772589.
- 4. At all times material hereto, "Showgirl Lynne B" was owned by Westlake Racing Stable, who holds a Pari-Mutuel Wagering Business Occupational License, 13007513-1020, issued by Petitioner.
- 5. On August 20, 2022, "Showgirl Lynne B" participated in the 4th race of the performances held by Gulfstream Park Racing Association, Inc. ("Gulfstream Park").

- 6. On August 20, 2022, "Showgirl Lynne B" finished in 1st place in the 4th race of the performances held by Gulfstream Park.
- 7. Gulfstream Park is a facility operated by a permitholder authorized to conduct parimutuel wagering in this state under Chapter 550, Florida Statutes.
- 8. On August 20, 2022, urine sample number 312677 was collected from "Showgirl Lynne B."
- 9. Urine sample number 312677 was processed and forwarded to the University of Florida Racing Laboratory ("UF Lab"), for analysis.
- 10. The UF Lab tested urine sample number 312677 and found that it contained omeprazole sulfide (a metabolite of omeprazole).
- 11. In urine sample number 312677, omeprazole sulfide was detected at a urinary concentration of 1.37 +/- 0.09 ng/mL.
 - 12. Pursuant to Section 550.2415(1)(a), Florida Statutes:

The racing of an animal that has been impermissibly medicated or determined to have a prohibited substance present is prohibited. It is a violation of this section for a person to impermissibly medicate an animal or for an animal to have a prohibited substance present resulting in a positive test for such medications or substances based on samples taken from the animal before or immediately after the racing of that animal.

- 13. According to Rule 61D-6.008(2)(s), Florida Administrative Code, it is a violation of Section 550.2415, Florida Statutes, if **omeprazole** exists at a urinary concentration greater than 1 ng/mL.
- 14. Section 550.2415(1)(c), Florida Statutes, states, "[t]he finding of a prohibited substance in a race-day specimen constitutes prima facie evidence that the substance was administered and was carried in the body of the animal while participating in the race."

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enters to race."

16. Based on the foregoing, Respondent violated Section 550.2415(1)(a), Florida

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with an impermissible concentration of a permitted substance in its body on August 20, 2022.

WHEREFORE, Petitioner respectfully requests the Florida Gaming Control Commission

enter an Order imposing against Respondent one or more of the penalties specified in Rule 61D-

6.011, Florida Administrative Code, Section 550.2415(3)(a), Florida Statutes, and/or any other

relief that the Commission is authorized to impose pursuant to Chapter 550, Florida Statutes,

and/or the rules promulgated thereunder.

This Administrative Complaint for FGCC Case Number 2022-042997 is signed this 8th

day of September, 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.

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

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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

09-01-22:02:41PM;University of Florida

:352

2/ 2



College of Medicine
Department of Pathology, Immunology and Laboratory Medicine
Racing Laboratory

PO Box 100275 Gainesville, FL 32610-0275 352-372-2238 352-846-1052 Fax

September 01, 2022

Mr.Joe Dilimore, Director Florida Gaming Control Commission 2601 Biair Stone Road Tellahassee, FL 32399-1037

RE: Report of Positive Result

Sample 312677 has been analyzed by iquid chromatography-tandem mass spectrometry (LC-MS/MS) and found to contain the following:

Omeprazole sulfide found in urina
Omeprazole sulfide is a metabolite of Omeprazole (a gastric acid secretory depressant and Class 5 drug) - the concentration of Omeprazole sulfide is 1.37 +/- 0.09 ng/ml...

E001080-FHU Horse Urine 68.2 g INTACT
Laboratory Number Specimen Final Weight Seal
Guiltstream Park 08/20/2022 08/23/2022
Collected From Date Collected Date Received

Pursuant to Chapter 650,2415 (1), F.S., the public disclosure of the information contained in this Report of Positive Result is authorized on or after 09/10/2022, or upon commencement of administrative action, whichever

Dirk A Hunt

Associate Director

Moriah Murrin

Chemist III

Page 1 of 1

University of Florida Racing Lab 1904EC 17025-2017 Cartificate # AT-1842 23-12 ANAE

The Foundation for The Gator Nation
An Equal Concentrately Institution

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MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: Steven R. Frazier; Case No. 2022-040492

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Steven R. Frazier's ("Applicant") application for a Cardroom Employee Occupational License. Applicant submitted a completed application for a Cardroom Employee Occupational License on August 15, 2022, and applied for a waiver of his felony convictions. The Executive Director reviewed the file along with the waiver interview notes 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 August 15, 2022, 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 that Applicant was convicted of several felony crimes in the state of South Carolina. Specifically, the Applicant was convicted of:

- Manufacture, Deliver, or Possess Narcotic Drugs (LSD and Cocaine) in 2007;
- Unlawful Neglect of Child or Helpless Person in 2006; and
- Strong Arm Robbery in 2007.

Applicant applied for a waiver of the felony convictions and a waiver interview was subsequently scheduled. On September 8, 2022, Applicant attended the waiver interview with the Division and a report was drafted of that interview which was submitted to the Executive Director of the Florida Gaming Control Commission for consideration. On September 29, 2022, the Executive Director declined to waive the felony convictions.

Relevant Law

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

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

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

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

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

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

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

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

<u>Staff Recommendation</u>: 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: FRAZIER, ST (APPLICANT'S NAM	EVEN R. – 13162896 ME – LICENSE #)	Case No: <u>2022 04 0492</u>
1012 – Chip Runner Occupation Code and Job		145 – Orange Park Best Bet Facility (d/b/a name)
90-DAY RES	SPONSE DEADLINE:	NOVEMBER 17, 2022 (DATE)
Investigations Sec	ction: Reviewed by Bradford D. Jone Steve Kogan	9/15/2022 (Initial & Date)
The attached "Reque forwarded to the Lice		or completeness and accuracy, and has been
Licensing Section	: Reviewed by: <u>DD 09/15/2022</u> (Initial & Date)	(Initial & Date)
ls the applicant curre or racing jurisdiction		es, or has been refused a license by any gaming
[] Yes or [√] No I	f yes, in what jurisdiction?	
Executive Directo	r: (Initial & Date)	
[] Prepare Waiver	or [] Prepare File for Commission	Review
Comments:		
Investigative Find	ings:	
August 7, 2007	Schedule I (b) & (c), LSD, and Sched	SC. – Drugs/MDP, Narcotic Drugs in lule, II (Cocaine), 1st Offense – Felony – 27, 2007 – Six years in prison and fined
September 13, 2005	Person (2 counts) – Felony – Pled (Five years' in State Prison, suspen	. – Unlawful Neglect of Child/Helpless Guilty – Convicted on March 14, 2006 – ded to 90 days, 2 years' Probation for d Fines totaling \$772.50 Fine paid in
August 9, 2004		SC. – Strong Arm Robbery – Felony – 27, 2007 – Six years in State Prison and



Louis Trombetta, Executive Director

Ron DeSantis, Governor

OFFICE OF INVESTIGATIONS

WAIVER INVESTIGATIVE REPORT

Office: PMW	Region: NORTHERN		Date of Complaint: Case Number: 2022 04 0492			
Respondent:		Complainan	Complainant:			
FRAZIER. STEVEN R.		OFFICE OF 1400 West	DIVISION OF PARI-MUTUEL WAGERING OFFICE OF INVESTIGATIONS 1400 West Commercial Boulevard, Suite 165 Ft. Lauderdale, Florida 33309			
License	# / Type:	Professi	on:	Report Date:		
13162896 / 1012		Chip Rui	Chip Runner September 9, 202			
No. 61 MARCO		Type of Report:				
August 19,	nber 9, 2022		Final			

Basis of Investigation: This investigation is predicated upon the submission of STEVEN R. FRAZIER's State of Florida Pari-Mutuel Occupational License Application dated April 12, 2022 and Request for Waiver dated July 6, 2022.

On April 12, 2022, **FRAZIER** applied for a PMW Cardroom Employee Occupational License (1012) to work as a Chip Runner at Orange Park Best Bet. On his application, he answered "NO" to the question, "Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or nolo contendere to any criminal charges against you?"

Upon receipt of **FRAZIER**'s FDLE Criminal History Report, PMW Licensing sent him a Deficiency Letter on April 18, 2022, requesting that he list and provide court disposition records for the following arrests:

- Manning, South Carolina arrests 02/14/2004
- Summerton, South Carolina arrest 5/21/2004
- Sumter, South Carolina arrest(s) 1/14/2005, 9/13/2005, 7/5/2007
- Clarendon, South Carolina arrest(s) 8/22/2007, 3/30/2012, 5/8/2016, 2/10/2017
- Richland, South Carolina arrest(s) 2/18/2014

On July 6, 2022, FRAZIER submitted an amended application listing several arrests.

Related Case:	
Investigations Specialist II / Date	Approved by Investigator Supervisor / Date
1st Chill Taylor	1st Peut Warting
Charles W. Taylor / September 9, 2022	C. Derek Washington / September 13, 2022
Chief of Investigations / Date	

Bradford D. Jones for

Steven E. Kogan / September 15, 2022

CASE NUMBER: 2022 04 0492

CONTINUATION

CRIMINAL HISTORY

	MININAL IIIO I O							
	Arrest 1							
Da	ate of Arrest:	Arresting Agen	cy:					
8/2	27/2007*		ty Sheriff's Office	, SC				
			OFFENSE					
Ch	Charge(s): CLASSIFICATION PLEA DISPOSITION CONVICTION DATE							
1	Drugs/MDP, Narcotic Drugs in Sch I (b) & (c), LSD, and Sched, II (Cocaine) – 1 st Offense		Felony	Guilty	Convicted	8/27/2007*		
2								
3								
4								

SENTENCE

Six years in state prison and fined \$231.75.

Additional Information: Balance due \$231.75

*All dates reflected as per South Carolina court records.

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

SENTENCE

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

Additional Information: Fines paid in full.		

CONTINUATION

	Arrest 3								
1	Date of Arrest:Arresting Agency:8/09/2004Clarendon County Sheriff's Office, SC								
0,1	OFFENSE								
	CLASSIFICATION PLEA DISPOSITION CONVICTION DATE								
1 Strong Arm Robbery		Felony	Guilty	Convicted	8/27/2007				
2									
3									
4									

SENTENCE
Six years in State Prison and fined \$128.75

Additional Information: Balance Due \$128.75

	Arrest 4							
Da	te of Arrest:	Arresting Agency:						
			OFFENCE					
			OFFENSE					
			CLASSIFICATION	PLEA	DISPOSITION	CONVICTION DATE		
1								
2								
3								
4								

	SENTENCE
Α	Additional Information:
Α	dditional Information:

CASE NUMBER: 2022 04 0492

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?		Χ

1. License Type:	Cardroom Employe	e 1012 (***TEM	PORARY***)			
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdic	tion:		
4/13/2022	7/12/2022	13162896	FC	SCC		
				YES	NO	
Has License ever been suspended or revoked?					Х	
Was any derogatory information received?						
Additional Comments: This license was issued in the field office because the applicant did						
not disclose any convictions on his initial application.						

2. License Type:					
Date Licensed:	Expiration Date:	License #:	Agency or Jurisdic	ency or Jurisdiction:	
				YES	NO
Has License ever been suspended or revoked?					
Was any derogatory information received?					
Additional Comm	ents:				

3. License Type:					
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdic	tion:	
				YES	NO
Has License ever					
Was any derogato					
Additional Comme	ents:				

4. License Type:						
Date Licensed:	Expiration Dated:	License #:	Agency or Jurisdic	tion:		
				YES	NO	
Has License ever been suspended or revoked?						
Was any derogate						
Additional Comme	ents:					

FGCC INVESTIGATIVE REPORT

CONTINUATION

CASE NUMBER: 2022 04 0492

WAIVER INTERVIEW

			YES	NO
Was a Waiver Interview Conducted?			Χ	
Date of Interview:	Location	on of Interview:		
September 8, 2022	Office	at Best Bet Jacksonville	Э	
	·		YES	NO
Was the applicant cooperative?			Х	
Additional Comments: FRAZIER indicate	ed chip runner as	s his occupation on his	applicati	ion,
however, he will be working in the IT De	epartment if grant	ed a waiver.		

SUMMARY OF INTERVIEW:

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

We discussed his 2004 felony arrest for Strong Arm Robbery. **FRAZIER** stated that the police questioned him about another drug dealer, who claimed that **FRAZIER** robbed him of his drugs and money. **FRAZIER** admitted that he was a drug dealer, but insisted he was not a thief. He said after being questioned, police arrested him for drug possession. He stated that the police threatened him with a 10-year sentence in prison but offered him a plea deal for a 6-year sentence, but he had to admit guilt in the robbery case, which he did¹.

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

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

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

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

CONTINUATION

CASE NUMBER: 2022 04 0492

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

CONCLUSION:

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

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

CASE NUMBER: 2022 04 0492

CONTINUATION

TABLE OF CONTENTS

	INVESTIGATIVE REPORT COVERSHEI	ET	
I.	INVESTIGATIVE REPORT		
II.	EXHIBITS		
	1. Photo / Waiver Request / Application	/ License	1-9
	2. Legal Documents		1-8
	3. Rap Sheet		1-15
	4. Supporting Docs: ARCI / Def. Letter /	Other	1-5

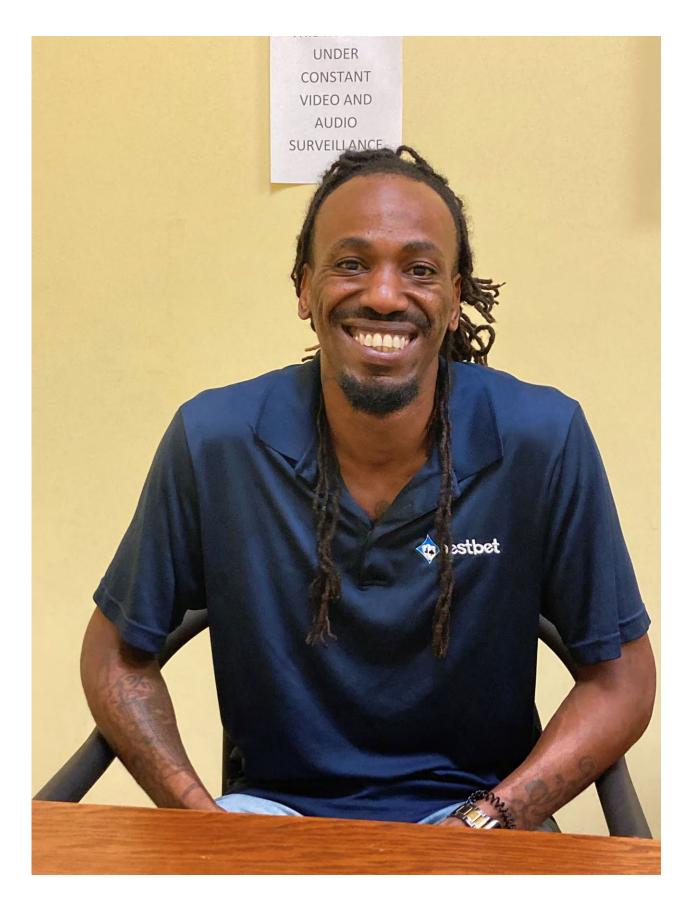


EXHIBIT #1 Page 1 of 9

Yes No	Have you ev extortion, co	er been convicted aspiracy to defrau	of, or had adjudi	cation withheld for, a fel	PAGES AS NECESSA lony or misdemeanor involve agency, racing or gaming of 1 States?	ing forgery, larceny
Yes No	criminal char	ges against you?	If yes, the court d	ation withheld for any c ilsposition records for al hart provided below.	rime, or pled guilty or note of convictions must be subm	contendere to any litted with this
	TE OF OSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
					15 4.	
.						
Yes No				evoked or denied in this	or any other state or countri plain why.	ry? If yes, you mus
Yes No	Is any racing If yes, you m	or gaming licens nust list the state(s	se you hold currer s) or jurisdiction(e)	ntly suspended or subje of licensure and give d	ct to other discipline, such letails the offense and discip	as an unpaid fine? oline.
If you an	swered yes to	any of the question	one above, provid	e 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 1998 (Welfare Reform Act), 104 Pub.L. 193, Sec. 317.

I hereby authorize the Department of Business and Professional Regulation, Division of Parl-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 cath 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 eath 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, deniel, suspension or revocation of the license. I agree to abide by and obey all rules and regulations of the Division of Parl-Mutuel Wagering and the laws of the State of Florida. Under perselty of perjury, I agree to inform the Division within 48 hours of being convicted of or entering a plea of guilty or noto contenders to any disqualifying offense, regardless of adjudication.

Skinefure of Applicant Date

Page 3 of 3

			(ATTACH ADDITIONAL I		
No extortion, c	onspiracy to defrau	id, or filing fals	udication withheld for, a felor e reports to a government ag ander the laws of the United S	ency, racing or gaming of	ving forgery, larceny, commission or
O No criminal cha	arges against you?	If yes, the cou	udication withheld for any crir art disposition records for all of e chart provided below.	ne, or pled guilty or nolo convictions must be subn	contendere to any nitted with this
DATE OF DISPOSITION	COUNTY	STATE	OFFENSE	MISDEMEANOR OR FELONY?	SENTENCE
2114/2004	clarendon	S.C.	Asself un Bettery	not Sure	time Served
5/21/2004	Clarendon	5.6	priving no LIC	MISDE-MEANOR	paid fine
1/14/05	Sunter	9,0	Driving no Lic	Missema nor	paid fine
9/13/05	Sumter		Driving no Lite	Missemanor	Paid fine
			e revoked or denied in this or evocation or denial and expla		try? If yes, you must
M No If yes, you	must list the state(s	s) or jurisdiction	rrently suspended or subject n(s) of licensure and give det		
If you answered yes to	o any of the question	ons above, pro	vide 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.

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

Signature of Applicant

Date O

Page 3 of

7/5/2007 Sumter / S.C. / Simple Postion of New / Paid fine 8/22/2007 / Clerndon County / S.C. / P.W. I. D/Driving no L.I.C/threten & Public officer/Postion of New / Server 5 years In prison in Paid fine 3/300/2012/- I Dont know booth that Date I Was Still In

5/8/16 - Clerendon/S, C./ Driving no L.I.C./ Paid fine

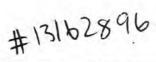
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A Yes	Haus you a		- 00	DEIVING UNDERSUS	MIS	19 days
A Yes	Have tour	-				
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A Yes	let the state	er had a racing or g	aming licens	e revoked or denied in this or a	ny other state or count	riv? If ves. you must
O No	HOL HIS SIMILE		n incertation t	evocation or denial and explain mently suspended or subject to	MAN	
	ii yoo, you i	DOOL BOX OLD SERIES	or wasakata	118) Of ticensum and nive detail	other discipline, such a the offense and disci	as an unpaid fine?
	wered yes to	any of the question	s above, pro	vide details here:	, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	P
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1971 (17.2)		11.				ROS S
	7.3	PL	EASE REA	D AND SIGN BELOW		
screening of Social Secupurposes propurposes propuble. 193, i hereby aur of my finger national crimitat may pe (CFR), Secuproviding authormation as challenge be Applicant's F	of applicants with number ursuant to the Sec. 317. It thorize the Exprints to the ninsh history reals to me of dons 16.30-ny subsequencentained in F.S. 943.05 afore the Di Privacy Right.	and licensees by a se must also be recome Personal Response Person	ess and Pro of Law Enfo eral Bureau i that my fir ons and the am aware th iR, Section I determinat o Division's v		curity numbers are use compilance with child in a end are used for its on Act of 1998 (Welfan of Parl-Mutuel Wagers of accessing and reported in a national crimitation of the Title 28, Code of Fit FDLE and the FBI the accuracy and compile of the FBI of the accuracy and compile of the Accuracy of the A	ed to allow efficient support obligations. ensee Identification e Reform Act), 104 Ing, to submit a set viewing Florida and ninal history record ederal Regulations for the purpose of any history records are the validity of my loncriminal Justice
	ation for a lice ader oath or wise require		a license is pplicant, or o	sued by the Department of Bu owner or chief executive of the	siness and Profession applicant without the I	al Regulation shall need for witnesses
certify that	nd to the be	est of my knowledge	pplication m	as required by Section 559.79 as an oath or affirmation. I ation contained on this application result in administrative active by and obey all rules and markly of poor and rules.	declare that I have ration is true and complete, including fines up	ead the foregoing lete. I understand to \$1,000, denial,

DBPR PMW-3120, Effective September 2020, Rule 61D-5.001, F.A.C.

Page 3 of 3

604 6-9

State of Florida



Department of Business and Professional Regulation Chronology Report

Lic Type: 1012 Disposition:

Case Type: Complaint

Responsible: Itrombetta - TROMBETTA, LOUIS

Complainant: DIVISION OF PARI-MUTUEL WAGERING

1400 WEST COMMERCIAL BOULEVARD, STE 165, FORT LAUDERDALE, FL 33309

Respondent: FRAZIER, STEVEN R

1110 CALIENTE DRIVE #16, JACKSONVILLE, FL 32211

Summary: 90-DAY DEADLINE (from email receiving date): November 17, 2022 ------ / ------ . 09/08/2022 -

Waiver Interview conducted ------ . 148-Orange Park Kennel Club, Inc.

Chronology:

Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
08/19/2022	Α	79	440	Incoming Correspondence	rmahalinga	FRAZIER, STEVEN R
09/08/2022	Α	10	50	Interview Respondent		FRAZIER, STEVEN R
09/07/2022	Α	79	435	Telephone		FRAZIER, STEVEN R
08/19/2022	Α	10	15	Assigned to Investigator	cwtaylor	FRAZIER, STEVEN R
09/15/2022	Α	79	70	Sent to Director for Review	ddonaldson	FRAZIER, STEVEN R
08/19/2022	R		cwtaylor	TAYLOR, CHARLES W	rmahalinga	



State of Florida

Department of Business and Professional Regulation Chronology Report

Chronology:	Effective Date	Туре	Lic Type	Code	Description	Responsible Party	Respondent
	09/15/2022	R		Itrombetta	TROMBETTA, LOUIS	ddonaldson	
	09/15/2022	R		bjones	JONES, BRADFORD	bjones	
	09/15/2022	R		ddonaldson	DONALDSON, DAVID	icampbell	
	09/15/2022	S	1012	106	Sent to Directors office	ddonaldson	
	09/15/2022	S	1012	165	Supervisor Review	bjones	
	09/15/2022	S	1012	104	Sent to Licensing Section	icampbell	
	09/15/2022	S	1012	90	Closed	icampbell	
	08/19/2022	S	1012	20	Under Investigation	rmahalinga	
	08/19/2022	S	1012	10	Initial Review	rmahalinga	
Allegation:	Code	Descriptio	n				
	WAVR	Waiver of Crim. Conv. or Other Offenses					

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 - I	Division of Pari-Mu	tuel Wagering	J				L	ogged in as	icampbell
VR Home	Complaint Search	Maintain Co	mplaint						
Lic Type 1012 - Cardroom Employee Occupational Status Status Date 09/15/2022 Licen ing Section									
Complaint #	2022040492	Case Type	MP Complaint	Disposition	n		Disposition	Date	
Docket#)	Re pondent s	RAZIER, STEVEN R	Re pon ib		(1) - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -		Priva	te Ca e
Complaint	Re pondent	Complainant	Addt'l Info						
Source	LIC - Licensee	3	Security Leve	l 1			Parties	Activi	ties
Form	WALK - Walk-in		Priority	1		✓ All	egations	Discip	line
Class'n	IIIB - Waivers		Complexity	R - Regu	ar	U Vi	iolations	Compli	ance
Security	STND - Standard		Inciden	t 07/06/202	2		Related	Dispos	ition
Region	CR - Central Regi	on	Received	08/19/202	2	_ In:	spection		
Reference							Costs		
Entered	08/19/2022		Entered By	/ rmahalin	ga	Time	e Tracking	Auto As	ssign
Summary	90-DAY DEADLIN 2022 /	09/08/2022	2 - Waiver Int	erview cor		- Alla	achments	Histo	
Updated	09/15/2022 12:58:	-		icampbe	I		ork Notes	Print Re	pon j
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Get Adobe Reader.

Department of Business and Professional Regulation Division of Pari-Mutuel Wagering

Licensing Administrator Review – PMW Occupational License

FRAZIER, STEVEN R - 13162896

(APPLICANT'S NAME- LICENSE #)

RE:

Case No: 2022 04 0492

	INITIAL APPLIC	ATION RECEIVED:	4/13/20:	22	
	COMPLETE AF	PLICATION RECEIVED:	8/15/202	22	
	90-DAY DEA	DLINE:	11/13/20	022	
Randall Kite	chens	148 – Orange Park	1012 – Chi	p Runner	
Application	Processor	Facility (d/b/a name)	Occupation		MANAGE 10
racing authority; under susp icense if the applicant for su an offense in any other state conspiracy to smuggle or im	ension or has unpaid fines in a uch license has been convicted which would be a felony und uport, or delivery, sale, or distri	a license of any person who has been refused another jurisdiction. The division may deny, sus d in this state, in any other state, or under the la er the laws of this state involving arson; trafficki bution of a controlled substance; animal cruelty be related to pari-mutuel wagering.	pend, revoke, or deck ws of the United State no in conspiracy to tr	are ineligible any es of a capital feld	occupational ony, a felony, or
		Licensing Administrator	Review		
Did the applicat	ion accurately refle	Conviction ct the Criminal History Record	? ∏Yes	⊠No	
Elony : 20	Count(s)				Same and American
│		ed/Gambling Related/Bookmal	king		
☐ Forgery, La		nspiracy to Defraud (Cardroon	n Professions	Only)	
Comments:					
1	Location Sumter, SC	Charge Unlaw Neglecct Child/he	Inlace	Level F	Disposition Guilty
	·	H905919	•		Gunty
03/30/2012	Clarendon, SC	Threat Life Person or Fa J123864	m	F	Guilty
	AND	Disposition Unknow	1		
Felony Arres					
Animal Crue		Related/Gambling Related/Bo	okmaking	***************************************	
Comments:	, <i>y</i>				
Arrest Date 08/30/2007	Location	Charge Strong Arm Robbery		Level F	Disposition
		Enforcement/Jurisdiction O			
L Currently un this or any o	ider Suspension, D ther racing jurisdict	eclared Ineligible, Ruled Off, R ion.	Revoked, Deni	ed, Ejected	l, Unpaid Fine, in
		Related Licenses			
		etermine if Applicant is Rela	ited to a Bus	iness.	
*	applicant related to		o⊠ Ifyes,	complete s	ections below.
Business Licens		Business Name:	***************************************	40.000.000.000.000.000	7887
Date Deficiency	Letter been issued	to the business indicating all (DDSs must be	licensed?	Yes No No
Comments:	Letter issued.	Initials:	LAMAN MATTER		A10000 A1000
		Licensing Administrator F	?eview	For plants	
		Disposition Confirmation			
	nvictions/Arrests C	onfirmed? Yes 🗹 No		Approva	
	vosugations		Initials: 📞	2-	0 18 22
Comments:	X2 Felon	- 1x unlenaun	Pelony		626



EMESH



Licensee:Steven R. Frazier

Picture Available

Reports on Steven R. Frazier Comprehensive Ruling Report Drug Ruling Report (Last 5 Years) Comprehensive Licensee Report

<u>Identification Information</u>

Date of Birth

Federal ID/SSN

Add a New Identification Record

Sex

Unknown

Name Information

Name Type Current Legal Name **Prefix**

First Name

Middle Name

Country **USA**

> Add a New Name Record **Last Name**

Suffix

Steven R Frazier

Address Information

Address Type

Street Address

City

State

Zip Code

Phone Information

Phone Number Type

Phone Number

License Information

Licen e Number

13162896

Licen e Type

I ued Date

E piration Date

Licen ing Commi ion

Other/OTB/Casino

4/13/2022

7/12/2022

Florida Division of Pari-Mutuel Wagering

Fingerprint Information

Add a New Fingerprint Record

Add a New License Record

Proce ing Commi ion Date Taken Statu Note **RCI Card Submitted Date**

Ruling Number

Ruling Type

Ruling Date

Fine Fine Paid? Suspension Start

Suspension End

Applicable Reports

Comprehensive Ruling Report

Comprehensive Licensee Report

Comprehensive Ruling Report

Rulings Against: Steven R. Frazier

Legal Name: Steven R. Frazier

Birth Date:

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 hould be reviewed by official prior to taking regulatory action Confirmation of violation hould be made directly with the racing regulatory entity responsible."

No Rulings

Hello,

I am writing this in support of Steven Frazier being granted a wavier for bestbet. He is a valuable member of our team that I brought onboard because I know him to be a genuine individual who has shown a great desire to live an honest life with hard work, a desire to do what is right and mutual respect for others. He works incredibly hard at a few jobs to support himself and has shown he knows what it takes to be successful in life through his hard work and reflects on the mistakes he made when he was younger. I feel he will be a valuable addition to not only us, but our community and society moving forward and will help reach out with his experience and knowledge and help other people.

Tim Hay

Vice President of IT

Bestbet



PCC Surcharge

PCCSUR

Clarendon County Third Judicial Circuit Public Index



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-																			
Switch	View																		
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Case Numb	er:	J1	2383	3	Court	t Ag	ency:		Gei	neral	Sessi	ons		Filed	Date:		C	8/27/	2007
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Status:		Di	spose	d	Assig	nec	Judge:		Jar	nes,	Georg	e C J	r	Dispo	sition	Judg	je: J	ames,	George C Jr
Disposition	:	PI	ed Gu	ilty															1200
Disposition	Date	e: 08	3/27/	2007	Date	Red	eived:		08	/27/	2007		-	Arres	t Date	e:	C	8/27/	2007
Law Enf. Ca	se:				True	Bill	Date:							No Bi	II Dat	e:		31	
Prosecutor	Case	:			Indic	tme	ent Numb	er:	200	07GS	14002	296	,	Waiv	er Dat	te:			
Probation (Case:	§ .																	
Case Pa	rtie	es																	
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1	Name	В				A	Address				Race	Sex	. 9	ear Of irth	Par	ty Ty	ре	Party Status	Last Updated
⊗ Frazier, §	Steve	n Re	mell	3552 I 29102		te R	Road Man	nin	g SC	:	Black	М			Defe	ndant			03/04/2008
⊗ Koon, De	bora	h Jol	nnson	Ро Вох	k 1 Ma	nni	ing SC 29	10	2000	0					Defei Attor				
Charges		<u> </u>	Char	ge Code	- Cha	rge	Descript	ion	n I	Origi	inal Cl	narge	e C	ode -	Origi	nal C	harg	e Disi	position Date
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Senten	cing]													1				
And/Or	D	escri	ption	Am	ount		Units		Begi	in Da	te	E	nd	Date		Comp	letio	n Date	Consecutive or Concurrent
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Actions								_											
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Financi	als																		
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Fine/Costs	:	\$23:	1.75		į		al Paid fo e/costs:	r	\$0.0	00				Bala	nce [Due:	\$23	1.75	
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\$100.00

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

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CDR Codes

CDR Code:

0183

Offense Description:

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

Offense Statute(s):

44-53-0370(b)(1)

Penalty Statute(s):

44-53-0370(b)(1)

Drug Schedule(s):

Schedule II Schedule II

Offense Type:

Felony

Offense Class:

D

Status:

Active

Effective Date:

Expiration Date:

Rescind/Retire Date:

Last Updated:

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Case Number:	H905919	Court Agency:	General Sessions	Filed Date:	09/22/2005
Case Type:	Criminal Clerk	Case Sub Type:	Centeral Sessions	i nea batei	03/22/2003
Status:	Pled Guilty	Assigned Judge:	Ward, Kathy Lynn	Disposition Judge:	Newman, Clifton
Disposition:	Pled Guilty	8.2 s	12 121 2	0.00	
Disposition Date:	03/14/2006	Date Received:	09/22/2005	Arrest Date:	09/13/2005
Law Enf. Case:		True Bill Date:		No Bill Date:	
Prosecutor Case:		Indictment Number:	2006GS4300060	Waiver Date:	
Probation Case:					

Click the icon to show associated p	arties.	100	10	928 8		56	9
Name	Address	Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
⊗ Finney, Ernest A iii	P O BOX 836 SUMTER SC 29151				Defendant Attorney		06/30/2007
 Frazier, Steven	3552 MALLETT RD MANNING SC	Black	М		Defendant		09/20/2007

Charges

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

Sentencing

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

Actions

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

Financials	S					
58 S [†]				Summary		
Fine/Costs:	\$772.5	0	Total Paid for fine/costs:	\$772.50	Balance Due:	\$0.00
				Costs		
Descrip	otion	Cost Code	58	Amount	Charge Action	Disbursed Amount
Fine to State	14%	AFINES	100	\$0.00		\$0.00
Fine to Genera	al Fund	AFNEGF	38	\$0.00		\$0.00
Victim Service 38.0013% / 5		ASMVIC		\$0.00		\$0.00
Victim Convict Surcharge \$10	30 April 10	CVSRCH		\$200.00		\$200.00
Law Enforcem Funding Surch		LEFSUR	6	\$50.00		\$50.00
State Assessn	nent	STAASM		\$0.00		\$0.00
Office of Indig Defense \$500		OIDSUR		\$500.00		\$500.00
Collection Fee	3%	CFEE3%	79	\$22.50		\$22.50
				Payments		
Payment	Date	Receipt Nu		Entered By	Transaction Type Cod	le Payment Amount
09/21/2007		71107		EDDIN	wo	\$772.50

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Switch View

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		Th	ie Sta	ite o	f South	Card	olina	a VS	St	even	Frazier		
Case Numbe	er:	H90592	3	Court	Agency:		Gener	al Ses	sion	s Filed	Date:	09/2	2/2005
Case Type:		Crimina	l Clerk	Case	Sub Type:								132
Status:		Pled Gu	ilty	Assig	ned Judge:	1	Ward,	Kathy	y Lyr	n Disp	osition Judge	: Newr	nan, Clifton
Disposition:		Pled Gu	ilty		11.2 /								***
Disposition I	Date:	03/14/	2006	Date	Received:		09/22	/200	5	Arre	st Date:	09/1	3/2005
Law Enf. Cas	se:			True	Bill Date:					No E	Bill Date:	1.50	120
Prosecutor (Case:			Indic	tment Num	ber:	20060	S430	0060	Wai	ver Date:		
Probation Ca	ase:												
Case Pa		1											
click the Wicon to	show ass	ociated partie	s.		Address			Race	Sex	Year Of Birth	Party Type	Party Status	Last Updated
 Finney, Er	nest A	iii	Р О ВО	K 836	SUMTER SC	29151	L				Defendant Attorney		06/30/200
≚Frazier, St	teven		3552 M 29102	ALLET	T RD MANN	ING S	С	Black	М		Defendant	e e	04/13/200
Charges													
Name		Charg	e Code -	- Char	ge Descript	ion	Origi	inal Cl	harg	e Code -	Original Char	ge Dis	position Dat
Frazier, Stev	ven u				custodian, Id or helple	SS		vful ne			ustodian, d or helpless	03/	14/2006
Sentenc	ing		25			2		120				ŝŝ	2007
And/Or	Desc	cription	Amo	unt	Units	Beg	gin Da	te	E	End Date	Complet	ion Date	Consecutive or Concurren
	SAME <i>A</i> H9059:	(A) (A)				2							

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Switch	View																
		Т	he St	ate	of So	uth C	arolir	na V	/S St	e	en Fra	zie	r				
Case Number: H722142			Court Agency:		Gener	al Se	ssions	8	Filed Date:			08/11/2004					
Case Type:		Crimina	al Clerk														
Status:		Dispos	ed	Assigned Judge:			James	James, George C Jr			Disposition	on Ju	dge:	James, George C Jr			
Disposition	sposition: Pled Guilty									20.76			12.00				
	position Date: 08/27/2007 D				Receive		08/11	08/11/2004			Arrest Date:			08/09/2004			
					True Bill Date:						No Bill Date:						
Prosecutor Case:			Indictment Number:			20046	2004GS1400333			Waiver Date:							
Probation Case:																	
Case Pa																	
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	Name				Ad	ldress			Race	Se	Birth	Pai	rty Ty	ре			date
⊗ Frazier, 9	Steven			3552 Mallett Road Manning 291020000			ng SC		Black	M		Defe	ndant				
⊠ Koon, De	borah :	Johnson	Po B	ox 1 M	lanning	SC 291	020000					Defe Atto	ndant rney		V		
Charge	S																
Name		Char	ge Code	- Cha	rge Des	scription	n Ori	ginal	Charg	e C	ode - Ori	ginal	Charg	ge D	ispos	sition	n Date
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Frazier, Ste	even		Active - Non Probation		Fili	ng				08/27/2007- 00:00)7-					
Financia	als																
	90			90		5	Summary	У			90		90				
Fine/Costs: \$128.75			Total Paid for fine/costs:		\$0.00	0.00			Balance Due: \$1		\$1	s128.75					
SST.							Costs										
Des	cription	1	Cost C	ode			Amou	nt	Cha	arg	e Action			Dis	burs	ed A	moun
Law Enforcement			LEFSUR				\$25.0	\$25.00									\$0.00
Collection Fee for			CFEECC	:			\$3.7	\$3.75									\$0.00
Victim Conviction Surcharge \$100 / \$25		CVSRCH	4			\$100.0	\$100.00					2				\$0.00	
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Payme	nt Date	=	Receip	c Num	per	E	ntered B	У	ira	nsa	action Typ	e Co	ue	Pa	ayme	35 A	moun

CDR Codes

CDR Code:

0137

Offense Description:

Robbery / Common law robbery, strong arm robbery

Offense Statute(s):

16-11-0325

Penalty Statute(s):

16-11-0325

Offense Type:

Felony

Offense Class:

D

Status:

Active

Effective Date:

Expiration Date:

Rescind/Retire Date:

Last Updated:

EXHIBIT #2 PAGE 8-8



Division of Pari-Mutuel Wagering
Office of Operations
2601 Blair Stone Road
Tallahassee, FL 32399-1037,
Phone: 850.488.3211 • Fax: 850.410.5350

Melanie S. Griffin, Secretary

Ron DeSantis, Governor

April 18, 2022

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

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

Dear Mr. Frazier:

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

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

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

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

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

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

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

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

LICENSE EFFICIENTLY, REGULATE FAIRLY, WWW.MYFLORIDALICENSE.COM

XX 900



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

July 18, 2022

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

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

Dear Mr. Frazier:

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

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

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

Clarendon, South Carolina Arrest(s) – 02/10/2017

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

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

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

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

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

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

OFFICE OF OPERATIONS 2601 BLAIR STONE ROAD TALLAHASSEE, FLORIDA 32399 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

Mahalingam, Rajani

From: Kitchens, Randall

Sent: Friday, August 19, 2022 11:15 AM

To: Mahalingam, Rajani

Cc: Muniz, Luz; Campbell, Ian; Futrell, Michelle; Donaldson, David; Ricks, Glenda

Subject: Investigations Referral 1012 - File 13687 - Entity 13162896

Good afternoon,

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

Thank you!



Randall Kitchens, Operations Analyst II

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
2601 Blair Stone Road, Tallahassee, Florida 32399-1037

Phone: (850) 488-3211 ~ Fax: (850) 410.5350

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: Yohanni Mariana Vasquez Feliz; Case No. 2022-040989 – License

Denial

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Yohanni Mariana Vasquez Feliz's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on September 13, 2022. Upon review of the application, it appears Applicant has had a gaming license revoked by another jurisdiction for a gaming-related offense. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On September 13, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant held a video lottery license with the Maryland Lottery and Gaming Control Commission. On or about April 28, 2022, Applicant's video lottery license was revoked by the Maryland Lottery and Gaming Control Commission.

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 had a gaming license revoked by this state or any other jurisdiction for any gaming-related offense."

<u>Staff Recommendation</u>: Because the Applicant had her video lottery license revoked by the Maryland Lottery and Gaming Control Commission on April 28, 2022, 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 Machine Occupational License

Case No: 2022-045263

RE: Vasquez Feliz, Yohanni Mariana

(AF	PPLICANT'S NAME- L	ICENSE #)	Section was a second of the se							
INITI	IAL APPLICATION	RECEIVED:								
COM	PLETE APPLICAT	D:								
90-0	DAY DEADLINE	:	400004000000000000000000000000000000000	12/12/2022						
Cindy Ritt	er	r LLC, #274	#274 Cocktail Server/1055							
Applicatio	n Processor	Facility (d/b/a na	me)	Occupation/Job Title/Lic Type						
verdict, non-jury trial,	551.107(6)(c) Conviction is o , or entry of a plea of guilty o of slot machine gaming licen her.	r nolo contendere. Any	misdemeanor	conviction t	o include f	raud and the	ft which are			
		Licensing :								
Did the applica	ation accurately refle			ord? []Yes		_No			
	AMERICAN AND AND AND AND AND AND AND AND AND A	Col	nviction							
Felony:	nor – Gambling Rela	ated/Bookmaking	WWW.		all Merch (A.A. (St. Prosser					
Two or mo	ore misdemeanor cor	victions that invo	olve theft, fr	aud, or l	ourglary					
Forgery, L	arceny, Theft, Extort	ion, Conspiracy t	o Defraud	(Slot Cor	nbo Pro	fessions	Only)			
Comments:										
Arrest Date	Location	Cha	rge		22 22 22 22 22 22 22 22 22 22 22 22 22	Level	Disposit	lion		
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Felony Arr	est(s) : nor Arrest – Gamblir	na Related/Rookn	nakina							
	ore misdemeanor arre			t, fraud,	or burgla	ary				
Comments:		NAME OF THE PARTY			······································			haling the second secon		
		Enforcement/Ju	ırisdiction	Offense	3S					
	under Suspension, D									
other state gaming commission, governmental department, agency, or other authority exercising										
regulatory jurisdiction over the gaming of another state or jurisdiction. Comments: Applicant's license revoked by Maryland Lottery and Gaming.										
Comments. 7	applicant's licerise re				mrig.					
Chook VD Lie	ense Relations to D		d License	STATE OF THE PARTY	o a Ruc	inoce				
	al applicant related to		Yes 🗌	No 🖂			sections	: helow		
Business Licer	A.C		ss Name:	140 🖂	11 yes,	Compice	, gcctions	, DC1OV.		
				all ODSs	must be	e licensec	l? Yes □	No 🗍		
Has a deficiency letter been issued to the business indicating all ODSs must be licensed? Yes No Date Deficiency Letter Issued: Initials:										
Comments:										
		Licensing Adn	ninis tvats	v Bavia						
		Disposition			vv					
Disqualifying C	Convictions/Arrests C		AVAILABATA DALLA CONTROL CONTR	Vo 🗍		Appro	val			
Forward to	Investigations		Director	Initial	s S		**************************************	9/20/22		
Comments:	Marylande Lott	ey Egain	Lic R	pwked	Dec	2021				

	EMPLOYMENT HISTORY reviously worked for a gaming must list below all gaming-rela	-related emple	yer?		
Name of Employer	Address		e (Month/ Year) e (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving
Mark Nahand hadad	101 MGM National ave ,Oxon Hill Md 2074	45 06/2020	08/2021	COCKTAIL SERVER	Move to Florida
g on management one	•	* ************************************	oneset:	Ø rettsker tidden	
AMAZO C	- " "	· · · · · · · · · · · · · · · · · · ·	120	Annabata saw	
		and the second s			gapeni in sanna Appan
Yes Have you evalue in No licenses and	REVIOUS LICENSING HISTO ver been licensed in any other d provide the details in the sect	racing or gam tion below.	ing jurisdiction?	If yes, you must list all curre	
State(s) or Juri Where Lice		te of ration	subject to	is license currently suspe fines or other discipline?	
Maryla 	and n	/a ø	No	syddom-maddin 4 mae	anning analogue names or
	** *	. 0	Yes No Yes	an constitution of the con	
- same same	AND I MANAGEMEN	-·ā	No Yes No		-
			Yes No	Annual rigge	
	1		res No res		
		0	No Yes No	man, statistica del	
V No the state(s)	ver had a racing or gaming lice or jurisdiction(s) of licensure re ne question above, provide det	evocation or de	or denied in this denial and explain	or any other state or country why.	? If yes, you must list
•	as a sample distribution months as in visual and a sale and and analysis of plans [9].	Salventorius salve			Manteer.
	an ma	digram-shirts.			

屋	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 garning commission or authority, in this state or any other state, or under the laws of the United States?							
d	Yes No	criminal c	harges agains	it you? If ye	r had adjudication with es, the court disposition etails in the section pro	n records for all co	, or pled guilty or nvictions must be	nolo contendere to any e submitted with this
£	Date of Disposition		County	State	Offense	Misden or Fel		Sentence
		è		- Open or - Open		diction (Fig.		
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From:

James Rosso -MLGCA- < james.rosso1@maryland.gov>

Sent:

Tuesday, September 20, 2022 12:03 PM

To:

Ritter, Cynthia

Subject:

Non-Gaming Revocation

Attachments:

1 - Florida Request.pdf

[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 Cindy,

As discussed in our conversation this morning, I have attached the final decision letter sent to Yohanni Vasquez Feliz from the Maryland Lottery and Gaming Control Commission. This letter serves as final notice of her Non-Gaming License revocation.

You have also requested for copies of investigative reports pertaining to this case which we are unable to provide per regulation. In the event that you wish to review these reports, you may make arrangements to review them in our Baltimore office. I would be able to assist you with this.

If I can be of further assistance, please feel free to contact me at (410) 230-2604.

Sincerely,

James Rosso



James Rosso

Licensing Specialist Regulatory Licensing and Background Investigations Division Maryland Lottery and Gaming 1800 Washington Blvd., Suite 330 Baltimore, MD 21230 james.rosso1@maryland.gov (410) 230-2604

Maryland Lottery and Gaming contributed \$1.511 billion to the State of Maryland in FY2022. Please play responsibly.

Click here to complete a two-question customer experience survey.

Maryland Lottery and Gaming Control Commission

Larry Hogan, Governor

Montgomery Park Business Center 1800 Washington Blvd., Suite 330 Battimore, Maryland 21230



Tel: 410-230-8800 TTY users call Maryland Relay www.mdlottery.com

April 28, 2022

Yohanni Mariana Vasquez Feliz 900 Ave Ave W. Apt. #805 Miami Beach, Florida 33139

Mr. Vasquez Feliz:

On December 2, 2021, the Director of Casino Licensing and Background Investigations of the Maryland Lottery and Gaming Control Agency (Agency) notified you via registered and certified mail, that the Director of the Agency intended to recommend to the Maryland Lottery and Gaming Control Commission (Commission) that your video lottery employee license be revoked.

By the same December 2, 2021 letter, you were advised of your right to request a hearing on the recommendation to revoke your video lottery employee license in writing as directed and specified in the letter. You were further advised that if you failed to request a hearing timely, the Commission may consider this a default under Code of Maryland Regulations 36.01.02.06 and act in your absence without further notice to you.

On April 28, 2022, the Commission accepted and adopted as final the recommended revocation of your video lottery employee license for the reasons stated in the December 2, 2021, letter.

A party aggrieved by this final administrative action of the Commission may file a petition for judicial review with the circuit court for the county where any party resides or has a principal place of business within thirty days of the date of this decision. State Government § 10-222, Ann. Code of Md.; Maryland Rules 7-201 – 7-211.

Sincerely,

E. Randolph Marriner, Chair

5 Deary lu

cc: Yohanni Mariana Vasquez Feliz 250 American Way Apt. #102 Oxon Hill, Maryland 20745

E. Randolph Marriner, Chalr

F. Vernon Boozer, George L. Doetsch, Jr., Michelle R. Fager, Harold E. Hodges, James J. Stakem, Jerry E. Williams

From:	james.rosso1@maryland.gov on behalf of License Verifications
Sent:	<pre>license.verification@maryland.gov> Friday, September 16, 2022 11:32 AM</pre>
To:	Ritter, Cynthia
Subject:	Re: License Verification Request
Attachments:	Vasquez Feliz Request.pdf
	e comes from a system outside of DBPR. Please exercise caution when clicking ng sensitive information. If you have concerns, please contact your Knowledge Helpdesk.

Good Morning Cynthia,	
Please see the attached con	mpleted License Verification form as requested.
James Rosso (410) 230-2604	
On Fri, Sep 16, 2022 at 10	:10 AM Ritter, Cynthia < Cynthia.Ritter@fgcc.fl.gov > wrote:
Hello,	
Attached is a request for Cynthia.Ritter@fgcc.fl.ge	license verification and a signed release form. Please email your response to ov.
Thank you for your assist	ance.
Sincerely,	

to the State of Maryland in FY2022. Please play responsibly.

Click here to complete a two-question customer experience survey.

From:

Ritter, Cynthia

Sent:

Friday, September 16, 2022 10:10 AM

To:

'License. Verification@maryland.gov'

Subject: Attachments: License Verification Request Vasquez Feliz Request.pdf; SKM_368e22091610510.pdf

Hello,

Attached is a request for license verification and a signed release form. Please email your response to Cynthia.Ritter@fgcc.fl.gov.

Thank you for your assistance.

Sincerely,



Cindy Ritter Operations Analyst II

Florida Gaming Control Commission
Division of Pari-Mutuel Wagering
Office of Operations
2601 Blair Stone Road
Tallahassee, Florida 32399-1037
850.488.3211 Office 850.410.5350 FAX

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



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Approved by	-80-



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From: Ritter, Cynthia

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License Verification Section
Regulatory Licensing and Background Investigations Division
Maryland Lottery and Gaming
1800 Washington Blvd., Suite 330
Baltimore, MD 21230
license.verification@maryland.gov

mdgaming.com | Facebook | Twitter

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Maryland Lottery and Gaming Control Commission

Larry Hogan, Governor

Montgomery Park Business Center 1800 Washington Blvd., Suite 330 Baltimore, Maryland 21230



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Sincerely,

E. Randolph Marriner, Chair

2 Dearly lu.

cc: Yohanni Mariana Vasquez Feliz 250 American Way Apt. #102 Oxon Hill, Maryland 20745

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MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering Through: Marc Taupier, Chief Attorney

Re: James Auguste; Case No. 2022-047255 – License Denial

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny James Auguste's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on September 26, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On September 26, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes in the state of Florida. Specifically, the Applicant was convicted of the following:

- Throw Missile into Dwelling in 2001;
- Use Firearm During Felony in 2001;
- Burglary in 2001;
- Grand Theft in 2001;
- Grand Theft in 2006;
- Resist Officer with Violence in 2006;
- Battery on Police Officer in 2007.

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.

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."

<u>Staff Recommendation</u>: Because the Applicant's disqualifying criminal convictions cannot be 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 Machine Occupational License

RE:	AUGUSTE, JAM	ES- 2005795	Case No: 2022047255		
,	(APPLICANT'S NAM	E- LICENSE #)	production control and control		
IN	MAL APPLICATI	ON RECEIVED:	9/26/2022		
C	COMPLETE APPLICATION RECEIVED:		9/26/2022		
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Jonat	onathan Dye 325 - Calder Race C Application Processor Facility (d/b/a name		1055- SECR - Security		
Applic			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							
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Comments:							
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		Case#					
00/04/0004		132001CF0068500001XX	-	9			
03/01/2001	Miami-Dade, FL	Firearm use during felony;	F-2	Guilty/Convicted			
		Case#					
05/02/2001	Miami-Dade, FL	132001CF0068500001XX		2 11 12 1			
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05/02/2001	Miami-Dade, FL	Grand Theft 3rd Degree;	F-3	Guilty/Convicted			
00.02,2001	mam baao, 1 L	Case#	1-5	Guilty/Convicted			
		132001CF014019B000XX					
06/15/2006	Miami-Dade, FL	Grand Theft 3 rd Degree;	F-3	Guilty/Convicted			
		Case#		- ay			
380449000		132006CF0195370001XX					
06/15/2006	Miami-Dade, FL	Resist Officer with Violence;	F-3	Guilty/Convicted			
		Case#		·			
		132006CF0195370001XX		MANAGEMENT			
08/31/2007	Miami-Dade, FL	Battery on Police Officer;	F-3	Guilty/Convicted			
		Case#					
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	nor Arrest – Gambling Re			AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA			
	re misdemeanor arrests/	counts that involve theft, fraud, or burg	_ł lary				
Comments:							

*EMPLOYMENT HISTORY (ATTACH ADDITIONAL PAGES AS NECESSARY)								
Yes 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.								
		Address		Star - En	t Date (Month/ Year) d Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving	
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BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)									
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Yes No	crim	ave you ever been convicted of or had adjudication withheld for any crime, or pled guilty or noto contendere to any iminal charges against you? If yes, the court disposition records for all convictions must be submitted with this oplication and you must list the details in the section provided below.							
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02/20/2	011	Miami Dade	FL	Tres Prop/After Warn	Misdemeanor	Conv W/Fine & Cost			
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∐ Yes ☑ No	☐ 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?								
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Date of Disposit	-	County	State	Offense	Misdemeanor or Felony?	Sentence			
01/22/2	007	Miami Dade	FL	Cannabis/Posn/0-20	Misdemeanor	ADJWH / CTS/Fine/Cost			
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09/21/2	001	Miami Dade	FL	Firearm/Use Comt Fel	Felony	Conv & Sent-Concur			
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R	No	larce	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?							
B	Yes No	crim	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.							
C	Date o Dispositi		County	State	Offense	Misdemeanor or Felony?	Sentence			
03	/28/20	019	Miami Dade		Battery	Midemeanor	Nolle Pros			
01	/15/20	019	Miami Dade		Cannabis/Posn/0-20	Misdemeanor	Nolle Pros			
07	/16/20	018	Miami Dade	[ROBRY/STRNARM/101/19	Felony	No Action			
01	/05/20)18	Miami Dade	FL	Cocaine/Possession	Felony	No Action			
			Miami	i tam	BAT/LEO/COR/FF/ATPT	Felony	Conv & Sent-Concur			
故	Yes No	manı	ou currently work in ufacturer or distribution incenses?	or, own or utor, or a b	have a financial interest in a slot ousiness that sells slot machine re	t machine manage elated products, se	ment company, slot machine ervices, or goods to a slot			
冥	Yes No		ou currently own o Florida licensed sl		nancial interest in a Florida licens e facility?	sed slot machine fa	acility or in any business owned			
					ADDITIONAL INFORMATIO	N - T.				
Address	***************************************				enteres en enteres enteres de la companya del companya del companya de la company	MARK MET 1: CAMMAN D				
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	who common the second s			***************************************	1884 15 A C C C C C C C C C C C C C C C C C C					
<u> </u>			- Principle - Office - Annual Principle - Annual Pr	WOODAT CAMERATING TO SEE THE SECOND TO SECOND		18-20-VIII				
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	1	" BACKGROU	IND INFOR	RMATION (ATTACH ADDITIONA	AL PAGES AS NE	CESSARY) (
Yes No	larce	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 t criminal charges against you? If yes, the court disposition records for all convictions must be submitted with the application and you must list the details in the section provided below.								
Date o Disposit		County	State	Offense	Misdemeanor or Felony?	Sentence			
09/20/2	007	Miami Dade	FL	Battery By Detainee	Felony	Nolle Pros			
11/14/2	006	Miami Dade	FL	G TFT 3D/BEF10/1/19	Felony	CONV & SENT Concur			
11/14/2	006	Miami Dade	FL	Resist Off W/Viol	Felony	Conv & Sent-Concur			
11/14/2	006	Miami Dade	FL	FLS NAME/ID/AFT ARRE	Misdemeanor	Conv W/CTS			
11/14/2	006	Miami Dade	FL	Resist Off W/Viol	Felony	No Action			
Yes No	mani			have a financial interest in a slot ousiness that sells slot machine re					
Yes No		ou currently own o Florida licensed s		nancial interest in a Florida licens e facility?	sed slot machine f	acility or in any business owned			
				· ADDITIONAL'INFORMATIO	и — <u>Т.</u>	т,			
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Comprehensive Ruling Report

Rulings Against: JAMES AUGUSTE

Legal Name: JAMES AUGUSTE

Birth Date: 10/15/1982

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 factors that should be reviewed by officials prior to taking regulatory action. Confirmation of violations should be made directly with the racing regulatory entity responsible."

No Rulings

Current Prison Sentence History:

Offense Date	Offense	Sentence Date	County	Case No.	Prison Sentence Length
03/01/2001	SHOOT/THROW MISSILE-BLDG/VEH.	11/14/2006	MIAMI- DADE	0106850	3Y oM oD
03/01/2001	THREATENS TO USE ANY FIREARM	11/14/2006	MIAMI- DADE	0106850	3Y oM oD
05/02/2001	BURG/DWELL/OCCUP.CONVEY	11/14/2006	MIAMI- DADE	0114019	3Y oM oD
05/02/2001	GRAND THEFT,300 L/5,000	11/14/2006	MIAMI- DADE	0114019	3Y oM oD
05/02/2001	TRAFFIC IN STOLEN PROPERTY	11/14/2006	MIAMI- DADE	0114019	3Y oM oD
05/08/2006	GRAND THEFT,300 L/5,000	11/14/2006	MIAMI- DADE	0619537	3Y oM oD
06/15/2006	RESISTING OFFICER W/VIOLEN.	11/14/2006	MIAMI- DADE	0619537	3Y oM oD
08/30/2007	BATT.LEO/FIRFGT/EMS/ETC. (ATTEMPTED)	09/20/2007	MIAMI- DADE	0730200	1Y oM 1D

Note: The offense descriptions are truncated and do not necessarily reflect the crime of conviction. Please refer to the court documents or the Florida Statutes for further information or definition.

Incarceration History:

Date In-Custody	Date Out-Custody
11/02/2007	02/28/2009

Record: 2 of 2 Return to List New Search

The Florida Department of Corrections updates this information regularly, to ensure that it is complete and accurate, however this information can change quickly. Therefore, the information on this site may not reflect the true current location, status, release date, or other information regarding an inmate.

This database contains public record information on felony offenders sentenced to the Department of Corrections. This information only includes offenders sentenced to state prison or state supervision. Information contained herein includes current and prior offenses. Offense types include related crimes such as attempts, conspiracies and solicitations to commit crimes. Information on offenders sentenced to county jail, county probation, or any other form of supervision is not contained. The information is derived from court records provided to the Department of Corrections and is made available as a public service to interested citizens. The Department of Corrections makes no guarantee as to the accuracy or completeness of the information contained herein. Any person who believes information provided is not accurate may contact the Department of Corrections.

For questions and comments, you may contact the Department of Corrections, Bureau of Admission and Release, at (850) 488-9167 or go to Frequently Asked Questions About Inmates for more information (http://prod.fdc-wpwsoo1.fdc.myflorida.com/ci/index.html). This information is made available to the public and law enforcement in the interest of public safety.

Search Criteria: (/OffenderSearch/search.aspx?TypeSearch=IR) Last Name: auguste First Name: james Search Aliases: YES Offense Category: Release Facility: ALL Stated County of Residence Upon Release: ALL County of Commitment: ALL

Return to Corrections Offender Information Network (../OffenderSearch/InmateInfoMenu.aspx)

About Us Quick Links Contact Us

(http://www.dc.state.fl.us/about.html)

Victim Services

(http://www.dc.state.fl.us/or

(//www.dc.state.fl.us/citizen/index.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. Contact an Inmate

(http://www.dc.state.fl.us/ci/ContactInh/atachnhlbtate.fl.us/vict/index.html) 501 South Calhoun Street Public Records Inmate and Offender Tallahassee, FL 32399-2500 (//www.dc.state.fl.us/comm/PRR.htm)Programming

(//www.dc.state.fl.us/development/index.html)
Main: (850) 488-5021 Volunteer

(http://www.dc.state.fl.us/volunteer/index attitudes Foundation

(https://www.correctionsfoundation.org/)ne Directory File a Complaint

[//www.dc.state.fl.us/apps/IGcomplainbasie Information (//www.dc.state.fl.us/org/contact.html)

(https://www.fcor.state.fl.us/index.shtmlizen Services Organization (//www.dc.state.fl.us/org/orgchart.htmlhspector General

Regulatory Plan (//www.dc.state.fl.us/ig/index.html)

(//www.dc.state.fl.us/pub/regulatory/dison Rape Elimination Act

2018.pdf) (http://www.dc.state.fl.us/PREA/index.html)

\$ <u>29</u> .	96/19/2006 Book/Page	BEPORT RE: ARR ON AFFDYT SET FOR 07/06/2006 AT 09:30
N24	06/19/2006	VIOLATION OF PROBATION AFFIDAVIT FILED
123	06/19/2006	ARRAIGNMENT HEARING SCHEDULED FOR 07/06/2006 AT 09:30
122	05/31/2006	MEMORANDUM:- BOOT CAMP PROGRAM - PROGRAM COMPLETION
161	01/07/2005	CASE CLOSED
159	01/07/2005	CASE CLOSED
154	01/07/2005	CASE CLOSED
150	01/07/2005	CASE CLOSED
148	01/07/2005	CASE CLOSED
141 138	01/07/2005 01/07/2005	CASE CLOSED CASE CLOSED
132	01/07/2005	CASE CLOSED
120	01/07/2005	ORDER: ORDER FOR DEFT'S PLACEMENT IN BOOT CAMP PROGRAM
119	01/07/2005	SENTENCING GUIDELINES SCORE SHEET
118	01/07/2005	ORDER OF SUPERVISION 6 YEARS PROBATION
116	01/07/2005	CASE CLOSED
115	01/07/2005	STAY GRANTED - DUE 12/07/2010
114	01/07/2005	00002 F/ 790.07(2) FIREARM/USE COMT FEL G8 B DISP/WH ADJ-SPLIT SENT - MODIFIED/REMOVED
113	01/07/2005	00001 F/ 790.19 DEADLY MISSILE/THROW GB B DISP/WH ADJ-SPLIT SENT - MODIFIED/REMOVED
112	01/07/2005	CASE CLOSED
111	01/07/2005	CLOSING JUDGE WARD, DIANE
109 108	01/04/2005 01/04/2005	TRIAL PROS. ASSIGNED: ASA, DIVISION REPORT RE: PLEA SET FOR 01/07/2005 AT 09:30
105	12/23/2004	REPORT RE: PLEA SET FOR 01/04/2005 AT 09:30
110	12/22/2004	MEMORANDUM:- CPL, LYONEL MANUEL / 12/17/04
100	12/16/2004	REPORT RE: EVALUATION SET FOR 12/23/2004 AT 09:30
99	12/16/2004	REPORT RE: BOOT CAMP SET FOR 12/23/2004 AT 09:30
103	12/03/2004	ORDER: FOR PHYSICAL EXAM-PSYCHOLOGICAL/PSYCHIATRICE EVAL BOOT CAMP PROGRAM
97	12/03/2004	ORDER: FPR PHYSICAL EXAM-PSYCHOLOGICAL/PSYCHIATRICE EVAL BOOT CAMP
94 93	12/03/2004 12/03/2004	REPORT RE: EVALUATION SET FOR 12/16/2004 AT 09:30 REPORT RE: BOOT CAMP SET FOR 12/16/2004 AT 09:30
90	11/17/2004	DEFENSE ATTY PDEF/SPENCE, SUSAN M
92	11/16/2004	NOTICE OF APPEARANCE CORY S. ROBINS
88	11/08/2004	DEFENSE ATTY POEF/PUBLIC DEFENDER APPOINTMENT, AS
87	11/03/2004	TRIAL PROS. ASSIGNED: FANCY, PETAGAYE
86	11/03/2004	DEFENSE ATTY PRIV/SONTAG, MARK S
85	11/03/2004	REPORT RE: PROBATION HEARING SET FOR 12/03/2004 AT 09:45
84	11/02/2004	REPORT RE: DEFENDANT/RESPONDENT SET FOR 11/03/2004 AT 09:30
80	04/05/2002	VIOLATION OF PROBATION AFFIDAVIT FILED
79	12/10/2001 020088/011	0 SENTENCE CT 1,2/ 60 DAYS/ 00003 Z/ 948.061 PROBATION VIOLATION A B DISP/PROBATION MODIFIED -
72 71	10/31/2001	MODIFIED/REMOVED WRITE-IN HEARING RECORDED ON 10/31/2001 AT 09:00
	10/31/2001	ORDER OF SUPERVISION 12 MONTHS COMMUNITY CONTROL FOLLOWED BY 3 YEARS
69 68	10/30/2001	PROBATION WRITE-IN HEARING RECORDED ON 10/30/2001 AT 09:00
67	10/23/2001	VIOLATION OF PROBATION AFFIDAVIT FILED
77	10/10/2001 019973/035	6 SENTENCE CT 1,2/6 MOS/
74	10/10/2001 019973/035	3 ORDER WITHHOLDING ADJUDICATION
75	09/21/2001 019973/035	5 FINGERPRINTS FILED
66	09/21/2001	00002 F/ 790.07(2) FIREARM/USE COMT FEL GB B DISP/CONV C.C./PROBATION - MODIFIED/REMOVED
65	09/21/2001	00001 F/ 790.19 DEADLY MISSILE/THROW GB B DISP/CONV C.C./PROBATION - MODIFIED/REMOVED
64	09/21/2001	WRITE-IN HEARING RECORDED ON 09/21/2001 AT 09:00
63	09/21/2001	MEMORANDUM OF COSTS AMOUNT 501.00
62	09/21/2001	STAY GRANTED - DUE 08/21/2005
61 60	09/21/2001 09/21/2001	WRITE-IN HEARING RECORDED ON 09/21/2001 AT 09:00 CLOSING JUDGE SCHWARTZ, LAWRENCE A
59	09/21/2001	SENTENCING GUIDELINES SCORE SHEET
58	09/21/2001	ORDER OF SUPERVISION REPORTING/1 YEAR CC/3 YEARS PROBATION
56	09/13/2001	FINANCIAL STATEMENT FOR DETERMINATION OF COST RECOVERY
53	ñ8/27/2ññ1	MOTION TO/FOR- TO DECI ARE DEFINDICENT FOR CASTS

_		terminated to the most and the
	eq. Date Book/Page 6. 08/22/2001	DIGINION FOR ADJUDICATION OF INSOLVENCY FILED 08/31/2001 SET FOR 08/31/2001 AT 09:08 DENIED
50	0 07/09/2001	TRIAL HEARING SCHEDULED FOR 10/09/2001 AT 09:00 TRIAL HEARING RESET
49	9 07/09/2001	MOTION FOR CONTINUANCE FILED 07/09/2001 ORAL SET FOR 07/09/2001 AT 12:SS GRANTED DEFS
4	5 06/20/2001	DEFENSE ATTY PRIV/HOFFMAN, EVAN A
4	4 06/19/2001	DEMAND FOR TRIAL BY JURY
4	3 06/19/2001	DEMAND FOR DISCOVERY
42	2 06/19/2001	WRITTEN PLEA OF NOT GUILTY
4	1 06/19/2001	NOTICE OF APPEARANCE MARK S.SONTAG, ESQ
39	9 06/04/2001	TRIAL PROS. ASSIGNED: VANHECKE, JEREMIAH
38	3 05/30/2001	DEFENSE ATTY PDEF/POZO-REVILLA, ADA 8
37	7 05/30/2001	MOTION FOR SUBSTITUTION OF COUNSEL FILED 05/30/2001 ORAL SET FOR 05/30/2001 AT 10:11 GRANTED
36	5 05/29/2001	REPORT RE: PLEA SET FOR 05/30/2001 AT 09:00
34	05/23/2001	DEMAND FOR DISCOVERY
33	3 05/23/2001	WRITTEN PLEA OF NOT GUILTY
32	2 05/23/2001	NOTICE OF APPEARANCE
31	05/23/2001	ARRAIGNMENT HEARING SCHEDULED FOR 05/29/2001 AT 09:00
29	05/07/2001	DISCHARGE CERTIFICATE ISSUED S5266132
28	3 05/04/2001	AMT/ 2500 DISCHARGED 05/04/2001 POWER/S5266132
27	05/04/2001	ARRAIGNMENT HEARING SCHEDULED FOR 05/23/2001 AT 09:00
26	•	REPORT RE: BOND REVIEW SET FOR 05/04/2001 AT 09:00
25	•	AMENDED DISCOVERY
24	• • • • • • • • • • • • • • • • • • • •	MEMO FROM STATE ATTORNEY / PUBLIC DEFENDER
23		DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS
22	03/22/2001	TRIAL UNIT ASSIGNED: FELONY DIVISION 13
22	07/27/7001	DISCOURDY BEED, CTATES DELAAND FOR DISCOURDY & DELAAND FOR AL
21	•	DISCOVERY RESP. STATE'S DEMAND FOR DISCOVERY & DEMAND FOR AL
20 19		TRIAL PROS. ASSIGNED: CABRERA, ROGER
18		TRIAL HEARING SCHEDULED FOR 07/16/2001 AT 09:00 REPORT RE: PLEA SET FOR 07/09/2001 AT 10:30
17		INFORMATION FILED
16		INTAKE UNIT ASSIGNED: FELONY DIVISION 13
15	• •	INTAKE UNIT ASSIGNED: CASE PROCESSING
14		ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER
13	• •	INTAKE PROS. ASSIGNED: HYDE, JANE
11		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
12		BOND RECEIVED POWER/RECEIPT #S5266132
8	03/02/2001	AMT/ 2500 ISSUED 03/02/2001 POWER/S5266132
7	03/02/2001	PUBLIC DEFENDER APPLICATION FEE/AFFIDAVIT TO BE PAID IN FULL AMOUNT 40.00
5	03/02/2001	ORDER ADJUDGING DEFENDANT INDIGENT AND APPOINTING PUB. DEFN
4	03/02/2001	FINANCIAL AFFIDAVIT TO DETERMINE PUBLIC DEFENDER ELIGIBILITY
3	03/02/2001	FIRST APPEARANCE/BOND HEARING - A.M.
2	03/02/2001	ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER
1	03/02/2001	ARRAIGNMENT HEARING SCHEDULED FOR 03/22/2001 AT 09:00

1 V3/V3/ZUV/ AT V3.UU
14/23/2007 AT 09:00 TRIAL HEARING RESET
0 03/09/2007 ORAL SET FOR 03/09/2007 AT 12:17 GRANTED
007 AT 10:00
ID, ESQ. 02/21/07
R DEFN DISCV/DEMAND FOR ALIBI
LECTION
01/16/2007 AT 09:00
IDER APPOINTMENT, AS
ITEREST
UBLIC DEFENDER
DANISE
INDIGENT PER CT
IVISION 16
E SCREENING
N, ERROL
G/RESET: NBC
G - P.M.
ED FOR 01/02/2007 AT 09:00

32g. No.	07/14/2006	Book/Page	BIAL PROS. ASSIGNED: ANDREWS JR, FORREST
21	07/14/2006		TRIAL UNIT ASSIGNED: FELONY DIVISION 13
20	07/14/2006		TRIAL PROS. ASSIGNED: ANDREWS JR, FORREST
18	07/14/2006		TRIAL HEARING SCHEDULED FOR 11/13/2006 AT 09:30
17	07/14/2006		INFORMATION FILED
16	07/13/2006		INTAKE UNIT ASSIGNED: FELONY DIVISION 13
14	07/06/2006		ARRAIGNMENT HEARING SCHEDULED FOR 07/14/2006 AT 09:30
12	06/26/2006		NOTICE OF DEFENDANT'S RIGHT TO COUNSEL
11	06/23/2006		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
10	06/23/2006		INTAKE PROS. ASSIGNED: ADAMS-PL, WAYNE-CC
13	06/22/2006		ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER
9	06/22/2006		WRITTEN PLEA OF NOT GUILTY
8	06/21/2006		AFFIDAVIT FOR INDIGENT STATUS - INDIGENT
1	06/19/2006		ARRAIGNMENT HEARING SCHEDULED FOR 07/06/2006 AT 09:30
4	06/16/2006		REPORT RE: BOND REVIEW SET FOR 06/19/2006 AT 09:30
3	06/16/2006		FIRST APPEARANCE/BOND HEARING - P.M.
2	06/16/2006		ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER

Seq. Ng.	Date 12/24/2019	Book/Page DSURROENA: VELOZ, ERICK ID: 004-02052 FOR: TRIAL ON 01/21/2020 AT 09:30 ISSUED 8Y: CJIS SENT: 12/24/2019 RECD/NOTFD: ACKN: 12/24/2019 S SENT: RECD/NOTFD: ACKN: 12/24/2019 S
		E-SUBPOENA: DUQUE JR., ALBERTO ID: 004-01956 FOR: TRIAL ON 01/21/2020 AT 09:30 ISSUED BY: CJIS
68	12/24/2019	SENT: 12/24/2019 RECD/NOTFD: 12/24/2019 ACKN: 12/30/2019 S SENT: RECD/NOTFD: 12/24/2019 ACKN: 12/30/2019 S
		E-SUBPOENA: RAWLEY, MONICA ID: 004-01703 FOR: TRIAL ON 01/21/2020 AT 09:30 ISSUED BY: CJIS
67	12/24/2019	SENT: 12/24/2019 RECD/NOTFD: 12/24/2019 ACKN: 12/26/2019 S SENT: RECD/NOTFD: 12/24/2019 ACKN: 12/26/2019 S
65	10/17/2019	ORDER: FOR MOTION FOR CONTINUANCE
64	10/17/2019	TRIAL HEARING SCHEDULED FOR 01/21/2020 AT 09:30 TRIAL HEARING RESET
63	10/17/2019	MOTION FOR CONTINUANCE FILED 10/17/2019 ORAL SET FOR 10/17/2019 AT 10:03 GRANTED DEFS
62	10/17/2019	REPORT RE: FELONY SOUNDING SET FOR 01/09/2020 AT 09:30
61	10/11/2019	MOTION FOR CONTINUANCE
59	10/02/2019	TRIAL PROS. ASSIGNED: BRENNER, JARED
58	09/30/2019	E-\$UBPOENA: FRANCIS, VANQUILLA ID: 030-08878 FOR: TRIAL ON 10/28/2019 AT 09:30 ISSUED BY: CJIS SENT: 09/30/2019 RECD/NOTFD: 09/30/2019 ACKN: 09/30/2019 S SENT: RECD/NOTFD: 09/30/2019 ACKN: 09/30/2019 S
		E-SUBPOENA: GINESTRA, RUDI ID: 004-02077 FOR: TRIAL ON 10/28/2019 AT 09:30 ISSUED BY: CJIS
57	09/30/2019	SENT: 09/30/2019 RECD/NOTFD: 09/30/2019 ACKN: 10/01/2019 S SENT: RECD/NOTFD: 09/30/2019 ACKN: 10/01/2019 S
		E-SUBPOENA: VELOZ, ERICK ID: 004-02052 FOR: TRIAL ON 10/28/2019 AT 09:30 ISSUED BY; CJIS
56	09/30/2019	SENT: 09/30/2019 RECD/NOTFD: 09/30/2019 ACKN: 10/01/2019 S SENT: RECD/NOTFD: 09/30/2019 ACKN: 10/01/2019 S
55	09/30/2019	E-SUBPOENA: DUQUE JR., ALBERTO ID: 004-01956 FOR: TRIAL ON 10/28/2019 AT 09:30 ISSUED BY: CJIS SENT: 09/30/2019 RECD/NOTFD: 09/30/2019 ACKN: 10/03/2019 S SENT: RECD/NOTFD: 09/30/2019 ACKN: 10/03/2019 S
		E-SUBPOENA: RAWLEY, MONICA ID: 004-01703 FOR: TRIAL ON 10/28/2019 AT 09:30 ISSUED BY:
54	09/30/2019	CJIS SENT: 09/30/2019 RECD/NOTFD: 09/30/2019 ACKN: 09/30/2019 S SENT: RECD/NOTFD: 09/30/2019 ACKN: 09/30/2019 S
52	09/05/2019	TRIAL HEARING SCHEDULED FOR 10/28/2019 AT 09:30 TRIAL HEARING RESET
51	09/05/2019	MOTION FOR CONTINUANCE FILED 09/05/2019 ORAL SET FOR 09/05/2019 AT 10:23 GRANTED DEFS
50	09/05/2019	REPORT RE: FELONY SOUNDING SET FOR 10/17/2019 AT 09:30
49	09/03/2019	MOTION FOR CONTINUANCE
		E-SUBPOENA: FRANCIS, VANQUILLA ID: 030-08878 FOR: TRIAL ON 09/16/2019 AT 09:30 ISSUED
47	08/19/2019	BY: CJIS SENT: 08/19/2019 RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S SENT: RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S
		E-SUBPOENA: GINESTRA, RUDI ID: 004-02077 FOR: TRIAL ON 09/16/2019 AT 09:30 ISSUED BY:
46	08/19/2019	CJIS SENT: 08/19/2019 RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S SENT: RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S
		E-SUBPOENA: VELOZ, ERICK ID: 004-02052 FOR: TRIAL ON 09/16/2019 AT 09:30 ISSUED BY: CJIS
45	08/19/2019	SENT: 08/19/2019 RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S SENT: RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S
		E-SUBPOENA: DUQUE JR., ALBERTO ID: 004-01956 FOR: TRIAL ON 09/16/2019 AT 09:30 ISSUED
44	08/19/2019	BY: CJIS SENT: 08/19/2019 RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S
		SENT: RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S E-SUBPOENA: RAWLEY, MONICA ID: 004-01703 FOR: TRIAL ON 09/16/2019 AT 09:30 ISSUED BY:
43	08/19/2019	CJIS SENT: 08/19/2019 RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S SENT: DECD/NOTED: 08/19/2019 ACKN: 08/19/2019 S
41	07/09/2019	SENT: RECD/NOTFD: 08/19/2019 ACKN: 08/19/2019 S TRIAL HEARING SCHEDULED FOR 09/16/2019 AT 09:30 TRIAL HEARING RESET
40	07/09/2019	MOTION FOR CONTINUANCE FILED 07/09/2019 ORAL SET FOR 07/09/2019 AT 09:42 GRANTED STIP
39	07/09/2019	REPORT RE: FELONY SOUNDING SET FOR 09/05/2019 AT 09:30
38	07/05/2019	MOTION FOR CONTINUANCE
37	07/02/2019	AMENDED DISCOVERY EXHIBIT
		E-SUBPOENA: FRANCIS, VANQUILLA ID: 030-08878 FOR: TRIAL ON 07/15/2019 AT 09:30 ISSUED BY: CJIS

§⊈q. No.	05/ti-7/2019 Book/Page	SENT: 06/17/2019 RECD/NOTFD: ACKN: 06/17/2019 S SENT: RECD/NOTFD: ACKN: 06/17/2019 S SENT: 06/27/2019 RECD/NOTFD: ACKN: 06/27/2019 S SENT: RECD/NOTFD: ACKN: 06/27/2019 S
		E-SUBPOENA: GINESTRA, RUDI ID: 004-02077 FOR: TRIAL ON 07/15/2019 AT 09:30 ISSUED 8Y: CJIS
33	06/17/2019	SENT: 06/17/2019 RECD/NOTFD: 06/17/2019 ACKN: 06/17/2019 S SENT: RECD/NOTFD: 06/17/2019 ACKN: 06/17/2019 S
		SENT: 06/27/2019 RECD/NOTFD: 06/27/2019 ACKN: 06/27/2019 S SENT: RECD/NOTFD: 06/27/2019 ACKN: 06/27/2019 S
		E-SUBPOENA: VELOZ, ERICK ID: 004-02052 FOR: TRIAL ON 07/15/2019 AT 09:30 ISSUED BY: CJIS SENT: 06/17/2019 RECD/NOTFD: ACKN: 06/17/2019 \$
32	06/17/2019	SENT: RECD/NOTFD: ACKN: 06/17/2019 S SENT: 06/27/2019 RECD/NOTFD: ACKN: 06/27/2019 S
		SENT: RECD/NOTFD: ACKN: 06/27/2019 5
		E-SUBPOENA: DUQUE JR., ALBERTO ID: 004-01956 FOR: TRIAL ON 07/15/2019 AT 09:30 ISSUED BY: CHS
		SENT: 06/17/2019 RECD/NOTFD; 06/17/2019 ACKN: 06/18/2019 S
31	06/17/2019	SENT: RECD/NOTFD: 06/17/2019 ACKN: 06/18/2019 S
٥.		SENT: 06/27/2019 RECD/NOTFD: 06/27/2019 ACKN: 06/30/2019 S
		SENT: RECD/NOTFD: 06/27/2019 ACKN: 06/30/2019 S
		SENT: RECD/NOTFD: ACKN: 07/05/2019 5
		SENT: RECD/NOTFD: ACKN: 07/05/2019 S

30	06/17/2019	E-SUBPOENA: RAWLEY, MONICA ID: 004-01703 FOR: TRIAL ON 07/15/2019 AT 09:30 ISSUED BY: CJIS SENT: 06/17/2019 RECD/NOTFD: 06/17/2019 ACKN: 06/17/2019 S SENT: RECD/NOTFD: 06/17/2019 ACKN: 06/17/2019 S SENT: 06/27/2019 RECD/NOTFD: 06/27/2019 ACKN: 06/27/2019 S SENT: RECD/NOTFD: 06/27/2019 ACKN: 06/27/2019 S SENT: RECD/NOTFD: ACKN: 06/27/2019 S SENT: RECD/NOTFD: ACKN: 06/27/2019 S SENT: RECD/NOTFD: ACKN: 06/27/2019 S
25	05/02/2019	DEFENSE ATTY PDEF/FRIEDMANN-GRUNSTEIN, ILAN
29	05/01/2019	DEMAND FOR TRIAL BY JURY
28	05/01/2019	DEMAND FOR DISCOVERY
27	05/01/2019	WRITTEN PLEA OF NOT GUILTY
26	05/01/2019	NOTICE OF APPEARANCE RICHARD E. MIRSKY
24	04/29/2019	INTAKE UNIT ASSIGNED: FELONY DIVISION 07
23	04/29/2019	TRIAL PROS. ASSIGNED: DEFILIPPO, ALEXANDER
22	04/26/2019	WAIVER OF PRE-TRIAL CONFERENCE
21	04/26/2019	DEMAND FOR TRIAL BY JURY
20	04/26/2019	NOTICE OF DISCOVERY
19	04/26/2019	ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER
18	04/26/2019	DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS
17	04/25/2019	DISC EXHIBIT: STATE'S DEMAND FOR DEFN DISCV/DEMAND FOR ALIBI
16	04/25/2019	AFFIDAVIT FOR INDIGENT STATUS - INDIGENT
13	04/25/2019	REPORT RE: FELONY SOUNDING SET FOR 07/09/2019 AT 09:30
12	04/25/2019	INFORMATION FILED
10	04/01/2019	BOND RECEIVED 2019AA019649
9	03/29/2019	BOND RECEIVED 2019AA019648
6	03/29/2019	BOND RECEIVED 2019AA019647
7	03/27/2019	LNI AMT/ 5000 ISSUED 03/27/2019 POWER/2019AA019647
6	03/27/2019	INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
5	03/27/2019	INTAKE PROS. ASSIGNED: BAILEY, SOPHIEA
4	03/27/2019	LNI AMT/ 1000 ISSUED 03/27/2019 POWER/2019AA019649
3	03/27/2019	ARRAIGNMENT HEARING SCHEDULED FOR 04/25/2019 AT 09:00
2	03/27/2019	LNI AMT/ 1000 ISSUED 03/27/2019 POWER/2019AA019648

REHAB UPDATE	08/25/2022 8:52:45	ASIA	JUDGE: MARTINEZ, L ATTORNEY: PUBLIC DEFENDER APPOINTMENT, A MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT CODE: 13 CASE ACTION: * 08 * REPORT CODE: 13 REH PGM: PROBATION DUE: 11/07/2022 ATTEN: N RESET:Y REH PGM: VICTIM IMPACT PANEL DUE: 11/07/2022 ATTEN: Y RESET:N REH PGM: YOUIMPACT DUE: 11/07/2022 ATTEN: Y RESET:N REH PGM: DUI-LV 2 SUBST ABUSE DUE: 11/07/2022 ATTEN: N RESET:N REH PGM: * * DUE: / 0/ ATTEN: RESET:
FINAL JUDGMENT	05/26/2022 8:00:07	TRFB120	STAY DUE DATE 5/08/2023 CFN: 20220403620 BOOK: 33193 PAGE: 965
BOND ADD- RELK	05/20/2022 16:04:51	E315596	RELEASE ADD (RELK):RELEASE: SENTENCE COMPLETED OR EXPIRED RELEASE DATE:
POSITIVE ID	05/12/2022 16:05:53	TRFB565	CJS TRANS: PIEA PID ENTRY JAIL NO: 220136188 NEWIDSER: 0907955 OLDIDSER: 0907955 BOOKING DATE: 05/11/2022 TIME: 15:24 TYPE: TRAFFIC SOCIAL SEC:
CORR RCI	05/11/2022 14:25:58	RAULRA	CORR RCI HEARING: 05/11/2022 TIME: 8:31 TYPE: ADD ON DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: TO BE PAID BW AMT: PLEA NEXT HRG TYPE: REPORT CODE: RE: STATUS SPECIAL SET: DISP: CONT: SENTENCE: JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY:05/08/2023 PEN ASSD: \$1,687.25 W/S/CONV: JAIL TYPE/TIME: BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: 01 11/07/2022 N 08 11/07/2022 N 17 11/07/2022 N 76 11/07/2022 N MESSAGE: \$25 RYDER, 10DCJ, RPT TO PROB ON OR B4 48 HRS DRL-ACT: LICENSE REVOKE COST OF SUPV REDUCED TO \$55 PER MONTH. 1 DAY TIME: 005Y INTLCK: 001Y
CORR RCI	05/11/2022 14:25:28	RAULRA	CORR RCI HEARING: 05/11/2022 TIME: 8:31 TYPE: ADD ON DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: TO BE PAID BW AMT: PLEA NEXT HRG TYPE: REPORT CODE: RE: STATUS SPECIAL SET: DISP: CONT: SENTENCE: JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: DITI REHAB OPTN: STAY:05/08/2023 PEN ASSD: \$1,662.25 W/S/CONV: JAIL TYPE/TIME: BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: 01 11/07/2022 N 08 11/07/2022 N 17 11/07/2022 N 76 11/07/2022 N MESSAGE: \$25 RYDER, 10DCJ, RPT TO PROB ON OR B4 48 HRS DRL-ACT: LICENSE REVOKE

COST OF SUPV REDUCED TO \$55 PER MONTH. 1 DAY TIME: 005Y INTLCK: 001Y HEARING: 05/11/2022 TIME: 8:31 TYPE: ADD ON DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: TO BE PAID BW AMT: PLEA **NEXT HRG TYPE: REPORT CODE:** SPECIAL SET: **DISP: GUILTY CONT: SENTENCE:** JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: D111 REHAB RAULRA OPTN: STAY:05/08/2023 PEN ASSD: \$1,662.25 W/S/CONV: JAIL TYPE/TIME: C 0000BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: 01 11/07/2022 N 08 11/07/2022 N 17 11/07/2022 N 76 11/07/2022 N MESSAGE: \$25 RYDER, 10DCJ, RPT TO PROB ON OR B4 48 HRS DRL-ACT: LICENSE REVOKE COST OF SUPV REDUCED TO \$55 PER MONTH. I DAY TIME: 005Y INTLCK: 001Y CLEAR COMP: CLEAR DISP: X OLD ACT: 01 PAY OLD COMP: OLD DISP: 01 OLD MONIES: RAULRA \$1,772.25 NEW ACT: 20 TBS NEW COMP: NEW DISP; NEW MONIES: \$50.00 CORR RCI HEARING: 05/11/2022 TIME: 8:31 TYPE: ADD ON DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: TO BE PAID BW AMT: PLEA **NEXT HRG TYPE: REPORT CODE :RE: STATUS** SPECIAL SET: DISP: CONT: SENTENCE: JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: DU11 RAULRA

REHAB OPTN: STAY:05/08/2023

05/11/2022

14:22:20

05/11/2022

14:19:46

05/11/2022

14:18:57

RET COURT

DISP/COMP

CORR RCI

RET COURT

PEN ASSD: \$1,772.25 W/S/CONV:

JAIL TYPE/TIME: BOND ID: - 0- ACTION:

MOTION/DISP: 0 * * 0 * * 0 * *

REHAB/DUE DATE/RESET: 17 11/07/2022 N 01 11/07/2022 N

76 11/07/2022 N 08 11/07/2022 N

MESSAGE: \$25 RYDER, 10DCJ, RPT TO PROB ON OR B4 48

HRS DRL-ACT: LICENSE REVOKE

COST OF SUPV REDUCED TO \$55 PER MONTH, I DAY

TIME: 005Y INTLCK: 001Y

05/11/2022 RAULRA HEARING: 05/11/2022 TIME; 8;31 TYPE; ADD ON DIV: 14:02:44 **CENTD**

LOC: JUSTICE BUILDING JUDGE: MARTINEZ

DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI

SOURCE: * C *

CASE ACTION: TO BE PAID BW AMT: PLEA

NEXT HRG TYPE: REPORT CODE:

SPECIAL SET:

DISP: GUILTY CONT: SENTENCE:

JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: DU11

REHAB OPTN: STAY:05/08/2023 PEN ASSD: \$1,772.25 W/S/CONV:

JAIL TYPE/TIME: C 0000BOND ID: - 0- ACTION:

MOTION/DISP: 0 * * 0 * * 0 * *

REHAB/DUE DATE/RESET: 17 11/07/2022 N 01 11/07/2022 N

76 11/07/2022 N 08 11/07/2022 N

			MESSAGE: \$25 RYDER, 10DCJ, RPT TO PROB ON OR B4 48 HRS DRL-ACT: LICENSE REVOKE COST OF SUPV REDUCED TO \$55 PER MONTH. I DAY TIME: 005Y INTLCK: 001Y
SPR RCI	05/11/2022 13:36:35	² RAULRA	HEARING: 05/10/2022 TIME: 8:31 TYPE: MOTION DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: BW AMT: PLEA NEXT HRG TYPE: REPORT CODE: SPECIAL SET: DISP: CONT: SENTENCE: JURY: TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 92 NO RULING 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK:
UPDATE DELQ ST	05/10/2022 14:29:27	? THILL	REASON: CLEAR D6N: 04/08/2022 CASE ACT: TO BE RESET FAIL REASON/DATE: 04/08/2022 PREV: 04/08/2022 D6/BW ST: * * CANCELLED PREV: DLS * *
BW CANCEL	05/10/2022 14:29:27	THILL	CANCEL DATE: 05/10/2022 CANCEL REASON: SET ASIDE BY JUDGE NEW CASE ACTION: TO BE RESET COURT **
DRIV LIC SUSP	05/09/2022 21:14:27	TRFB516	LICENSE SUSPENSION DATE: 05/09/2022 LICENSE D6 PRINT DATE: 04/08/2022 FAIL TO COMPLY DATE: 04/08/2022 FAIL TO COMPLY CODE: I
MOTIONS/SPIRIT	05/04/2022 10:07:52	MGAUTRE	TO SET ASIDE BENCH W ORIG CD/ID: M 0 DISP: * 00 * RECEIVED: / 0/ REQUESTED: * * HRGDATE: 05/10/2022 TIME: 8:31 LOC: 97 JUDGE: MARTINEZ ONLINE
SPR RCI	05/03/2022 8:54:31	THILL	HEARING: 05/03/2022 TIME: 8:31 TYPE: MOTION DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: BW AMT: PLEA NEXT HRG TYPE: REPORT CODE: SPECIAL SET: DISP: CONT: SENTENCE: JURY: TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 92 NO RULING 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK:
MOTIONS/SPIRIT	04/29/2022 15:20:12	ABOURNE	TO SET ASIDE BENCH W ORIG CD/ID: A 11757 DISP: * 00 * RECEIVED: REQUESTED: ÉFILE HRGDATE: // TIME: : LOC: 0 JUDGE: ONLINE
MOTIONS/SPIRIT	04/29/2022 10:36:34	MGAUTRE	TO SET ASIDE BENCH W ORIG CD/ID: M 0 DISP: * 00 * RECEIVED: / 0/ REQUESTED: * * HRGDATE: 05/03/2022 TIME: 8:31 LOC: 97 JUDGE:

MARTINEZ ONLINE

ID: S- 4442-2020AA025024 AMT: \$1,000.00

NOTICE:04/11/2022

BOND ESTR/VAC 04/11/2022 WTS80SU ACTION TYPE: ESTREATED/FORFEITED DATE: 04/08/2022 18:30:05

EXTEND: / 0/ DAYS: 0 CIVIL NO: DATE: / 0/ VACATE FINAL JUDGEMENT DATE: / 0/

FAIL REASON: FAILED TO APPEA FAIL DATE: 04/08/2022 04/08/2022 TRFB508 **BW/D6 NOTICE** 15-21-33

BENCH WARRANT BOND AMOUNT: \$1,000,00

FAIL REASON: FAILED TO APPEA FAIL DATE: 04/08/2022 D6WARN 04/08/2022

TRFB508 RECEIPT NO. NOTICE 15:21:33 COMPLIANCE: N

HEARING: 04/08/2022 TIME: 8:30 TYPE: TRIAL DIV: CENTD

LOC: JUSTICE BUILDING JUDGE: MARTINEZ

DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI

SOURCE: * C *

CASE ACTION: BW/IW DELINQUEN BW AMT: PLEA

NEXT HRG TYPE:TRIAL REPORT CODE:

SPECIAL SET:

DISP: CONT: SENTENCE:

04/08/2022 SPR RCI ALEX240 JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB 15:21:28

OPTN: STAY:

PEN ASSD: W/S/CONV:

JAIL TYPE/TIME: 0000BOND ID: S- 4442-2020AA025024

ACTION: ESTREATED/FOR MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT:

TIME: INTLCK:

04/01/2022 FIELD NAME: ERASE OFFICER WITNES **CHG NON-KEY MASEDA** 8:24:27

OLD DATA: 6259 30 AGNCY

HEARING DATE: 03/23/2022 TIME: 9:00 TYPE: SOUNDING

HRG

LOC: JUSTICE BUILDING FLR: 6 RM: 8

03/07/2022 SFC SOUNDING **EXPERT** JUDGE: MARTINEZ, L ATTORNEY: PUBLIC DEFENDER 16:26:08

APPOINTMENT, A

MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT

CODE: 000

HEARING DATE: 04/08/2022 TIME: 8:30 TYPE: TRIAL VCH

LOC: JUSTICE BUILDING FLR: 6 RM: 8

03/07/2022 JUDGE: MARTINEZ, L ATTORNEY: PUBLIC DEFENDER SET FOR COURT EXPERT 16:26:08

APPOINTMENT, A

MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT

CODE: 000

TO TAKE DEPOSITION ORIG CD/ID: A 11757 DISP: * 00 *

RECEIVED: 01/19/2022 REQUESTED: EFILE

MOTIONS/SPIRIT 01/20/2022 EJ09 8:54:37 HRG...DATE: // TIME: : LOC: 0 JUDGE:

ONLINE

SENT: Y CANCEL NOTICE 01/12/2022

16:32:34

TRFB218 HEARING DATE: 01/28/2022 TIME: 9:00

LOC: JUSTICE BUILDING FLOOR/ROOM: 6: 8

01/12/2022 CIENCIA HEARING: 01/12/2022 TIME: 8:45 TYPE: SOUNDING DIV: SPR RCI

> 11:07:32 CENTO

> > LOC: JUSTICE BUILDING JUDGE: MARTINEZ

DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI

SOURCE: * C *

CASE ACTION: CONT SET TRIAL BW AMT: PLEA

NEXT HRG TYPE:TRIAL REPORT CODE:

SPECIAL SET:

DISP: CONT: DEFENSE SENTENCE:

JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB

			OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK:
SFC SOUNDING	12/27/2021 16:26:02	EXPERT	HEARING DATE: 01/12/2022 TIME: 8:45 TYPE: SOUNDING HRG LOC: JUSTICE BUILDING FLR: 6 RM: 8 JUDGE: MARTINEZ, L ATTORNEY: PUBLIC DEFENDER APPOINTMENT, A MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT CODE: 000
SET FOR COURT	. 12/27/2021 16:26:02	EXPERT	HEARING DATE: 01/28/2022 TIME: 9:00 TYPE: TRIAL VCH LOC: JUSTICE BUILDING FLR: 6 RM: 8 JUDGE: MARTINEZ, L ATTORNEY: PUBLIC DEFENDER APPOINTMENT, A MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT CODE: 000
SPR RCI	10/28/2021 13:49:32	GAUTREA	HEARING: 10/28/2021 TIME:13:15 TYPE: REPORT DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: CONT SET TRIAL BW AMT: PLEA NEXT HRG TYPE:TRIAL REPORT CODE: SPECIAL SET: DISP: CONT: COURT SENTENCE: JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 35 GRANTED 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK:
SET FOR COURT	09/27/2021 16:28:18	EXPERT	HEARING DATE: 10/28/2021 TIME: 13:15 TYPE: REPORT VCH LOC: JUSTICE BUILDING FLR: 5 RM: 7 JUDGE: MARTINEZ, L ATTORNEY: PUBLIC DEFENDER APPOINTMENT, A MOTIONS: N DISCOVERY: Y DIVISION: CENTO REPORT CODE: 035
AD HOC	05/11/2021 7:30:31	TRFB431	PD-FEE ASSESSED OLD MONEY: 25.00 NEW MONEY: 75.00
ATTORNEY	04/20/2021 11:12:26	EB15	1) OLD: 11757 NEW OR CHG TO:11757 2) OLD ATTORNEY: 0 NEW OR CHG TO: 0 DEMAND DISCOVERY: Y
ATTORNEY	04/20/2021 9:46:45	LEONIED	1) OLD: 11757 NEW OR CHG TO:11757 2) OLD ATTORNEY: 0 NEW OR CHG TO: 0 DEMAND DISCOVERY: Y
SPR RCI	04/14/2021 13:36:32	GAUTREA	HEARING: 04/14/2021 TIME:13:01 TYPE: ADD ON DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: PUBLIC DEFENDER APPOINTMENT, RCI SOURCE: * C * CASE ACTION: CONT SET REPORT BW AMT: PLEA NOT GUILTY NEXT HRG TYPE:REPORT REPORT CODE :RE: STATUS SPECIAL SET:

SPECIAL SET:

í

			DISP: CONT: DEFENSE SENTENCE: JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK:
SPR RCI	04/14/2021 13:36:22	GAUTREA	HEARING: 04/14/2021 TIME:13:01 TYPE: MOTION DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: *, * * RCI SOURCE: * C * CASE ACTION: BW AMT: PLEA NEXT HRG TYPE: REPORT CODE: SPECIAL SET: DISP: CONT: SENTENCE: JURY: TRAF SCHL: JDG REQ: MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 92 GRANTED 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK:
BOND UPDATE	04/14/2021 13:36:16	GAUTREA	ID: S- 4442-2020AA025024 AMT: \$1,000.00 ISSUED:05/18/2020 ACTION TYPE: SET ASIDE / VACATE DATE: MESSAGE:
BWC/SPIRIT	04/14/2021 13:36:11	GAUTREA	CANCEL DATE: 04/14/2021 CANCEL REASON: SET ASIDE BY JUDGE NEW CASE ACTION: TO BE RESET COURT * *
MOTIONS/SPIRIT	04/09/2021 9:43:21	МТНОМР	TO SET ASIDE BENCH W ORIG CD/ID: M 0 DISP: * 00 * RECEIVED: / 0/ REQUESTED: * * HRGDATE: 04/14/2021 TIME: 13:01 LOC: 57 JUDGE: MARTINEZ ONLINE
BOND ESTR/VAC	03/17/2021 18:30:33	WTS80SU	ID: S- 4442-2020AA025024 AMT: \$1,000.00 NOTICE:03/17/2021 ACTION TYPE: ESTREATED/FORFEITED DATE: 03/16/2021 EXTEND: / 0/ DAYS: 0 CIVIL NO: DATE: / 0/ VACATE FINAL JUDGEMENT DATE: / 0/
LATE FEE ASSD	03/17/2021 7:30:43	TRFB532	FAIL REASON: FAILED TO APPEA FAIL DATE: 03/16/2021 LATE FEE ASSESSED: \$25.00 CASE TYPE: CRIMINAL
BW/D6 NOTICE	03/16/2021 14:18:15	TRFB508	FAIL REASON: FAILED TO APPEA FAIL DATE: 03/16/2021 BENCH WARRANT BOND AMOUNT: \$1,000.00
D6WARN NOTICE	03/16/2021 14:18:15	TRFB508	FAIL REASON: FAILED TO APPEA FAIL DATE: 03/16/2021 RECEIPT NO. COMPLIANCE: N
SPR RCI	03/16/2021 14:18:10		HEARING: 03/16/2021 TIME: 8:30 TYPE: ARRAIGNMENT DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: *, * * RCI SOURCE: * C * CASE ACTION: BW/IW DELINQUEN BW AMT: \$1,000.00 PLEA NEXT HRG TYPE:ARRAIGNMENT REPORT CODE: SPECIAL SET: DISP: CONT: SENTENCE: JURY:N TRAF SCHL: JDG REQ: MONEY OPTN: REHAB

OPTN: STAY:

PEN ASSD: W/S/CONV:

JAIL TYPE/TIME: 0000BOND ID: S-4442-2020AA025024

ACTION: ESTREATED/FOR MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT:

TIME: INTLCK:

HEARING DATE: 03/16/2021 TIME: 8:30 TYPE:

ARRAIGNMENT VCH

03/01/2021 SET FOR COURT

16:29:42

EXPERT

LOC: JUSTICE BUILDING FLR: 5 RM: 7

JUDGE: MARTINEZ, L ATTORNEY: *, *

MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT

CODE: 000

HEARING: 02/23/2021 TIME: 8:30 TYPE: ARRAIGNMENT

DIV: CENTD

LOC: JUSTICE BUILDING JUDGE: MARTINEZ

DEFN ATTY: *, * * RCI SOURCE: * C *

CASE ACTION: CONT SET ARRAIG BW AMT: PLEA **NEXT HRG TYPE:ARRAIGNMENT REPORT CODE:**

SPECIAL SET:

SPR RCI

02/23/2021 GAUTREA 10:47:41

DISP: CONT: SENTENCE:

JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB

OPTN: STAY:

PEN ASSD: W/S/CONV:

JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:

MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT:

TIME: INTLCK:

HEARING DATE: 02/23/2021 TIME: 8:30 TYPE:

ARRAIGNMENT

SET FOR COURT 02/08/2021

17:31:30

EXPERT

LOC: JUSTICE BUILDING FLR: 5 RM: 7

JUDGE: MARTINEZ, L ATTORNEY: *, *

MOTIONS: N DISCOVERY: Y DIVISION: CENTO REPORT

CODE: 000

HEARING: 12/15/2020 TIME: 9:00 TYPE: ARRAIGNMENT

DIV: CENTD

LOC: JUSTICE BUILDING JUDGE: MARTINEZ

DEFN ATTY: *, * * RCI SOURCE: * C *

CASE ACTION: CONT SET ARRAIG BW AMT: PLEA NEXT HRG TYPE:ARRAIGNMENT REPORT CODE:

SPECIAL SET:

SPR RCI

12/15/2020 GAUTREA 10:23:00

DISP: CONT: SENTENCE:

JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB

OPTN: STAY:

PEN ASSD: W/S/CONV:

JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION:

MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT:

TIME: INTLCK:

HEARING DATE: 12/15/2020 TIME: 9:00 TYPE:

ARRAIGNMENT

SET FOR COURT 11/30/2020

16:40:39

9:42:51

EXPERT

LOC: JUSTICE BUILDING FLR: 5 RM: 7

JUDGE: MARTINEZ, L ATTORNEY: *, *

MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT

CODE: 000

SPR RCI

11/17/2020 GAUTREA HEARING; 11/17/2020 TIME: 9:00 TYPE: ARRAIGNMENT

DIV: CENTD

LOC: JUSTICE BUILDING JUDGE: MARTINEZ

DEFN ATTY: *, * * RCI SOURCE: * C *

CASE ACTION: CONT SET ARRAIG BW AMT: PLEA NEXT HRG TYPE:ARRAIGNMENT REPORT CODE: SPECIAL SET: DISP: CONT: SENTENCE: JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK: HEARING DATE: 11/17/2020 TIME: 9:00 TYPE: ARRAIGNMENT SET FOR COURT 11/02/2020 LOC: JUSTICE BUILDING FLR: 5 RM: 7 **EXPERT** 16:40:46 JUDGE: MARTINEZ, L ATTORNEY: *, * MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT CODE: 000 HEARING: 10/27/2020 TIME: 9:00 TYPE: ARRAIGNMENT DIV: CENTO LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: *, * * RCI SOURCE: * C * CASE ACTION: CONT SET ARRAIG BW AMT: PLEA NEXT HRG TYPE:ARRAIGNMENT REPORT CODE: SPECIAL SET: 10/27/2020 GAUTREA **DISP: CONT: SENTENCE:** SPR RCI JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK: HEARING DATE: 10/27/2020 TIME: 9:00 TYPE: ARRAIGNMENT SET FOR COURT 10/13/2020 LOC: JUSTICE BUILDING FLR: 5 RM: 7 **EXPERT** 16:40:41 JUDGE: MARTINEZ, L ATTORNEY: *, * MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT **CODE: 000** HEARING: 10/06/2020 TIME: 9:00 TYPE: ARRAIGNMENT DIV: CENTD LOC: JUSTICE BUILDING JUDGE: MARTINEZ DEFN ATTY: *, * * RCI SOURCE: * C * CASE ACTION: CONT SET ARRAIG BW AMT: PLEA **NEXT HRG TYPE:ARRAIGNMENT REPORT CODE:** SPECIAL SET: 10/06/2020 GAUTREA **DISP: CONT: DEFENSE SENTENCE:** SPR RCI 9:44:33 JURY:N TRAF SCHL: JDG REQ:N MONEY OPTN: REHAB OPTN: STAY: PEN ASSD: W/S/CONV: JAIL TYPE/TIME: 0000BOND ID: - 0- ACTION: MOTION/DISP: 0 * * 0 * * 0 * * REHAB/DUE DATE/RESET: MESSAGE: DRL-ACT: TIME: INTLCK: HEARING DATE: 10/06/2020 TIME: 9:00 TYPE: ARRAIGNMENT SET FOR COURT 09/21/2020 LOC: JUSTICE BUILDING FLR: 5 RM: 7 **EXPERT** 16:40:50 JUDGE: MARTINEZ, L ATTORNEY: *, * MOTIONS: N DISCOVERY: Y DIVISION: CENTD REPORT

CODE: 000

BOND ADD- RELK	05/20/2020 17:45:05	FUBU	ID: S- 4442-2020AA025024 AMT: \$1,000.00 ISSUED:05/18/2020 AGENCY: HUGGINS BAIL BONDS INC BONDSMAN: LESTER L HUGGINS ADDRESS:519A SOUTH ANDREWS AVE FORT LAUDERDALE FL 33301
BOND ADD	05/20/2020 17:45:05	WSB85SU	ID: S- 4442-2020AA025024 AMT: \$1,000.00 ISSUED:05/19/2020 AGENCY: HUGGINS BAIL BONDS INC BONDSMAN: LESTER L HUGGINS ADDRESS:519A SOUTH ANDREWS AVE FORT LAUDERDALE FL 33301
POSITIVE ID	05/20/2020 17:45:04	TRFB565	CJS TRANS: PIEA PID ENTRY JAIL NO: 200134693 NEWIDSER: 0907955 OLDIDSER: 0000000 BOOKING DATE: 05/18/2020 TIME: 14:44 TYPE: TRAFFIC SOCIAL SEC:
JAIL BOOKING	05/20/2020 12:21:10	TRFB565	CJS TRANS: BKEB BOOKING CHARGE ENTRY JAIL NO: 200134693 POLICE ID: PD200518163882 IDS #: 0000000 BOOKING DATE: 05/18/2020 TIME:14:44 TYPE: TRAFFIC SOCIAL SEC:
ORIG ENTRY	05/20/2020 11:57:17	TANIAB	DIV: CENTD VIOL: 3161931 OFFICER: 7316

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Diaintiff (2)	Ž-	VI. DEFEMBRY			
THE STATE OF	PLOSIDA	JAMES AUGUSTE	121		
CASE NOME	er: Foi	-006850			
	www.monacomore.co.in/	Augusts, James Augustine	Name of the second seco		
The Defendan	t, JAMES I	AUGUSTE, being pers	onally before this Court	Bock	
- man a mart cont.	cy	attornay of record.			
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The State repr having:	resented by	, PORFEST AMOSENS JR,	Assistant State's Attorney,	end (2)	2
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7 10/02 nk's web address:		-dadeclark.com	ge 1 of 3	e Chu Fi	
7 10/02 nk's web address:		-dadeclark.com	ge 1 of 3 15:45:14 Pg 1 of 5 Mis-Dade	e Cty, FL	
7 10/02 ra's web address: 46 Pg 2677 C	FN 20081	dadeclerk.com 1279628 12/01/2006	15:45:14 Pg 1 of 5 Mia-Dad	e Cty, FL	
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7 10/02 rh's web addresse: 46 Pg 2677 C	FN 20081	1279628 12/01/2008 1279628 12/01/2008 1279628, GIPDIT IN AND FOR HUDBARA ARGES/COSTS/FEES	15:45:14 Pg 1 of 5 Mia-Dade		
7 10/02 18's web address: 46 Pg 2677 C SI THE FROM COUNT O DIVISION [X] CRIMINAL PLAINTIPF(S)	CHI	1279628 12/01/2006 1279628 12/01/2006 INFORMATION OF HISPARIA ARGES/COSTS/FEES VS. DEFENDA	15:45:14 Pg 1 of 5 Mia-Dade		
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10/02 A6 Pg 2677 C BITHERMORE COUNTY DIVISION [X] CRIMINAL FLAINTIPF(S)	CHI CEU CEU	1279628 12/01/2008 LEPCIAL CITCUIT AL AND ORN HARMAN ARGES/COSTS/FEES VS. DEFENDA JAMES AUGUSTE	15:45:14 Pg 1 of 5 Mia-Dade	R: F01-006850	
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7 10/02 46 Pg 2677 C 46 Pg 2677 C WITH FREAT COURT OF DEVISION [X] CRIMINAL FLAINTIPF(S) THE STATE OF S	CHI	1279628 12/01/2008 1279628 12/01/2008 ARGES/COSTS/FEES VS. DEFENDA JAMES AUGUSTE ARA: James August, Jam	15:45:14 Pg 1 of 5 Mis-Dade CASE NUMBE NT(8) OB R Auguste, James Augustine	R: F01-006850	
7 10/02 rk's web address: 146 Pg 2677 C WITH FREAT COURT O DIVISION [X] CRIMINAL FLAINTIPF(S) THE STATE OF E	CHI	1279628 12/01/2008 1279628 12/01/2008 ARGES/COSTS/FEES VS. DEFENDA JAMES AUGUSTE ARA-James August, Jam Ordered to pay the	15:45:14 Pg 1 of 5 Mis-Dade CASE NUMBE NT(8) SE Auguste, James Augustine following sum indicated:	R: F01-006850	
V 10/02 146 Pg 2677 C III THE PRESENT COURT OF THE STATE OF E	CHI CHI CAIDA	1279628 12/01/2008 LETTER AND THE MANAGES / COSTS / FEES VS. DEFENDA JAMES AUGUSTE ARXA James August, Jan Ordered to pay the Russeant to F.S. 81	15:45:14 Pg 1 of 5 Mis-Dade CASE NUMBE RT(8) as R Auguste, James Augustine Following sum indicated: 28:03(4) (Crimee Compensation	R: F01-006850	de la companya de la
V 10/02 146 Pg 2677 C III THE PRESENT COURT OF THE STATE OF E	CHI	JAMES AUGUSTE AND THE RUSSIAN TO FEE SAID STREET AND THE RUSSIAN TO FEE SAID STREET AND THE RUSSIAN TO F.S. 91 Three dollers as a Justice Trust 6 Ed.	CASE NUMBE CASE NUMBE NT(8) SE Auguste, James Augustine Following Sum indicated: 18.03(4) (Crime Compensation Court cost pursuant to F.S.: 10041500 Funds).	R: F01-006850	faminal
M THE PRESENT CHART OF E	CHI	JAMES AUGUSTE Ordered to pay the Russuant to F.S. 9; Three dollars as a Pursuant to 938.05.	CASE NUMBE CASE NUMBE CASE NUMBE ST(8) SS R Auguste, James Augustine following sum indicated: 98.03(4) (Crimer Compensation court cost pursuant to F.S. : contien Funds). [1] (Local Deverment Criminal	R: F01-006850	riminal
W 10/02 white web address: 146 Pg 2677 C IN THE PROOF COURT OF INTERPORT COURT OF PLAINTIPF(S) THE STATE OF E	CHI CHI CHI FLORIDA is horsely \$50.00 83.00	ARGES/COSTS/FEES VS. DEFENDA JAMES AUGUSTE ARGINATES AUGUSTE ARGA James August, Jen Ordered to pay the Rursmant to F.S. 9; Three dollers as a Justice Trust & Edi Pursuant to 938.05;	CASE NUMBE CASE NUMBE CASE NUMBE Following sum indicated: 38.03(4) (Crimer Compensation Court cost pursuant to P.S.: 11) (Local Government Criminal Lik Assessment Center museum	R: F01-006850	riminal
W 10/02 white web address: 146 Pg 2677 C IN THE PROOF COURT OF INTERPORT COURT OF PLAINTIPF(S) THE STATE OF E	CHI CHI CAN CAN CAN CAN CAN CAN CAN CA	JAMES AUGUST TO SEE STATE OF THE SEE STA	CASE NUMBE CASE NUMBE Following sum indicated: 98.03(4) (Crimes Compensation Court cost pursuant to F.S. 1 101 (Local Oppensation of the control of the	R: F01-006850 Trust Fund). 938.01 (1) \$3.00 (cr	riminal
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\$501.00 - TOTAL

OTHER COMMENTS: COURT COST PREVIOUSLY IMPOSED ON SEPTEMBER 21, 2801

DOWN AND ORDERED in Open Court in Mismi-Bede County, Floride this 16th day of Movember, 2006.

JUDGE DIAME WARD

The second of th

F29. Y24	96/19 /2006 Book/Page 06/19/2006	BERRET RE: ARR ON AFFDVT SET FOR 07/06/2006 AT 09:30 VIOLATION OF PROBATION AFFIDAVIT FILED	
123	06/19/2006	ARRAIGNMENT HEARING SCHEDULED FOR 07/06/2006 AT 09:30	
122	05/31/2006	MEMORANDUM:- BOOT CAMP PROGRAM - PROGRAM COMPLETION	
161	01/07/2005	CASE CLOSED	
159	01/07/2005	CASE CLOSED	
154	01/07/2005	CASE CLOSED	
150	01/07/2005	CASE CLOSED	
148	01/07/2005	CASE CLOSED	
141	01/07/2005	CASE CLOSED	
138	01/07/2005	CASE CLOSED	
132	01/07/2005	CASE CLOSED	
120	01/07/2005	ORDER: ORDER FOR DEFT'S PLACEMENT IN BOOT CAMP PROGRAM	
119	01/07/2005	SENTENCING GUIDELINES SCORE SHEET	
118	01/07/2005	ORDER OF SUPERVISION 6 YEARS PROBATION	
116	01/07/2005	CASE CLOSED	
115	01/07/2005	STAY GRANTED - DUE 12/07/2010	
114	01/07/2005	00002 F/ 790.07(2) FIREARM/USE COMT FEL GB B DISP/WH ADJ-SPLIT SENT - MODIFIED/REMOVED	
113	01/07/2005	00001 F/ 790.19 DEADLY MISSILE/THROW GB B DISP/WH ADJ-SPLIT SENT - MODIFIED/REMOVED	
112	01/07/2005	CASE CLOSED	
111	01/07/2005	CLOSING JUDGE WARD, DIANE	
109	01/04/2005	TRIAL PROS. ASSIGNED: ASA, DIVISION	
108	01/04/2005	REPORT RE: PLEA SET FOR 01/07/2005 AT 09:30	
105	12/23/2004	REPORT RE: PLEA SET FOR 01/04/2005 AT 09:30	
110	12/22/2004	MEMORANDUM:- CPL. LYONEL MANUEL / 12/17/04	
			;
100	12/16/2004	REPORT RE: EVALUATION SET FOR 12/23/2004 AT 09:30	;
99	12/16/2004	REPORT RE: BOOT CAMP SET FOR 12/23/2004 AT 09:30	
103	12/03/2004	ORDER: FOR PHYSICAL EXAM-PSYCHOLOGICAL/PSYCHIATRICE EVAL BOOT CAMP PROGRAM	;
97	12/03/2004	ORDER: FPR PHYSICAL EXAM-PSYCHOLOGICAL/PSYCHIATRICE EVAL BOOT CAMP	
94	12/03/2004	REPORT RE: EVALUATION SET FOR 12/16/2004 AT 09:30	
93	12/03/2004	REPORT RE: BOOT CAMP SET FOR 12/16/2004 AT 09:30	
90	11/17/2004	DEFENSE ATTY PDEF/SPENCE, SUSAN M	
92	11/16/2004	NOTICE OF APPEARANCE CORY S. ROBINS	
88	11/08/2004	DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS	
87	11/03/2004	TRIAL PROS. ASSIGNED: FANCY, PETAGAYE	
86	11/03/2004	DEFENSE ATTY PRIV/SONTAG, MARK S	
85	11/03/2004	REPORT RE: PROBATION HEARING SET FOR 12/03/2004 AT 09:45	
84	11/02/2004	REPORT RE: DEFENDANT/RESPONDENT SET FOR 11/03/2004 AT 09:30	
80	04/05/2002	VIOLATION OF PROBATION AFFIDAVIT FILED	
79	12/10/2001 020088/01170	SENTENCE CT 1,2/ 60 DAYS/	
72	10/31/2001	00003 Z/ 948.061 PROBATION VIOLATION A B DISP/PROBATION MODIFIED - MODIFIED/REMOVED	
71	10/31/2001	WRITE-IN HEARING RECORDED ON 10/31/2001 AT 09:00	
69	10/30/2001	ORDER OF SUPERVISION 12 MONTHS COMMUNITY CONTROL FOLLOWED BY 3 YEARS PROBATION	
68 67	10/30/2001 10/23/2001	WRITE-IN HEARING RECORDED ON 10/30/2001 AT 09:00	
67 77	• •	VIOLATION OF PROBATION AFFIDAVIT FILED	
7 <i>1</i> 74		SENTENCE CT 1,2/ 6 MOS/ ORDER WITHHOLDING ADJUDICATION	
75	09/21/2001 019973/03535		
66	09/21/2001	00002 F/ 790.07(2) FIREARM/USE COMT FEL GB B DISP/CONV C.C./PROBATION - MODIFIED/REMOVED	
65	09/21/2001	00001 F/ 790.19 DEADLY MISSILE/THROW GB B DISP/CONV C.C./PROBATION - MODIFIED/REMOVED	
64	09/21/2001	WRITE-IN HEARING RECORDED ON 09/21/2001 AT 09:00	
63	09/21/2001	MEMORANDUM OF COSTS AMOUNT 501.00	
62	09/21/2001	STAY GRANTED - DUE 08/21/2005	
61	09/21/2001	WRITE-IN HEARING RECORDED ON 09/21/2001 AT 09:00	
60	09/21/2001	CLOSING JUDGE SCHWARTZ, LAWRENCE A	1
59	09/21/2001	SENTENCING GUIDELINES SCORE SHEET	
58	09/21/2001	ORDER OF SUPERVISION REPORTING/1 YEAR CC/3 YEARS PROBATION	
56	09/13/2001	FINANCIAL STATEMENT FOR DETERMINATION OF COST RECOVERY	
53	ñR/27/2001	MOTION TO/FOR: TO DECLARE DEFINDIGENT FOR COSTS	

2/3

Seq.	08/22/2001	Book/Page	DIGENERN FOR ADJUDICATION OF INSOLVENCY FILED 08/31/2001 SET FOR 08/31/2001 AT 09:08 DENIED
50	07/09/2001		TRIAL HEARING SCHEDULED FOR 10/09/2001 AT 09:00 TRIAL HEARING RESET
49	07/09/2001		MOTION FOR CONTINUANCE FILED 07/09/2001 ORAL SET FOR 07/09/2001 AT 12:55 GRANTED DEFS
45	06/20/2001		DEFENSE ATTY PRIV/HOFFMAN, EVAN A
44	06/19/2001		DEMAND FOR TRIAL BY JURY
43	06/19/2001		DEMAND FOR DISCOVERY
42	06/19/2001		WRITTEN PLEA OF NOT GUILTY
41	06/19/2001		NOTICE OF APPEARANCE MARK S.SONTAG, ESQ
39	06/04/2001		TRIAL PROS. ASSIGNED: VANHECKE, JEREMIAH
38	05/30/2001		DEFENSE ATTY PDEF/POZO-REVILLA, ADA B
37	05/30/2001		MOTION FOR SUBSTITUTION OF COUNSEL FILED 05/30/2001 ORAL SET FOR 05/30/2001 AT 10:11 GRANTED
36	05/29/2001		REPORT RE: PLEA SET FOR 05/30/2001 AT 09:00
34	05/23/2001		DEMAND FOR DISCOVERY
33	05/23/2001		WRITTEN PLEA OF NOT GUILTY
32	05/23/2001		NOTICE OF APPEARANCE
31	05/23/2001		ARRAIGNMENT HEARING SCHEDULED FOR 05/29/2001 AT 09:00
29	05/07/2001		DISCHARGE CERTIFICATE ISSUED S5266132
28	05/04/2001		AMT/ 2500 DISCHARGED 05/04/2001 POWER/S5266132
27	05/04/2001		ARRAIGNMENT HEARING SCHEDULED FOR 05/23/2001 AT 09:00
26	05/03/2001		REPORT RE: BOND REVIEW SET FOR 05/04/2001 AT 09:00
25	04/04/2001		AMENDED DISCOVERY
24	04/02/2001		MEMO FROM STATE ATTORNEY / PUBLIC DEFENDER
23	03/23/2001		DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS
22	03/22/2001		TRIAL UNIT ASSIGNED: FELONY DIVISION 13
21	03/22/2001		DISCOVERY RESP: STATE'S DEMAND FOR DISCOVERY & DEMAND FOR AL
20	03/22/2001		TRIAL PROS. ASSIGNED: CABRERA, ROGER
19	03/22/2001		TRIAL HEARING SCHEDULED FOR 07/16/2001 AT 09:00
18	03/22/2001		REPORT RE: PLEA SET FOR 07/09/2001 AT 10:30
17	03/22/2001		INFORMATION FILED
16	03/22/2001		INTAKE UNIT ASSIGNED: FELONY DIVISION 13
15	03/21/2001		INTAKE UNIT ASSIGNED: CASE PROCESSING
14 13	03/15/2001		ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER
11	03/13/2001		INTAKE PROS. ASSIGNED: HYDE, JANE
12	03/09/2001		INTAKE UNIT ASSIGNED: FSU - CASE SCREENING
8	· ·		BOND RECEIVED POWER/RECEIPT #55266132
7	03/02/2001		AMT/ 2500 ISSUED 03/02/2001 POWER/S5266132
5	03/02/2001		PUBLIC DEFENDER APPLICATION FEE/AFFIDAVIT TO BE PAID IN FULL AMOUNT 40,00
4	03/02/2001		ORDER ADJUDGING DEFENDANT INDIGENT AND APPOINTING PUB. DEFN
3	03/02/2001		FINANCIAL AFFIDAVIT TO DETERMINE PUBLIC DEFENDER ELIGIBILITY
2	03/02/2001		FIRST APPEARANCE/BOND HEARING - A.M.
1	03/02/2001		ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER
'	03/02/2001	,	ARRAIGNMENT HEARING SCHEDULED FOR 03/22/2001 AT 09:00

. IN THE CIRCUIT COURT	t of the elever	ith judicial circuit in and for miami-da	DE COUNTY, FLORIDA 183		
DIVISION		JUDGMENT			
X CRIMINAL	Prob	ation Violator	☐ Retrial		
	Comm	unity Control Violator	Resentence		
PLAINTIFF(S)	I	VS. DEFENDANT (S)		
THE STATE OF	FLORIDA	JAMES AUGUSTE			
CASE NUMB	ER: FC	6-019537			460 - 4
AKA: James Augus	st, James 1	R Auguste, James Augustine			
The Defendan	t, JAMES	AUGUSTE, being perso	nally before th	is Court	∴ CLOCK IN
represented !	by			A CONTRACTOR OF THE CONTRACTOR	
S L GAER, PA,	his/her	attorney of record.			FR 3 3
The State repr	cesented :	by, forrest andrews Jr,	Assistant State	a Attorney and	CHORT CHARLES IN 8: 1
having:		·		,	- 10°
been tried		-		Andreas Andrea	A CON
X entered p		-			स्ट्रंक ह
entered pl	lea of no	lo contendere	to the follow	ring crime(s):	\$ 00 C
COUNT	CRIA	ЛC.		DEGREE	OFFENSE STATUTE NO.
1 GRAND T	HEFT 3RD	DEGREE		3/F	812.014(2)(C)
				-	812.014(1)
2 RESISTII	ng offic	ER WITH VIOLENCE TO H	IS PERSON	3/F	843.01
4 FALSE N	AME/ID/A	FTER ARREST	•	1/M	901.36(1)

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).

H7

YPO-11/16/06

REV 10/02

Page 1 of 3

in the circuit court of the eleventh judicial, circuit in and for miami-dade county, plonida					
DIVISION [K] CRIMINAL CHARGES/COSTS/FEES CASE NUMBER: F06-019537					
PLAINTIFF (STATE OF	-	VS. DEFENDANT(S) JAMES AUGUSTE AKA: James August, James R Aug	uste, James Augustine		

The Defendant is hereby ordered to pay the following sum indicated:

\$50.00	Fursuant to F.S. 938.03(4) (Crimes Compensation Trust Fund).
\$3.00	Three dollars as a court cost pursuant to F.S. 938.01 (1) \$3.00 (Criminal
	Justice Trust & Education Funds).
\$200.00	Pursuant to 938.05(1) (Local Government Criminal Justice Trust Fund).
\$40.00	Pursuant to F.S. 27.52(2) (Public Defender Application Fee).
\$3.00	Pursuant to F.S. 938.19 (Teen Courts).
\$50.00	Pursuant to F.S. 775.083(2) (Crime Prevention Programs).
\$2.00	Two dollars as a court cost pursuant to F.S. 938.15 \$2.00 (Criminal
	Justice Trust & Education Funds).
\$65.00	Pursuant to F.S. 939.185(1)(a) (Assessment of Additional Court Costs as
	adopted by Ordinance 04-116)
\$85.00	Pursuant to F.S. 939.185(1)(b) (Surcharge as adopted by Ordinance 05-123)
\$498.00 -	

DONE AND ORDERED in Open Court in Mismi-Dade County, Florida this 14th day of November, 2006. JUDGE DIANE MARD

(W=WAIVED/S=SUSPENDED)

REV 10/02 YPO-11/16/06

Page 2 of 3

in the circuit court of the eleventh judicial, circuit in and for miamigade county, plorida DIVISION SENTENCE X CRIMINAL AS TO COUNT: 1, 2

PLAINTIFF (S) VS. DEFENDANT(S) THE STATE OF FLORIDA JAMES AUGUSTE

CASE NUMBER: F06-019537 OBTS NUMBER

AKA: James August, James R Auguste, James Augustine

The Defendant, being personally before this Court, accompanied by his/her CLOCK IN attorney(s): S L GAER, PA and having been adjudicated guilty herein, and the Court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he/she should not be sentenced as provided by law, and no cause having been shown: IT IS THE SENTENCE OF THE COURT that the defendant is hereby:

Is hereby committed to the custody of the Florida Department of Corrections..

TO BE IMPRISONED:

For a term of 3.00 Year(s).

YPO-11/16/06

REV 10/02

Page 1 of 3

Clerk's web address: www.miami-dadeclerk.com

ar 3

in the circuit court of the eleventh judicial, circuit in and for miami-bade county, florida DIVISION SENTENCE X CRIMINAL

AS TO COUNT: 4

PLAINTIFF(S) VS. DEFENDANT (S) THE STATE OF FLORIDA JAMES AUGUSTE

CASE NUMBER: F06-019537 OBTS NUMBER

AKA: James August, James R Auguste, James Augustine

The Defendant, being personally before this Court, accompanied by his/her attorney(s): S L GAER, PA

and having been adjudicated guilty hercin, and the Court having given the defendant an opportunity to

be heard and to offer matters in mitigation of sentence, and to show cause why he/she should not be sentenced as provided by lzw, and no cause having been shown:

IT IS THE SENTENCE OF THE COURT that the defendant is hereby: Is hereby committed to the custody of the Dade County Jail..

TO BE IMPRISONED:

For a term of 150.00 Day(s).

TIME SERVED.

YPO-11/16/06 **REV 10/02**

Page 2 of 3

IN REF: Defendant JAMES AUGUSTE

OTHER PROVISIONS

CASE NUMBER: F06-019537

CATEGORY

OTHER PROVISION DESCRIPTION

SPECIFICATION

Jail Credit

It is further ordered that the Defendant shall be

FROM: JUNE 15, 2006 PER COURT

allowed a total of the specified time as credit for time

incarcerated prior to imposition of this sentence.

as to Other Counts

Consecutive/concurrent It is further ordered that the sentence imposed for counts specified shall run as indicated with the

COUNTS 1 & 2 CONCURRENT

as to Other Convictions

sentence set forth in counts specified of this case. Consecutive/concurrent It is further ordered that the composite term of all

CONCURRENT WITH CASE FO1-6850

sentences imposed for the counts specified in this order

shall run as indicated with the following:

In the event the above sentence is to the Department of Corrections, the Sheriff of Dade County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the Department together with a copy of this Judgment and Sentence and any other documents specified by Florida Statutes.

The defendant in Open Court was advised of his right to appeal from this sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing indigence.

DONE AND ORDERED in Open Court in

Miami-Dade County, Florida

this 14th day of November, 2006.

JUDGE DIANE

WARD

YPO-11/16/06

REV 10/02

Page 3 of 3

8	RESIST OFF W/VIOL	FELONY	NO ACTION
9	RESIST OFF W/VIOL	FELONY	NO ACTION
10	RESIST OFF W/VIOL	FELONY	NO ACTION
11	RESIST OFF W/VIOL	FELONY	NO ACTION

⋒ Dockets



Total Of Dockets: 47

	Seq. No.	Date	Book/Page	Docket
	60	02/19/2010	****	COLLECTIONS AGENCY STATUS NEW TO ALLIANCE ONE INC.
	59	11/18/2009		NOTICE OF FAILURE TO PAY SENT
	. 58	02/01/2007	****	MOTION TO CORRECT SENTENCE FORWARDED TO JUDGE
	56	01/22/2007	TO THE PERSON OF AN INC.	MOTION TO MITIGATE FILED 01/30/2007 ORAL SET FOR 01/30/2007 AT 10:19 DENIED
la.	55	11/29/2006	025146/02647	JUDGMENT AND SENTENCE
	54	11/29/2006	4	COMMITMENT ISSUED
	53	11/14/2006	A45. E4	SENTENCING GUIDELINES SCORE SHEET PLEADING FILED IN CASE F01006850
	51	11/14/2006		AMENDED DISCOVERY EXHIBIT
	50	11/14/2006		STAY GRANTED - DUE 11/15/2009
	49	11/14/2006		MEMORANDUM OF COSTS AMOUNT 498.00
	48	11/14/2006		CLOSING JUDGE WARD, DIANE
	47	11/09/2006		AMENDED DISCOVERY
	45	11/02/2006		TRIAL HEARING SCHEDULED FOR 11/14/2006 AT 09:30 TRIAL HEARING RESET
	42	08/21/2006	44	NOTICE OF APPEARANCE SY GAER, ESQ PLEADING FILED IN CASE F01006850
	41	08/21/2006		NOTICE OF APPEARANCE S.L. GAER, ESQ PLEADING FILED IN CASE F01006850
	39	08/28/2006		REPORT RE: PLEA SET FOR 09/06/2006 AT 09:30
	38	08/22/2006		DEFENSE ATTY PCAC/PECORARO, JOSEPH J
	37	08/22/2006		REPORT RE: PLEA SET FOR 08/25/2006 AT 09:30
	36	08/21/2006		REPORT RE: ATTORNEY SET FOR 08/22/2006 AT 09:30
	35	08/18/2006		MEMO RE: APPOINTMENT AS PRIVATE COURT APPOINTED COUNSEL
	34	08/17/2006		DEFENSE ATTY PRIV/PECORARO, JOSEPH J
	32	08/16/2006		REPORT RE: ACCEPT PCAC APPOINTMENT SET FOR 08/17/2006 AT 09:30
	31	08/16/2006		DEFENSE ATTY PDEF/HABER, TONY ALEXANDER
	30	08/10/2006		AMENDED DISCOVERY
	28	08/02/2006		REPORT RE: ACCEPT PCAC APPOINTMENT SET FOR 08/16/2006 AT 09:30
	27	07/26/2006		CERTIFICATION OF CONFLICT OF INTEREST PLEADING FILED IN CASE F01006850
	26	07/18/2006		AMENDED DISCOVERY EXHIBIT
	25	07/14/2006	:	DISC EXHIBIT: STATE'S DEMAND FOR DEFN DISCV/DEMAND FOR ALIBI
	23	07/17/2006		DEFENSE ATTY PDEF/PUBLIC DEFENDER APPOINTMENT, AS
	22	07/14/2006		TRIAL PROS. ASSIGNED: ANDREWS JR, FORREST
	21	07/14/2006		TRIAL UNIT ASSIGNED: FELONY DIVISION 13
	20	07/14/2006	1	TRIAL PROS. ASSIGNED: ANDREWS JR, FORREST
	19	09/07/2006		REPORT RE: PLEA/SOUNDING SET FOR 11/02/2006 AT 10:00
	18	07/14/2006	,	TRIAL HEARING SCHEDULED FOR 11/13/2006 AT 09:30
	17	07/14/2006	ļ	INFORMATION FILED
	16	07/13/2006	1	INTAKE UNIT ASSIGNED: FELONY DIVISION 13
	14	07/06/2006		ARRAIGNMENT HEARING SCHEDULED FOR 07/14/2006 AT 09:30
	13	06/22/2006		ACKNOWLEDGEMENT OF APPOINTMENT OF PUBLIC DEFENDER

	12	06/26/2006	NOTICE OF DEFENDANT'S RIGHT TO COUNSEL	
	11	06/23/2006	INTAKE UNIT ASSIGNED: FSU - CASE SCREENING	
	10	06/23/2006	INTAKE PROS. ASSIGNED: ADAMS-PL, WAYNE-CC	
	9	06/22/2006	WRITTEN PLEA OF NOT GUILTY	- 100 000
	8	06/21/2006	AFFIDAVIT FOR INDIGENT STATUS - INDIGENT	
	4	06/16/2006	REPORT RE: BOND REVIEW SET FOR 06/19/2006 AT 09:30	
	3	06/16/2006	FIRST APPEARANCE/BOND HEARING - P.M.	
	2	06/16/2006	ATTORNEY TYPE APPOINTED AT BOND HEARING PUBLIC DEFENDER	4 4 6
,	1 ;	06/19/2006	ARRAIGNMENT HEARING SCHEDULED FOR 07/06/2006 AT 09:30	#10000000

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HARVEY RUVIN

Miami-Dade County Clerk of the Courts

73 W. Flagler Street Miami, Florida 33130

305-275-1155

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and the shipper Court	I OL IMESTEASI	ith Judicial Circuit in and Fo	ir miami-dade cou	MTY, FLORIDA 163		
DIVISION CRIMINAL	☐ Prob	JUDGMI ation Violator	***************************************	Retrial		
		unity Control Violat		Resentance		
PLAINTIFF (S)	***************************************	VS. DEFE	NDANT (S)			
THE STATE OF	FLORIDA	JAMES AUGUSTE				
CASE NUMB	ĖR: F0	7-030200				
AKA: James Augus	st, James F	Auguste, James Aug	ustine		77 11 14 14 14 14 14 14 14 14 14 14 14 14	
The state of the s						
lin de la companion de la comp						
The Defendan represented	t, JAMES by	AUGUSTE, being	personall	y before th	is Court	E ECTOS INC.
MICHELLE A L	ONDON, PD	, his/her attorn	ey of rec	ord.		至 50
The State repr having:	resented l	oy, Brian Yosef, a	lesistant S	tate's Attor	ney, and	THEO FOR RECORD
_ been tried	d and four	nd guilty	☐ DN	A taken purs.	to FS 943.325	
entered p	lea of gu:	ilty	<u></u>			
X entered p	lea of nol	lo contendere	4	to the follow	/ing crime(s):	
COUNT	CRIM			***************************************	DEGREE	OFFENSE STATUTE NO.
1 BATTERY	/POL OFF:	ICER/FIREFIGHTER	/INT OFC/	ATTEMPT	3/F	784.07(2)(B)
					-,-	777.04(1)
						784.03

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).

VREV 10/02

Page 1 of 3

	IN THE CIRCUIT COU	TT OF THE ELEVEN	TH JUDICIAL, CIRCUIT IN AND FOR MIAMI-DADE COUNTY, PLORIDA
,	DIVISION CRIMINAL		CHARGES/COSTS/FEES CASE NUMBER: F07-030200
	PLAINTIFF (_	VS. DEFENDANT(S) JAMES AUGUSTE AKA: James August, James R Auguste, James Augustine
			Augustine
-	AND		

The Defendant is hereby ordered to pay the following sum indicated:

\$50.00	Pursuant to F.S. 938.03(4) (Crimes Compensation Trust Fund).
\$3.00	Three dollars as a court cost pursuant to F.S. 938.01 (1) \$3.00 (Criminal Justice Trust & Education Funds).
\$200.00	Pursuant to 938.05(1) (Local Government Criminal Justice Trust Fund).
\$40.00	Pursuant to F.S. 27.52(2) (Public Defender Application Fee).
\$3.00	Pursuant to F.S. 938.19 (Teen Courts).
\$50.00	Pursuant to F.S. 775.083(2) (Crime Prevention Programs).
\$2.00	Two dollars as a court cost pursuant to F.S. 938.15 \$2.00 (Criminal Justice Trust & Education Funds),
\$201.00	Pursuant to F.S. 938.08 (DV Surcharge)
\$151.00	Pursuant to F.S. 938.085
\$65.00	Pursuant to F.S. 939.185(1)(a) (Assessment of Additional Court Costs as adopted by Ordinance 04-116)
\$85.00	Pursuant to F.S. 939.185(1)(b) (Surcharge as adopted by Ordinance 05-123)
\$850.00	- TOTAL

OTHER COMMENTS: STAY DUE DATE: 9/20/08

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this 20th day of September, 2007.

TUDGE JACQUELINE HOGAN SCOLA

(W=WAIVED/S=SUSPENDED)

REV 10/02 LH -10/18/07

Page 2 of 3

In the circuit court of the eleventh judicial, circuit in and for miami-bade county, Florida DIVISION SENTENCE X CRIMINAL AS TO COUNT: 1 PLAINTIFF (S) VS. DEFENDANT (5) THE STATE OF FLORIDA JAMES AUGUSTE CASE NUMBER: F07-030200 OBTS NUMBER AKA: James August, James R Auguste, James Augustine The Defendant, being personally before this Court, accompanied by his/her attorney(s):MICHELLE A LONDON, PD CLOCK IN and having been adjudicated guilty herein, and the Court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he/she should not be sentenced as provided by law, and no cause having been shown: IT IS THE SENTENCE OF THE COURT that the defendant is hereby: IS THE SENTENCE OF THE COURT that the defendant is hereby: TO BE IMPRISONED: For a term of 366 Day(s).

LH -10/18/07 REV 10/02

Page 1 of 2

IN REF: 'Defendant JAMES AUGUSTE

OTHER PROVISIONS

CASE NUMBER: F07-030200

CATEGORY

OTHER PROVISION DESCRIPTION

SPECIFICATION

Jail Credit

It is further ordered that the Defendant shall be

22 DAYS

allowed a total of the specified time as credit for time

incarcerated prior to imposition of this sentence.

Consecutive/concurrent It is further ordered that the composite term of all

CONCURRENT WITH F01-6580,

as to Other

sentences imposed for the counts specified in this order F01-14019B, F06-19537

Convictions

shall run as indicated with the following:

In the event the above sentence is to the Department of Corrections, the Sheriff of Dade County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the Department together with a copy of this Judgment and Sentence and any other documents

The defendant in Open Court was advised of his right to appeal from this sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing indigence.

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this

20th day of September, 2007.

HOGAN SCOLA

LH -10/24/07

REV 10/02

Page 2 of 2

284 92313 Se 200 303 Se 30 40 30 40 40 40 40 40 40 40 40 40 40 40 40 40			
IN THE CIRCUIT COUR	T OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA 163		
DIVISION	JUDGMENT		
. X CRIMINAL	Probation Violator Retrial		
	Community Control Violator Resentence		
PLAINTIFF (S)	VS. DEFENDANT(S)		
THE STATE OF	FLORIDA JAMES AUGUSTE		
CASE NUMB	ÉR: F07-030200		
AKA: James Augus	st, James R Auguste, James Augustine		
Noncember of the Control of the Cont			
The Defendan represented	t, JAMES AUGUSTE, being personally before thi	s Court	THEO FOR RECORD
MICHELLE A L	ONDON, PD, his/her attorney of record.		1
			福 の 是
rne State repr having:	resented by, BRIAN YOSEF, Assistant State's Attorne	ey, and	A CORRECTION OF STREET
_ been tried	d and found guilty DNA taken purs.	to FS 943.325	*
entered p	lea of guilty		
X entered p	lea of nolo contendere to the followi	.ng crime(s):	
COUNT	CRIME	DEGREE	OFFENSE STATUTE NO.
1 BATTERY	/POL OFFICER/FIREFIGHTER/INT OFC/ATTEMPT	3/F	784.07(2)(B)
		-, -	777.04(1)
			784.03

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).

VH -10/18/07 VREV 10/02

Page 1 of 3

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL, CIRCUIT IN AND FOR MIAMI-DADE COUNTY, PLORIDA DIVISION

CHARGES/COSTS/FEES

CASE NUMBER: F07-030200

PLAINTIFF(S)

X CRIMINAL

VS. DEFENDANT(S)

THE STATE OF FLORIDA

JAMES AUGUSTE

AKA: James August, James R Auguste, James Augustine

The Defendant is hereby ordered to pay the following sum indicated:

\$50.00	Pursuant to F.S. 938.03(4) (Crimes Compensation Trust Fund).
\$3.00	Three dollars as a court cost pursuant to F.S. 938.01 (1) \$3.00 (Criminal Justice Trust & Education Funds).
\$200.00	Pursuant to 938.05(1) (Local Government Criminal Justice Trust Fund).
\$40.00	Pursuant to F.S. 27.52(2) (Public Defender Application Fee).
\$3.00	Pursuant to F.S. 938.19 (Teen Courts).
\$50.00	Pursuant to F.S. 775.083(2) (Crime Prevention Programs).
\$2.00	Two dollars as a court cost pursuant to F.S. 938.15 \$2.00 (Criminal Justice Trust & Education Funds),
\$201.00	Pursuant to F.S. 938.08 (DV Surcharge)
\$151.00	Pursuant to F.S. 938.085
\$65.00	Pursuant to F.S. 939.185(1)(a) (Assessment of Additional Court Costs as adopted by Ordinance 04-116)
\$85.00	Pursuant to F.S. 939.185(1)(b) (Surcharge as adopted by Ordinance 05-123)
\$850.00 -	TOTAL

OTHER COMMENTS: STAY DUE DATE: 9/20/08

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this 20th day) of September, 2007.

JUDÉE

Jacobeline hogan scola

(W=WAIVED/S=SUSPENDED)

REV 10/02 LH -10/18/07

Page 2 of 3

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL, CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA DIVISION SENTENCE X CRIMINAL AS TO COUNT: 1 PLAINTIFF(S) VS. DEFENDANT (S) THE STATE OF FLORIDA JAMES AUGUSTE CASE NUMBER: F07-030200 OBTS NUMBER AKA: James August, James R Auguste, James Augustine The Defendant, being personally before this Court, accompanied by his/her attorney(s):MICHELLE A LONDON, PD CLOCK IN and having been adjudicated guilty herein, and the Court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why IS THE SENTENCE OF THE COURT that the defendant is hereby:

Is hereby committed to the custody of the Florida Department of Corrections. he/she should not be sentenced as provided by law, and no cause having been shown: IT IS THE SENTENCE OF THE COURT that the defendant is hereby: TO BE IMPRISONED:

For a term of 366 Day(s).

LH -10/18/07 REV 10/02

Page 1 of 2

IN REF: 'Defendant JAMES AUGUSTE

OTHER PROVISIONS

CASE NUMBER: F07-030200

CATEGORY

OTHER PROVISION DESCRIPTION

SPECIFICATION

Jail Credit

It is further ordered that the Defendant shall be

22 DAYS

allowed a total of the specified time as credit for time

incarcerated prior to imposition of this sentence.

Consecutive/concurrent It is further ordered that the composite term of all

CONCURRENT WITH F01-6580,

sentences imposed for the counts specified in this order F01-14019B, F06-19537

Convictions shall run as indicated with the following:

In the event the above sentence is to the Department of Corrections, the Sheriff of Dade County, Florida, is hereby ordered and directed to deliver the defendant to the Department of Corrections at the facility designated by the Department together with a copy of this Judgment and Sentence and any other documents

The defendant in Open Court was advised of his right to appeal from this sentence by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing indigence.

DONE AND ORDERED in Open Court in Miami-Dade County, Florida this 20th day of September, 2007.

> JUDGR HOGAN SCOLA

LH -10/24/07

REV 10/02

Page 2 of 2

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: Jarvis Jackson; Case No. 2022-047294 – License Denial

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Jarvis Jackson's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on September 26, 2022. 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 September 26, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of a felony crime in the state of Florida. Specifically, the Applicant was convicted of Grand Theft in 2010.

Applicant did not apply for a waiver for his felony conviction, 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.

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."

<u>Staff Recommendation</u>: Because the Applicant's disqualifying criminal conviction cannot be 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 Machine Occupational License

RE: JACKSON, JARVIS, 13346154

(APPLICANT'S NAME- LICENSE #)

Case No: 2022-047294

INITU	AL APPLICATION	IRECEIV	ED:	9/23/2	2022		
COMPLETE APPLICATION RECEIVED:				9/26/2	2022	pro year	
90-	DAY DEADLIN		Management and Communication of Communic	12/25/	2022		
Cindy Ritt Applicatio	er n Processor	Calder Cas Facility (d/	The state of the s		Club Rep/ tion/Job Ti	1055 tle/Lic Type	
verdict non-jury trial	551.107(6)(c) Conviction is d or entry of a plea of guilty o of slot machine gaming licer her.	r nolo contende	ere. Anv misdemeanor co	inviction to include	fraud and the	ft which are	
		Licen	sing Section Re	view			
Did the applica	ation accurately refle		inal History Record			⊴No	
7777			Conviction	30,000			
Felony : 1	Ct	1 - 1/F3 L					·····
Misdemea	nor – Gambling Rela	itea/Bookn	naking ot involve theft fra	ud or burglar	`\	And the second s	
I WO OF MO	re misdemeanor cor arceny, Theft, Extort	ion Conso	siracy to Defraud (S	lot Combo Pr	rofessions	Only)	
Comments:	arceny, men, Extore	ion, consp	macy to Bendad (e		0,000,010		haganangaran er (1770-birladir a direbirdadir
Arrest Date	Location		Charge		Level	Disposition	
02/04/2010	Lee County, Florida	A A A A A A A A A A A A A A A A A A A	Larceny Grand The than 5K Dols	ft 300 less	F	Adjudication W	/H
Publishment of Principles and the State of Principles and Transfer of Princ			Case # 362010CF0146290	00ACH			Santa Maria Ma
		Dis	sposition Unknow	'n			
Felony Arr							
☐ Misdemea	nor Arrest – Gamblir	ng Related	/Bookmaking			2004190000000000000000000000000000000000	2000-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
1/A	re misdemeanor arro	ests/counts	s that involve theft,	fraud, or burg	glary	a Living that Arm to the East State Construction of the Constructi	
Comments:							
		LVXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	ent/Jurisdiction (
other state ga	der Suspension, Declared Iming commission, gover Sdiction over the gaming	nmental depa	artment, agency, or other	ed, Unpaid Fine, er authority exer	in this or an	0.000.000.000.000.000.000	
Comments.			Related Licenses	- -			
OL LVDII	Deletions to I	CONTRACTOR OF THE PARTY OF THE		200 CO	icinace		and the same of the same
	ense Relations to I al applicant related to	***************************************				e sections belo	NW/
	**************************************	·····	Business Name:	vo ⊠ ii yes	, complete	c 3cctions ben	/ 14 .
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FAQ | Help | Sign Out

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		larce	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?									
8		crimi appli	Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or noto 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.									
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1/11/2011 Filed Lee County Clerk of Courts-Criminal Division

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR LEE COUNTY, FLORIDA . CRIMINAL DIVISION

State of Florida vs	Jarvis Jacl		_	Case N	umber:	10-CF-014629
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Time:	03pm ta	1.54 pm	Court Roon	n:	*8A*	11500
Judge:	John W Do	mmerich	State Attor	•	Thorn	iburg 45084
Court Reporter/8mar			_ Defense At	-		Defende
Deputy Sheriff:	*Burns*		_ Deputy Cle	rk:	-	nnozżi*
Date of Action:	01/10/201	1			ROR	
DOB:	Gender:	Male	Race: Bla	ack	Social:	
Arrest Date: 02/0	04/2010	Arrest Agency:	Lee County	Sheriff	Location	: Lee County
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County Justice C	enter. 1700	Monroe Stree	t, Fort, My	ers, FL	33901, a	nd whose telephone
number is (239)	533-1700.	within seven	working d	avs of v	our rece	ipt of this Minute
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IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR **CRIMINAL DIVISION** LEE COUNTY, FLORIDA

Continuation of proceedings 01/10/2011 For Jarvis Jackson

On Case: 10-CF-014629

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Filed Lee County Clerk of Courts Criminal Division

STATE OF FLORIDA	FILED LEE CO. FLORIDA SEERK OF COURTS	IN THE TWENTIETH JUDICIAL CIRCUIT COURT, IN AND FOR LEE COUNTY				
-VS-	2011 JAN 31 AM 10: 35	CASE NUMBER 10-CF-014629				
JARVIS JACKSON	The state of the s					
Defendant	EYD.C.	DC NUMBER Y43777				
Local Jurisdiction Identification	Number:					
	ORDER OF PROBATIO	ON .				
This cause coming before the Court having	to be heard, and you, the defendant, be	eing now present before the court, and you				
entered a plea of guilty to	been found guilty by j	jury verdict of				
entered a plea of nolo contendere	to been found guilty by t	the court trying the case without a jury of				
Cincled a pred of note compliant		, 0				
Count 1: GRAND THEFT						
SECTION 1: JUDGMENT OF GUIL	LT					
The court hereby adju	dges you to be guilty of the above offense	(s).				
Now, therefore, it is o on Probation for a pe Florida law.	Now, therefore, it is ordered and adjudged that the imposition of sentence is hereby withheld and that you be placed on Probation for a period of <u>twelve (12) months</u> under the supervision of the Department of Corrections, subject to Florida law.					
IT IS FURTHER ORDERED that you law:	shall comply with the following standard	conditions of supervision as provided by Florida				
(1) You will report to the probation of make a full and truthful report to yo	fice as directed. Not later than the fifth da our officer on the form provided for that pu	ly of each month, unless otherwise directed, you will irpose.				
(2) You will pay the State of Florida th accordance with s. 948.09, F.S., un	te amount of \$50.00 per month, as well as less otherwise exempted in compliance with	4% surcharge, toward the cost of your supervision in the Florida Statutes.				
(3) You will remain in a specified place without first procuring the consent	ce. You will not change your residence o	r employment or leave the county of your residence				
(4) You will not possess, carry or ow consent of your officer.	n any firearm. You will not possess, car	rry, or own any weapon without first procuring the				
(5) You will live without violating any violation of your probation, commu	law. A conviction in a court of law is no unity control, or any other form of court or	t necessary for such a violation of law to constitute a dered supervision.				
(6) You will not associate with any per	son engaged in any criminal activity.					
(7) You will not use intoxicants to explaces where intoxicants, drugs or o	cess or possess any drugs or narcotics unother dangerous substances are unlawfully	nless prescribed by a physician. Nor will you visit sold, dispensed or used.				
(8) You will work diligently at a lawfu best of your ability, as directed by	l occupation, advise your employer of you your officer.	r probation status, and support any dependents to the				

Filed Lee County Clerk of Courts Criminal Division

Jarvis Jackson Case No. 10-CF-014629

- (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 <u>Lee</u> 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 <u>2234 Cleveland Avenue</u>, Ft. Myers. FL 33901.

SPECIAL CONDITIONS

- 1. You will make restitution to the following victim(s), as directed by the court, until the obligation is paid in full:

 NAME: GOODWILL INDUSTRIES C/O EMILY HAUSER 4940 BARFENI DRIVE, N. FT. MYERS, FL

 TOTAL AMOUNT: \$900.64

 Additional instructions ordered, including specific monthly amount, begin date, due date, or joint & several: MINIMUM PAYMENT OF \$100.00 PER MONTH *
- 2. Other: ATTEND ANTI-THEFT SCHOOL *

* ABOVE CONDITIONS ORIGINALLY IMPOSED APRIL 21, 2010

Effective for offenders whose crime was committed on or after September 1, 2005, there is hereby imposed, in additional 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)(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.

Page 2 of 4 Revised 07/01/10

Filed Lee County Clerk of Courts Criminal Division

Jarvis Jackson Case No. 10-CF-014629

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 the following charges/costs/fees if checked:

CHECK ALL THAT ARE OR	
	s assessed in sentence, pursuant to s. 775.083 (1)(a) through (g) or Chapter 316, F.S.
\$\frac{\$393.00}{\$100.00}* \$\frac{\$100.00}{\$100.00}* \$\frac{\$100.00}{\$100.00}*	MANDATORY COSTS IN ALL CASES ourt cost for felony offense, pursuant to s. 938.05(1)(a), F.S. Costs, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50.00 Misdemeanor0
$\begin{array}{ c c c c c c c c c c c c c c c c c c c$	ANDATORY COURT COSTS FOR COURT-APPOINTED COUNSEL CASES der/Appointed Counsel Application Fee, if not previously collected, pursuant to ss. 27.52 and s. 938.29, F.S. der/Appointed Counsel Fees and Costs, pursuant to s. 938.29, F.S. as determined locally (Minimum of \$100 0 Misdemeanor).
*ORIGINALLY IMPOSED ON	N APRIL 21, 2010
∑ \$ <u>100.00</u> Prosecution	MANDATORY COSTS IN ALL CASES Costs, pursuant to s. 938.27, F.S. (Minimum of \$100 Felony/\$50.00 Misdemeanor0
$\begin{array}{ c c c c c }\hline & $50.00 & Public Defen \\\hline & $100.00 & Public Defen \\\hline \end{array}$	MANDATORY COURT COSTS FOR COURT-APPOINTED COUNSEL CASES der/Appointed Counsel Application Fee, if not previously collected, pursuant to ss. 27.52 and s. 938.29, F.S. der/Appointed Counsel Fees and Costs, pursuant to s. 938.29, F.S. as determined locally (Minimum of \$100 to Misdemeanor).
TOTAL AMOUNT OF COUR	Γ COSTS ORDERED = $$1143.00$
	OTHER OBLIGATIONS IMPOSED
\$ 2.00 Per month for	each month of supervision for Training Trust Fund Surcharge, pursuant to s. 948.09, F.S.
PAYMENT IS TO BE MADE T	THROUGH AND PAYABLE TO: Department of Corrections or Clerk of Court
(If collected by the Department o	f Corrections, a surcharge of 4% will be added to all payments ordered by the court, pursuant to s. 945.31, F.S.)
MONETARY OBLIGATIONS OF \$10.00 PER HOUR.* (Origi	EXCEPT RESTITUTION, MAY BE SATISFIED DOING COMMUNITY SERVICE WORK AT A RATE inally imposed on April 21, 2010).

Page 3 of 4 Revised 07/01/10

Filed Lee County Clerk of Courts Criminal Division

Jarvis Jackson Case No. 10-CF-014629

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 January 10, 2011	
NUNC PRO TUNC John W. Dommerich,	Circuit Judge
I acknowledge receipt of a copy of this order and that the co	onditions have been explained to me and I agree to abide by them.
Date:	
	Defendant
Instructed by:	MANA
Supervising Officer	

NB: ts

OCCUPATIONAL LICENSE FEE VOUCHER

Date 9/23/2022	
Applicant Name: Jarvis Jackson	
(Please print)	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Position/Title: Players Club Reo	
(Please print)	
This voucher must be submitted with the applicant's completed Slot Machine Individual Occupational License Application for the DBPR Licensing and Compliance Office.	rm
Upon receipt of an authorized voucher, Calder Casino & Race Course agrees to remit to the Division:	
\$50 (1-year license) Upgrade Fee \$	
my	
Human Resources Authorized Signature	
For Accounting use only.	

White-DBPR · Yellow-HR

MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: Adrian Lamar Kenon, Jr.; Case No. 2022-048911 – License Denial

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Adrian Lamar Kenon, Jr.'s ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on October 6, 2022. 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 October 6, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of a felony crime in the state of Florida. Specifically, the Applicant was convicted of Possession of Cocaine in 2009.

Applicant did not apply for a waiver for his felony conviction, 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.

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."

<u>Staff Recommendation</u>: Because the Applicant's disqualifying criminal conviction cannot be 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.

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Class'n	CHIS - C	riminal H	istory	Complexity	R - Regu	lar	Vio	lations	Complia	ance
Security	STND - S	Standard		Incident	10/06/20	22	Re	elated	Disposi	tion
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Department of Business and Professional Regulation Division of Pari-Mutuel Wagering

Licensing Administrator Review - Slot Machine Occupational License

Case No: 2022-048911

RE: Kenon, Adrian Lamar Jr.

(APPLICANT'S NAME- LICENSE #)

INIT	AL APPLICATION RECE	IVFD:	10/6/2022		
1	IPLETE APPLICATION R	***************************************	10/6/2022		
	DAY DEADLINE:		1/4/2023		
\$2.000 minutes	33.30.30.55	ntertainment/#274			
Cindy Ritt		(d/b/a name)	Food & Bev. Ca Occupation/Job	-2/100-33	
verdict, non-jury trial,	551.107(6)(c) Conviction is defined as or entry of a plea of guilty or nolo cont of slot machine gaming licensure as inher.	endere. Any misdemeanor con	viction to include fraud and	theft which are	
		ensing Section Rev			
Did the application	ation accurately reflect the C	riminal History Record' Conviction	? ⊠Yes	∐No	
Felony : 1		Conviction	A SANTAN	AMMAN POLICE AND SERVICE AND S	
	nor – Gambling Related/Boo	okmaking		AAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAAA	
	re misdemeanor convictions		d, or burglary		
	arceny, Theft, Extortion, Cor	spiracy to Defraud (Slo	ot Combo Professio	ns Only)	
Comments:					
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		AMERICAN MANAGEMENT AND RESIDENT AND		Probation revoked	
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	est(s) : 3	Disposition Unknown		99999	
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Misdemea	nor Arrest – Gambling Relat	ed/Bookmaking			
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Business License Number:	Business Name:
Has a deficiency letter been issued to	o the business indicating all ODSs must be licensed? Yes No
Date Deficiency Letter Issued:	Initials:
Comments:	
Liver of the Liver	icensing Administrator Review
	Disposition Confirmation
Disqualifying Convictions/Arrests Cor	nfirmed? Yes 🗹 No 🗌 🔲 Approval
Forward to Investigations	Legal Director Initials:
Comments:	

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Name of Employer Add		End Date (Month/ Year)		Reason for Leaving
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Have you ever been license	d in any other racing	or gaming jurisdiction?		
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Where Licensed	Expiration	subject to	fines or other discipline?	Explain why.
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04/	/12/20	10	BROWARD		POSS CANNABIS /20GRAMS OR LESS	M1	12 month	Probation Probation
11	/2/20	09	BROWARD		RESIST/OBSTRUCT W/O VIOLENCE	M1	fine	1
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State of Florida Vs. Kenon, Adrian

Broward County Case Number: 09010943CF10A **State Reporting Number:** 062009CF010943A88810

Court Type: Felony
Case Type: Felony
Filing Date: 06/12/2009
Case Status: Disposed

Court Location: Central Courthouse

Judge ID / Name: Lynch - FA, Michael`

Magistrate Id / Name: N/A

BCCN: 0757513

- Party(ies)

Party Type

Party Name

Address

Offense Date	Charge	Degree	Detail
06/11/2009	1	(F3)	Possession of Cocaine
			Date Filed: 06/11/2009
			Current Statute: (F3)893.03(2)(a)4
			Filing Type: SAO Information
			Filing Agency: Broward Sheriff Office/Dania
			Original Statute: (F3)893.03(2)(a)4-Possession of Cocaine
06/11/2009	2	(M1)	Possess Cannabis/20 Grams Or Less
			Date Filed: 06/11/2009
			Current Statute: (M1)893.13(6)(B)
			Filing Type: SAO Information
			Filing Agency: Broward Sheriff Office/Dania
			Original Statute: (M1)893.13(6)(B)-Possess Cannabis/20 Grams Or Less
06/11/2009	3	(M1)	Resist/Obstruct W/O Violence
			Date Filed: 06/11/2009
			Current Statute: (M1)843.02
			Filing Type: SAO Information
			Filing Agency: Broward Sheriff Office/Dania
			Original Statute: (M1)843.02-Resist/Obstruct W/O Violence
06/11/2009	4	(M1)	Trespass/Property/Other Structure
		,	Date Filed: 06/11/2009
			Current Statute: (M1)810.091
			Filing Type: SAO Information- Change of Charge
			Filing Agency: Broward Sheriff Office/Dania
			Original Statute: (M1)810.091-Trespass/Property/Other Structure

Total:
Total:
Total:
Total:

Offense

Date Charge Disposition(s)

% 06/11/2009

Plea(s)

04/12/2010 Amended Plea (Reason: Change of Plea,)

Change of Plea-Nolo Contendere

09/21/2009 Plea

Arraignment Not Guilty-Jury

Disposition(s)

06/06/2011 Amended Disposition (Reason: Probation Revoked,)

Adjudicated

04/12/2010 Disposition

Adjudication Withheld

Sentence(s)

06/06/2011 Amended Sentence (Judicial Officer(s): Porter, Lisa)

Comment (Total Amount Imposed \$697.00)

Provisions: Provisions (Alcohol Anon Meeting, Narcotc ANON Meeting, Original

Terms/Conds, Probation Reinstated, Probation Revoked) Comment(Waive DOC surcharge)

State Probation (6 Month(s), Start Date: 04/05/2011, End Date: 06/06/2011, Comment: 060611 probation revoked)

Confinement (Effective 06/06/2011, Min. Not Applicable, Max. 30 Day(s), Broward County Jail, Credit Time Served: 21 Day(s), Comment: pay balance)

04/05/2011 Amended Resentencing (Judicial Officer(s): Towbin-Singer, Michele)

Comment (Total Amount Imposed \$697.00)

Provisions: Provisions (Alcohol Anon Meeting, Narcotc ANON Meeting, Original

Terms/Conds, Probation Reinstated) Comment(Waive DOC surcharge)

State Probation (6 Month(s), Start Date: 04/05/2011, End Date: 10/05/2011)

04/12/2010 Amended Resentencing (Judicial Officer(s): Towbin-Singer, Michele)

Comment (Total Amount Imposed \$547.00)

State Probation (0 Year(s) 6 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date:

10/12/2010, Comment: 040511 probation reinstated and extended 6 months from today)

Provisions: Provisions (Drug Offender Probation, Probation Modified, Probation Reinstated)

04/12/2010 Sentence (Judicial Officer(s): Porth - FR, Ari Abraham)

Comment (Docketrac Sentence Record Note: 062910-Reinst & Ext 6mos From Orig Date)

Comment (Total Amount Imposed \$547.00)

Charge Reopen Status (06/29/2010, Closed, 1)

State Probation (0 Year(s) 12 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date:

04/12/2011)

Offense

Date Charge Disposition(s)

06/11/2009 2 Plea(s)

04/12/2010 Amended Plea (Reason: Change of Plea,)

Change of Plea-Nolo Contendere

09/21/2009 Plea

Arraignment Not Guilty-Jury

Disposition(s)

04/12/2010 Disposition

Adjudication Withheld

Sentence(s)

04/12/2010 Amended Resentencing (Judicial Officer(s): Towbin-Singer, Michele)

Comment (Total Amount Imposed \$178.00)

State Probation (0 Year(s) 6 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date:

04/05/2011, Comment: 040511 probation terminated)

Sentence Status (Concurrent, Case#: 09-010943-CF10A, Counts: 001-001, Comment:

Def#:09010943CF10A Count:001)

Provisions: Provisions (Drug Offender Probation, Probation Modified, Probation

Reinstated)

04/12/2010 Sentence (Judicial Officer(s): Porth - FR, Ari Abraham)

Comment (Docketrac Sentence Record Note: 062910-Reins & Ext 6 Mos From Orig Date)

Comment (Total Amount Imposed \$178.00)

State Probation (0 Year(s) 12 Month(s) 0 Day(s), Start Date: 04/12/2010, End Date:

04/12/2011)

Sentence Status (Concurrent, Case#: 09-010943-CF10A, Counts: 001-001, Comment:

Def#:09010943CF10A Count:001)

06/11/2009 3 Plea(s)

11/02/2009 Amended Plea (Reason: Change of Plea,)

Change of Plea-Nolo Contendere

09/21/2009 Plea

Arraignment Not Guilty-Jury

Disposition(s)

11/02/2009 Disposition

Adjudication Withheld

Sentence(s)

11/02/2009 Sentence (Judicial Officer(s): Porth - FR, Ari Abraham)

Comment (Total Amount Imposed \$273.00)

Offense Date	Charge	Disposition(s)	
06/11/2009	4	Plea(s) 11/02/2009 Amended Plea (Reason: Change of Plea,) Change of Plea-Nolo Contendere 09/21/2009 Plea Arraignment Not Guilty-Jury	
		Disposition(s) 11/02/2009 Disposition Adjudication Withheld	
		Sentence(s) 11/02/2009 Sentence (Judicial Officer(s): Porth - FR, Ari Abraham) Comment (Total Amount Imposed \$223.00)	

+ Collection(s)	Total: 4
+ Event(s) & Document(s)	Total: 70
+ Hearing(s)	Total: 16
+ Related Case(s)	Total: 0

State of Florida VS KENAN AT AN

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) Sexual Predator/Offender () Boot Camp
) Sexual Predator/Offender () Boot Camp
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days T/S () work release () Dogs G
days T/S () work release () Boot Camp TAC () Electronic Monitor () Drug Treatment
jail sentence shall be terminated
() Obtain GED or High School diploma
() Peg Program
() Psychological/Psychiatric evaluation and
treatment necessary () Random drug/alcohol testing
() Random urinalysis/waive cost
() Recommend 2-year Driver's License Suspension
() Restitution ordered \$ amount reserve
() Restitution converted to a civil lien
() Spectrum
(') Substance abuse evaluation
() Turning Point Bridge Program/Aftercare
() Work Permit
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Judge William W Hautigalk Cash bond / Return to depositor / Surety !	bond / IC
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() Arraignment Change of Plea () Guilty (No Contest () PSI/PDR () Sentencing / Re-Sentence () Trial by Jury () Trial by Court () First VOP/VOCC () Final VOP/VOCC () Admits Allegation () Convicted by Jury/Court () Acquitted by Jury/Court () Dismissed () Discharged () Nolle Prosequi () Found Incompetent/Committed to Child/Family () Adj. Guilty () Adj. Withheld () Adj. Delinquent () Committed to DJJ/Level () Sentence Withheld () Previous Sentence Vacated () PSI Ordered Adj. and Sentence deferred to	ns () Speedy Services
Type of probation / Community Control: () Youthful Offender () Drug Offender () Sexual Offender () Habitual Offender () Mental Health () Counter PROBATION/COMM. CONTROL: () Revoked () Reinstated () Modified () Terminated Extended () All previous special conditions apply WARRANT: () Dismissed () Withdrawn () Served in open court	ty
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()hours of Community Service () Obtain GED or High School diploma () \$ \text{COS waived/ imposed} \tag{COS waived/ imposed} COS waiv
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MEMORANDUM

To: The Florida Gaming Control Commission

From: Division of Pari-Mutuel Wagering
Through: Marc Taupier, Chief Attorney

Re: Terrence Antonio Harvey; Case No. 2022-049319 – License Denial

Date: October 25, 2022

Executive Summary

The Division of Pari-Mutuel Wagering seeks to deny Terrence Antonio Harvey's ("Applicant") application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Applicant submitted a complete application for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License on October 12, 2022. Upon review of the application, it appears Applicant has been convicted of several felony crimes. Therefore, the Florida Gaming Control Commission should authorize the issuance of a Notice of Intent to Deny License.

Pertinent Facts

On October 12, 2022, Applicant submitted their application to the Division of Pari-Mutuel Wagering for a Slot Machine/Cardroom/Pari-Mutuel Combination Occupational License. Upon review of the completed application, it appears that Applicant was convicted of several felony crimes in the Commonwealth of Virginia. Specifically, the Applicant was convicted of: Attempted Malicious Wounding:

- Attempted Malicious Wounding in 2016;
- Felony Hit and Run in 2003;
- Receiving Stolen Property in 2003;
- Malicious Wounding in 2003.

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.

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."

<u>Staff Recommendation</u>: Because the Applicant's disqualifying criminal convictions cannot be 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.

RENEWAL OCCUPATIONAL LICENS	DE FEE VOUCHER
Date:	14371
Applicant Name: Temporal (Please Print) Position/Title: (Please Print)	thorvey thicer
This voucher must be submitted with the applicant's completed Slot to the DBPR Licensing and Compliance Office.	Machine Individual Occupational License Application for
Upon receipt of an authorized voucher, The Big Easy Casino ag Human Resources Authorized Signature	grees to remit to the Division: \$ 50 (1-year license) \$ 100 (3-year license)
For Accounting only.	

DENEMAL OCCUPATIONAL LICENCE FEE VOLICIED



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: OR, Provide a copy of two of the items below: Birth Certificate Military ID Card Certificate of US Citizenship or Naturalization Permanent Resident Card OR, Provide a copy of two of the items below: Birth Certificate Military ID Card Certified Copy) Student ID Card 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.
<u>Fingerprint Card</u> : Fingerprint cards (FD-258) can be mailed to applicants upon request by contacting the Division at the address or phone number below. Completed fingerprint cards must be mailed to the Division with your application.
IMPORTANT: Fingerprint card processing fees must be paid to the Division. Please see http://www.fdle.state.fl.us/Criminal-History-Records/Obtaining-Criminal-History-Information.aspx for the current fee amount.
Fingerprint Resubmission for Renewal and Upgrade Applicants: Applicants timely renewing or upgrading a license need only provide the Division a fingerprint resubmission processing fee. Visit our website or contact us for the current fee amount.
IMPORTANT: Timely submission of renewals must occur within one year of the expiration of applicant's license.
Please mail your completed application, documentation and required fee(s) to: Department of Business and Professional Regulation Pari-Mutuel Wagering; Licensing Section 2601 Blair Stone Road, Tallahassee, Florida 32399-1037

Phone: 850.487.1395

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No.		EMPLOYMENT HI	STORY (ATTA	CH ADDITIONAL PAG	GES AS NECESSARY)	Research State of the	
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If you an		e question above, pro					
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BACKGROUND INFORMATION (ATTACH ADDITIONAL PAGES AS NECESSARY)								
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 filling 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	crimir		nst you? If	yes, the	e court disposit	ion records	s for all convictions	guilty or nolo contendere to any must be submitted with this
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Department of Business and Professional Regulation Division of Pari-Mutuel Wagering

Licensing Administrator Review – Slot Machine Occupational License

Case No: 2022-049319

10/11/2022

RE: HARVEY, TERRENCE ANTONIO-13365780

(APPLICANT'S NAME- LICENSE #)

INITIAL APPLICATION RECEIVED:

COV	COMPLETE APPLICATION RECEIVED:				10/12/2022		
90-	DAY DEADLINE	1	/10/2	023			
Cindy Ritt	er 7	Γhe Big Ea	asy, #144 S	Security	Officer/1	055	
			• •			n/Job Title/Lic Type	
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Forgery, L	arceny, Theft, Extortio	n, Consp	iracy to Defraud (Slot Co	mbo Pro	fessions	Only)	
Comments:							
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			EMPLOYMENT H	ISTORY (ATT	ACH ADDITIONAL PA	GES AS NECESSARY)	
A	Yes No		lously worked for a		ed employer? nployment history in the	past ten years.	
	Name of Employer Address		Address	**************************************	tart Date (Month/ Year) End Date (Month/ Year)	Title/Position Held & Supervisor Name	Reason for Leaving
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A	Yes No	Have you ever licenses and pr	been licensed in a ovide the details ir	ny other racing the section be	or gaming jurisdiction? low.	If yes, you must list all curre	ent and previous
	St	ate(s) or Jurisdi Where Licens		Date of Expiration		Is license currently suspe fines or other discipline?	
		2.821.02.00 mm.c.o.01.00		may 10 marver	☐ Yes ☐ No	mies of other discipline	EAPIGIII WITY.
-75-2 AND		Ten Malaman and Address and Ad	2077752177703333301933330	A STATE OF THE STA	☐ Yes ☐ No		
					☐ Yes ☐ No		
	· · ·				☐ Yes ☐ No		
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Δ	Yes No	the state(s) or ju	risdiction(s) of lice	insure revocation	on or denial and explain	or any other state or country why.	? If yes, you must list
lf y	ou ansv	vered yes to the q	uestion above, pro	vide details hei	re:		
		A*************************************					
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	Yes Have you ever been convicted of or had adjudication withheld for any crime, or pled guilty or noto contendere to any								
31 (Date o ispositi		County	State		Offense		Misdemeanor or Felony?	Sentence
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U I	No	manu mach	facturer or distrib ine licensee?	utor, or a b	usiness ti	hat sells slot m	achine re	elated products, se	ervices, or goods to a slot
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Wise Circuit Court (details)

Case #: CR15F00267-00

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: POUND, VA 24279

Gender: MALE

Race: OTHER (INCLUDES NOT APPLICABLE, UNKNOWN)

DOB:

Attorney: FLEMING, J BRENT

Case/Charge Information

Defendant Status: **CUSTODY** Filed Date: **07/20/2015**

Locality: COMMONWEALTH OF VA

Code Section: 18.2-51

Charge: ATTEMPTE MALICIOUS WOUNDING (ATTEMPT)

Case Type: FELONY
Class: CLASS 5

Commenced By: DIRECT INDICTMENT

Offense Date: 03/18/2015 Arrest Date: 07/29/2015 Amended Code Section: Amended Charge: Amended Case Type:

Appeal Information

Amended Class:

Appeal Date:

Hearing Information Result Date Time Type Courtroom Plea Duration Jury 05/20/2016 09:00 **SENTENCED** PLEA AM 03/21/2016 09:00 CONTINUED TRIAL AM 01/11/2016 09:00 **CONTINUED** TRIAL AM 11/10/2015 09:00 **CONTINUED** TRIAL AM 07/29/2015 11:00 **SET FOR TRIAL ADVISE ABOUT ATTORNEY** AM **ARRANGEMENTS** 07/20/2015 09:00 TRUE BILL - DEF. ARRESTED ON **GRAND JURY** AM **CAPIAS**

Disposition Information

Disposition: GUILTY

Disposition Date: 05/20/2016
Concluded By: GUILTY PLEA
Jail/Penitentiary: PENITENTIARY

Concurrent/Consecutive:

Life/Death:

Sentence Time: **5 Year(s)**Sentence Suspended: **5 Year(s)**

Program Type

rgram type.
obation Type: UNSUPERVISED
bation Time: 5 Year(s)
bation Starts: PROBATION TO BEGIN UPON SENTENCING
erator License Suspension Time:
striction Effective Date:
erator License Restrictions:
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urt/DMV Surrender:
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Virginia Beach Circuit Court (details)

Case #: CR02003312-03

Defendant: HARVEY, TERRENCE ANTONIO

Subscribe

Defendant Information

Address: HAMPTON, VA 23661

Gender: MALE Race: BLACK DOB:

Attorney:

Case/Charge Information

Defendant Status: CUSTODY

Filed Date: **08/21/2002**

Locality: COMMONWEALTH OF VA

Code Section: 46.2-894 Charge: HIT & RUN-FELONY

Case Type: **FELONY**Class: **UNCLASSIFIED**

Commenced By: INDICTMENT
Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:
Amended Charge:

Amended Class:

Appeal Information

Appeal Date:

Hearing Inform	mation						J
Date	Time	Result	Туре	Courtroom	Plea	Duration	Jury
02/19/2003	09:30 AM	SENTENCED	SENTENCING	LLM			
12/10/2002	09:30 AM	TRIED	PLEA	NCP			
11/18/2002	09:30 AM	DENIED	SUPPRESS	NH			
10/16/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LLM			
09/18/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LH			
09/05/2002	09:30 AM	SET FOR TRIAL	TO BE SET	CN			
09/03/2002	09:30 AM	TRUE BILL	GRAND JURY				

Disposition Information

Disposition: GUILTY

Disposition Date: **02/19/2003**Concluded By: **GUILTY PLEA**

Jail/Penitentiary:

Concurrent/Consecutive:

Life/Death:

Sentence Time:

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

Operator License Suspension Time:

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Operator License Restrictions:	
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raffic Fatality:	
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Virginia Beach Circuit Court (details)

Case #: CR02003312-02

Defendant: HARVEY, TERRENCE ANTONIO

Address: HAMPTON, VA 23661 Gender: MALE Race: BLACK DOB:

Defendant Information

Attorney:

Case/Charge Information

Defendant Status: CUSTODY Filed Date: 08/21/2002

Locality: COMMONWEALTH OF VA

Code Section: 18.2-108

Charge: REC STOLEN PROPERTY

Case Type: **FELONY** Class: UNCLASSIFIED

Commenced By: INDICTMENT Offense Date: 07/12/2002 Arrest Date: 07/12/2002 Amended Code Section: Amended Charge:

Amended Case Type: Amended Class:

Appeal Information

Appeal Date:

Hearing Inform	nation		-				
Date	Time	Result	Туре	Courtroom	Plea	Duration	Jury
02/19/2003	09:30 AM	SENTENCED	SENTENCING	LLM			
12/10/2002	09:30 AM	TRIED	PLEA	NCP			
11/18/2002	09:30 AM	DENIED	SUPPRESS	NH			
10/16/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LLM			
09/18/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LH			
09/05/2002	09:30 AM	SET FOR TRIAL	TO BE SET	CN	therefore an extraordinate	THE STREET OF THE PARTY OF THE STREET,	haddelensor(=) w
09/03/2002	09:30 AM	TRUE BILL	GRAND JURY				

Disposition Information

Disposition: GUILTY

Disposition Date: 02/19/2003 Concluded By: GUILTY PLEA

Jail/Penitentiary:

Concurrent/Consecutive:

Life/Death:

Sentence Time:

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

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Operator License Suspension Time:

Military:		
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Traffic Fatality:		
Court/DMV Surrender:		
Driver Improvement Clinic:		
VASAP:		
Restitution Paid:		
Restitution Amount:		
Fine: *		
Costs: *		
Fine/Costs Paid:		
Fine/Costs Paid Date:		
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information. Service/Process		

Kestriction Effective Date:





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Virginia Beach Circuit Court (details)

Case #: CR02003312-01

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: HAMPTON, VA 23661

Gender: MALE
Race: BLACK
DOB:

Attorney:

Case/Charge Information

Defendant Status: **CUSTODY** Filed Date: **08/21/2002**

Locality: COMMONWEALTH OF VA

Code Section: 18.2-51.1

Charge: MALICIOUS WOUNDING

Case Type: FELONY
Class: UNCLASSIFIED
Commenced By: INDIC

Commenced By: INDICTMENT
Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:
Amended Charge:
Amended Case Type:
Amended Class:

Appeal Information

Appeal Date:

Hearing Information ^							
Date	Time	Result	Туре	Courtroom	Plea	Duration	Jury
02/19/2003	09:30 AM	SENTENCED	SENTENCING	LLM			
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11/18/2002	09:30 AM	DENIED	SUPPRESS	NH	manner tone minn		
10/16/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LLM			
09/18/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LH	THE THE PERSON OF THE PERSON O		
09/05/2002	09:30 AM	SET FOR TRIAL	TO BE SET	CN	Voltan mellen Hamely (hererenen i i i i i i i i i i i i i i i i i i	
09/03/2002	09:30 AM	TRUE BILL	GRAND JURY				

Disposition Information

Disposition: GUILTY

Disposition Date: 02/19/2003
Concluded By: GUILTY PLEA
Jail/Penitentiary: PENITENTIARY

Concurrent/Consecutive:

Life/Death:

Sentence Time: **45 Year(s)**Sentence Suspended: **25 Year(s)**

Program Type:

Probation Type: SUPERVISED
Probation Time: 99 Year(s)

Probation Starts:

Operator License Suspension Time:

Pleadings/Orders	,
Service/Process	•
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* This system cannot process online payments at this time. Please refer to 'How to Pay Traffic Tickets and Other Offenses' for more	
Fine/Costs Paid Date:	
Fine/Costs Paid:	
Costs: \$1,616.00 *	
Fine: *	
Restitution Amount:	
Restitution Paid:	
VASAP:	
Driver Improvement Clinic:	
Court/DMV Surrender:	
Traffic Fatality:	
Military:	
Operator License Restrictions:	

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Virginia Beach Circuit Court (details)

Case #: CR02003312-00

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: HAMPTON, VA 23661

Gender: **MALE**Race: **BLACK**DOB:

Attorney:

Case/Charge Information

Defendant Status: CUSTODY Filed Date: 08/21/2002

Locality: COMMONWEALTH OF VA

Code Section: 18.2-31(6)
Charge: ATT CAPITAL MURDER

Case Type: FELONY
Class: UNCLASSIFIED

Commenced By: INDICTMENT
Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:
Amended Charge:
Amended Case Type:

Appeal Information

Amended Class:

Appeal Date:

Hearing Information								
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Disposition Information

Disposition: **NOLLE PROSEQUI**Disposition Date: **02/19/2003**

Concluded By: NOLLE PROSEQUI

Jail/Penitentiary:

Concurrent/Consecutive:

Life/Death:

Sentence Time:

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

Operator License Suspension Time:

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Military:
Traffic Fatality:
Court/DMV Surrender:
Driver Improvement Clinic:
VASAP:
Restitution Paid:
Restitution Amount:
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Costs: *
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Fine/Costs Paid Date:
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•'			☐ COMPLAINT AFFIDAVIT						829	
BROWARD COUNTY			PROBABLE CAUSE AFFIDAVIT CONTINUATION					☐ ARREST FORI		
ARREST#	A1107-1-1000			OBTS#						
Filing Agency	IVOOD PD	Offense Report 33-2206	096722	Local (D#	;; FDLE	•"				
Defendant's Last I	**************************************	1 20	First	Middle	SUF	Alias/	Street Name		Citizënship	
· HARVEY	AND THE RESIDENCE OF THE PARTY			RENCE ANTONIC)					
Name of victim(s)	(if corporation, exact le	gat name and st	ite of incolpt	RAION						
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Count #			Offenses (Charged			WC# / Citation # (if appli	cable)	FS or Capias/Warrant #	
						700	1 4 4 4			
			<u> </u>	* * <i>SEE</i>	PAG	$E \mid I$				
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					e Cause Affide	avit.				
Before me this	date personally appe	ared <u>DEVI</u>	O, KELL	Y (3682)				il duly swom	deposes and says that on	
day of	June, (year	2022	al 3401	OAKWOOD BLVD,	<i>HOLLYWOOD,</i> owing probable c	PL 33	believe the same are as	follows	(enme location)	
the above name	ed delendant commit	COA MOTT	onenses co	angen and the lacts sir ag nigotaticus:	D TO HOME	DE	POT LOCATED A	r 3401	OAKWOOD BLVD	
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\$99.00,	COMPACT RO	UTE: \$1	29.00,	DEG FRAMING	NAILER:	\$27	9.00, RIDGID	NAILER:	\$229.00.	
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1 SWear the add	1 1 Mg	368	1						Administration	
Officer/Affiant's	Signature	207		DEVITO, KEL Officer's Name/CC		***************************************		Officer's Div		
STATE OF FL										
COUNTY OF							3/133			
Sworn to (or at	firmed) and subscrib		his	day of	June		(year),			
by	DEVITO	, KELLY		(name and litle)), who is personal	ily know	n to me or has produced as identification			
	* * *						as identification	5.1	3499	
77	<u> かソンニ</u>					SER	GE;1NT / 3148 C e/Rank and CCN	TC/	3717	
Notary Public, O	eputy Clerk of the Court,	or Assistant St	te Attorney	7		1 1740	erkank and CCN .			
SCHEEL, F	AUL L	691	CII	pom 45			(SEAL)			
	amp Commissioned Nar	me of Notary Pu	alic /	-			\ <i>,</i>			
Seventeenth J Broward Coun				FIRST APPEA	RANCE/ARREST	r form	Λ		Orig - Court 2nd - State Attorney	
State of Florid	•			^^	UDT AAN	V			3rd - Filing Agency 4th - Arresting Agenc	
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**** FILED: BROWARD COUNTY, FL Brenda D. Forman, CLERK 6/27/2022 1:03:43 PM.****

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•		☐ COMPLAINT AFF			
BROWARD COUNTY		PROBABLE CAUSE AFFIDAVIT CON	NTINUATION	🖺 ARREST FORM	
ARREST #	•		OBTS	5#	
Filing Agency	Offense Report	Local IO# FDLEY.	FROM LEGISTRA		
HOLLYWOOD PD	33-2206-096722		Alias/Street Name	Crtizenship	
Defendant's Last Name	First TEA	RRENCE ANTONIO			
HARVEY Name of victim(s) (if corporation, exact le					
value of victim(a) (ii corporation, cares				2000	
		33360			
Count #	Offenses	Charged	WC# / Citation # (if applica	ble) FS or Capias/Warrant#	
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		BLLIAGE			
		Probable Cause Altiday	W. I	120140000000000000000000000000000000000	
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lefore me this date personally app	eared <u>DEI ITO. KELL</u>	LY (3682)		duly sworn deposes and says that on	
* · · · · · · · · · · · · · · · · · · ·	. 2022 . 7.10	I OAKWOOD RLYD. HOLLYWOOD, FI	L 33020	(crime location)	
ie above named defendant commi	itted the above offenses c	harged and the facts showing probable cause	26 (O Delieve life asilie are do los		
THE ARRESTEE WAS I	MANSPORTED TO	BSO MAIN JAIL.			
INE ARRESTED WHO I	.1011.01				
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				1941	
swear the above statement is con	rect and true to the best of	my knowledge and belief			
swear the above statement is con	10			Administration	
De DeVV	V 3086	DEVITO, KELLY (3682)		Officer's Division	
officer/Affiant's Signature		Officer's Name/CCN	0	IIII O BITTOINI	
TATE OF FLORIDA					
COUNTY OF BROWARD			2022 (year),		
iworn to (or affirmed) and subscri	bed before me this	24 day of June	And the second s		
nevia	O, KELLY	(name and title), who is personally	known to me or has produced		
DEVITE			no identification	1,445.5	
		2000 December 1	TO OF THE PARTY OF	2/2419	
7.7995	-		Title/Rank and CCN		
Notary Public, Deputy Clerk of the Cour			THE/Rank and CCN		
MC		hom 5 J			
SCHEEL, PAUL / /			(SEAL)		
Print, Type or Stamp Commissioned No	ame of Notary Public			Orea Court	
Seventeenth Judicial Circuit		FIRST APPEARANCE/ARREST F	ORM	Orig - Court 2nd - State Attorne	
Broward County	assuman			3rd - Filing Agency	
State of Florida	200	COURT COPY	•	4th - Arresting Age	
BSO DB-#2a (Revised 05/00)		000111 001 1			



Florida Department of Corrections (//www.dc.state.fl.us/index.html)

Ron DeSantis, Governor
Ricky D. Dixon, Secretary

"Inspiring Success by Transforming One Life at a Time"

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Correctional Institutions (/ci/index.html) Probation Services (/cc/index.html) Programs (/development/index.html)

FDC Jobs (http://www.fldcjobs.com) Newsroom (/comm/index.html) Statistics (/pub/index.html)

Partners (mailto:development@fdc.myflorida.com)

Corrections Offender Network

Supervised Population Information Detail

(This information was current as of 10/9/2022)



DC Number: C61374

Name: HARVEY, TERRANCE ANTON

Race: BLACK

Sex: MALE

Birth Date:

Supervision Begin Date: 01/24/2022

Current Location: FT. LAUDERDALE (http://pros wpws001.fdc.myflorida.com/cc

Current Status: ACTIVE

Supervision Type: PROBATION FELONY

Scheduled Termination Date: 02/19/2048



(https://www.vinelink.com/vinelink/servlet/SubjectSearch? siteID=10000&agency=900&offenderID=C61374)

Current Verified PERMANENT Address:

2318 CHARLESTON ST HOLLYWOOD, FL 33020

Aliases:

TERRANCE ANTONIO HARVEY, TERRENCE ANTONIO HARVEY

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
07/12/2002	AGG.BATT/LEO/FIRFGT/EMS/ETC.	01/18/2022	INTERSTATE	0000000	26Y 1M 2D

Record: 1 of 1 New Search Return to List Previous Next Last

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 sate 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 FT. LAUDERDALE Circuit Office (http://prod.fdc-wpws001.fdc.myflorida.com/cc/17.html). This information is made available to the public and law enforcement in the interest of public safety.

Search Criteria: (/OffenderSearch/search/search-aspx?TypeSearch=AO) Last Name: harvey First Name: terrence 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)

Contact Us **Quick Links About Us** (http://www.dc.state.fl.us/org

(http://www.dc.state.fl.us/about.html)

Victim Services Contact an Inmate

(http://www.dc.state.fl.us/ci/ContactInmateribunde.state.fl.us/vict/index.html) 501 South Calhoun Street As Florida's largest state Inmate and Offender Public Records Tallahassee, FL 32399-2500 agency, and the third largest (//www.dc.state.fl.us/comm/PRR.html) Programming

[//www.dc.state.fl.us/development/index.html]
Main: (850) 488-5021 prison system in the country, **Volunteer**

FDC employs 24,000

(http://www.dc.state.fl.us/volunteer/indendrentibns Foundation (https://www.correctionsfoundation.org/hone Directory members, incarcerates File a Complaint

(//www.dc.state.fl.us/apps/IGcomplaint apple Information (//www.dc.state.fl.us/org/contact.html) approximately 80,000

(https://www.fcor.state.fl.us/index.shtmatizen Services Organization inmates and supervises (//www.dc.state.fl.us/org/orgchart.html\nspector General (//www.dc.state.fl.us/citizen/index.html)

nearly 146,000 offenders in (//www.dc.state.fl.us/ig/index.html) Regulatory Plan

the community. (//www.dc.state.fl.us/pub/regulatory/20th/son Rape Elimination Act

(http://www.dc.state.fl.us/PREA/index.html) 2018.pdf)

State of Florida Vs. Harvey, Terrence Antonio

Broward County Case Number: 22006081CF10A State Reporting Number: 062022CF006081A88810

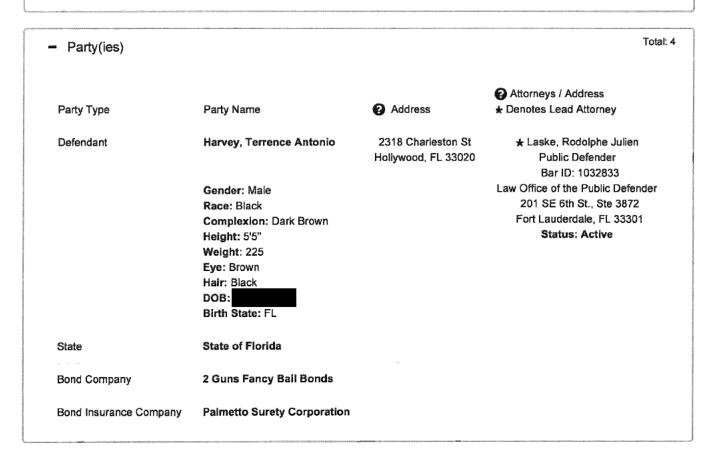
Court Type: Felony

Case Type: 3rd Degree Felony Filing Date: 06/25/2022 Case Status: Pending

Court Location: Central Courthouse Judge ID / Name: Ledee - FI, Frank'

Magistrate Id / Name: N/A

BCCN: 0952555



- Charge(s)		uncumanidades (1907) (1907) (1904) (1904) (1904) (1904) (1904) (1904) (1904) (1904) (1904) (1904) (1904) (1904		Total: 1
Offense Date	Charge	Degree	Detail	
06/24/2022	1	(F3)	Grand Theft Auto Date Filed: 06/24/2022 Current Statute: (F3)812.014(2)(c)6 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)812.014(2)(c)6-Grand Theft Auto	

Warrant(s)

Total: 0

There is no Warrant information available for this case.

Bond(s)

Total: 0

There is no Bond information available for this case.

Arrest(s)

Total: 1

Arrest Date

Charge

Arrest Number

Detail

06/24/2022 1 HW22000863

Arrest

Name At Arrest: Harvey, Terrence Antonio

Offense: Grand Theft Auto

Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(c)6 OBTS Number: 0608288943

Disposition(s)

Total: 1

Offense Date

Charge

Disposition(s)

06/24/2022

1

Plea(s)

09/06/2022 Plea

Arraignment Not Guilty-Jury

Collection(s)

Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
09/10/2022	1		\$0.00	\$50.00	\$0.00	\$50.00	-	\$0.00	-	\$0.00

Event(s) & Document(s)

Total: 18

Date	Description	Additional Text	View	Pages
09/10/2022	Notice of Public Defender Fees	\$50.00		
And discontinuous designation of the control of the		Amount: \$50.00		
09/08/2022	File Def Affidavit Indigency/Declared Not Indigent			1
09/08/2022	Review of Motor Vehicles - Property Records		•	1
09/06/2022	Arraignment Held	CR:D.Solomon/Laws (D) NG		
09/06/2022	File Court's Notice Of Hearing			1
08/23/2022	Court Date Notice		M.	2
08/08/2022	File States Information			2
08/08/2022	File State's Instruction Sheet		7 5	1
07/05/2022	Bond Posted	pwr #1008730		3
07/01/2022	File Defense Demand For Discovery			4
07/01/2022	Demand for Disclosure of Impeaching Information			3
07/01/2022	File Notice/Assistant PD Assignment			1
06/29/2022	File Order Denying Def Motion For ROR	Bond set at \$1,000.00	.	1
06/29/2022	Hrg Held On Defense Motion For ROR	CR.Zoom (D)		
06/27/2022	Hrg Held / Magistrate Findings/Order - Probable Cause Found			1
06/27/2022	Arrest Paperwork		I h.	4
06/27/2022	File Notice Of Confidential Info Within Court Filing			1
06/25/2022	Electronic Case			

- Hearing	g(s)		Total: 4
Date	Description	Additional Text	

Date	Description	Additional Text
11/28/2022	Jury Trial	Hearing Time: 8:30 AM Judicial Officer(s):Ledee - FI, Frank Location: Room 4750
		D
11/03/2022	Calendar Call	Hearing Time: 8:30 AM Judicial Officer(s):Ledee - FI, Frank Łocation: Room 4750 D
09/06/2022	Arraignment	Hearing Time: 8:30 AM Judicial Officer(s):Ledee - FI, Frank Location: Room 4750
06/29/2022	Hearing/Defense Motion for ROR	Hearing Time: 1:00 PM Judicial Officer(s):Judge- FMN, First Appearance Location: Room 4155

- Related Case(s)

Total: 0

There is no related case information available for this case.



REALES



Page 1 of 1. 0 total mat	ches.						
Search Parameters					- CONTRACTOR OF THE CONTRACTOR	200m/cn-th-th-trus-200327/00/ccc0000000000000000000000000000000	
Govt. Number:					S. C. Talana Man		77777777777777777777777777777777777777
Date of Birth:							
First Name: Terrence)						
Middle Name:							
Last Name: Harvey			**************************************				
Sex:							
Commission:							
License Type:		490044444444444444444444444444444444444					
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

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Return to Search Results

Wise Circuit Court (details)

:Subscribe

Case #: CR15F00267-00

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: POUND, VA 24279

Gender: MALE

Race: OTHER (INCLUDES NOT APPLICABLE, UNKNOWN)

DOB:

Attorney: FLEMING, J BRENT

Case/Charge Information

Defendant Status: CUSTODY

Filed Date: 07/20/2015

Locality: COMMONWEALTH OF VA

Code Section: 18.2-51

Charge: ATTEMPTE MALICIOUS WOUNDING (ATTEMPT)

Case Type: **FELONY**Class: **CLASS 5**

Commenced By: DIRECT INDICTMENT

Offense Date: 03/18/2015 Arrest Date: 07/29/2015 Amended Code Section: Amended Charge: Amended Case Type: Amended Class:

Appeal Information

Appeal Date:

Hearing Information Date Time Result Type Courtroom Plea Duration Jury 05/20/2016 09:00 **SENTENCED** PLEA AM 03/21/2016 09:00 CONTINUED TRIAL AM 01/11/2016 09:00 CONTINUED TRIAL ΑM 11/10/2015 09:00 **CONTINUED** TRIAL AM 07/29/2015 11:00 **SET FOR TRIAL ADVISE ABOUT ATTORNEY** AM **ARRANGEMENTS** 07/20/2015 09:00 TRUE BILL - DEF. ARRESTED ON **GRAND JURY** AM **CAPIAS**

Disposition Information

Disposition: GUILTY

Disposition Date: 05/20/2016
Concluded By: GUILTY PLEA
Jail/Penitentiary: PENITENTIARY

Concurrent/Consecutive:

Life/Death:

Sentence Time: **5 Year(s)**Sentence Suspended: **5 Year(s)**

Program Tune

950

	rrogram type.
	Probation Type: UNSUPERVISED
	Probation Time: 5 Year(s)
	Probation Starts: PROBATION TO BEGIN UPON SENTENCING
-	Operator License Suspension Time:
-	Restriction Effective Date:
į	Operator License Restrictions:
	Military:
-	Traffic Fatality:
	Court/DMV Surrender:
	Driver Improvement Clinic:
-	VASAP:
CONSTRUCTOR OF STREET	Restitution Paid:
	Restitution Amount:
-	Fine: \$0.00 *
MANAGORAL	• ***
-	Costs: \$906.39 *
	Fine/Costs Paid:
	Fine/Costs Paid Date:
отомомония	* This system cannot process online payments at this time. Please refer to 'How to Pay Traffic Tickets and Other Offenses' for more
DISTORPHISM	information.
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 Pleadings/Orders
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Virginia Beach Circuit Court (details)

Case #: CR02003312-03

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: HAMPTON, VA 23661

Gender: MALE Race: BLACK DOB:

Attorney:

Case/Charge Information

Defendant Status: CUSTODY Filed Date: 08/21/2002

Locality: COMMONWEALTH OF VA

Code Section: <u>46.2-894</u> Charge: **HIT & RUN-FELONY**

Case Type: FELONY
Class: UNCLASSIFIED

Commenced By: INDICTMENT
Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:
Amended Charge:
Amended Case Type:
Amended Class:

Appeal Information

Appeal Date:

Hearing Information А Date Time Result Type Courtroom Plea Duration Jury 02/19/2003 09:30 AM **SENTENCED SENTENCING** LLM 12/10/2002 09:30 AM TRIED PLEA NCP 11/18/2002 09:30 AM **DENIED SUPPRESS** NH 10/16/2002 09:30 AM CONTINUED **MOTION - OTHER PRE-TRIAL** LLM 09/18/2002 09:30 AM **CONTINUED** MOTION - OTHER PRE-TRIAL LH 09/05/2002 09:30 AM SET FOR TRIAL TO BE SET CN 09/03/2002 09:30 AM **TRUE BILL GRAND JURY**

Disposition Information

Disposition: GUILTY

Disposition Date: **02/19/2003**Concluded By: **GUILTY PLEA**

Jail/Penitentiary:

Concurrent/Consecutive:

Life/Death: Sentence Time:

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

Operator License Suspension Time:

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RESTRICTION ETHECTIVE Date:	
Operator License Restrictions:	
Military:	
Traffic Fatality:	
Court/DMV Surrender:	
Driver Improvement Clinic:	
VASAP:	
Restitution Paid:	
Restitution Amount:	
Fine: *	
Costs: *	
Fine/Costs Paid:	
Fine/Costs Paid Date:	
* This system cannot process online payments at this time. Please refer to 'How to Pay Traffic Tickets and Other Offenses' for more	
information.	
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Pleadings/Orders	~
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Virginia Beach Circuit Court (details)

:Subscribe

Case #: CR02003312-02

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: HAMPTON, VA 23661

Gender: MALE
Race: BLACK
DOB: Attorney:

Case/Charge Information

Defendant Status: CUSTODY

Filed Date: 08/21/2002

Locality: COMMONWEALTH OF VA

Code Section: 18.2-108

Charge: REC STOLEN PROPERTY

Case Type: FELONY
Class: UNCLASSIFIED
Commenced By: INDICTMENT

Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:
Amended Charge:
Amended Case Type:
Amended Class:

Appeal Information

Appeal Date:

Hearing Information ^									
Date	Time	Result	Туре	Courtroom	Plea	Duration	Jury		
02/19/2003	09:30 AM	SENTENCED	SENTENCING	LLM			·		
12/10/2002	09:30 AM	TRIED	PLEA	NCP			alaska assaurana		
11/18/2002	09:30 AM	DENIED	SUPPRESS	NH					
10/16/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LLM					
09/18/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LH		The forest and the second second second second	BERTONIA (LOC) VERNESSEE		
09/05/2002	09:30 AM	SET FOR TRIAL	TO BE SET	CN					
09/03/2002	09:30 AM	TRUE BILL	GRAND JURY						

Disposition Information

Disposition: GUILTY

Disposition Date: **02/19/2003** Concluded By: **GUILTY PLEA**

Jail/Penitentiary:

Concurrent/Consecutive:

Life/Death:
Sentence Time:
Sentence Suspe

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

Operator License Suspension Time:

	Return to Search Results
Pleadings/Orders	
Service/Process	
information.	
* This system cannot process online	payments at this time. Please refer to ' How to Pay Traffic Tickets and Other Offenses ' for more
Fine/Costs Paid Date:	
Fine/Costs Paid:	
Costs: *	
Fine: *	
Restitution Amount:	
Restitution Paid:	
Driver Improvement Clinic: VASAP:	
Court/DMV Surrender:	
Traffic Fatality:	
Military:	
Operator License Restrictions:	

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Virginia Beach Circuit Court (details)

Case #: CR02003312-01

Defendant: HARVEY, TERRENCE ANTONIO

Subscribe

Defendant Information

Address: HAMPTON, VA 23661

Gender: MALE Race: BLACK DOB:

Attorney:

Case/Charge Information

Defendant Status: CUSTODY

Filed Date: 08/21/2002

Locality: COMMONWEALTH OF VA

Code Section: <u>18.2-51.1</u>

Charge: MALICIOUS WOUNDING

Case Type: FELONY
Class: UNCLASSIFIED
Commenced By: INDIA

Commenced By: INDICTMENT
Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:
Amended Charge:
Amended Case Type:
Amended Class:

Appeal Information

Appeal Date:

Hearing Information Date Time Result Type Courtroom Plea Duration Jury 02/19/2003 09:30 AM **SENTENCED SENTENCING** LLM 12/10/2002 09:30 AM TRIED **PLEA** NCP 11/18/2002 09:30 AM SUPPRESS DENIED NH 10/16/2002 09:30 AM **CONTINUED MOTION - OTHER PRE-TRIAL** LLM 09/18/2002 MOTION - OTHER PRE-TRIAL 09:30 AM CONTINUED LH 09/05/2002 09:30 AM **SET FOR TRIAL** TO BE SET CN 09/03/2002 09:30 AM TRUE BILL **GRAND JURY**

Disposition Information

Disposition: GUILTY

Disposition Date: 02/19/2003 Concluded By: GUILTY PLEA Jail/Penitentiary: PENITENTIARY

Concurrent/Consecutive:

Life/Death:

Sentence Time: **45 Year(s)**Sentence Suspended: **25 Year(s)**

Program Type:

Probation Type: **SUPERVISED**Probation Time: **99 Year(s)**

Probation Starts:

Operator License Suspension Time:

956

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Pleadings/Orders	
Service/Process	V
information.	·
* This system cannot process online payments at this time. Please refer to 'How to Pay Traffic Tickets and Other Offenses' for more	
Fine/Costs Paid Date:	
Fine/Costs Paid:	
Costs: \$1,616.00 *	
Fine: *	
Restitution Amount:	
Restitution Paid:	
VASAP:	
Driver Improvement Clinic:	
Court/DMV Surrender:	
Traffic Fatality:	
Military:	
Operator License Restrictions:	
RESTRICTION ETTECTIVE DATE:	
KACITICIIAN ETTACTIVA LISTA:	

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Virginia Beach Circuit Court (details)

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Case #: CR02003312-00

Defendant: HARVEY, TERRENCE ANTONIO

Defendant Information

Address: HAMPTON, VA 23661

Gender: MALE
Race: BLACK
DOB:

Attorney:

Case/Charge Information

Defendant Status: **CUSTODY** Filed Date: **08/21/2002**

Locality: COMMONWEALTH OF VA

Code Section: 18.2-31(6)
Charge: ATT CAPITAL MURDER

Case Type: FELONY
Class: UNCLASSIFIED
Commenced By: INDICTMENT
Offense Date: 07/12/2002
Arrest Date: 07/12/2002
Amended Code Section:

Amended Charge: Amended Case Type: Amended Class:

Appeal Information

Appeal Date:

Hearing Information										
Date	Time	Result	Туре	Courtroom	Plea	Duration	Jury			
02/19/2003	09:30 AM	NOLLE PROSEQUI	TRIAL	LLM			•			
11/18/2002	09:30 AM	DENIED	SUPPRESS	NH		The state of the s				
10/16/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LLM						
09/18/2002	09:30 AM	CONTINUED	MOTION - OTHER PRE-TRIAL	LH	the state of the s					
09/05/2002	09:30 AM	SET FOR TRIAL	TO BE SET	CN						
09/03/2002	09:30 AM	TRUE BILL	GRAND JURY	Normalise Shamilton (Age 1988) (Maries and Anthropa areas	100 (100 (100 (100 (100 (100 (100 (100	Militaria e la chiana de mana e e e e e e e e e e e e e e e e e e				

Disposition Information

Disposition: NOLLE PROSEQUI

Disposition Date: 02/19/2003 Concluded By: NOLLE PROSEQUI

Jail/Penitentiary:

Concurrent/Consecutive:

Life/Death:

Sentence Time:

Sentence Suspended:

Program Type:

Probation Type:

Probation Time:

Probation Starts:

Operator License Suspension Time:

Restriction Effective Date:

Onorator Licence Restrictions

I F	ine/Costs Paid Date:	
-	ine/Costs Paid:	
1	Costs: *	
	ine: *	
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1	Court/DMV Surrender: Driver Improvement Clinic:	
- 1	Fraffic Fatality:	
1 1	Military:	

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Broward County Sheriff's Office

02-608 | FI

Booking Report



			- 1									
CIS#	13220086	3		BCCN	1#	95255	5		Вос	king Shee	Control Date	and Time
OBTS	608288943			Print Clearan	int Clearance 06/24/22 18:50:15 Prints Yes		Yes	06/24/22 21:24:45				
Arrest #	HW 2200863	3		Offense Rep	ort#	33-2206	-096722		Age	ncy	HOLLYWOO	D
Last Name First Middle	HAR	VEY, T	ER	RENCE AN	ITON	10.			SSI	N#		ententententententententententententente
Race	Sex	Height	W	ight Eyes	Hair	Comp.	Age Admitted	DOB	Plac	e of Birth	State	FDLE
В	М	505	22	BRO	BLK	DBR	36				FLO	RIDA
Permanent Address	2318 CHAR	LESTON	ST	√pt# ·4 HOL	LYWO	OD FL 3302	0			Months o	f Residence 0	
Arrest Date	06/24/22 1	6:04:00		Place of	Arrest		VOOD BLVD OD FL 33020	Arrest	ing Offic	er 3682	DEVITO	
inmate Logg	ed Date	06/24/2	22 18	.24:00	Inmate	e Log Type	FULL INTAKE	F	lace Ad	Imitted	MAIN	
Intake Comm	nents SP/C0	0/29/54-1	695	W/C-10251								
Alias Last na	ame, First, Mi	ddle, DO	6									
Warrants Off	icer (d: bs102	251										
Scars,Marks	Tattoos											
Release Date	e/Time			Releas	e Reas	son				Releas	e Authorized	Ву
Charge No.	Charge	e Initiatio	n D	ate Sta	tute		Warrant/Capias			B. Type		Bond Amount
1	-	6/24/22 2			.014-2		6	3F	Υ	HOLD F	OR MAG	\$0,00
Charges	GRAND THI	•	0<\$5		inty	,	Comments	Judge				
Booking Of							Manage 10 a - 1			9 7		Dand America
Charge No. 2	•	e Initiatio 6/24/22 2		1	tute .08		Warrent/Caplas C61374	Level XF	W.C Y	B. Type NO BON		Sond Amount \$0.00
Charges	_	VIOLA		OR COMM			Comments AG		•			
Booking Of	f, ID bs158			Cou	inty	INTERSTA	TE	Judge	2			
loider Status	Holder Status Code: ACTIVE			1		***************************************	Holder Stat	tus Code: O'	THER S	TATE		

4 *		COMPLAINT AFFIDAVIT						
BROWARD COUNTY		PROBABLE CAUSE AFFIDAVIT CONTINUATION OBTS #						
ARREST #		[art with a trace of the		of spenning that the Section			
Filing Agency HOLLYIVOOD PD	Offense Repor 33-2206	096722 Local ID #	FOLE.					
Defendant's Last Name		First	Middle SUF	Alias/Street Name	Citizenship			
HARVEY		TERRENCE A.	NTONIO	-				
Name of victim(s) (if corporation, exact le	gai name and su	ate of incorporation		0000 MINISTER OF THE PROPERTY	200400000000000000000000000000000000000			
				26564990000000000000000000000000000000000				
Count #	4.5	Offenses Charged		WC# / Citation # (if appl	icable) FS or Capias/Warrant #			
		****	FF PAGI	7 				
			A A A A A A A A A A A A A A A A A A A					
			and the second s					
		Ş.,	Probable Cause Affide	It.				
Before me this date personally appo	ared DEVI	TO, KELLY (3682)		who being fire	st duly sworn deposes and says that on			
24 downt June from	A 2022	3401 OAKWOOL	D BLVD, HOLLYWOOD, I	FL 33020	(crime tocation)			
the above named defendant commi	ted the above	offenses charged and th	e facts showing probable ca	ise to believe the same are as	follows			
AT APPROXIMATELY 1	630 HOU	S I WAS DISP	ATCHED TO HOME	DEPOT LOCATED A	T 3401 OAKWOOD BLVD			
WHICH IS WITHIN TH	E JURIS	ICTIONAL LIM	ITS OF THE CITY	OF HOLLYWOOD, 1	BROWARD COUNTY,			
FLORIDA IN REFEREN	CE TO A	GRAND THEFT.						
UPON ARRIVAL CONTA	CT WAS	MADE WITH LOS	S PREVENTION OF	FICER, CALITOS	MATOS.			
					HIMTET TAKEN MAATO			
MATOS STATED THAT	HE WATC	HED THE ARRES	TEE, TERRENCE	LARVEY, SELECT MO	ULTIPLE POWER TOOLS			
FROM THE HARDWARE	SECTION	AND PLACE TH	EM IN THE CART	ARTEK, IME AKW TIM MOO TIM	FOICE WENT IO THE			
GARDEN SECTION AND	SELECT	ED A TRIMMER	AND PLACED IT .	N THE CART. THE	ARCESTED TOOK IND			
SHOPPING CART OF I	TEMS TO	THE SELF-CHE	CKOUT REGISTER	THE ARRESTEE E	AILED TO SCAN ANY OF			
THE ITEMS IN HIS C	ART AND	MADE IT LOOK	AS IF HE WAS	RYING TO PAY BY	PLACING HIS CREDIT			
OR DEBIT CARD IN I	HE KEYP	AD. THE ARRES	TEE PASSED ALL	POINTS OF SALE	WITHOUT SCANNING			
OR PAYING FOR THE	ITEMS I	N THE SHOPPIN	IG CART, AND EX	TED WITH ALL ME	RCHANDISE THROUGH			
THE MAIN EXIT. TH	E ARRES	TEE PASSED AI	L POINTS OF SA	E WITHOUT PAYING	G WITH FIVE ITEMS			
TOTALING \$885.00 A	ND BY D	DING SO HE TE	MPORARILY DEPR	VED HOME DEPOT	OF THEIR			
MERCHANDISE. ONCE	THE ARR	ESTEE WAS OUT	SIDE OF THE ST	RE, OFFICER SAN	TAMARIA #3625 WHO			
WAS ALERTED OF INC	IDENT T	OOK THE ARRES	TEE INTO CUSTO	Y. THE UNPAID	FOR ITEMS IN THE			
SHOPPING CART WERE	RECOVE	RED BY MATOS.	,					
					a contract on the state of the			
THE RECOVERED ITEM	is are a	s Follows: A	RYOBI GEN II T	RIMMER: \$140.00,	MKE JIG SAW TOOL:			
\$99.00, COMPACT RO	OUTE: \$1	29.00, DEG FF	AMING NAILER:	52/9.00, RIDGID	NAILER: \$229.00.			
			as makansaha sakan menjadi percebat	AND DENIM MO DENIT	neo profirem			
SECURITY FOOTAGE C	F THE I	NCIDENT EXIST	CAND AN EMAIL	AND DEMI IO BOAT	DEO REGUESI.			
		an ann ann ann ann ann ann ann ann ann	an arom tratto aliv	DOTOD CONVICTIO	NS FOR RETAIL THEFT.			
TELETYPE ADVISED T	HAT THE	ARRESTEE DOI	22 NOT HAVE ANT	EVIOU COMATORTO	* * * Continued * * *			
I swear the above statement is corre	ot and true to	he hest of my knowledge	e and belief		VVII ball ball			
swear the above statement is corre					A change of the second first as			
a Helan	368		<i>O, KELLY (3682)</i> Name/CCN	and the second s	Administration Officer's Division			
Office:/Affiant's Signature		Officers	Asumora					
STATE OF FLORIDA COUNTY OF BROWARD								
Sworn to (or affirmed) and subscrib	ed before me	his 24 day	oi June	(year),				
by DEVITO				known to me or has produced				
				as identification				
- marm.		00000000000000000000000000000000000000		CEDGRANT / 2148 6	ofc/3499			
Notary Public, Deputy Clerk of the Rourt,	or Assistant St	te Attornev	204000	Title/Rank and CCN				
7 (1.)		ce +1	÷	+				
SCHEEL, PAUL L.	099	1 / pony)	(SEAL)				
Print, Type or Stamp Commissioned National Circuit	ne or worary Pub				G C4			
Seventeenth Judicial Circuit Broward County		FIRS	T APPEARANCE/ARREST	ORM	Ong - Court 2nd - State Attorney			
State of Florida			^^!!!\\	,	3rd - Filing Agency 4th - Arresting Agency			
BSO DB-#2a (Revised 05/00)			COURT COPY		an - Vileaniñ Viens)			

BROWARD COUNTY	COMPLAINT AFFID PROBABLE CAUSE AFFIDAVIT CONTIN	△ ARREST FORM		
ARREST#		OBT		
	6-096722 Logal ID# FDLEY FDLEY FDLEY	THE PROPERTY OF THE PARTY OF TH		
		/Street Name	Citizenship	
Defendant's Last Name	First Middle SUF Alias. TERRENCE ANTONIO	Street Harrie	Sign Color of	
HARVEY Name of victim(s) (if corporation, exact legal name and			***	
Maure of Actitudes) for corbonations exact sedant service and				
Count#	Offenses Charged	WC# / Citation # (if application	able) FS or Capias/Warrant#	
County				
	* * * SEE PAGE	1 * * *		
	SEE FAGE	<u>L</u>		
		I		
	Probable Cause Affidavit			
Before me this date personally appearedDE	TO. KELLY (3682)	who being first	duly sworn deposes and says that on	
24 Inna 2022	1 3.101 OAKWOOD BLVD. HOLLYWOOD, FL 3.	3020	(crime location)	
the above named defendant committed the abo	offenses charged and the facts showing probable cause to	believe the same are as fo	llows.	
THE ARRESTEE WAS TRANSPO	TED TO BSO MAIN JAIL.			
IME ARRESTME WID TIEMETO				
-				
I swear the above statement is correct and true	o the best of my knowledge and belief			
OF TO WALL D	DEVITO, KELLY (3682)		Administration	
Officer/Affiant's Signature	Officer's Name/CCN		Officer's Division	
=				
STATE OF FLORIDA COUNTY OF BROWARD	Manage of the state of the stat			
Sworn to (or affirmed) and subscribed before n	eithis 24 day of June .	2022 (year),		
neviro velly	(name and tille), who is personally know	vn to me or has produced		
by <u>DEVIIO, RELLI</u>	A CONTRACTOR OF THE PARTY OF TH	ae ideatification		
			2/2419	
7.775/3	SER SER	WEANT / 3148 6 7	c/3/1/	
Notary Public, Deputy Clerk of the Court, or Assistant	State Attorney Till	e/Rank and CCN		
MCC				
Print, Type or Stamp Commissioned Name of Notary	<u> </u>	(SEAL)		
		4	Ong - Court	
Seventeenth Judicial Circuit Broward County	FIRST APPEARANCE/ARREST FORM	//	2nd - State Attorney	
State of Florida	COURT CORV		3rd - Filing Agency 4th - Arresting Agency	

BSO DB-#2a (Revised 05/00)



Florida Department of Corrections (//www.dc.state.fl.us/index.html)



"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) Newsroom (/comm/index.html) Statistics (/pub/index.html)

Partners (mailto:development@fdc.myflorida.com)

Corrections Offender Network

Supervised Population Information Detail

(This information was current as of 10/9/2022)



DC Number: C61374

Name: HARVEY, TERRANCE ANTON

Race: BLACK

Sex: MALE

Supervision Begin Date: 01/24/2022

Current Location: FT. LAUDERDALE (http://prowpwsool.fdc.myflorida.com/cc

Current Status: ACTIVE

Supervision Type: PROBATION FELONY

Scheduled Termination Date: 02/19/2048



Birth Date:

(https://www.vinelink.com/vinelink/servlet/SubjectSearch? siteID=10000&agency=900&offenderID=C61374)

Current Verified PERMANENT Address:

2318 CHARLESTON ST HOLLYWOOD, FL 33020

Aliases:

TERRANCE ANTONIO HARVEY, TERRENCE ANTONIO HARVEY

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
000000000000000000000000000000000000000	07/12/2002	AGG.BATT/LEO/FIRFGT/EMS/ETC.	01/18/2022	INTERSTATE	0000000	26Y 1M 2D

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 sate 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 <u>FT. LAUDERDALE</u> <u>Circuit Office (http://prod.fdc-wpwsoo1.fdc.myflorida.com/cc/17.html)</u>. 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: harvey First Name: terrence 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 Quick Links (http://www.dc.state.fl.us/about.html)

<u>Contact Us</u> (<u>http://www.dc.state.fl.us/org</u>

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.

Contact an Inmate
Victim Services

(http://www.dc.state.fl.us/ci/ContactInttiátwwhmillc.state.fl.us/vict/index.html)
Public Records
Inmate and Offender

(//www.dc.state.fl.us/comm/PRR.html)
Programming
Volunteer

(//www.dc.state.fl.us/development/index.html)
Main: (850) 488-5021

(http://www.dc.state.fl.us/volunteer/indesshtarilons Foundation

File a Complaint (https://www.correctionsfoundation.org/phone Directory

(//www.dc.state.fl.us/apps/IGcomplaintPspile Information (//www.dc.state.fl.us/org/contact.html)

Organization (https://www.fcor.state.fl.us/index.shtm\()tizen Services

(//www.dc.state.fl.us/org/orgchart.html]nspector General (//www.dc.state.fl.us/citizen/index.html)

Regulatory Plan (//www.dc.state.fl.us/ig/index.html)

(//www.dc.state.fl.us/pub/regulatory/20ftrison Rape Elimination Act

2018.pdf) (http://www.dc.state.fl.us/PREA/index.html)

State of Florida Vs. Harvey, Terrence Antonio

Broward County Case Number: 22006081CF10A State Reporting Number: 062022CF006081A88810

Court Type: Felony

Case Type: 3rd Degree Felony Filing Date: 06/25/2022 Case Status: Pending

Court Location: Central Courthouse Judge ID / Name: Ledee - FI, Frank'

Magistrate Id / Name: N/A

BCCN: 0952555

Total: 4 Party(ies) Attorneys / Address Address ★ Denotes Lead Attorney Party Name Party Type Defendant Harvey, Terrence Antonio 2318 Charleston St ★ Laske, Rodolphe Julien Hollywood, FL 33020 Public Defender Bar ID: 1032833 Law Office of the Public Defender Gender: Male 201 SE 6th St., Ste 3872 Race: Black Fort Lauderdale, FL 33301 Complexion: Dark Brown Status: Active Height: 5'5" Weight: 225 Eye: Brown Hair: Black DOB: Birth State: FL State of Florida State 2 Guns Fancy Bail Bonds **Bond Company** Palmetto Surety Corporation Bond Insurance Company

Total: 1 Charge(s) Detail Offense Date Charge Degree **Grand Theft Auto** 06/24/2022 (F3) Date Filed: 06/24/2022 Current Statute: (F3)812.014(2)(c)6 Filing Type: SAO Information Filing Agency: Hollywood PD Original Statute: (F3)812.014(2)(c)6-Grand Theft Auto

- Warrant(s)

Total: 0

There is no Warrant information available for this case.

Bond(s)

Total: 0

There is no Bond information available for this case.

- Arrest(s)

Total: 1

Arrest Date

Charge

Arrest Number

Detail

06/24/2022

HW22000863

Arrest

Name At Arrest: Harvey, Terrence Antonio

Offense: Grand Theft Auto

Degree: (F3) Bond Amount: \$ Statute: 812.014(2)(c)6 OBTS Number: 0608288943

- Disposition(s)

Total: 1

Offense Date

Charge

Disposition(s)

06/24/2022

Plea(s)

09/06/2022 Plea

Arraignment Not Guilty-Jury

- Collection(s)

Total: 1

Collection Date	Charge	Citation Number	Total Imposed Amount	Total Amount Due	Total Amount Paid	Current Amount Due	Last Payment Date	Last Payment Amount	Next Payment Date	Next Payment Amount
09/10/2022	1		\$0.00	\$50.00	\$0.00	\$50.00	-	\$0.00	-	\$0.00

Event(s) & Document(s)

Total: 18

Date	Description	Additional Text	View	Pages
09/10/2022	Notice of Public Defender Fees	\$50.00		
The state of the s		Amount: \$50.00		
09/08/2022	File Def Affidavit Indigency/Declared Not Indigent			1
09/08/2022	Review of Motor Vehicles - Property Records		Ł	1
09/06/2022	Arraignment Held	CR:D.Solomon/Laws (D) NG		
09/06/2022	File Court's Notice Of Hearing		t.	1
08/23/2022	Court Date Notice		•	2
08/08/2022	File States Information		Ŀ	2
08/08/2022	File State's Instruction Sheet			1
07/05/2022	Bond Posted	pwr #1008730		3
07/01/2022	File Defense Demand For Discovery			4
07/01/2022	Demand for Disclosure of Impeaching Information			3
07/01/2022	File Notice/Assistant PD Assignment			1
06/29/2022	File Order Denying Def Motion For ROR	Bond set at \$1,000.00		1
06/29/2022	Hrg Held On Defense Motion For ROR	CR.Zoom (D)		оприняний
06/27/2022	Hrg Held / Magistrate Findings/Order - Probable Cause Found			1
06/27/2022	Arrest Paperwork		N.	4
06/27/2022	File Notice Of Confidential Info Within Court Filing		#	1
06/25/2022	Electronic Case			

- Hearing	(s)		Total: 4
Date	Description	Additional Text	
management of the second of th			ченочиванного

Date	Description	Additional Text
11/28/2022	2 Jury Tria!	Hearing Time: 8:30 AM Judicial Officer(s):Ledee - FI, Frank Location: Room 4750 D
11/03/2022	2 Calendar Call	Hearing Time: 8:30 AM Judicial Officer(s):Ledee - FI, Frank Location: Room 4750 D
09/06/2022	2 Arraignment	Hearing Time: 8:30 AM Judicial Officer(s):Ledee - FI, Frank Location: Room 4750
06/29/2022	! Hearing/Defense Motion for F	ROR Hearing Time: 1:00 PM Judicial Officer(s):Judge- FMN, First Appearance Location: Room 4155

- Related Case(s)

Total: 0

There is no related case information available for this case.



ACCULA



Page 1 of 1. 0 total matches.				
Search Parameters			77-111-0-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	
Govt. Number:				
Date of Birth:				
First Name: Terrence			120G/ID-1014	
Middle Name:				
Last Name: Harvey				2002-2000-017-110-00-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01-00-01
Sex:				
Commission:				
License Type:				AND PROPERTY OF THE PROPERTY O
Master ID Last Name First Nan	ne Middle Name	SSN/Federal ID Rulings	Birth Date City	State

Licensees Rulings Horse Tracking Bulletin Board Preferences Log Off